



# City of Santa Clara

## Meeting Minutes

### Planning Commission

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03/09/2022

6:00 PM

Virtual Meeting

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Pursuant to California Government Code section 54953(e) and City of Santa Clara Resolution 22-9051, the Planning Commission meeting will be held by teleconference only. No physical location will be available for this meeting; however, the City of Santa Clara continues to provide methods for the public to participate remotely:

- **Via Zoom:**

- o <https://santaclaraca.zoom.us/j/91729202898>

- Webinar ID: 917 2920 2898 or

- o Phone: 1(669) 900-6833

- **Via the City's eComment (available during the meeting)**

The public may view the meetings on [SantaClaraCA.gov](http://SantaClaraCA.gov), Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

Public Comments prior to meeting may be submitted via email to [PlanningPublicComment@SantaClaraCA.gov](mailto:PlanningPublicComment@SantaClaraCA.gov) no later than noon on the day of the meeting; and also before and during the meeting via eComment. Clearly indicate the project address, meeting body, and meeting date in the email.

**PUBLIC PARTICIPATION IN ZOOM WEBINAR: Please follow the guidelines below when participating in a Zoom Webinar:**

- The meeting will be recorded so you must choose 'continue' to accept and stay in the meeting.
- If there is an option to change the phone number to your name when you enter the meeting, please do so as your name will be visible online and will be used to notify you that it is your turn to speak.
- Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- Use the raise your hand feature in Zoom when you would like to speak on an item and lower when finished speaking. Press \*9 to raise your hand if you are calling in by phone only.
- Identify yourself by name before speaking on an item.
- Unmute when called on to speak and mute when done speaking. If there is background noise coming from a participant, they will be muted by the host. Press \*6 if you are participating by phone to unmute.
- If you no longer wish to stay in the meeting once your item has been heard, please exit the meeting.

#### **6:00 PM REGULAR MEETING**

##### **Call to Order**

**Chair Biagini** called the meeting to order at 6:06 p.m.

##### **Pledge of Allegiance and Statement of Values**

##### **Roll Call**

**Present** 6 - Chair Nancy A. Biagini, Vice Chair Priya Cherukuru, Commissioner Qian Huang, Commissioner Yuki Ikezi, Commissioner Lance Saleme, and Commissioner Yashraj Bhatnagar

**Absent** 1 - Commissioner Ricci Herro

**Chair Biagini** announced that **Commissioner Herro** had informed the Commission regarding his absence in advance of the meeting.

**A motion was made by Commissioner Ikezi, seconded by Commissioner Cherukuru to excuse Commissioner Herro's absence.**

**Aye:** 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

**Absent:** 1 - Commissioner Herro

### **DECLARATION OF COMMISSION PROCEDURES**

**Chair Biagini** read the Declaration of Commission Procedures.

### **CONTINUANCES/EXCEPTIONS**

[22-371](#)

Action to continue the public hearing for the Climate Action Plan, General Plan Amendment to adopt the updated Climate Action Plan 2022 and an Addendum to the General Plan Environmental Impact Report.

**Recommendation:** Take action to open and continue the public hearing for the Climate Action Plan, General Plan Amendment to adopt the updated Climate Action Plan 2022 and Addendum to the General Plan Environmental Impact Report to April 13, 2022.

**Planning Manager Lesley Xavier** requested that this item be continued to the April 13, 2022 meeting.

**A motion was made by Commissioner Cherukuru, seconded by Commissioner Ikezi to open and continue the public hearing to the April 13, 2022 Planning Commission meeting.**

**Aye:** 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

**Absent:** 1 - Commissioner Herro

### **CONSENT CALENDAR**

**Commissioner Ikezi** pulled Items 1.A and 1.B off the Consent Calendar.

**Commissioner Ikezi** requested additional comments be added to Item 1.A.

**Commissioner Ikezi** noted that Item 1.B had come before the Planning Commission years ago and had been rejected by the Commission previously and thought it appropriate to pull this item for discussion.

**Commissioner Cherukuru** commented that Item 1.B should have been on the Public Hearing calendar and requested that going forward any tentative map items be on the Public Hearing calendar for public feedback purposes.

1.A [22-321](#) Planning Commission Meeting Minutes of February 16, 2022 Meeting

**Recommendation:** Approve the Planning Commission Minutes of the February 16, 2022 Meeting

**A motion was made by Commissioner Cherukuru, seconded by Commissioner Huang to approve the staff recommendation with additional comments to be included in the minutes.**

**Aye:** 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

**Absent:** 1 - Commissioner Herro

### **PUBLIC PRESENTATIONS**

None.

### **PUBLIC HEARING**

**CONSENT ITEM 1.B PULLED FOR DISCUSSION**

1.B [22-130](#) Action on a Vesting Tentative Subdivision Map for 1530 and 1540 Pomeroy Avenue

**Recommendation:** Adopt a resolution to recommend the City Council approve the Vesting Tentative Subdivision Map to subdivide the two residential parcels into eight condominium lots and a common parcel at the property located at 1530 and 1540 Pomeroy Avenue.

**Associate Planner Nimisha Agrawal** provided the staff PowerPoint presentation and commented that this project previously was heard and approved at a Development Review Hearing (DRH). **Applicant Omid Shakeri, Ridgecrest Group Inc.**, spoke regarding the project and answered questions from the Commission and noted they incorporated suggestions Council had previously made on the project.

**Commissioners** had a robust discussion on this item including:

- The differences between the previous project rejected by Council and now
- Questions on why subdivision is taking place after the architectural review has already been approved
- Second Story units impeding privacy of one story units next door
- Concerns over lack of participation in Architectural Review Process

**Assistant City Attorney Alexander Abbe** explained how AB 3194 (2018) allows the developer to proceed with a project that is consistent with the General Plan, even though the zoning designation is inconsistent. He also stated that the City's Architectural Review process had changed in the past several years, and so the project previously would have been considered by the Architectural Committee, but under current requirements the architectural design was heard at the DRH meeting. He also advised the Commission that while a number of findings need to be made to adopt the resolution recommending approval of the subdivision, under the Housing Accountability Act the Commission must base its decision on objective criteria only.

**Assistant Director of Community Development Reena Brilliot** commented that Zoning is not consistent with General Plan.

**Associate Planner Nimisha Agrawal** stated that this project meets all Zoning requirements and community meetings took place for the community to provide their input.

**Public Speaker: J**  
Expressed concerns of the project

**A motion was made by Commissioner Ikezi, seconded by**

**Commissioner Huang to close public hearing.**

**Aye:** 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

**Absent:** 1 - Commissioner Herro

**A motion was made by Commissioner Ikezi, seconded by Commissioner Huang to approve staff recommendation.**

**Aye:** 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

**Absent:** 1 - Commissioner Herro

2. [22-374](#) Study Session: Climate Action Plan (CAP) Update

**Associate Planner Nimisha Agrawal** provided a PowerPoint presentation.

- Commissioners commented on the following aspects of the Climate Action Plan:

- Concerns regarding increases in Silicon Valley Power (SVP) rates and possible subsequent regentrification
- Concerns regarding gas to electric requirements happening only on new construction
- Solar panel programs

**Assistant to the City Manager Michelle Templeton** provided information that SVP has a rebate program starting on the path now for residents to begin transition from gas to electric appliances.

**Principal Planner John Davidson** provided information that SVP will have a one time rate increase up to 45-50%.

**Public Speakers:** Dashiell Leeds  
Vanessa Shin

**REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:**

1. Announcements/Other Items

**Commissioner Cherukuru** expressed concerns on how the media has portrayed the City recently and expressed the desire for unity between the media, community, City staff and City Council and Commissions.

2. Commissioner Travel and Training Reports, Requests to attend Trainings

**Commissioners** shared their positive experience at the February 18, 2022 virtual Joint Venture Silicon Valley State of the Valley Conference.

**Office Specialist IV Elizabeth Elliott** provided an overview of upcoming annual conferences available to the Planning Commission.

**DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:**

1. Planning Commission Budget Update

**Office Specialist IV Elizabeth Elliott** provided updates.

2. Upcoming Agenda Items

**Planning Manager Lesley Xavier** provided updates.

3. City Council Actions

**Planning Manager Lesley Xavier** provided updates.

**ADJOURNMENT:**

**Chair Biagini** thanked **Associate Planner Jeff Schwilk** for his work in the Planning Division over the last 30 years and congratulated him on his retirement and also asked for a moment of silence in hope for an outcome that is beneficial for Ukraine in light of recent events.

**A motion was made by Commissioner Saleme, seconded by Commissioner Huang to adjourn the meeting.**

**The meeting adjourned at 9:26 p.m.**

**The next regular scheduled meeting is on April 13, 2022.**

**Aye:** 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

**Absent:** 1 - Commissioner Herro

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

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