



# City of Santa Clara

## Meeting Minutes

### Planning Commission

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11/14/2018

6:00 PM

City Hall Council Chambers

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#### **6:00 PM STUDY SESSION**

##### **Confirmation of a Quorum**

[18-1517](#)

Study Session: Ralph M. Brown Act

**Assistant City Attorney Alexander Abbe** gave a presentation on the Ralph M. Brown Act.

#### **7:00 PM REGULAR MEETING**

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

**Chair Jain** called the meeting to order at 7:00 p.m.

**Present** 7 - Vice Chair Raj Chahal, Commissioner Steve Kelly, Commissioner Yuki Ikezi, Chair Sudhanshu Jain, Commissioner Lance Saleme, Commissioner Anthony Becker, and Commissioner Shawn Williams

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

##### **Roll Call**

**Present 7** - Vice Chair Raj Chahal, Commissioner Steve Kelly, Commissioner Yuki Ikezi, Chair Sudhanshu Jain, Commissioner Lance Saleme, Commissioner Anthony Becker and Commissioner Shawn Williams

#### **DECLARATION OF COMMISSION PROCEDURES**

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

#### **CONTINUANCES/EXCEPTIONS**

None.

#### **CONSENT CALENDAR**

**A motion was made by Commissioner Ikezi, seconded by Commissioner Kelly that this item be approved,.**

**Aye:** 4 - Vice Chair Chahal, Chair Jain, Commissioner Saleme, and Commissioner Becker

**Absent:** 2 - Commissioner Kelly, and Commissioner Ikezi

**Abstained:** 1 - Commissioner Williams

**1.B**     [18-1519](#)     Revised Planning Commission Meeting Minutes of August 22, 2018.

**Recommendation:** Approve Revised Planning Commission Minutes of the August 22, 2018 Meeting.

**A motion was made by Commissioner Ikezi, seconded by Commissioner Kelly, that this item be Approved.**

**Aye:** 6 - Vice Chair Chahal, Commissioner Kelly, Commissioner Ikezi, Chair Jain, Commissioner Saleme, and Commissioner Becker

**Abstained:** 1 - Commissioner Williams

#### **CONSENT ITEMS PULLED FOR DISCUSSION**

**1.A**     [18-1473](#)     Planning Commission Meeting Minutes of October 24, 2018.

**Recommendation:** Approve the Planning Commission Minutes of the October 24, 2018 Meeting.

**This item was pulled by Chair Jain. Two changes were requested to be added to the meeting minutes: to indicate that Commissioner Jain pulled item 1.F (2931 El Camino Real) from the consent calendar for discussion; and to include a failed motion for an amendment to one of the motions in the record for item 2 (the Tasman East project). Revised meeting minutes do not need to come back to the Planning Commission for approval. A motion was made by Chair Jain, seconded by Commissioner Becker that this item be approved, with the two requested changes.**

**Aye:** 6 - Vice Chair Chahal, Commissioner Kelly, Commissioner Ikezi, Chair Jain, Commissioner Saleme, and Commissioner Becker

**Abstained:** 1 - Commissioner Williams

#### **PUBLIC PRESENTATIONS**

None.

#### **PUBLIC HEARING**

2. [18-1303](#) Public Hearing: Action on Appeal of Zoning Administrator Denial of Minor Modification for the property at 1940 Avenida De Las Rosas

**Recommendation:** Alternative 1:

1. Overrule the appeal and uphold the Zoning Administrator's decision denying the minor modification.

**Jerivett Ecalnir**, Appellant spoke.

There were no other speakerers.

**A motion was made by Vice Chair Chahal, seconded by Commissioner Ikezi, to sustain the appeal, overturn the Zoning Administrator's decision, and approve the minor modifications, based upon the following findings:**

**A. That there are unusual conditions applying to the land or building which do not apply generally in the same district, in that the property is located at a "T" Intersection, and strict conformance with the setback requirements of the Zoning Ordinance could present a traffic safety hazard to residents;**

**B. That the granting of the minor modification is necessary for the preservation and enjoyment of substantial property rights of the petitioner, in that the proposed expansion is consistent with and a logical expansion of the existing layout of the house;**

**C. That the granting of such modification will not materially and adversely affect the health, safety, peace, 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 said neighborhood. The proposed project is the minor expansion of an existing single-family residence, which presents no health and safety hazards, and the layout of the proposed expansion is designed so as to avoid privacy impacts to adjoining residents.**

**D. That the granting of the variance is in keeping with the purpose and intent of this the Zoning Ordinance. The intent of the Zoning Ordinance includes, inter alia, protecting the character and stability of residential areas, and to promoting the orderly and beneficial development of such areas. As designed, the proposed expansion would not create any burden on adjacent parcels, as indicated by the support of the neighbors for the project.**

**Aye:** 7 - Vice Chair Chahal, Commissioner Kelly, Commissioner Ikezi, Chair Jain, Commissioner Saleme, Commissioner Becker, and Commissioner Williams

3. [18-526](#) Public Hearing: Actions on Gateway Crossings Project located at 1205 Coleman Avenue including a General Plan Amendment to Santa Clara Station Very High Density Residential (51-100 du/ac) with a minimum commercial FAR of 0.20, Creation of a new Very High Density Mixed-Use Zoning District and Rezoning to that District, Vesting Tentative Subdivision Map, Development Agreement, Environmental Impact Report, and Mitigation Monitoring and Reporting Program

**Recommendation:** Alternatives 1), 2), 4), 6), and 7):

That the Planning Commission adopt resolutions for the Gateway Crossings Project located at 1205 Coleman Avenue recommending that the City Council:

- 1) Approve and Certify an Environmental Impact Report (EIR) and adopt CEQA Findings and a Statement of Overriding Considerations (SOCs) and the Mitigation Monitoring and Reporting Program (MMRP);
- 2) Approve the General Plan Amendment #87 from Regional Commercial, High Density Residential and Very High Density Residential to Very High Density Residential with a minimum commercial FAR of 0.2; amendment to the General Plan Land Use Map for the Santa Clara Station Focus Area to reflect the General Plan change; and revision to the Climate Action Plan to add TDM goals for the new land use designation;
- 4) Approve the Rezone from Light Industrial (ML) to Very High Density Mixed-Use to allow phased construction of a mixed-use development consisting of 1,600 residential units, 182,000 square foot full-service hotel, 15,000 square feet of supporting retail, park and open space, surface and structured parking facilities, private streets, and site improvements; subject to conditions that include additional pedestrian, decorative paving and landscape enhancements to the 30-foot wide north - south private street on the west side of the public park and Building 2 that connects Brokaw Road to Champions Way;
- 6) Approve the Vesting Tentative Subdivision Map for the purpose of developing six mixed-use parcels and six common lots for site access/circulation and utility corridors to serve the development; and
- 7) Adopt an Ordinance to approve the Development Agreement.

**Josh Rupert, Hunter Storm, spoke for the Applicant**

**Derek K. Hunter, Jr., Hunter Storm, also spoke for the Applicant**

**Public Speaker(s):**

Patricia Leung

Nirit Lotan

Michael R. Lozeau

Dan Ondrasek - not in attendance, Donna West spoke as representative

Adam Thompson

Michal Healy  
Rob Mayer  
Jonathon Evans  
Donna West

**A motion was made by Commissioner Kelly, seconded by Commissioner Saleme, that Alternative 1 be Approved.**

**Aye:** 7 - Vice Chair Chahal, Commissioner Kelly, Commissioner Ikezi, Chair Jain, Commissioner Saleme, Commissioner Becker, and Commissioner Williams

**A motion was made by Commissioner Kelly, seconded by Commissioner Becker, that Alternative 2 be Approved with the following modifications: for the Santa Clara Station Very High Density Residential (SCSVHDR) land use designation, increase the residential density range from 51-100 du/ac to 51-120 du/ac, and make corresponding revisions to the General Plan wherever there is a reference to the SCSVHDR land use designation; and strengthen the VMT reduction requirements and TDM measures to be added to Appendix 8.13 (Climate Action Plan) to require VMT initial reductions of 20% (10% locational reduction and 10% TDM measures) and scaling to 30% (10% locational reduction and 20% TDM measures) after BART is operational at the Santa Clara Station.**

**Aye:** 7 - Vice Chair Chahal, Commissioner Kelly, Commissioner Ikezi, Chair Jain, Commissioner Saleme, Commissioner Becker, and Commissioner Williams

**A motion was made by Commissioner Kelly, seconded by Vice Chair Chahal, that Alternative 4 be Approved, with the direction to staff to change erroneous references to a "VHDMD" zone to the correct "VHDMU" district.**

**Aye:** 7 - Vice Chair Chahal, Commissioner Kelly, Commissioner Ikezi, Chair Jain, Commissioner Saleme, Commissioner Becker, and Commissioner Williams

**A motion was made by Commissioner Kelly, seconded by Vice Chair Chahal, that Alternative 6 be Approved.**

**Aye:** 7 - Vice Chair Chahal, Commissioner Kelly, Commissioner Ikezi, Chair Jain, Commissioner Saleme, Commissioner Becker, and Commissioner Williams

**A motion was made by Commissioner Chahal, seconded by Commissioner Becker, that Alternative 7 be Approved with the following modifications: 10% affordable units to be provided on site (5% at 80% AMI and 5% at 100% AMI); Scaled VMT reductions beginning at 20% (10% locational reduction and 10% TDM measures) and scaling to 30% (10% locational reduction & 20% TDM measures) after the operation of BART at the Santa Clara Station; increase the bicycle parking ratio, originally proposed as 1 Class I parking space per every three residential units, ideally up to 1 Class I parking space per every two residential units ; electric outlets in bike garages; bike share and car share programs; provisions for electric scooter parking; maintenance agreement for the 2.1 acre park to be maintained consistent with city park maintenance standards; and provide 6% of the total parking spaces with electric vehicle charging facilities, and pre-wire an additional 9% of the total parking spaces for future electric charging facilities.**

**Aye:** 7 - Vice Chair Chahal, Commissioner Kelly, Commissioner Ikezi, Chair Jain, Commissioner Saleme, Commissioner Becker, and Commissioner Williams

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

1. Announcements/Other Items

**Commissioner Chahal** will be leaving his position as Planning Commissioner to begin his role as city Council Member on December 18, 2018.

**Commissioner Becker** discussed filling the upcoming vacant Planning Commission position.

2. Board or Committee Assignments

3. Architectural Committee

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

**Commissioner Jain** attended the Silicon Valley Community Foundation Annual Meeting.

#### **DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:**

1. Planning Commission Budget Updates

2. Upcoming Agenda Items

3. City Council Actions

**Staff Liaison Gloria Sciara and Planning Manager Reena Brilliot** provided updates.

**ADJOURNMENT:**

**A motion was made by Vice Chair Chahal, seconded by Commissioner Becker to adjourn the meeting.**

**Aye:** 7 - Vice Chair Chahal, Commissioner Kelly, Commissioner Ikezi, Chair Jain, Commissioner Saleme, Commissioner Becker, and Commissioner Williams

The meeting was adjourned at 10:54 p.m.

The next regular scheduled meeting is on Wednesday, November 28, 2018 at 7:00 p.m. in the City Hall Council Chambers.