



City of Santa Clara

Meeting Minutes

Planning Commission

09/23/2020

6:00 PM

City Hall Council Chambers

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented methods for the public to participate remotely:

- Via Zoom:
 - o <https://santaclaraca.zoom.us/j/961068578> or
 - o Phone: 1(669) 900-6833
- Via the City's eComment (now 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 planningcommission@santaclaraca.gov no later than noon on the day of the meeting; and also before and during the meeting via eComment. To utilize eComment, please visit the following website: <https://santaclaraca.legistar.com/Calendar.aspx>, and select the "eComment" link next to the Planning Commission meeting for September 23.

The meeting set-up is in line with the recommendations of the COVID-19 White House Task Force, which notes no more than 10 people gatherings. Planning Commissioners will be participating remotely. A limited number of staff will also be present.

We highly encourage interested members of the public to stay at home and provide public comment remotely. Any members of the public wishing to come in person should first check-in at the City Council Chambers. City staff may direct you to wait in the City Hall cafeteria or outside the Council Chambers until your item of interest is discussed in order to maintain sufficient social distancing guidelines.

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 Saleme called the meeting to order at 6:04 p.m.

Pledge of Allegiance and Statement of Values

Secretary Cherukuru read the Statement of Values

Roll Call

Office Specialist IV Elizabeth Elliott announced that **Commissioner Ikezi** would be joining the meeting later.

Commissioner Ikezi joined the meeting at 6:50 p.m.

Present 6 - Commissioner Yuki Ikezi, Chair Lance Saleme, Commissioner Anthony Becker, Vice Chair Nancy A. Biagini, Commissioner Priya Cherukuru, and Commissioner Ricci Herro

DECLARATION OF COMMISSION PROCEDURES

Secretary Cherukuru read the Declaration of Commission Procedures.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

A motion was made by Commissioner Jain, seconded by Commissioner Biagini to approve staff recommendation for Item 1A.

Aye: 5 - Jain, Chair Saleme, Commissioner Becker, Vice Chair Biagini, and Commissioner Cherukuru

Absent: 1 - Commissioner Ikezi

Recused: 1 - Commissioner Herro

1.A [20-889](#) Planning Commission Meeting Minutes of April 22, 2020 Meeting

Recommendation: Approve the Planning Commission Minutes of the April 22, 2020 Meeting.

1.B [20-850](#) Planning Commission 2021 Calendar of Meetings

Recommendation: Approve the Planning Commission 2021 Calendar of Meetings.

Commissioner Jain pulled Item 1.B and inquired why the number of meetings were fewer than in past years. **Chair Saleme** expressed support for more meetings in the effort to keep the meetings from becoming too lengthy. **Secretary Cherukuru** requested that there be more time allotted for study sessions. **Vice Chair Biagini** requested that the March 24, 2021 meeting be rescheduled due to conflicts with a conference.

Development Review Officer Gloria Sciara explained that an analysis found that in previous years an average of 14 meetings had been held and that having bi-weekly meetings requires more resources such as staff time. **Planning Manager Reena Brilliot** clarified that additional meetings will be scheduled as needed for items such that can not be accommodated during a scheduled meeting, such as study sessions.

A motion was made by Commissioner Jain, seconded by Commissioner Biagini to approve staff recommendation and that the March 24, 2021 meeting be changed to a different date due to a conflict with the League of California Cities Planning Commissioner Academy Conference dates.

Aye: 6 - Jain, Chair Saleme, Commissioner Becker, Vice Chair Biagini, Commissioner Cherukuru, and Commissioner Herro

Absent: 1 - Commissioner Ikezi

PUBLIC PRESENTATIONS

Office Specialist IV Elizabeth Elliott read a public comment received via ecomment from Mojgan Mahdizadeh urging the Commission to adopt option 3 for the climate action plan.

PUBLIC HEARING

2. [20-801](#) Public Hearing: Action on an Appeal of a Zoning Administrator Denial of a Minor Modification for the property at 2133 Santa Cruz Avenue

Recommendation: 1. Adopt a resolution to deny the appeal and uphold the Zoning Administrator's decision denying the minor modification.

Senior Planner Rebecca Bustos provided a Powerpoint presentation.

The meeting went into recess at 6:37 p.m. due to technical difficulties and reconvened at 6:49 p.m.

Commissioners asked questions about the ordinances regarding expansions, what triggered the variance request, and setback requirements. **Chair Saleme** suggested that the new code should incorporate allowing consistency with the existing structure and the neighborhood. The Commission noted that the application of the minor modifications have become somewhat unwieldy and inappropriate in some cases and that the Commission be a part of the discussion of the new Zoning Ordinance. (**Commissioner Jain** stated that items similar to this should be handled administratively due to the 25% discretion.)

Development Review Officer Gloria Sciara explained the current setback requirements and the variance approval process. **Planning Manager Reena Brilliot** clarified the difference between minor modification and variance findings.

Applicants Nicole And Devin Bissman provided a Powerpoint presentation.

A motion was made by Commissioner Cherukuru, seconded by Commissioner Biagini to close public hearing.

Aye: 7 - Commissioner Ikezi, Jain, Chair Saleme, Commissioner Becker, Vice Chair Biagini, Commissioner Cherukuru, and Commissioner Herro

Assistant City Attorney Alexander Abbe clarified the options for action for the Commission.

A motion was made by Commissioner Jain, seconded by Commissioner Ikezi to support the appeal with the following 4 findings:

1) there are unusual conditions applying to land or building, which do not apply generally in the same district since the building was legally constructed at a 17.5 feet setback and the expansion would extend the existing setback without further reducing the setback area

2) the granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petition

3) the granting of the variance shall not materially adversely affect the health, safety, peace, moral comfort, or general welfare of persons residing or working in the neighborhood of the applicant's property and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood

4) the granting of the variance is in keeping with the purpose and intent of the Zoning Ordinance which is to protect the character and stability of residential areas and neighborhoods and to encourage compatible uses of land and buildings

This project is categorically exempt from CEQA categories 15301E.

Aye: 7 - Commissioner Ikezi, Jain, Chair Saleme, Commissioner Becker, Vice Chair Biagini, Commissioner Cherukuru, and Commissioner Herro

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

Commissioner Ikezi inquired about the Gateway Village development status. **Staff Liaison Gloria Sciara** explained the project's entitlement changes and that staff would check where the developer was in the building permit process.

2. Development Review Hearing

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

Commissioners reported on the NetZero 20 Conference.

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Update

Staff Liaison Gloria Sciara provided updates and informed the Commission of the reduced Planning Commission budget. **Commissioner Biagini** requested that funds be used to attend the upcoming 2021 Planning Commissioners Academy.

Allocate Funds to Purchase Headsets for Commissioners

A motion was made by Commissioner Becker, seconded by Commissioner Jain to allocate \$1,200 from the Planning Commission budget towards the purchase of wireless headsets for Commissioners and a cable adapter for Chair Saleme.

Aye: 7 - Commissioner Ikezi, Jain, Chair Saleme, Commissioner Becker, Vice Chair Biagini, Commissioner Cherukuru, and Commissioner Herro

2. Upcoming Agenda Items

Planning Manager Reena Brilliot provided updates.

3. City Council Actions

Staff Liaison Gloria Sciara and provided updates. **Planning Manager Reena Brilliot** provided updates on the Governance Committee meeting and explained the new process to agendaize items and the Planning Commission workplan.

ADJOURNMENT:

A motion was made by Commissioner Jain, seconded by Commissioner Biagini to adjourn the meeting.

The meeting adjourned at 8:05 p.m.

The next regular scheduled meeting is on Wednesday, October 14, 2020.