



# City of Santa Clara

## Meeting Minutes

### Planning Commission

---

12/11/2019

6:00 PM

City Hall Council Chambers

---

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

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

**Chair Becker** called the meeting to order at 6:03 p.m.

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

##### **Roll Call**

**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**

**A motion was made by Commissioner Biagini, seconded by Commissioner Kelly to approve the Consent Calendar.**

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

**1.A**     [19-938](#)     Planning Commission Meeting Minutes of November 13, 2019

**Recommendation:** Approve the Planning Commission Minutes of the November 13, 2019 Meeting.

**1.B**     [19-1122](#)     Consent: Action on Use Permit for ABC License Type 20 for the existing Valero gas station convenience store located at 3305 El Camino Real

**Recommendation:** Adopt a resolution approving a Use Permit for the sale of Beer & Wine for consumption off the premises where sold (ABC License Type 20) for the existing Valero gas station convenience store located at 3305 El Camino

Real, subject to conditions of approval.

## **PUBLIC PRESENTATIONS**

**Aaron Resendez** spoke representing Tim Pacheco regarding Code Enforcement matters at 2625 Maplewood Lane. Staff obtained information from the speaker and stated that follow-up on this matter would take place.

## **PUBLIC HEARING**

2. [19-1179](#) Public Hearing: Action on a Variance to rebuild an existing non-conforming one-car garage at its current location for the single-family residence located at 1366 Lexington Street

**Recommendation:** Approve the Variance to allow rebuilding a non-conforming one-car garage at its current location with a one-foot rear setback, a zero-foot side setback, and a three-foot separation from the main house.

**Commissioner Jain** recused himself from this item due to the proximity of his residence to the project.

**Associate Planner Elaheh Kerachian** provided a presentation.

**Applicant Daniel Perez**, the property owner's son, spoke. Applicant clarified he would like to rebuild the original garage to keep it in accordance with the historical neighborhood and would like to move forward.

A discussion took place between Commissioners and the Applicant clarifying that the garage should be used for auto use due to the limited parking in the neighborhood. Staff clarified next steps if staff recommendation is approved.

### **Public Speakers:**

**Stephanie So**, a direct neighbor spoke regarding concerns of where the structure sits and the zero lot line and concerns of the water drainage issues.

**Jonathon Evans**, a neighbor who lives behind the structure stated the original garage was not rebuilt as the original structure. Wants to make sure all neighbors follow the same process when rebuilding a structure.

In reply to Commissioner questions, staff clarified this is not an historic property. **Assistant City Attorney Alexander Abbe** stated that it is not the city's jurisdiction to address a complaint regarding boundary issues when a property owner has relied upon a licensed surveyor to provide this information.

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

**Commissioner Kelly to close public hearing.**

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

**Recused:** 1 - Commissioner Jain

**A motion was made by Commissioner Saleme, seconded by Commissioner Biagini to approve staff recommendation with a friendly amendment by Commissioner Cherukuru to add appropriate drainage as a requirement.**

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

**Recused:** 1 - Commissioner Jain

3. [19-1282](#) Public Hearing: Action on a Use Permit for a proposed spa at 2908 El Camino Real

**Recommendation:** Alternative:

1. Adopt a Resolution approving a Use Permit to allow a spa located at 2908 El Camino Real, subject to conditions of approval.

**Development Review Officer Gloria Sciara** provided a presentation.

**Jimmy Chang, Architect**, spoke on behalf of the property owner, FLC, Inc. and provided an overview of the business noting it is a health facility oriented business, not a person to person business. All areas are gender separated such as locker rooms, shower areas, spas including different entrances. This type of business is common in Korea and is a combination of spa/gym. There will be fulltime staff at all times. The ground floor is an open area and will be monitored at all times. Patrons in common area will always be fully clothed. Massage will not be provided at this facility. This is not a membership facility and will have a daily entry fee.

Commissioners asked questions regarding parking spots and facility peak hours. The property owner spoke and stated there are 140 parking spaces for the facility. This is a shared parking situation with Bank of America. It is expected that there would be approximately 80-100 patrons at peak time, and an average of 50 during normal business hours and that parking will not be an issue.

**A motion was made by Commissioner Kelly, 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 Ikezi, seconded by Commissioner Jain to approve staff recommendation with the following amendment to condition PD6: The installation and use of interior and exterior security cameras and recording devices is highly encouraged. Condition PD6 shall be changed to: The installation and use of interior and exterior security cameras and recording devices is required.**

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

4. [19-1054](#) STUDY SESSION: Overview and Update on Proposed Changes to the City's Transportation Analysis Methodology and Processes to Comply with State Law

**Principal Planner Lesley Xavier and Department of Public Works Associate Consultant Karen Mack**, provided a presentation. Staff noted this presentation had been provided to City Council at a Study Session on November 5, 2019 and that additional information has been added to this presentation.

**Assistant City Attorney Alexander Abbe** noted that after July 2020 all projects must incorporate Vehicle Miles Traveled (VMT) and also that the Planning Commission will weigh in on this before adoption.

**Commissioner Saleme** requested that in the future that staff focus on information that is different from what was presented to the Commission previously.

**Commissioner Cherukuru** suggested that it may be good practice to get feedback on land use from other commissions such as the Youth and Senior Commission on this item.

**Commissioner Saleme** asked if the Planning Commission can meet with other boards and commission as a joint meeting to better understand their objectives or possibly an all hands meeting with all Commissions. Development Review Officer Gloria Sciara noted that staff can reach out to liaisons to look into meetings.

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

1. Announcements/Other Items

**Chair Becker** requested Commissioner contact information be

provided to all Commissioners, staff replied this will be done.

**Planning Manager Reena Brilliot** provided information on rideshare and car sharing at the Catalina II project.

**Principal Planner Lesley Xavier** spoke on this item.

## 2. Architectural Committee

**Chair Becker** announced that the Architectural Committee will be replaced by a Development Review Hearing and thanked all Commissioners for their work and service on the Committee. He stated that Planning Commissioners volunteer their time and their opinions do matter.

**Chair Becker** thanked the Commission Staff for supporting the Commission.

Commissioners discussed concerns that the focus on design elements and aesthetics may be lost when citizens no longer serve on the Commission. **Planning Manager Reena Brilliot** stated that an Architect will be part of the Development Review process.

**Several Commissioners** expressed disappointment in the decision to no longer have an Architectural Committee and they believe that the City may revert back to less desirable designs for developments in the city without Commissioners serving on this Committee.

**Development Review Officer Gloria Sciara** stated that she appreciates all the input Commissioners have provided while participating on the Architectural Committee and their input has affected staff in a positive manner asking for a higher standard and that this will continue in the Development Review Hearing process. She noted that due process concern and conflict of interest was the impetus for restructuring the Committee which was raised by the City Attorney. Staff will continue to push on improved designs.

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

**Commissioner Kelly** announced he attended a meeting in San Jose regarding automated busses for tech business as mass transit. He encouraged others to look this topic up.

**Commissioner Chereukuru** announced that she and Commissioner Biagini would attend a CEQA conference on December 12, 2019.

**DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:**

1. Planning Commission Budget Update

**Development Review Officer Gloria Sciara** provided updates.

**Commissioner Jain** requested that additional educational study sessions be provided in the future.

**Commissioner Saleme** requested that an expert on the topic of energy savings, and greenhouse gas speak at an upcoming Planning Commission meeting

2. Upcoming Agenda Items

**Planning Manager Reena Brilliot** provided updates.

3. City Council Actions

**Development Review Officer Gloria Sciara** provided updates.

**ADJOURNMENT:**

**Chair Becker** wished Happy Holidays to the Commission and staff and thanked everyone for their work this year.

**A motion was made by Commissioner Jain, seconded by Commissioner Kelly to adjourn the meeting. The meeting adjourned at 10:18 p.m.**