

CITY OF CAMPBELL PLANNING COMMISSION

MINUTES

7:30 P.M.

TUESDAY

SEPTEMBER 11, 2018
CITY HALL COUNCIL CHAMBERS

The Planning Commission meeting of September 11, 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: Stuart Ching
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
Acting City Attorney: Stephanie Hall
Recording Secretary: Corinne Shinn

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Krey, seconded by Commissioner Rivlin, the Planning Commission minutes of the meeting of August 14, 2018, were approved as submitted. (3-0-1-3; Commissioner Ostrowski was absent and Chair Rich and Commissioners Dodd and Ching abstained).

COMMUNICATIONS

1. A cover memo with several emails in support of Agenda Item No. 3.

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

PUBLIC HEARINGS

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

1. **PLN2018-213** Public hearing to consider the application of Jeffrey Mar for a Major Modification (PLN2018-213) to a previously approved Planned Development Permit (PD 82-09) to allow construction of a 550 square-foot accessory structure within the Heritage Village Apartments on property located at **23 Heritage Village Lane**. Staff is recommending that this item be deemed Categorical Exempt under CEQA. Tentative City Council Meeting Date: October 2, 2018. Project Planner: *Daniel Fama, Senior Planner*

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

Chair Rich asked if there were questions for staff.

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

- Advised that SARC was generally supportive of this application.
- Said that they had questions about window coverings and exterior lighting.
- Added that it was suggested that the lighting be focused downward and not be left on overnight perhaps controlled via a timer.
- Stated that this space is not intended for use as living space and that the doors should be kept closed when not in use.
- Said that staging should not occur out in front and suggested the placement of "No Parking" signs as appropriate.
- Concluded that these concerns have been addressed through the conditions of approval.

Commissioner Ching said that it appears the full address for this project is 23 Heritage "Village" Lane rather than as appears (23 Heritage Lane) in the staff report.

Planner Daniel Fama advised he had just “Googled” and confirmed the proper address as 23 Heritage Village Lane and that he would correct it on the resolution.

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

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

Motion: Upon motion of Commissioner Rivlin, seconded by Commissioner Krey, the Planning Commission adopted Resolution No. 4457 recommending that the City Council approve a Major Modification (PLN2018-213) to a previously-approved Planned Development Permit (PD 82-09) to allow construction of a 550 square-foot accessory structure within the Heritage Village Apartments on property located at 23 Heritage Village Lane, by the following roll call vote:

AYES: Ching, Dodd, Hernandez, Krey, Rich and Rivlin

NOES: None

ABSENT: Ostrowski

ABSTAIN: None

Chair Rich advised that this item was tentative scheduled for the City Council meeting on October 2, 2018, for final action.

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

2. PLN2018-270 Public hearing to consider the application of Core Sculpt, LLC for a Conditional Use Authorization (PLN2018-270) to allow establishment of a Pilates studio (Sculpt50) within the Pruneyard Shopping Center, on property located at **1875 S. Bascom Avenue, Ste. 2410**, and creation of new Conditional Use Standards for studios (small and large) pursuant to the Pruneyard Master Use Permit. 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.

Chair Rich asked if there were questions for staff.

Commissioner Krey asked why advanced scheduled appointments were being required for this use.

Planner Daniel Fama said that there is a distinction between a fitness studio versus a fitness club. One has appointments and the other allows walk-in participation.

Director Paul Kermoyan added that using appointments allows attendance to be controlled and monitored.

Commissioner Krey asked if the applicant has no problem with that required.

Planner Daniel Fama replied correct.

Chair Rich asked staff how ancillary retail sale is defined.

Planner Daniel Fama said that retail is an allowed use at this location. This business could devote half the store to retail and it would not cause a concern.

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

Tiffany Gin, Owner and Applicant, Sculpt50:

- Expressed her appreciation for the Planning Commission's review of her application.
- Stated that she is thrilled to be a part of the Campbell Community both as a resident and with her new business.
- Added that her business will be a "locally owned" business. It is not a franchise.

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

Chair Rich thanked Ms. Gin for bringing her business into Campbell. It will be a wonderful addition to the community.

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

- **Adopted Resolution No. 4458 approving creation of new Conditional Use Standards for studios (small and large) to be incorporated into the Pruneyard Master Use Permit, and**
- **Adopted Resolution No. 4459 approving a Conditional Use Authorization (PLN2018-270) to allow establishment of a Pilates studio (Sculpt50) within the Pruneyard Shopping Center, on property located at 1875 S. Bascom Avenue, Ste. 2410, by the following roll call vote:**

AYES: **Ching, 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.

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

3. PLN2018-247 Public Hearing to consider the application of Dale Ann Johnson for an Administrative Planned Development Permit with a Parking Modification Permit (PLN2018-247) to allow establishment of a standard restaurant (Lisa's Tea Treasures) within an existing mixed-use building, on property located at **2305 S. Winchester Boulevard, Ste. 100**. Staff is recommending that this project 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 Rich asked if there were questions for staff.

Commissioner Dodd sought clarification that by narrowing the scope of this operation that will stay applicable with future users of this tenant space.

Planner Daniel Fama said that is correct.

Director Paul Kermoyan:

- Reminded that this is an area where the surrounding neighbors are sensitive about parking exceptions.
- Added that sensitivity was the reason he advanced this application to the Planning Commission rather than to approve at staff level.
- Stated that staff is pretty comfortable supporting this business because of its uniqueness.

Planner Daniel Fama added that both the Administrative Planned Development Permit and the Parking Modification Permit are entwined and cannot be split.

Commissioner Krey said that as no parking study was done the parking requirement is a guesstimate.

Planner Daniel Fama:

- Said that is correct.
- Added that Tea Rooms are not typically a separate type of entity in other nearby cities.
- Reminded that this building was built with retail parking ratios.

Commissioner Krey asked why retail is required.

Planner Daniel Fama replied that retail is an integral part of their business to differentiate it from regular restaurants.

Chair Rich asked about the parking and how 11 spaces were allocated.

Planner Daniel Fama said that the parking is based on the number of seats and excludes the back-of-house space.

Commissioner Hernandez asked if there were any written or verbal communications expressing concerns.

Planner Daniel Fama replied only positive comments were received.

Chair Rich asked the operational hours for the fitness facility coming into the adjacent tenant space.

Planner Daniel Fama said he didn't have the specific range but there will be some overlap of operational hours between the two businesses.

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

Dale Ann Johnson, Applicant and Owner, Lisa's Tea Treasures:

- Thanked the Commission for considering her application.
- Reported that Lisa's had operated at the Pruneyard for 20 years.
- Added that the Pruneyard had a different vision for its center that didn't coincide with her business. They allowed her to stay long enough to celebrate Lisa's 20th Anniversary.
- Advised that she has been looking for a new location for Lisa's for the last year and a half.
- Stated that they have now found this lovely new home.

Joanna Herz, Resident on White Oaks Road, Campbell:

- Spoke in support of Lisa's Tea Treasures.
- Reported that she patronized Lisa's during the 20 years it was operating at the Pruneyard.
- Stated that as a member of the Country Women's Club she always appreciated that Dale Ann was always generous when fundraising events were underway. For the Ainsley House Teas, she would provide food and tea or prepare gift baskets that could be auctioned at events.
- Said that she has granddaughters ranging in age from high school age to 39 years of age with whom she had spent time together enjoying Lisa's Tea Treasures.
- Pointed out that it was important to have a place to go to coincide with the Ainsley House.
- Added that husbands go as well. Lisa's is a community for everyone to enjoy.
- Concluded that she is looking forward to tea at Lisa's in the near future.

Vanessa Dirkin, Resident of Morgan Hill:

- Stated that Lisa's is a place where patrons celebrate their special occasions.
- Admitted that it is a very special place for her.

- Reported that she worked there as a teenager through college and remains friends with her fellow Lisa's workers and patrons.
- Added that she has been waiting for a year and a half now for Lisa's to open again. It is a business that encourages community, strengthens relationships and employs people of different ages and backgrounds.

Adam, Resident at 601 Almarida Drive:

- Said that he was unaware of the previous tea shop.
- Pointed out that there are two bus lines and the Light Rail is also near this location. There are other ways to get there than just driving.

Russell Pffirman:

- Said that he is pretty excited about the proposed hours of operation for this business.
- Added that neighbors had been concerned about a restaurant use with late night hours locating in this space.
- Stated that Lisa's has provided a very thoughtful proposal.
- Wished the business the best of luck saying he can't wait to walk over to visit and have some tea.

Commissioner Dodd said that she is really pleased with the work done and thrilled that this business will stay in Campbell.

Commissioner Ching:

- Clarified that the justification to support the Parking Modification Permit is that customers more often than not will come to Lisa's in groups and via carpooling. Additionally, the use requires reservations. Finally, there is public transportation conveniently located nearby.
- Added that there have been 300 emails expressing support for Lisa's. There is lots of community support.
- Added that as someone who originally is from England he can appreciate tea.

Commissioner Krey:

- Stated his agreement with the comments of the others.
- Said that there is no question that this business is a great business for that location.
- Pointed out that the area on Winchester between Campbell and Budd can become an extension of the Downtown. He believes it will happen.
- Cautioned that he visited the site on Saturday and found all the parking was in use despite the fact neither business was yet in operation there. With that he fears there is a chance of a parking issue occurring.
- Concluded that he is in support of this request. It will work and he too is happy to keep Lisa's in Campbell.

Commissioner Hernandez:

- Admitted that she is the "Parking Nazi" and not usually in favor of Parking Modification Permits.

- Stated that Lisa's is very unique. Their use of their space will be unique. It is by reservation only. There are public transit options available and guests tend to utilize carpooling to come to Lisa's.
- Said that she hopes Lisa's will suggest her patrons carpool.
- Expressed support for this application and admitted that she personally has had many great moments with her daughter at Lisa's and has missed it since it closed.
- Gave kudos to staff for how the conditions have been crafted.
- Concluded that she hopes this works out.

Commissioner Rivlin:

- Said he too is in support.
- Suggested perhaps Lisa's can offer some sort of "bonus" to those patrons who use public transit.
- Stated that this use shouldn't conflict with the gym.

Commissioner Dodd asked if more specific signage about the parking could be provided.

Planner Daniel Fama advised that there is signage in place but we don't like to allocate specific spaces for specific uses.

Director Paul Kermoyan:

- Added that there is property ownership responsibility as well. The owners are responsible for making changes to make it work.
- Said that Planned Development Permit is equivalent to a Conditional Use Permit and will be monitored and would be brought back to the Planning Commission if things don't work out.

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

Motion: Upon motion of Commissioner Ching, seconded by Commissioner Dodd, the Planning Commission adopted Resolution No. 4460 approving an Administrative Planned Development Permit with a Parking Modification Permit (PLN2018-247) to allow establishment of a standard restaurant (Lisa's Tea Treasures) within an existing mixed-use building, on property located at 2305 S. Winchester Boulevard, Ste. 100, by the following roll call vote:

AYES: Ching, 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.

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

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

- Advised that Commissioners Hernandez and Rivlin will attend the CalAPA Conference in San Diego in October.
- Added that the National Conference will occur in April in San Francisco and additional Commissioners will be able to attend that event.

ADJOURNMENT

The Planning Commission meeting adjourned at 8:16 p.m. to the next Regular Planning Commission Meeting of **September 25, 2018**.

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Michael L. Rich, Chair

ATTEST: _____
Paul Kermoyan, Secretary