



MINUTES
Wednesday, May 11, 2016 – 7:00 P.M.

Please refer to the Planning Commission Procedural Items coversheet for information on all procedural matters.

ITEMS FOR COUNCIL ACTION

The following items from this Planning Commission agenda will be scheduled for Council review following the conclusion of hearings and recommendations by the Planning Commission. Due to timing of notices for Council hearings and the preparation of Council agenda reports, these items will not necessarily be heard on the date the minutes from this meeting are forwarded to the Council. Please contact the Planning Division office for information on the schedule of hearings for these items.

- **Item 8.B. PLN2015-11469 – 1627 Monroe Street**

1. PLEDGE OF ALLEGIANCE AND STATEMENT OF VALUES

Vice Chair Ikezi initiated the Pledge of Allegiance and Commissioner Sweeney read the Statement of Values.

2. ROLL CALL

The following Commissioners responded to roll call: Steve Kelly, Yuki Ikezi, Raj Chahal, Suds Jain, Mike O'Halloran, and Joe Sweeney. Deborah Costa was excused. Yuki Ikezi presided as Chair.

Staff present were: Development Review Officer Gloria Sciara, Planning Manager Lee Butler, Acting Director of Planning and Inspection Sharon Goei, Deputy City Attorney Diana Fazely, and Acting Office Specialist IV Rosa Avalos.

3. DISTRIBUTION OF AGENDA AND STAFF REPORTS

Gloria Sciara stated that copies of current agendas and staff reports for each of the items on the agenda are available from the Planning Division office on the Friday afternoon preceding the meeting and are available at the Commission meeting at the time of the hearing.

4. DECLARATION OF COMMISSION PROCEDURES

Vice Chair Ikezi reviewed the Planning Commission procedures for those present.

5. REQUESTS FOR EXCEPTIONS, WITHDRAWALS AND CONTINUANCES

- A. Withdrawals - None
- B. Continuances without a hearing – A request was made via email by James Rowen to continue Item 7.D. because he is unable to attend this meeting and would like to be in attendance to present evidence on this project. The Commission made a motion to continue Item 7.D. to the meeting on June 22, 2016.
- C. Exceptions (requests for agenda items to be taken out of order) - None

6. ORAL PETITIONS/ ANNOUNCEMENTS AND COMMUNICATIONS

Members of the public may briefly address the Commission on any item not on the agenda.

7. CONSENT CALENDAR

Consent Calendar items may be enacted, approved or adopted, based upon the findings prepared and provided in the written staff report, by one motion unless requested to be removed by anyone for discussion or explanation. If any member of the Planning Commission, staff, the applicant or a member of the public wishes to comment on a Consent Calendar item, or would like the item to be heard on the regular agenda, please notify Planning staff, or request this action at the Planning Commission meeting when the Chair calls for these requests during the Consent Calendar review. Items listed on the Consent Calendar with associated file numbers constitute Public Hearing items.

7.A. Planning Commission Minutes of April 27, 2016.

Motion/Action: The Commission motioned to approve the Planning Commission Minutes of April 27, 2016, unanimously (6-0-1-0, Costa absent).

7.B. Planning Commission Budget for Fiscal Year 2016-2017

Motion/Action: The Commission motioned to approve the Planning Commission Budget for Fiscal Year 2016-2017, unanimously (6-0-1-0, Costa absent).

7.C. File No.(s): **PLN2015-10990**
Location: 2981 Mead Avenue, 1.95 acre site, located at the northeast corner of Mead Avenue and Uranium Drive; APN: 216-28-091; property is zoned (ML) Light Industrial
Applicant: Nan Li for World Champions Table Tennis Academy
Owner: Mead Associates
Subject: **Twelve-month Review** of an approved Use Permit to allow private training center
CEQA Determination: Review is not a project under CEQA
Project Planner: Steve Le, Assistant Planner I
Staff Recommendation: Note and file report

Discussion: Commissioner Jain inquired about the limited parking spaces in front of the property and whether there is enough parking for participants who visit the academy. The applicant, Nan Li, explained that most participants are dropped off by their parents but that there is additional parking for students located at the rear of the building.

Motion/Action: The Commission motioned to note and file the Twelve-month Review of an approved Use Permit for 2981 Mead Avenue, unanimously (6-0-1-0, Costa absent).

7.D. File No.(s): **PLN2015-10923**
Location: 3240 El Camino Real, an approximately 13,300 square foot lot, located on the south side of El Camino Real, approximately 150 feet east of Pomeroy Avenue, APN: 290-03-084
Applicant/Owner: Tong Soon Gardens
Request: **Twelve-month Review** of an approved Use Permit allowing the sale of beer, wine and distilled spirits (ABC License Type 47) in conjunction with full food service at Tong Soon Gardens Restaurant
CEQA Determination: Review is not a project under CEQA
Project Planner: Steve Le, Assistant Planner I
Staff Recommendation: Note and file report

Motion/Action: The Commission motioned to continue the Twelve-Month Review of an approved Use Permit for 3240 El Camino Real to the meeting on June 22, 2016, unanimously (6-0-1-0, Costa absent).

*******END OF CONSENT CALENDAR*******

8. PUBLIC HEARING ITEMS

8.A. File No.(s): **PLN2013-09661**
Location: 3465 Homestead Road, an approximately 0.40 acre site located at the northeast corner of Homestead Road and Bing Drive, APN: 290-23-065
Applicant: Shang Chun Hsia
Owner: Jack-in-the-Box Restaurant
Request: **Fourth Six-month review** of a Use Permit Amendment allowing extended operating hours from 6:00 a.m. to 3:00 a.m. daily at an existing drive-thru restaurant and continuation of the extended hours for the next six months
CEQA Determination: Review is not a project under CEQA
Project Planner: Steve Le, Assistant Planner I
Staff Recommendation: **Note and file report**

Notice: Notice for Item 8.A. was posted and mailed to residents within 300 feet of the project site.

Discussion: Development Review Officer Gloria Sciara gave a brief presentation of this project and stated that this is the final opportunity for the public and Commission to express any concerns or ask questions before the Use Permit becomes permanent allowing for the final extended hours. Ms. Sciara stated that there were no calls to the Police or complaints from the neighbors related to this property.

Commissioner Jain asked if there have been any issues or complaints regarding trash in the property. Ms. Sciara stated that no complaints have been received by staff.

Phillip Hsia, the applicant's son, gave a brief statement about the property. Mr. Hsia stated that the applicant made his contact information available to the neighbors to allow them to call should they have any concerns or complaints. Mr. Hsia stated that he and the applicant checked in with the neighbors on May 3rd, 2016 and the neighbors did not express any complaints. Mr. Hsia stated he and the applicant visit the property multiple times per week to monitor the restaurant and address issues. Furthermore, Mr. Hsia stated that no complaints or disturbances have occurred in the property over the past two years.

The Public Hearing was opened and closed with no comments from the public.

Commissioner Kelly stated that he regularly drives past the property and has not noticed any garbage and that, since no issues have been reported, the Use Permit should be finalized.

Motion/Action: The Commission motioned to approve the Fourth Six-Month review of a Use Permit Amendment for 3465 Homestead Road, unanimously (6-0-1-0, Costa absent).

8.B. File No.(s): **PLN2015-11469**
Location: 1627 Monroe Street, a 10,965 square foot vacant parcel located on the east side of Monroe Street, 125 feet north of Civic Center Drive, APN: 224-26-062; Property is zoned Single Family Residential (R1-6L)
Applicant: Samir Sharma
Owner: 1627 Monroe LLC
Request: **Rezone** from Single Family Residential (R1-6L) to Planned Development (PD) to allow a three-unit Planned Development
CEQA Determination: Categorically Exempt per CEQA Section 15332 – In-Fill Development Projects
Project Planner: Jeff Schwilk, AICP, Associate Planner
Staff Recommendation: Recommend City Council approval, subject to conditions

Notice: Notice for Item 8.B. was posted and mailed to residents within 300 feet of the project site.

Discussion: Development Review Officer Gloria Sciara gave a brief presentation of the project and stated that the lot has been vacant for over 10 years and previously held a single-family structure. Ms. Sciara explained that the properties will have one shared, common driveway. Ms. Sciara stated that due to concerns about shading over the adjacent solar panels on the neighbor's property, a solar study was conducted. Ms. Sciara stated that the study found that there is very minimal shade during a brief period in the winter over the adjacent neighbor's solar panels. Lastly, Ms. Sciara stated that although these will not be affordable housing units, they will contribute towards the housing needs in the city.

Commissioner Kelly abstained from the project stating that he was the applicant's real estate agent.

Commissioner O'Halloran asked for clarification about whether the project conforms with the General Plan. Ms. Sciara explained that because the lot is half an acre, the General Plan policy allows flexibility in the density range where the development can be moved up or down a category and therefore it does conform with the General Plan.

Commissioner Chahal asked about the ingress recommendation by staff and whether that will be a condition of approval. Ms. Sciara clarified that this will be addressed during the Architectural Review.

The Public Hearing was opened.

Steve Kelly, as the applicant's agent, stated that there are many multiple-unit projects along Monroe Street and that this project is consistent with surrounding properties even though it is zoned Single-Family.

Commissioner Jain inquired about who will get ownership of the shared parking spot. The applicant Samir Sharma stated that the parking spot will be shared by all owners. The applicant clarified that the Historical and Landmarks Commission approved the project and that the concern of the shadow over the neighbor's solar panels was resolved.

The Public Hearing was closed.

Commissioner O'Halloran expressed concern about changing the General Plan. Gloria Sciara explained that the General Plan will not change and that a discretionary policy will be implemented to allow the property to move up in density range. Ms. Sciara explained that under the discretionary policy, if approved by City Council, the property will be allowed three units instead of only two, which conforms with the General Plan.

Commissioner Chahal expressed support for the project stating that it will provide much needed housing for residents and that the location makes sense since the surrounding units are multi-family.

Commissioner Jain asked for clarification about the common driveway and guest parking spot. Ms. Sciara explained that a document will be filed with the Tentative Map to specify that the guest parking spot will be shared with all owners, and also on the title reports for each property.

Motion/Action: The Commission motioned to adopt a resolution recommending that the City Council approve a Rezone of a vacant property from R1-6L (Single-Family Residential) to PD (Planned Development) to allow for the construction of three two-story family homes on three parcels, subject to conditions (5-0-1-1, Costa absent, Kelly abstained).

9. OTHER BUSINESS

9.A. Commission Procedures and Staff Communications

i. Announcements/Other Items

- Lee Butler reported back to the Commission regarding a question that they had during the previous discussion on the Capital Improvement Projects budget; Mr. Butler stated that traffic signals are controlled by the City and those on the expressways are controlled by the County.

ii. Report of the Director of Planning and Inspection

- City Council Actions

- Gloria Sciara reported the following actions from the Council meeting of April 27, 2016: the City recovered 4.2 million dollars from Super Bowl reimbursements for staff time and community events and made a profit of \$750,000 from hotels and sales tax in the area; there was study session for the Capital Improvement Projects; a park was approved at the former Kaiser Hospital site at 900 Kiely Boulevard - the City will pay for restroom facilities and a condition of approval will require an over/underhead connector to Central Park; the Municipal Fee Schedule was approved;

- The Commission and staff discussed availability on June 1st for a tentative Special Planning Commission meeting to hear the City Place Santa Clara project. Staff explained that if not enough Commissioners were available on that date, a different date will be considered. Staff explained that the City will like to continue as soon as possible with the City Place project since it is a very lengthy process. Lee Butler explained that the City Council dates will be set after the Planning Commission hears it. Mr. Butler also mentioned that the leasing agreement, as requested by the Planning Commission, will be available before the Special Planning Commission meeting.

iii. Commission/Board Liaison and Committee Reports

- Appointment of Board or Committee assignments
- Architectural Committee

iv. Commission Activities

- Reports on Commissioner Travel and Training

- Commissioner Jain gave a brief overview on "Let's Get Moving 2016," a conference on transportation that he attended on May 7, 2016. Commissioner Jain reported that some of the topics discussed were: will autonomous cars displace transit, the promise of parking, addressing Bay Area's affordability crisis, and cut the carbon and CEQA rules. Commissioner Jain attended a session which discusses SB-743 and the use of LOS as a determination of significance and instead moving to VMT within the next two years. Commissioner Jain learned that roadways are commodities to which we do not apply pricing to solve problems. Commissioner Jain learned that widening of roads does not solve traffic congestion in the long run and that resources allocated to widening roads are not being well spent.

v. Upcoming agenda items

- Commissioner Requests to Attend Training

- Commissioner Kelly requested approval to attend a Community Conversation about infrastructure, transportation, and planning on May 16, 2016 at the Wilcox High School Center for Performing Arts in Santa Clara.

- Commissioner Jain requested approval to attend a Water Symposium on May 23, 2016 in Mountain View.

Motion/Action: The Commission motioned to approve necessary funds for the trainings requested by Commissioner Kelly and Commissioner Jain, unanimously (6-0-1-0, Costa absent)

10. ADJOURNMENT

Adjourn. The next Planning Commission meeting will be held on Wednesday, May 25, 2016 at 7:00 p.m.

Prepared by: Rosa Avalos
Rosa Avalos
Acting Office Specialist IV

Approved by: Sharon Goei
Sharon Goei
Acting Director of Planning & Inspection