



City of Santa Clara

Meeting Minutes

Planning Commission

07/24/2019

6:00 PM

City Hall Council Chambers

6:00 PM REGULAR MEETING

Call to Order

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 Ikezi to approve the consent calendar with exception of item 1E, which was pulled by Commissioner Ikezi.

Commissioners Cherukuru and Ikezi abstained from voting on Item 1.A. Operational Condition to be added to Item 1D.

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

1.A [19-867](#) Planning Commission Meeting Minutes of June 12, 2019

Recommendation: Approve the Planning Commission Minutes of the June 12, 2019 Meeting.

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

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

Abstained: 2 - Commissioner Ikezi, and Commissioner Cherukuru

1.B [19-526](#) Consent: Action on Rezone for the property located at 908 Fremont Street

Recommendation: Recommend to City Council approval of the rezoning of the property at 908 Fremont Street from Downtown Commercial (CD) to Single-Family Zoning District (R1-6L).

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

1.C [19-628](#) Consent: Twelve-month Review of a Use Permit to Sell and Consume Alcoholic Beverages at the Puesto Restaurant Located at 2752 Augustine Drive

Recommendation: Note and file the twelve-month review of a Use Permit allowing the on-site sale and consumption of alcohol (ABC License Type 47) at the Puesto restaurant located at 2752 Augustine Drive.

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

1.D [19-734](#) Consent: Action on an Amendment to an Existing Use Permit Allowing Alcohol Sales (ABC License Type 41) for Sky High Sports Located at 2880 Mead Avenue

Recommendation: Adopt a Resolution approving an amendment to the Use Permit for the sale and service of beer and wine (ABC License Type 41) in an existing recreational facility (Sky High Sports), subject to conditions of approval.

A motion was made by Commissioner Biagini, seconded by Commissioner Ikezi that this item be approved. Condition to be included in ABC License that alcohol sales are to be per the operational statement provide by the Applicant.

- 1.E [19-815](#) Consent: Action on an Amendment of an Existing Use Permit to Allow Extended Hours of Outdoor Patio Dining with Beer and Wine Service for the Wicked Chicken Restaurant (ABC License Type 41) Located at 2565 The Alameda

Recommendation: Adopt a Resolution approving amendment of the Use Permit to allow the extension of hours of outdoor patio dining with beer and wine service (ABC License Type 41), subject to conditions of approval.

Item 1.E was pulled by Commissioner Ikezi who had questions on alcohol consumption in the outdoor area of the restaurant and how that would affect neighbors. A revised condition, C19, was included in the Conditions of Approval noting there would be a conditional one year review of the Use Permit for satisfactory performance.

Applicant spoke: Terrence Reilly

A motion was made by Commissioner Kelly, 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

Public Speaker: Applicant - Terrence Reilly

A motion was made by Commissioner Jain, seconded by Commissioner Biagini to approve this item with modifications to Conditions C3 and C4 regarding operational hours, and adding C19 extending the hours of operation for the beer and wine service on the patio and C20 regarding upon a change in service or business operation on the patio area that has a potential to disturb residential properties in the vicinity the hours of operation for outdoor beer and wine services will be subject to a six-month and one-year review on the operation hours of the patio.

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

- Nay:** 1 - Commissioner Ikezi

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING

A motion was made by Commissioner Ikezi, seconded by Commissioner Cherukuru to move item 3 before item 2.

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

3. [19-761](#) Public Hearing: Action on a Request for a Variance from the Maximum Height Requirements in the R1-6L Zoning District for a Proposed Detached Accessory Dwelling Unit at 450 Monroe Street.

Recommendation: Alternative 1: Adopt a resolution denying the variance to allow construction of a new two story detached 797 square foot ADU with an attached 311 square foot garage at an increased height of 22'-6".

Public Speaker(s):

Rob Mayer
Todd Walsh
Adam Thompson

A motion was made by Commissioner Ikezi, seconded by Commissioner Biagini 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 Ikezi, seconded by Commissioner Cherukuru to approve the variance and change the resolution with the following findings: a. There are unusual conditions, b. The granting of variance is necessary for the preservation and enjoyment of substantial property rights, and c. The granting of the variance is in keeping with the purpose and intent of the zoning ordinance.

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

Recused: 1 - Commissioner Jain

2. [19-413](#) Public Hearing: Action on Appeal of Architectural Review Approval by the Architectural Committee for the property at 3533 Gibson Court

Recommendation: Alternative 1:

1. Overrule the appeal and uphold the Architectural Committee's decision approving the project, as modified by the revised plans received January 24, 2019 that address the Committee's conditions of approval.

Associate Planner Jeff Schwilk provided the staff presentation.

Appellant Francis Liu provided a presentation.

Public Speakers:

Ming Sun - Applicant

Murali Gubbala

Jennifer Liu

Yuan Lin

Xiaoquan He

Michael Hsieh

Martha Hull

Suohai Mei

James Wang

Qing Mou

Hong Liu

Shirdi Prem

Qian Huang

Chair Becker and Vice Chair Saleme recused themselves as they heard the item at the Architectural Committee Meeting.

Commissioner Biagini presided as Chair.

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

Aye: 5 - Commissioner Kelly, Commissioner Ikezi, Commissioner Jain, Commissioner Biagini, and Commissioner Cherukuru

Recused: 2 - Vice Chair Saleme, and Chair Becker

A motion was made by Commissioner Kelly, seconded by Commissioner Ikezi to adopt the resolution to uphold the Architectural Committee's decision approving the project.

An amendment was added by Commissioner Jain that the property owner shall provide evergreen plantings that could grow to 15' as a screening along the utility easement.

Aye: 5 - Commissioner Kelly, Commissioner Ikezi, Commissioner Jain, Commissioner Biagini, and Commissioner Cherukuru

Recused: 2 - Vice Chair Saleme, and Chair Becker

The Planning Commission went into a five minute recess and reconvened.

4. [19-873](#) Planning Commissioner Assignments

Recommendation: There is no staff recommendation.

Commissioner Saleme and Commissioner Biagini were selected to be Architectural Review Committee members, and Commissioner Jain was selected as Alternate Architectural Review Committee member for Fiscal Year 2019-2020.

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

Planning Manager Reena Brilliot provided information on upcoming American Planning Association, California Planning Association and League of California Cities trainings.

2. Board or Committee Assignments

3. Architectural Committee

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

A motion was made by Commissioner Ikezi, seconded by Commissioner Biagini to Approve funds for Commissioner Kelly to attend an upcoming Silicon Valley Leadership Group meeting, Celebrating VTA Bart Extension, taking place on August 9, 2019.

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

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Updates

Development Review Officer/Staff Liaison Gloria Sciara provided updates.

2. Upcoming Agenda Items

Planning Manager Reena Brilliot provided updates.

3. City Council Actions

Development Review Officer/Staff Liaison Gloria Sciara provided updates.

4. Update on Climate Action Plan

Principal Planner John Davidson provided a presentation.

5. Information on Zoning Code Update

Principal Planner John Davidson provided a presentation.

ADJOURNMENT:

Meeting adjourned at 10:10 p.m. The next regular scheduled meeting is on August 14, 2019.

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