Draft

City of Santa Clara

Meeting Minutes

Planning Commission

12/08/2021 **6:00 PM** **Virtual Meeting**

Pursuant to California Government Code section 54953(e) and City of Santa Clara Resolution 21-9013, 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, 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 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

Chair Biagini called the meeting to order at 6:02 p.m.

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

Present 7 - Chair Nancy A. Biagini, Vice Chair Priya Cherukuru, Commissioner Ricci Herro, Commissioner Qian Huang, Commissioner Yuki Ikezi, Commissioner Lance Saleme, and Commissioner Yashraj Bhatnagar

DECLARATION OF COMMISSION PROCEDURES

Secretary Herro read the Declaration of Commission Procedures.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

1. 21-1699 Planning Commission Meeting Minutes of November 17, 2021 Meeting

Recommendation: Approve the Planning Commission Minutes of the November 17, 2021 Meeting

A motion was made by Commissioner Herro, seconded by Commissioner Cherukuru to approve the consent calendar.

Aye: 7 - Chair Biagini, Vice Chair Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

PUBLIC PRESENTATIONS

Councilmembers Jain and **Becker** spoke to acknowledge **Staff Liaison Gloria Sciara** due to her upcoming retirement.

PUBLIC HEARING

2. 21-1584 Action on Use Permit for Agape Playschool / Learning Center to allow outdoor activity associated with a child daycare facility at 3700 Thomas Road

Recommendation: Adopt a Resolution to approve a Use Permit to allow outdoor activity associated with a child day care facility at 3700 Thomas Road.

Associate Planner Debby Fernandez provided the staff presentation. **Applicant Adlin Netto** spoke regarding the project. **Ling Jin, Hexagon Transportation Consultants,** and **Josh Carman, Placeworks**, of the applicant team answered questions from the Commission regarding the parking and safety concerns.**Kevin O'Keefe, Universal Structural Engineers** spoke regarding barriers and traffic impacts. The Commission thanked the applicant for conducting additional studies for the concerns raised when the project was last heard.

Public Speaker(s):
Brianna Covington (ecomment) - spoke regarding concerns of traffic at the site
Tim Dang - spoke in opposition to project

A motion was made by Commissioner Herro, seconded by Commissioner Saleme to close public hearing.

Aye: 7 - Chair Biagini, Vice Chair Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

A motion was made by Commissioner Herro, seconded by Commissioner Saleme to approve staff recommendation.

Aye: 5 - Chair Biagini, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, and Commissioner Saleme

Nay: 2 - Vice Chair Cherukuru, and Commissioner Bhatnagar

Commissioners Cherukuru and Bhatnagar voted no on this item and expressed the desire to have additional studies done regarding traffic calming measures, safety concerns regarding the proximity and line of sight of the curve of Montague Expressway to the site; the reports of previous traffic accidents near the site, concerns of limited parking at the site and noise impact.

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

The Commission, **City Historian Lorie Garcia,** and Staff acknowledged **Staff Liaison Gloria Sciara** for her exceptional work while working with the City.

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

None.

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Update

Staff provided a budget update.

2. Upcoming Agenda Items

Assistant Director of Community Development Reena Brilliot provided updates.

3. City Council Actions

Staff Liaison Gloria Sciara provided updates.

ADJOURNMENT:

A motion was made by Commissioner Ikezi, seconded by Commissioner Huang to adjourn the meeting in honor of Staff Liaison Gloria Sciara.

The meeting adjourned at 8:12 p.m.

The next scheduled Planning Commission Special Meeting is on Monday, January 10. 2022 at 6 p.m.

Aye: 7 - Chair Biagini, Vice Chair Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

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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