City of Santa Clara

Meeting Minutes

Planning Commission

08/14/2019	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 Jain, seconded by Commissioner Ikezi to pull Item 1. A and move item 1.B to Public Hearing to be heard after Item 2.

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

1.A 19-885 Planning Commission Meeting Minutes of July 24, 2019

Recommendation: Approve the Planning Commission Minutes of the July 24, 2019 Meeting.

Commissioner Ikezi recommended rephrasing motion language under item 1.E on meeting minutes. Commissioner Jain recommended a change to policy that when conditions are changed that the conditions be listed or emailed to Commissioners. Development Review Officer Gloria Sciara noted that a policy change would need to take place by vote at a future meeting and that City protocol is action minutes which are a summary of actions that took place.

Minutes were approved with changes to be made to the language recommended by Development Review Officer Gloria Sciara on Item 1.E regarding changes made to Condition C20.

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

PUBLIC PRESENTATIONS

PUBLIC HEARING

2. 19-857 Action on Appeal of Architectural Committee Approval for the Property at 2892 Sycamore Way

Recommendation: 1. Sustain the appeal and modify the decision of the Architectural Committee on June 19, 2019 to allow five bedrooms and four and half bathrooms with an exterior access for Bedroom #1.

Chair Becker and Commissioner Kelly abstained from Item 2 having voted on this item at a previous Architectural Committee Meeting, **Chair Ikezi** abstained due to the proximity of the project to her residence.

Applicant Lei Xiu spoke.

Public Speakers were called to to speak. All speakers were neighbors and not in favor of the project due to ongoing disturbances in the neighborhood from tenants at the home.

Public Speakers:
Shellie Woodworth
Margie Bauman
Joe Garcia
Mary Smoker
Mike Fales
Jeff Smoker
Paul Creger
Eleanor Creger

A motion was made by Chair 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 Biagini to overrule the appeal and uphold the Architectural Committee Approval.

The motion failed.

Aye: 2 - Commissioner Jain, and Commissioner Biagini

Nay: 2 - Vice Chair Saleme, and Commissioner Cherukuru

Abstained: 3 - Commissioner Kelly, Commissioner Ikezi, and Chair Becker

A motion was made by Commissioner Cherukuru, seconded by Commissioner Saleme to sustain the appeal with additional condition with approval to add inspection upon 2 years of receiving Certificate of Occupancy and that the master bedroom door on the first floor would be a non-keyed door from the outside.

The motion failed.

Aye: 3 - Commissioner Jain, Vice Chair Saleme, and Commissioner Cherukuru

Nay: 1 - Commissioner Biagini

Abstained: 3 - Commissioner Kelly, Commissioner Ikezi, and Chair Becker

A motion was made by Commissioner Jain, seconded by Commissioner Cherukuru that this item be moved to City Council Agenda with no recommendation from the Planning Commission.

Aye: 4 - Commissioner Jain, Vice Chair Saleme, Commissioner Biagini, and Commissioner Cherukuru

Abstained: 3 - Commissioner Kelly, Commissioner Ikezi, and Chair Becker

The meeting went into a 5-minute recess and reconvened at 8:07 p.m.

1.B 19-765 Recommendation on an Amendment to the Zoning Code, Santa Clara City Code Chapter 18.76 Architectural Review and other clarifying changes (continued from May 22, 2019)

Recommendation:

Alternative 1:
Recommend City Council adopt an Ordinance to amend Chapter 18.76 Architectural Review of the City of Santa Clara Zoning Code to amend the existing Architectural Committee process to modify the composition of the Architectural Committed to be composed of three Planning Commissioners, to clarify which projects are subject to Architectural Review by the Architectural Committee, to clarify that decisions are appealable to the City Council on a *de novo* basis and changes to the appeal procedures so that appeals are available to the applicant, property owners, and residents within 500 feet of the project boundary.

Principal Planner John Davidson provided a presentation.

A motion was made by Commissioner Ikezi, seconded by Commissioner Kelly to recommend approval of this item with the following conditions:

Amend Condition C1A to 5 or more bedrooms; C1B to 5 or more bathrooms and C1C to Two or more bedrooms with direct exterior access. Anything below that would go to administrative approval.

That the Architectural Review Committee be made up of 3 Planning Commissioners.

Amendments were made to Item C5 to change 5,000 to 10,000 square feet in size. Item 7d. to be changed to for all multi-family attached residential developments and for all commercial developments greater than 20,000 square feet area, include the input from a practicing architect with similar experience or a similar practice who is required to attend the relevant Planning Commission hearing, at applicant's expense.

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

Nay: 1 - Commissioner Biagini

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

Development Review Officer/Staff Liaison Gloria Sciara announced the September 11, 2019 Planning Commission meeting will be canceled due to no items.

Commissioner Steve Kelly announced he is unable to attend meetings between September 19 - 29, 2019.

Planning Manager Reena Brilliot provided updates on upcoming Study Sessions.

Commissioner Jain requested to have the topic of changes made to Conditions of Approval agendized for a future meeting.

2. Board or Committee Assignments

3. Architectural Committee

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

A motion was made by Commissioner Kelly, seconded by Commissioner Ikezi to expend funds to cover the expenses for Commissioner Jain to attend a Digital Government Summit conference in Sacramento on September 9.

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 a budget update.

2. Upcoming Agenda Items

Planning Manager Reena Brilliot provided updates.

3. City Council Actions

ADJOURNMENT:

Chair Becker adjourned the meeting at 9:47 p.m. in memory of Chad Neal, a Santa Clara resident.

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

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