



City of Santa Clara

Meeting Minutes

Planning Commission

06/10/2020

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 planning@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 June 10.

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 Becker called the meeting to order at 6 p.m.

Pledge of Allegiance and Statement of Values**Roll Call**

Chair Becker announced that **Commissioner Ikezi** would be joining the meeting later.

Commissioner Ikezi joined the meeting at 6:36 p.m.

Present 7 - Commissioner Steve Kelly, Commissioner Yuki Ikezi, Commissioner Sudhanshu Jain, Vice Chair Lance Saleme, Chair Anthony Becker, Commissioner Nancy A. Biagini, and Commissioner Priya Cherukuru

DECLARATION OF COMMISSION PROCEDURES

Chair Becker read the Declaration of Commission Procedures.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

Commissioner Jain pulled item 1.A.

1.A [20-574](#) Action on Use Permit for ABC License Type 41 for Tapsilog Bistro at 1998 Homestead Road

Recommendation: Adopt a resolution approving a Use Permit for the sale and consumption of beer and wine (ABC License Type 41) in a new restaurant (Tapsilog Bistro) located at 1998 Homestead Road, subject to conditions of approval.

Commissioner Jain inquired about the number of parking spaces. **Senior Planner Rebecca Bustos** responded that there are 41 parking spaces which is compliant with the Zoning Ordinance. **Commissioner Cherukuru** asked questions about designated parking and increasing parking spots. **Development Review Officer Gloria Sciara** provided clarification on the parking standards.

Ed Sanchez, Applicant, spoke requesting the restaurant's operational hours.

A motion was made by Commissioner Jain, seconded by Commissioner Kelly to close public hearing.

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

Absent: 1 - Commissioner Ikezi

A motion was made by Commissioner Jain, seconded by Commissioner Cherukuru to approve the staff recommendation with an additional condition, C8, in which operational hours will be limited to 8 a.m. - 9 p.m. daily.

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

Absent: 1 - Commissioner Ikezi

PUBLIC PRESENTATIONS

None.

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

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

Absent: 1 - Commissioner Ikezi

PUBLIC HEARING

2. [20-596](#) Public Hearing: Action on an Amendment to Variances (V.1090 and V.1091) for the properties located at 1560 and 1582 Jackson Street. Continued from May 27, 2020 Planning Commission Meeting.

Recommendation: Alternative 1: Adopt a Resolution to Amend the Variances to delete the requirement for a Covenant Agreement prohibiting the intensification of the residential use for the properties located at 1560 and 1582 Jackson Street.

Chair Becker explained that this item was continued from the last meeting due to technical difficulties.

Associate Planner Debby Fernandez provided a brief summary of the project.

Commissioner Jain, Commissioner Kelly, and Vice Chair Saleme expressed concern over the lack of housing in the City.

Public Speaker:

Adam Thompson expressed concern over one of the parcels not having a driveway.

Applicant Alan Tsai provided rebuttal clarifying the current driveway layout and that they plan to maximize the usage of the backyard.

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

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

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

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

3. [20-605](#) Public Hearing: Review of the Proposed FY 2020/21 and FY 2021/22 Biennial Capital Improvement Program Budget for Conformity with the City of Santa Clara 2010-2035 General Plan. Continued from May 27, 2020 Planning Commission Meeting.

Recommendation: Adopt a Resolution making findings on the conformity of the Proposed FY 2020/21 & FY 2021/22 Biennial Capital Improvement Program Budget with the 2010-2035 General Plan.

Assistant City Attorney Alexander Abbe explained the motions that would need to be made and that Commissioners Biagini and Kelly would need to recuse themselves for the motions for Warburton Park and Saratoga Creek Trail, respectively. He also clarified the CEQA determinations for each motion.

Principal Planner John Davidson provided the staff PowerPoint presentation.

Finance Director Kenn Lee responded to questions about projects needing funds. He addressed efforts underway for other revenue sources to fund the projects.

A motion was made by Commissioner Jain, seconded by Commissioner Ikezi to close public hearing.

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

A motion was made by Commissioner Jain, seconded by Commissioner Ikezi to find that the Warburton Park playground rehabilitation is in conformance with the General Plan and the CEQA determination that the project is categorically exempt under Class 1(a).

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

Recused: 1 - Commissioner Biagini

A motion was made by Commissioner Cherukuru, seconded by Commissioner Biagini to find that the Saratoga Creek Trail Project is in conformance with the General Plan.

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

Recused: 1 - Commissioner Kelly

A motion was made by Commissioner Jain, seconded by Commissioner Biagini to find that the balance of the projects in the CIP plan conform to the general plan and CEQA determination listed in first attachment of staff report.

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

4. [20-520](#) Approval of an Amendment to a Development Agreement for the Mixed-use Project at 1205 Coleman Avenue

Recommendation: Make a recommendation to the City Council using the Alternatives provided.

Commissioner Biagini disclosed financial interest in a nearby business and abstained from voting on this item.

Commissioner Jain disclosed that he had a discussion with the Applicant, Josh Rupert of Hunter-Storm about possible benefits to the City to approve this amendment. He also disclosed that he discussed the project with Chair Becker and Commissioner Ikezi.

Chair Becker disclosed that he discussed the project with Commissioner Jain and a resident, Adam Thompson. He addressed that he did not meet with the developer.

Commissioner Kelly disclosed that he briefly chatted with the applicant.

Commissioner Ikezi disclosed that she discussed the project with Commissioner Jain.

Vice Chair Saleme and **Commissioner Cherukuru** were contacted by the applicant but did not have a discussion.

Associate Planner Debby Fernandez provided the staff PowerPoint presentation.

Planning Manager Reena Brilliot clarified that this item will move on to the City Council for hearing and that the Planning Commission was making a recommendation to the City Council. **Assistant City Attorney Alexander Abbe** explained that this item would need to be heard by the City Council within 90 days and that there would not be enough time for a continuance at this stage.

Commissioners expressed concern of this item being delayed due to the coronavirus. **Development Review Officer Gloria Sciara** provided clarification about development agreements. **Commissioner Jain** asked questions regarding the affordable housing unit requirements.

Josh Rupert of Hunter Storm provided the Applicant PowerPoint. **Ed Storm and Deke Hunter of Hunter Storm** answered questions from the Commission.

After the applicant presentation, the Commission expressed concerns over housing and revenue generated from the project.

Public Speakers (13):

Mary Grizzle spoke expressing that she did not support the project due to the need for housing and wished for a continuance.

Brian Goldenberg expressed support for the project.

Robert Fitch expressed support for the project due to need for affordable housing.

Linda Lessa expressed support for the project.

Christian Paleckia, PAL board member, expressed support of the project and acknowledged that Hunter Storm has been working with PAL.

Christine expressed support for the project due to the need for housing.

Clinton Cronin expressed support for the project due to the need for housing and retail.

Mike Woki, Old Quad resident and president of PAL, expressed support for the project.

Adam Thompson expressed support for the project since it moves up housing.

Jonathon Evans expressed support for the project.

Patricia Leung expressed support for the project.

John Elwood, PAL board member, expressed support for the project due to PAL being without building in the last 10 years and sees this as an investment for the next generation.

Emmy Minister expressed support for the project.

The applicant was provided an opportunity to provide a rebuttal. The applicant spoke about the variety of benefits that the project would provide, and said they would use this as an opportunity to continue to do good things.

A motion was made by Commissioner Ikezi, seconded by Commissioner Kelly to close public hearing.

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

Recused: 1 - Commissioner Biagini

A motion was made by Commissioner Kelly, seconded by Commissioner Cherukuru to adopt a resolution recommending that City Council approve the First Amendment to the Development Agreement.

Aye: 4 - Commissioner Kelly, Commissioner Ikezi, Vice Chair Saleme, and Commissioner Cherukuru

Nay: 2 - Commissioner Jain, and Chair Becker

Recused: 1 - Commissioner Biagini

5. [20-522](#) Adoption of a Transportation Policy Establishing Vehicle Miles Traveled as the Methodology for Analyzing Transportation Environmental Impacts in Compliance with State Law

Recommendation: Alternative 1: Adopt a resolution recommending that the City Council adopt a transportation policy establishing Vehicle Miles Traveled as the methodology for analyzing transportation environmental impacts in compliance with State Law.

Transportation Consultant Karen Mack and Assistant Director of Public Works Michael Liw provided the staff PowerPoint presentation.

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

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

A motion was made by Commissioner Jain, seconded by Commissioner Cherukuru to recommend that the City Council amend Resolution 5713 to adopt a transportation analysis policy to comply with the California Environmental Quality Act with the recommendations that the City of Santa Clara adopt a threshold of 20% for employment uses including office and R&D, a threshold of 15% for residential and industrial uses, and that the developer provide 1 secure bike spot per unit for transit-supportive multi-unit housing.

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

6. [20-598](#) Public Hearing: Action on Purchase of New iPads for the Planning Commission

Recommendation:

1. Vote to reconsider the Planning Commission action taken on May 27, 2020 regarding the purchase of iPad Pros; and
2. Approve the purchase of ten 12.9-inch iPad Pros Wi-Fi (256GB) at a cost of \$1092.91 (including tax and fees) each and allocate up to \$1000.00 for additional chargers and keyboard cases for a total cost not to exceed \$11,920.

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

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

A motion was made by Commissioner Jain, seconded by Commissioner Cherukuru to reconsider the action at the May 27, 2020 Planning Commission Meeting.

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

Recused: 2 - Commissioner Ikezi, and Commissioner Biagini

A motion was made by Commissioner Cherukuru, seconded by Commissioner Jain to approve the purchase of new Ipads.

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

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

Chair Becker announced that although **Commissioner Kelly** has termed out on June 30, 2020 he has agreed to remain on the Commission until a new appointment is made.

Vice Chair Saleme shared that he would be transitioning from his first appointed temporary term into his first official term.

Development Review Officer Gloria Sciara asked the Commission to consider a new end time for the meetings going forward now that meetings start at 6 p.m. and no longer at 7 p.m.

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

Planning Manager Reena Brilliot provided updates.

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Update

Development Review Officer Gloria Sciara provided budget updates.

2. Upcoming Agenda Items

Development Review Officer Gloria Sciara provided updates.

3. City Council Actions

Development Review Officer Gloria Sciara provided updates on the approved outdoor seating permit process.

ADJOURNMENT:

A motion was made by Commissioner Ikezi, seconded by Commissioner Cherukuru to adjourn the meeting.

The meeting adjourned at 10:55 p.m.

The next meeting is a Special Planning Commission meeting on Monday, June 15, 2020 at 6 p.m. in the City Hall Council Chambers.

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