



# City of Santa Clara

## Meeting Minutes

### Planning Commission

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11/13/2019

6:00 PM

City Hall Council Chambers

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#### 6:00 PM REGULAR MEETING

##### Call to Order

**Chair Becker** called the meeting to order at 6:08 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

**Commissioner Jain** requested to pull Items 1.A and 1.B. **Commissioner Jain** noted that he liked the format of the Planning Commission minutes and suggested that instead of listing Chair and Commissioner to just list names.

**Commissioner Ikezi** requested to pull Item 1.A. **Commissioner Ikezi** had questions regarding parliamentary procedures on amendments to motions and how this should be noted in the meeting minutes and wanted to understand the rules. **Assistant City Attorney Alexander Abbe** responded that he will review this item and respond at a future meeting. **Commissioner Ikezi** noted that a vote on Item 2 had been incorrectly recorded and it should be changed to note that she made the amendment, not Commissioner Jain.

1.A [19-1135](#) Planning Commission Meeting Minutes of October 23, 2019

**Recommendation:** Approve the Planning Commission Minutes of the October 23, 2019 Meeting.

**A motion was made by Commissioner Jain, seconded by Commissioner Cherukuru to approve staff recommendation with the correction of Commissioner Ikezi's name as the maker of a motion on Item 2.**

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

1.B [19-1198](#) Action on Use Permit for ABC License Type 47, and to allow indoor live entertainment for Eureka! Restaurant Located at 2762 Augustine Drive, Suite 120 and 130

**Recommendation:** Adopt a resolution approving a Use Permit for the sale and consumption of beer, wine and distilled spirit (ABC License Type 47), and incidental live entertainment in the new Eureka! Restaurant located at 2762 Augustine Drive, Suite 120 and 130, subject to conditions of approval.

**Commissioner Jain** pulled Item 1.B and had questions on the operating hours of Eureka Restaurant and on the permit fees. **Planning Manager Reena Brilliot** clarified that the fee include a technology fee and advanced planning fee.

**Carlene Matchniff, The Irvine Co.** spoke to clarify that the hours of operation are until 1 a.m. due to a demand for later hours based upon the location of the restaurant/venue. The location is in excess of 500 feet from the nearest residence.

**Commissioner Cherukuru** requested to know if this is an existing restaurant and requested to know if the City has a noise ordinance. **Carlene Matchniff, The Irvine Co.** noted it is not an existing restaurant. **Development Review Officer Gloria Sciara** replied the City does have a fixed source noise ordinance.

**Commissioner Becker** had a question on COA Item C6 asking if live music is allowed until 1 a.m. **Planning Manager Reena Brilliot** replied that it is.

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

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

**PUBLIC PRESENTATIONS**

None.

**PUBLIC HEARING**

2. [19-753](#) Actions on a Proposed 65 Residential Unit Affordable Housing Project at 2330 Monroe Street

**Recommendation:** Alternatives 1, 2, and 3: That the Planning Commission adopt resolutions for the Affordable Housing Project located at 2330 Monroe Street recommending that the City Council:

1. Adopt a resolution to recommend the City Council adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Affordable Housing Project at 2330 Monroe Street.
2. Adopt a resolution to recommend the City Council approve a General Plan amendment from Right of Way to Medium Density Residential to allow development of 65 rental affordable residential units, landscaped open space, surface parking and site improvements.
3. Adopt a resolution to recommend the City Council approve a rezoning from Single Family Residential (R1-6L) to Planned Development (PD) to allow development of 65 rental affordable residential units, landscaped open space, surface parking and site improvements.

**Associate Planner Nimisha Agrawal** provided a presentation.

**Applicant Robin Zimbler, Freebird Development** provided a presentation.

**Public Speakers:**

**Public Speaker** - a neighbor who lives next door to the project site requested that no changes be made to the project and requested a soundwall be 8' concrete.

**Wanda Buck** - spoke regarding inadequate parking.

**Michael Petross** - spoke in favor of the project.

**Applicant Robin Zimbler, Freebird Development** provided a rebuttal.

**Commissioner Ikezi** inquired about higher density due to few City owned parcels of land and the need for affordable housing.

**A motion was made by Commissioner Kelly, seconded by Commissioner Biagini 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 Kelly to approve staff recommendation 1.**

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

**A motion was made by Commission Jain, seconded by Commissioner Kelly to approve staff recommendation 2 with following conditions:**

- outlets be provided for electric bikes in the bike room
- applicant work with staff to explore feasibility for the driveway on Monroe to be right turn only
- 5 additional parking spots be pre-wired for EV parking
- to consider use of water heater boiler for hot water use heat pump
- community room be available to all residents of Santa Clara for up to 20 events per year
- Uber and Door Dash have designated parking spots

**A friendly amendment was made by Commissioner Cherukuru to consider having staff work with VTA for relocation of bus stop**

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

**Nay:** 1 - Commissioner Ikezi

**A motion was made by Commissioner Cherukuru, seconded by Commissioner Biagini for staff to investigate removal of parking spots for large vehicles and limit parking spots to small vehicles on Monroe to be part of the proposal and approval.**

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

Meeting went into Recess at 8:25 and reconvened at 8:30 p.m.

**A motion was made by Chair Becker, seconded by Commission Jain to move Agenda item 5 to be heard before Item 3.**

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

5. [19-1194](#) Public Hearing: Action on a Variance from the Sign Ordinance for the size and number of signs at 3975 Freedom Circle.

**Recommendation:** Adopt a Resolution approving the variance allowing the increased sign area for two wall signs placed at a height of over 35 feet on the western façade at 3975 Freedom Circle.

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

**Applicant, Project Manager at Corporate Sign Systems**, provided a presentation.

**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 Jain to approve staff recommendation.**

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

3. [19-1130](#) Action on a Conditional Use Permit to allow a new Car/Truck Rental Facility at 2390 Lafayette Street

**Recommendation:** Adopt a Resolution to approve a Use Permit to allow a new car/truck rental facility at 2390 Lafayette Street, subject to conditions of approval.

**Associate Planner Nimisha Agrawal** provided a presentation.

**Applicant Don Pierce representing Avis Budget Group** provided a presentation.

**A motion was made by Chair Becker, seconded by Commissioner Jain, to approve staff recommendation.**

**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 Commission Saleme 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 Saleme, seconded by Commissioner Ikezi to approve staff recommendation.**

4. [19-1136](#) Public Hearing: Action on Appeal of Architectural Committee Adoption of a Mitigated Negative Declaration and Approval of a Data Center Project Located at 2175 Martin Avenue

**Recommendation:** Alternatives 1 and 2:

1. Adopt a resolution to deny the appeal and uphold the Architectural Committee's adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.
2. Adopt a resolution to deny the appeal and uphold the Architectural Committee's approval of the data center project located at 2175 Martin Avenue, subject to conditions.

**Chair Becker and Commissioner Saleme** recused themselves having previously voted on this item at an Architectural Committee meeting.

**Commissioner Biagini** acted as Chair on this item.

**Associate Planner Nimisha Agrawal** provided a presentation.

**Appellant Andrew Graf, on behalf of Adams Broadwell, representing Santa Clara Citizens for Sensible Industry** spoke.

**Applicant Scott Rynders with LVP Martin Avenue Associates** provided a presentation.

**Alex Merritt with Sheppard Mullin** spoke on behalf of the developer.

**Paul Wicoff with LVP Martin Avenue Associates** spoke.

**A motion was made by Commissioner Ikezi, seconded by Commissioner 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 Ikezi, seconded by Commissioner Cherukuru to approve staff recommendation 1 with Attorney recommendation to add additional section 6 language: The Planning Commission hereby finds that Mitigation Measure Air-1.1, concerning the use of EPA Tier 4 diesel equipment, and Mitigation Measure Bio-2.1, concerning the replacement of trees removed, as revised at the public hearing on November 13, 2019, are equal to or more effective than the Mitigation Measures included in the IS/MND circulated to the public, and that revised Mitigation Measures Air-1.1 and Bio-2.1 will not cause any potentially significant effects on the environment.**

**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 Ikezi, seconded by Commissioner Kelly to approve staff recommendation 2 with an amendment from Commissioner Jain that the applicant continue to work with staff to improve the aesthetics.**

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

**Recused:** 2 - Vice Chair Saleme, and Chair Becker

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

### 1. Announcements/Other Items

**Commissioner Jain** noted that on November 12, 2019 the City of Mountain View voted unanimously for an all electric building code that will go in effect in January and is for newly constructed buildings only.

**Commissioner Cherukuru** would like the city to keep tabs on the number of data centers being approved in the City. Would like City staff to consider a policy on this issue.

**Commissioner Biagini** announced the upcoming 41st Annual Santa Clara Historic Hometour taking place on December 7 and 8. The first Santa Clara Parade of Champions fundraiser will take place at Mission City Library Community Room. Visit SC-hometour.com to get tickets.

**Chair Saleme** spoke regarding the natural gas connection and wants to make sure the City is achieving it's goal and would like more real statistics on this. **Chair Jain** replied he would provide this information.

### 2. Architectural Committee

Commissioner Saleme noted he is impressed with the quality of the projects that have been coming through with improved aesthetics and would like to continue with this improvement going forward.

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

**Commissioner Cherukuru** thanked the Commission and city staff for arrangements for the upcoming CEQA conference in December.  
**Commissioner Biagini** agreed.

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

### 1. Planning Commission Budget Update

**Planning Manager Reena Brilliot** requested that Planning Commissioners notify her and **Development Review Officer Gloria Sciara** if there are any specific trainings they would like.

### 2. Upcoming Agenda Items

**Planning Manager Reena Brilliot** provided updates.  
**Assistant City Attorney Alexander Abbe** noted he will provide an update on Housing Legislation in early 2020.



### 3. City Council Actions

**Chair Becker** congratulated **Commissioner Biagini** on the presentation at the November 12, 2019 Council Meeting regarding Parade of Champions.

**Planning Manager Reena Brilliot and Development Review Officer Gloria Sciara** provided updates.

### **ADJOURNMENT:**

**The meeting was adjourned at 10:22 p.m.**

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

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