

CITY OF CAMPBELL PLANNING COMMISSION

MINUTES

7:30 P.M.

TUESDAY

JULY 14, 2020

REMOTE ON-LINE ZOOM MEETING

The Planning Commission meeting of July 14, 2020, was called to order at 7:43 p.m. by Chair Krey and the following proceedings were had, to wit:

ROLL CALL

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

Commissioners Absent: None

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

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Buchbinder, seconded by Commissioner Ostrowski, the Planning Commission minutes of the meeting of June 23, 2020, were approved as submitted. (7-0)

COMMUNICATIONS

None

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

Mr. Raja Pallela, Campbell Resident:

- Stated that he rejected the questions and comments made by Commissioner Colvill at the last meeting regarding 309 Redding Road in which he questioned the property owners' intentions for their use of their ADU as a rental.
- Opined that that issue is not applicable to the Planning Commission.

PUBLIC HEARINGS

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

1. **PLN2019-213** Public Hearing to consider the application of Sean Rinde for a Site and Architectural Review Permit (PLN 2019-213) to allow the construction of a new approximately 2,665 square-foot two-story single-family residence on property located at **1511 Van Dusen Lane**. 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: *Naz Pouya Healy, Assistant Planner*.

Ms. Naz Pouya Healy, Assistant Planner, provided the staff report.

Chair Krey asked if there were questions for staff.

Commissioner Ching asked what trees would be removed from this site.

Planner Naz Pouya Healy replied that she would have to defer to the applicant and architect who are present this evening. She advised that there are two Oak trees on a neighboring property for which the City secured an arborist to review for suggestions on protection of those trees during construction on this property since the trees are close to the shared property line. That arborist has provided recommendations to ensure there is no damage to those trees' root line during any construction digging nearby.

Commissioner Ching asked if adherence to the arborist's recommendations would be part of the approval.

Planner Naz Pouya Healy replied yes. That tree protection provision is contained within the drafted conditions of approval.

Commissioner Buchbinder asked whether this home is smaller than others nearby due to this property being oddly shaped.

Planner Naz Pouya Healy replied yes. The lot is smaller and oddly shaped when compared to other lots nearby.

Commissioner Buchbinder asked if this is considered to be a non-conforming lot.

Planner Naz Pouya Healy replied yes.

Commissioner Rivlin asked how the neighboring house at 1451 Van Dusen Lane achieved its height.

Planner Naz Pouya Healy said that she didn't find old records for that house. That house has been in place for decades.

Commissioner Buchbinder asked staff why there are dashes in lieu of numbers for a couple of the homes listed on her comparison table exhibit. Is it because staff didn't find that information?

Planner Naz Pouya Healy replied that it was either because a house was a single-story rather than two-story home or there was no information available.

Commissioner Ostrowski provided the Site and Architectural Review Committee update as follows:

- SARC found the design for this home to be very nice.
- Added that the home meets all of the City's requirements.

Commissioner Hines asked staff if there has been any feedback provided by STACC (San Tomas Area Community Coalition) about this proposed home.

Planner Naz Pouya Healy referred to Attachment 6 in the packet, which is a letter of support from STACC.

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

Mr. Derryk Davis with his wife Gabriella, Property Owners:

- Assured the Commission that no trees would be removed from this property.

Mr. Eugene Sakai, Project Architect:

- Thanked Planner Naz Pouya Healy for her work on this project.
- Admitted that this has been a challenging lot to plan for as it is small and irregular in shape.
- Stated that they had initially tried for a single-story home but couldn't get a modest 3-bedroom/2-bath single-story home to fit on this lot.
- Said at as a result, they ended up with a partial two-story design plan.
- Reported that the second floor of this home design turns its back on the rear yard with the two bedrooms up there facing the home's street frontage instead of the rear yard.

- Concluded that he is proud of this design and is available for any questions.

Mr. Raja Pallela, Campbell Resident:

- Pointed out that one of the neighboring houses is actually four-stories and he knows that because at one point that home was up for sale and he had considered buying it.
- Added that it looks like a castle.

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

Commissioner Rivlin:

- Said that this design does a nice job of placing this home within this neighborhood.
- Stated that he appreciates the owners and architect for making this happen.
- Concluded that this project is great, and he hopes these owners enjoy it once it is completed.

Commissioner Ching agreed with Commissioner Rivlin's comments.

Commissioner Buchbinder:

- Reported that he visited this neighborhood and found it to be an odd-shaped lot.
- Opined that this design fits well in this neighborhood.
- Thanked the owners for coming into Campbell.

Commissioner Hines:

- Said he too looked at the site and agrees that this home will be a nice addition to that area.
- Commended the architect and property owners.

Motion: **Upon motion of Commissioner Ostrowski, seconded by Commissioner Rivlin, the Planning Commission adopted Resolution No. 4563 approving a Site and Architectural Review Permit (PLN 2019-213) to allow the construction of a new approximately 2,665 square-foot two-story single-family residence on property located at 1511 Van Dusen Lane; by the following roll call vote:**

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

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

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

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

2. **PLN-2020-54** Public Hearing to consider the application of Adjin Krajnic for a Modification (PLN-2020-46) to a previously approved Conditional Use Permit (PLN2017-337) to allow a motor vehicle sale (retail/wholesale) establishment on property located at **125 E. Sunnyoaks Avenue, Suite 100**. 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: *Stephen Rose, Senior Planner*

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

Chair Krey asked if there were questions for staff.

Commissioner Buchbinder asked staff why consideration of this item is even before the Commission. Is it because the business is moving floors or because the office size is now larger than before?

Planner Stephen Rose replied that Conditional Use Permit approvals are suite specific approvals. As a result, any modifications require a process and are brought back to the Planning Commission for reconsideration.

Commissioner Hines asked why a CUP is required in the first place in this case.

Planner Stephen Rose advised that motor vehicle sales uses are a conditional use.

Chair Krey asked staff if every proposed modification to a conditional use comes back to the Planning Commission.

Planner Stephen Rose:

- Replied that it depends. Sometimes if it is a rather minor modification to the approved use that decision can be made by the Community Development Director.
- Pointed out that typically changes to a CUP should be reviewed.
- Added that a business doubling its space can greatly change that use. This use is going from just 120 square feet to about 300 square feet.
- Concluded that in this case, there are no other operational changes proposed here.

Chair Krey said it seems a shame to have such a complicated process.

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

Ms. Shelby _____, Applicant's representative.

- Introduced herself as Dean's wife. He's currently driving and trying to get somewhere where he can join this Zoom meeting.
- Admitted that to her it seems like overkill to go through this process, but they needed more office space to operate from.
- Reported that at times a larger family group might be on-site together while processing the paperwork for a vehicle purchase thus requiring more seating space.

- Reported that they operate by appointment only.
- Added that they have a warehouse off-site to store their cars.
- Concluded that this request is pretty straightforward.

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

Commissioner Rivlin said he was on the Commission when the original CUP was approved by the Planning Commission and he finds this change to be minor and supportable.

Commissioner Ostrowski said she has no concerns.

Commissioner Hines congratulated the business owner for the success of this business.

Motion: **Upon motion of Commissioner Ching, seconded by Commissioner Ostrowski, the Planning Commission adopted Resolution No. 4564 approving a Modification (PLN-2020-46) to a previously-approved Conditional Use Permit (PLN2017-337) to allow a motor vehicle sales (retail/wholesale) establishment on property located at 125 E. Sunnyoaks Avenue, Suite 100; by the following roll call vote:**

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

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

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

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

3. **PLN2019-176** Continued Public Hearing to consider the application of Nandini Bhattacharya and Buddhadeb Basu for a Variance (PLN2019-176) to allow a reduced side-yard setback to legalize an unpermitted accessory dwelling unit (ADU) on property located at **309 Redding Road**. 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, provided the staff report.

Chair Krey asked if there were questions for staff.

Commissioner Buchbinder thanked Planner Daniel Fama for putting this all together. It took a lot of research.

Commissioner Hines asked what steps are now needed by these owners.

Planner Daniel Fama said that would be determined through the Building Permit process to ensure the structure conforms to California Building Codes including basic life-safety matters.

Commissioner Rivlin reminded that the applicant shared that Fire had already inspected.

Planner Daniel Fama reiterated that building legalization will be left to the discretion of the Acting Building Official Bob Lennen.

Commissioner Colvill pointed out that it is contrary to the Campbell Municipal Code to occupy a structure that does not have a Certificate of Occupancy. He asked if a non-conforming building be used for habitation purposes.

Planner Daniel Fama replied no.

Commissioner Colvill said that based upon that response it is clear that it falls within the purview of the Planning Commission to discuss a building's use.

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

Mr. Buddhadeb Basu, Applicant, reported that he spoke with Acting Building Official Bob Lennen and he has extended the current building permit for an additional three months.

Commissioner Hines thanked Mr. Buddhadeb Basu for going through this process and being a resident of Campbell. He asked if they have concerns about timing.

Mrs. Nandini Bhattacharya, Applicant:

- Said they met the standards when they bought the property.
- Added that the only hold up was the setback.

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

Commissioner Buchbinder:

- Reminded that a very in-depth discussion was held at the last PC meeting.
- Said that the only concern remaining is the timeline and that now seems to be plausible.
- Concluded that the PC should grant this Variance.

Commissioner Ching agreed and thanked staff for its hard work on this issue. He would vote in favor of these owners/residents.

Commissioner Ostrowski thanked the staff, Commission, applicants and participating members of the public for their efforts. She concluded that she would be supporting this Variance.

Commissioner Hines said he would support the Variance.

Motion: Upon motion of Commissioner Ching, seconded by Commissioner Ostrowski, the Planning Commission adopted Resolution No. 4565 approving a Variance (PLN2019-176) to allow a reduced side-yard setback to legalize an unpermitted accessory dwelling unit (ADU) on property located at 309 Redding Road with the inclusion of the desk item additions; by the following roll call vote:

AYES: Buchbinder, Ching, Hines and Ostrowski
NOES: Colvill, Rivlin and Krey
ABSENT: None
ABSTAIN: None

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

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

4. **PLN-2020-30** Public Hearing to consider the application of Trojan Storage for a Modification (PLN-2020-30) of a previously approved Conditional Use Permit (PLN2018-337) to amend the approved self-storage facility Hours of Operation of 7:00 AM to 8:00 PM Monday through Friday and 8:00 AM to 7:00 PM Saturday and Sunday to 6:00 AM to 9:00 PM, daily, on property located at **680 E. McGlincy Lane**. A Mitigated Negative Declaration (MND) was previously adopted for this project. Tentative City Council Meeting Date: August 18, 2020.
Project Planner: Daniel Fama, Senior Planner

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

Chair Krey asked if there were questions for staff.

Chair Krey asked staff what the history is for noise complaints at this site. Have there been a lot of them? Are there any recent noise complaints?

Planner Daniel Fama reported that many years ago there was a bakery operating nearby whose early and late truck traffic was an issue for nearby residential neighbors. He added that such issues can arise when a commercial use is located adjacent to residential uses.

Commissioner Hines said his concern is the roll up doors and how they align in terms of nearby residential uses.

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

Mr. Brett Henry, Applicant and Property Owner, Trojan Storage:

- Pointed out that he is not here asking for a Variance or late-night hours of operation. He is just asking for business hours similar to what other storage facilities have.
- Assured that they are a very quiet use.

- Reported that there have been no complaints since his ownership.
- Pointed out that they have 46 parking spaces on site where 17 are required.
- Added that this location has just one owner, him. He also has an on-site caretaker for each of his locations.
- Compared his single ownership to the 26 owners of the adjacent McGlincy Business Center.
- Added that the Business Center has no gates.
- Said that his property is already fully fenced.
- Stated that he is just asking for reasonable hours. It is not fair to compare his site to the McGlincy Business Center.
- Reported that his peak hours between 7 and 9 a.m. have an average of 10 cars per hour. The peak hours between 4 and 7 p.m. have an average of 17 cars per hour.
- Advised that this site included activities over 35 years. The last 18 months has been under his ownership.
- Said that the 95 storage units within his facility will be located inside the building.
- Opined that it is not reasonable for the City to “punish” his use without studies indicating the need to do so.
- Asked that he be allowed to compete fairly.
- Assured that he would immediately take steps to manage any complaints in the event that any come in.
- Thanked the Commission for its time and said he would be available for any questions.

Commissioner Ching asked Mr. Brett Henry why he didn't ask for these hours originally.

Mr. Brett Henry replied that he did. He added that he has never seen a storage facility with just 7 a.m. to 9 p.m. operational hours. He assured that he always asks for 6 a.m. to 9 p.m.

Commissioner Ostrowski asked Mr. Brett Henry if the roll up doors are manual or automatic.

Mr. Brett Henry replied that the roll up doors are manual. They go up quickly and quietly. He assured that they are really quiet and quality roll-up doors.

Commissioner Hines asked if there might be different type of door that opens quicker. He said he's aware that they might be more expensive.

Mr. Brett Henry:

- Said that while there may be thicker or mechanical doors, those are not quieter.
- Stated that this is the first time he has ever gotten into a discussion of his operational hours at his other facilities.
- Assured that the noise decibel is less than that of a dishwasher noise.
- Stressed that these hours he seeks are that important to him.

Commissioner Colvill asked Mr. Brett Henry how many storage facility locations he owns.

Mr. Brett Henry replied that he's been in the storage facility business for 20 years, owns 50 storage buildings that are located in nine states.

Commissioner Colvill said that he appreciates Mr. Brett Henry's work put into this Campbell location and is glad to know that Mr. Henry has so much experience in this field.

Commissioner Buchbinder thanked Mr. Brett Henry for the information he provided this evening. It was very helpful.

Commissioner Rivlin asked Mr. Brett Henry how he would deal with a noise complaint.

Mr. Brett Henry:

- Replied that he cannot guarantee that a noise complaint won't be possible.
- Assured that in the event of a neighbor complaint, he is committed to acting. If he's not able to immediately correct, he could evict that tenant.
- Added that he takes management of the 22 rolling doors located closest to adjacent residential properties very seriously.
- Pointed out that use of this facility is for long-term storage and not as a location from which someone would be operating a business directly from.
- Added that their contact information is provided for direct outreach if problems arise.

Commissioner Rivlin asked Mr. Brett Henry if he supports the idea of additional signage on site, especially at the back near adjacent residences, to discourage noise being generated by users of the storage facility.

Mr. Brett Henry replied 100 percent, yes, absolutely. He has no problem with providing additional signage.

Commissioner Colvill asked Mr. Brett Henry how he handles the potential for illegal occupancy of any unit. If someone were to sleep in one, how is that mitigated.

Mr. Brett Henry:

- Admitted that happens occasionally where someone tries to sleep in their storage unit.
- Explained that to deter that from happening, they have a sensor on every door in the facility, so they know if someone is on site and where.
- Added that if a customer comes on site after allowed hours, they are fined.
- Advised that as 70 percent of their customer base are women, they cannot have people living in any unit on site as a safety concern for their other clients' safety and security.
- Concluded that the best client base for this location could end up being residents of Campbell itself.

Commissioner Colvill asked Mr. Brett Henry if it is not difficult for him to evict someone from a storage space.

Mr. Brett Henry:

- Said that in order to terminate a lease, they have to go to court.
- Added that for non-payment of rent, they can lock the tenant out.
- Stated that if someone tries to live in a storage unit, he can raise the rent and/or give 30-day notice.
- Assured that they would deal with it if it were to occur.

- Reminded that they have an internal team of on-site managers to manage each of their locations.

Chair Krey:

- Thanked Mr. Brett Henry for his great presentation.
- Pointed out that Mr. Henry has advised this Commission that the hours of 6 to 7 a.m. and 8 to 9 p.m. bring very little traffic but it would be a competitive disadvantage for their customers not to have access to their stored items during those hours.

Mr. Brett Henry:

- Reported that the average customer stays on site is about 15 minutes on the property.
- Added that some come on site just a few times per year.
- Stressed that their customers need the ability to get to their items when they want or need to.

Commissioner Hines reference a letter received by a neighbor indicating a concern about the proposed change in hours and asking about the potential that they might come back to ask for more concessions later on. One such concession might be to reduce the required landscaping.

Mr. Brett Henry replied that he had seen Mr. Jimenez's letter. He added that his commitment to the other obligations for this site is proven as he has already filed their first building plans for review, and everything required is included on those plans. He assured that there is nothing else that they need to change.

Commissioner Hines thanked Mr. Henry for bringing his business into Campbell.

Mr. Timothy Franklin, Campbell Resident:

- Stated he was thankful for Campbell's commitment for a neighbor-friendly environment.
- Advised that he was satisfied with staff's recommendation to limit hours as originally approved.
- Reminded that there are 22 houses along Regas Drive.
- Said that operational hours from 6 a.m. to 9 p.m. daily would allow for a significant amount of noise potential.
- Thanked the Commission for listening to his comments and that he appreciated the time to speak.
- Reiterated his support for the staff recommendations.

Mr. Francisco Jimenez, Campbell Resident:

- Said he would take this opportunity to add his voice to Tim's concerns and support of the staff recommendations.
- Stated the need to find balance between light industrial uses and residential. As originally approved, this project would help maintain that balance.

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

Commissioner Colvill asked who makes the final decision, the Planning Commission or Council.

Commissioner Buchbinder pointed out that Mr. Brett Henry has assured this Commission that he would make sure his facility is not a nuisance to his neighbors. He asked staff what process would be available if the worse case scenario were to occur.

Planner Daniel Fama:

- Advised that there is revocation language within the conditions of approval.
- Added that if there are complaints, a revocation hearing would be brought to the Planning Commission and from there onward to Council.
- Stated that the City Council, despite the Planning Commission's recommendation, could still reduce the hours of operation during their review.

Commissioner Rivlin asked how many complaints it would take to initiate a revocation hearing.

Planner Daniel Fama replied three received within a six-month period.

Chair Krey:

- Said he too was a participant in the original PC hearing for this project.
- Added that for this hearing, staff has prepared a great staff report and that additional great information was provided by the applicant this evening as well.
- Admitted that he would tend to wait a year to see how this facility operates at this location and its impact on the delicate balance between industrial and residential uses.
- Stated that bringing it back is a long process.
- Said that he would go with the staff report and recommendation this evening and maybe a year down the road give expansion of hours a try.

Commissioner Ching:

- Said he agrees with Chair Krey.
- Added that he came into tonight's meeting siding with the staff recommendation.
- Pointed out that given current times, business is difficult. As a result, he now leans to approving this modification of hours as the applicant requests.
- Reminded that there is a revocation process if problems arise.
- Reiterated that he will go with the applicant's request, but he also does understand the neighbors' concerns.

Commissioner Hines asked staff how they got to the staff recommendation.

Planner Daniel Fama said that the original approval was reviewed and approved by Council and was respectful of both this business and the adjacent residents. Said these considerations are often more an art than science, requiring a lot of subjectivity.

Commissioner Hines said he leans toward what Council has already approved.

Commissioner Ostrowski:

- Stated her appreciation for the information provided this evening by staff and the applicant, Mr. Henry.
- Said that this is not an easy decision to reach. All of us have worked over multiple meetings including neighbor participation to reach the original approval.
- Added that she tends to support the staff recommendation and given some time in operation this applicant could come back in the future to modify his hours.

Commissioner Rivlin:

- Admitted he has a similar perspective as the others.
- Added that he understands Mr. Henry's point of view in wanting to be competitive in this location with others nearby.
- Suggested perhaps recommending extending weekday hours but not weekend hours.
- Reminded that the applicant is willing to provide site signage about on-site behavior expected by tenants in limiting noise and the potential for impacts on the nearby neighborhood.
- Concluded that he too appreciates staff's and applicant's presentations.

Commissioner Buchbinder:

- Questioned what if there is no consensus.
- Advised that he sides with the applicant's request here. It seems reasonable. He understands the risk if there are noise impacts from this facility. He is trying to manage that risk.
- Said that not allowing the hours Mr. Henry seeks, we are either placing this business at a competitive disadvantage or requiring the neighbors to have to make noise complaints to the City should complaints become necessary.
- Stated he would side with the applicant as there is a process available to deal with impacts should they arise. The hours could be reduced back.
- Pointed out that this applicant has done his due diligence.
- Listed three options that may be available to this Commission tonight. His first preference is to accept the applicant's request. The second would be some form of compromise such as that raised by Commission Rivlin to expand weekdays but not weekends. The third would be to deny an expansion of hours.

Commissioner Ching:

- Stated that he doesn't recall participating in a revocation hearing during his three years on the PC.
- Added that the need for such a revocation hearing does not seem to occur too often.
- Advised that he too would support the applicant's requested hours.
- Cautioned that the PC may be being over-cautious about this.

Commissioner Colvill posed a "yes or no" question to Commissioner Ching. "Has he ever seen an applicant having to come back and request an hour increase based on no complaints?"

Commissioner Ching said he can't remember a case.

Commissioner Colvill:

- Pointed out that Mr. Brett Henry represents the type of tenant/landowner that we want here in Campbell.
- Added that he has a great feeling about this business owner.
- Concluded that the hours requested are not unreasonable.

Motion: Upon motion of Commissioner Colvill seconded by Commissioner Buchbinder, the Planning Commission considered the adoption of a resolution recommending that the City Council approve a Modification (PLN-2020-30) of a previously approved Conditional Use Permit (PLN2018-337) to amend the approved self-storage facility Hours of Operation of 7:00 AM to 8:00 PM Monday through Friday and 8:00 AM to 7:00 PM Saturday and Sunday to 6:00 AM to 9:00 PM, daily, on property located at 680 E. McGlincy Lane with the following changes:

- **Strike Findings 8 through 13;**
- **Modify Conclusionary Findings 1 and 2 by striking “not”.**
- **Modify Conclusionary Finding 3 adding the word “not”.**
- **Modify Condition 12-C to reflect hours between 6 a.m. and 10 p.m. daily;**
- **Require the property to post anti-noise signage on site specifically near the rear of the project that is closest to residents;**

by the following roll call vote:

AYES: Buchbinder, Ching and Colvill,
NOES: Hines, Krey, Ostrowski and Rivlin
ABSENT: None
ABSTAIN: None

The motion failed due to a lack of a majority.

Commissioner Rivlin said that his previous suggestion for expanded weekday hours and having the weekend hours stay as originally approved might be a good compromise.

Commissioner Hines agreed that a compromise is a good approach. He suggested weekdays from 6 a.m. to 9 p.m. and weekends from 8 a.m. to 7 p.m.

Commissioner Rivlin reminded that the Commission’s action tonight is only a recommendation to Council.

Commissioner Colvill:

- Said he has some concern with limiting weekend hours.
- Reminded that there is the revocation process as a viable way of altering the hours later if it becomes necessary.
- Pointed out that some people may need access after their work schedule thus representing evenings and weekends.

Commissioner Rivlin:

- Reiterated that a compromise is the way to go.

- Stated that weekend users would need to be mindful to noise impacts to residential neighbors.
- Suggested 8 a.m. to 7 p.m. on Saturday and Sunday; and 7 a.m. to 8 p.m. from Monday through Friday.

Chair Krey said that is a very valiant compromise but his leaning is still to keep the hours the same as originally approved.

Motion: Upon motion of Commissioner Colvill seconded by Commissioner Buchbinder, the Planning Commission adopted Resolution No. 4566 recommending that the City Council approve a Modification (PLN-2020-30) of a previously approved Conditional Use Permit (PLN2018-337) to amend the approved self-storage facility Hours of Operation, on property located at 680 E. McGlincy Lane with the following changes:

- Strike Findings 8 through 13;
- Modify Conclusionary Findings 1 and 2 by striking “not”.
- Modify Conclusionary Finding 3 adding the word “not”.
- Modify Condition 12-C to reflect hours between 6 a.m. and 9 p.m., Monday through Friday; and between 8 a.m. and 7 p.m. on Saturday and Sunday;
- Require the property to post anti-noise signage on site specifically near the rear of the project that is closest to residents;

by the following roll call vote:

AYES: Buchbinder, Ching, Colvill, Hines, Ostrowski and Rivlin
NOES: Krey
ABSENT: None
ABSTAIN: None

Chair Krey advised that this item would be considered for final action by the City Council tentatively scheduled for its meeting of August 18, 2020.

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

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

Commissioner Buchbinder reminded that he had requested of the City Manager that a Joint Session be scheduled between the Council and Planning Commission. He has not yet received a response to that request.

Director Paul Kermoyan said he would follow-up with the City Manager.

Chair Krey pointed out that the Commission was copied with the email sent requesting this joint session.

Commissioner Colvill verified with staff that the Dollinger Project was approved by Council.

Director Paul Kermoyan replied correct.

Commissioner Ching asked when the closure of E. Campbell Avenue in Downtown would happen.

Director Paul Kermoyan:

- Said that staff is coordinating logistics to make that happen.
- Advised that one thing that's been done is the ordering of barricades to safely block vehicles from turning onto the closed portions of the street where diners and pedestrians will be able to use. What was ordered were orange plastic barricades that will be filled up with water to make them heavy enough to safely block off areas from traffic.
- Added that staff would keep the Downtown merchants updated to allow them the time to coordinate acquisition of tables and chairs as needed for expanded seating outside.
- Concluded that staff is trying to make this happen as soon as possible in a coordinated manner.

ADJOURNMENT

The Planning Commission meeting adjourned 9:34 p.m. to the next Regular Planning Commission Meeting of **July 28, 2020**, which will be conducted on Zoom.

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Michael Krey, Chair

ATTEST: _____
Paul Kermoyan, Secretary