



# City of Santa Clara

FINAL

## Revised

### Meeting Minutes Planning Commission

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10/24/2018

6:00 PM

City Hall Council Chambers

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#### 6:00 PM STUDY SESSION

##### Confirmation of a Quorum

[18-1171](#)

Study Session on Gateway Crossings Project located at 1205 Coleman Avenue

**Public Speaker(s):** Rob Mayer  
Richard Drewery

#### 7:00 PM REGULAR MEETING

##### Call to Order

**Chair Jain** called the meeting to order at 7:07 p.m.

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

##### Roll Call

**Present** 6 - Vice Chair Raj Chahal, Commissioner Steve Kelly, Commissioner Yuki Ikezi, Chair Sudhanshu Jain, Commissioner Lance Saleme, and Commissioner Anthony Becker

**Excused** 1 - Commissioner Shawn Williams

**A motion was made by Commissioner Becker, seconded by Commissioner Kelly, to excuse Commissioner Williams from the meeting.**

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

**Excused:** 1 - Commissioner Williams

##### DECLARATION OF COMMISSION PROCEDURES

**Chair Jain** read the Declaration of Commission Procedures.

**CONTINUANCES/EXCEPTIONS**

None.

**CONSENT CALENDAR**

**A motion was made by Commissioner Ikezi, seconded by Commissioner Chahal to approve the Consent Calendar (with the exception of 1.F).**

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

**Absent:** 1 - Commissioner Williams

**1.A**     [18-1350](#)     Action on Planning Commission Meeting Minutes of September 26, 2018

**Recommendation:** Approve Planning Commission Meeting Minutes of September 26, 2018

**A motion was made by Commissioner Ikezi, seconded by Vice Chair Chahal, that this item be approved.**

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

**Absent:** 1 - Commissioner Williams

**1.B**     [18-1373](#)     2019 Planning Commission Meeting Calendar

**Recommendation:** Approve the 2019 Planning Commission Meeting Calendar.

**A motion was made by Commissioner Ikezi, seconded by Vice Chair Chahal, that this item be approved.**

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

**Absent:** 1 - Commissioner Williams

**1.C**     [18-383](#)     Action on Rezone and Variance for the property located at 130 Serena Way

**Recommendation:** 1. Recommend to City Council approval of the rezoning of the property at 130 Serena Way from Agricultural (A) to Single-Family Zoning District (R1-6L) and;  
2. Recommend to City Council approval of a Variance for an existing substandard side yard setback of two feet and two inches and a 648 square foot detached accessory building.

**A motion was made by Commissioner Ikezi, seconded by Vice Chair Chahal, that this item be approved.**

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

**Absent:** 1 - Commissioner Williams

- 1.D [18-697](#) Twelve-month Review of a Use Permit to Sell and Consume Alcoholic Beverages at the Hong Kong Banjum Restaurant Located at 1520 Kiely Boulevard

**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) in the Hong Kong Banjum restaurant located at 1520 Kiely Boulevard.

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

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

**Absent:** 1 - Commissioner Williams

- 1.E [18-1030](#) Twelve-month Review of a Use Permit for to Sell and Consume Alcoholic Beverages at the Fleming's Prime Steakhouse Restaurant Located at 2762 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) in the Fleming's Prime Steakhouse restaurant located at 2762 Augustine Drive.

**A motion was made by Commissioner Ikezi, seconded by Vice Chair Chahal, that this item be approved.**

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

**Absent:** 1 - Commissioner Williams

#### **CONSENT ITEMS PULLED FOR DISCUSSION**

- 1.F [18-1299](#) Action on a Conditional Use Permit to Allow Outdoor Activity Area at 2931 El Camino Real

**Recommendation:** Adopt a Resolution approving the Use Permit to allow outdoor activity area at 2931 El Camino Real for proposed day care facility, subject to conditions of approval.

**Chair Jain** pulled this item for discussion.

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

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

**Absent:** 1 - Commissioner Williams

**PUBLIC PRESENTATIONS**

None.

**PUBLIC HEARING**

**A motion was made by Commissioner Ikezi, seconded by Vice Chair Chahal, to move Public Hearing Item 3, 18-1004 before Item 2, 18-1194.**

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

**Absent:** 1 - Commissioner Williams

- 3. [18-1004](#) Public Hearing: Action on Appeal of Zoning Administrator’s Denial of the Minor Modification Request for 759 Madison Street

**Recommendation:** 1. Deny the appeal and uphold the Zoning Administrator’s decision denying the minor modification.

**Public Speaker(s):** Rob Mayer  
 Kathleen Romano  
 Adam Thompson

**A motion was made by Commissioner Chahal, seconded by Commissioner Ikezi, to sustain the appeal, overturn the Zoning Administrator’s decision and approve the minor modification.**

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

**Absent:** 1 - Commissioner Williams

2. [18-1194](#) Action on Tasman East Specific Plan, Creation of a new General Plan Designation and General Plan Amendment to Transit Neighborhood, Creation of New Tasman East Zoning District and Rezoning of the Tasman East area to that zoning district, Environmental Impact Report, and Mitigation Monitoring and Reporting Program

**Recommendation:** That the Planning Commission adopt Resolutions recommending that the City Council:

1. Approve and certify the Final EIR prepared for the Tasman East Specific Plan (SCH #2015022059), including CEQA Findings and a Statement of Overriding Considerations.
2. Approve the Tasman East Specific Plan, a specific plan consistent with Government Code Sections 65450-65457.
3. Approve a General Plan text amendment creating the Transit Neighborhood land use designation (85-350 Dwelling Units/Acre), update to the Climate Action Plan to recognize the Transit Neighborhood Land Use Designation, and amend the General Plan Land Use diagrams for Phases II and III to reflect the land use designations in the Tasman East Specific Plan; and
4. Adopt an Ordinance amending the Zoning Code to create the Transit Neighborhood Zoning District, creating standards for uniformly sized parking spaces (unistalls), and make other clarifying changes, and rezoning the Project Site to the new district.

**Public Speaker(s):** Gita Dev  
 Jan Hintermeister  
 Dashiell Leeds  
 Shani Kleinhaus  
 Margaret Hinebaugh  
 Michael Healy  
 Ardie Zahedani  
 Alden Smith  
 Art May  
 Ron Patrick  
 Marne Sussman  
 James Viso  
 Steve Edwards

**A motion was made by Commissioner Ikezi and seconded by Commissioner Kelly to adopt a resolution recommending that the City Council approve and certify the Final EIR for the Tasman East Specific Plan and adopt CEQA Findings and a Statement of Overriding Considerations.**

**Aye: 5 - Commissioner Ikezi, Commissioner Kelly, Commissioner Becker, Commissioner Saleme, Commissioner Chahal  
 Nay: 1 - Chair Jain**

**Absent: 1 - Commissioner Williams**

**A motion was made by Commissioner Ikezi and seconded by Commissioner Kelly to exceed the number of housing units with a friendly amendment from Commissioner Chahal to increase affordable housing units based upon construction type.**

**Motion Failed**

**Aye: 3 - Chair Jain, Commissioner Chahal, Commissioner Becker**

**Nay: 3 - Commissioner Ikezi, Commissioner Saleme, Commissioner Kelly**

**Absent: 1 - Commissioner Williams**

**A motion was made by Commissioner Ikezi and seconded by Commissioner Kelly to adopt a resolution recommending adoption of the Tasman East Specific Plan, with the following modifications: 1) to increase the required VMT reduction required to 30%, with 20% of the reductions coming from TDM measures; and 2) to increase the minimum density for projects to 120 DU/AC. Commissioner Jain made a friendly amendment to the motion, which Commissioners Ikezi and Kelly accepted, to 1) include scooter sharing, with scooter corrals, as an additional TDM strategy; 2) Require greenways and other privately owned property to be maintained to the same standard as City parks; and 3) require new construction to meet a sustainability standard of LEED Silver or equivalent. Commissioner Ikezi added made an additional amendment to her motion, which the Commission accepted, by proposing a density incentive tied to construction type. During Phase I of construction, the minimum percentage of affordable units would be as follows: Types IV and V: 15%; Type III: 10%; and Types I and II: 5%. During Phase II of construction, the minimum percentage of affordable units would be as follows: Types IV and V: 20%; Type III: 15%; and Types I and II: 10%.**

**Aye: 4 - Commissioner Ikezi, Commissioner Kelly, Commissioner Saleme, Chair Jain**

**Nay: 2 - Commissioner Chahal, Commissioner Becker**

**Absent: 1 - Commissioner Williams**

**A motion was made by Commissioner Ikezi and seconded by Commissioner Kelly to adopt a resolution recommending creation of the Transit Neighborhood General Plan designation, updating the**

Climate Action Plan to recognize the designation, and amending the General Plan Land Use diagrams to reflect the designation in the Tasman East Specific Plan, with the following modifications: 1) Increasing the minimum residential density for the designation to 120 DU/AC; and 2) increasing the required VMT reduction in the Climate Action Plan to 30%, with 20% coming from TDM Measures.

**Aye: 4 - Commissioner Ikezi, Commissioner Kelly, Commissioner Saleme, Chair Jain**

**Nay: 2 - Commissioner Chahal, Commissioner Becker**

**Absent: 1 - Commissioner Williams**

A motion was made by Commissioner Ikezi and seconded by Commissioner Kelly to adopt a resolution recommending creation of the Transit Neighborhood Zoning District and rezoning the Project Site to the new District with a modification to increase the number of affordable units required in Phase II.

**Motion Failed**

**Aye: 3 - Commissioner Becker, Commissioner Chahal, Chair Jain**

**Nay: 3 - Commissioner Ikezi, Commissioner Saleme, Commissioner Kelly**

**Absent: 1 - Commissioner Williams**

A motion was made by Commissioner Ikezi and seconded by Commissioner Kelly to adopt a resolution recommending creation of the Transit Neighborhood Zoning District and rezoning the Project Site to the new District, with a modification to raise the minimum required density to 120 DU/AC, and to incorporate a density incentive tied to construction type. During Phase I of construction, the minimum percentage of affordable units would be as follows: Types IV and V: 15%; Type III: 10%; and Types I and II: 5%. During Phase II of construction, the minimum percentage of affordable units would be as follows: Types IV and V: 20%; Type III: 15%; and Types I and II: 10%.

**Aye: 4 - Commissioner Ikezi, Commissioner Kelly, Commissioner Saleme, Chair Jain**

**Nay: 2 - Commissioner Chahal, Commissioner Becker**

**Absent: 1 - Commissioner Williams**

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

1. Announcements/Other Items
2. Board or Committee Assignments
3. Architectural Committee
4. Commissioner Travel and Training Reports, Requests to attend Trainings

**Commissioner Becker** provided an update on his attendance at the American Planning Association Meeting, October 7 - 10, 2018 in San Diego.

**Commissioner Ikezi** provided an update on a conference she attended.

**DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:**

1. Planning Commission Budget Updates
2. Upcoming Agenda Items

**Staff Liaison Gloria Sciara** provided updates on upcoming agenda items.

3. City Council Actions

**Staff Liaison Gloria Sciara** and **Planning Manager Reena Brilliot** provided updates on City Council items.

**ADJOURNMENT:**

The meeting was adjourned at 11:30 p.m. The next regular scheduled meeting is on Wednesday, November 14, 2018 in City Hall Council Chambers.