



# City of Santa Clara

## Meeting Minutes

### Planning Commission

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04/24/2019

6:00 PM

City Hall Council Chambers

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#### **6:00 PM REGULAR MEETING**

##### **Call to Order**

**Chair Jain** called the meeting to order at 6:05 p.m.

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

##### **Roll Call**

**Present** 6 - Commissioner Steve Kelly, Commissioner Yuki Ikezi, Chair Sudhanshu Jain, Commissioner Lance Saleme, Commissioner Anthony Becker, and Commissioner Nancy A. Biagini

#### **DECLARATION OF COMMISSION PROCEDURES**

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

#### **CONTINUANCES/EXCEPTIONS**

None.

#### **CONSENT CALENDAR**

**Chair Jain** pulled item 1.C from the Consent Calendar for discussion.

**A motion was made by Commissioner Ikezi, seconded by Commissioner Becker, that Items 1.A, 1.B, and 1.D be approved.**

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

1.A [19-473](#) Revised Planning Commission Meeting Minutes of March 13, 2019

**Recommendation:** Approve the Revised Planning Commission Minutes of the March 13, 2019 Meeting.

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

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

1.B [19-253](#) Meeting Minutes of the April 10, 2019 Meeting

**Recommendation:** Approve the Planning Commission Minutes of the April 10, 2019 Meeting.

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

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

1.D [19-361](#) Consent: Action on Use Permit for ABC License Type 41 for Chipotle Mexican Grill located at 3249 Coronado Place

**Recommendation:** Adopt a Resolution approving a Use Permit for the sale and service of beer and wine (ABC License Type 41) in a new restaurant (Chipotle Mexican Grill), subject to conditions.

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

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

1.C [19-348](#) Consent: Action on Use Permit for ABC License Type 47 for AC Marriott Hotel located at 2950 Lakeside Drive

**Recommendation:** Adopt a Resolution approving a Use Permit for sales and consumption of beer, wine and distilled spirits (ABC License Type 47) in a new restaurant within the previously approved AC Marriott Hotel, subject to conditions of approval.

**A motion was made by Commissioner Ikezi, seconded by Commissioner Becker, that this item be Approved with the following condition: remove Item C7 from the Conditions of Approval.**

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

**PUBLIC PRESENTATIONS**

None.

**PUBLIC HEARING**

2. [19-475](#) Action on Commissioner Absence at March 13, 2019 Planning Commission Meeting

**Recommendation:** There is no staff recommendation.

**A motion was made by Commissioner Ikezi, seconded by Commissioner Kelly to not excuse Commissioner Williams absence from the March 13, 2019 Planning Commission meeting.**

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

3. [19-421](#) Action on an Amendment to Zoning Code Section 18.102.010 - Commercial Marijuana Activity Prohibited

**Recommendation:** Alternative 1: Recommend the Council adopts the Ordinance amending Section 18.102.010 (“Commercial Marijuana Activity Prohibited”) of Chapter 18.102 (“Regulation of Marijuana”) of Title 18 (“Zoning”) of “The Code of the City of Santa Clara, California” to temporarily prohibit all commercial cannabis activity until June 30, 2020.

**A motion was made by Commissioner Ikezi, seconded by Commissioner Kelly, to close Public Hearing**

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

**A motion was made by Commissioner Ikezi, seconded by Commissioner Kelly to reopen Public Hearing.**

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

**Public Speaker:** Sean Kali-rai, President of the Silicon Valley Cannabis Alliance, was called to speak and informed Commissioners of Assembly Bill 1356.

**A motion was made by Commissioner Ikezi to approve Alternative 1, seconded by Commissioner Biagini. Commissioner Kelly made a friendly amendment to move the temporary prohibition to December 2019 which was not accepted by Commissioner Ikezi. The motion remained to approve Alternate 1.**

**Aye:** 4 - Commissioner Ikezi, Chair Jain, Commissioner Saleme, and Commissioner Biagini

**Nay:** 1 - Commissioner Becker

**Abstained:** 1 - Commissioner Kelly

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

1. Announcements/Other Items

**Chair Jain** announced the upcoming Zoning Code Ordinance Community Meeting taking place at the Senior Center on April 29, 2019.

2. Discussion on Commissioner Responsibilities

**Planning Manager Reena Brilliot** and **Chair Jain** spoke regarding Commissioner responsibilities. Chair Jain discussed the process for Commissioner absences from the meeting and spoke of a limited number of absences for Commissioners and the process of Commissioners notifying Planning department staff as well as the Chair in advance of an absence. **Commissioner Ikezi and Commissioner Saleme** also spoke on the issue of Commissioner responsibilities.

3. Board or Committee Assignments

4. Architectural Committee

**Commissioner Kelly** provided updates.

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

**Chair Jain, Commissioner Kelly and Commissioner Biagini** provided updates from their attendance at the APA Conference in San Francisco.

**Public Speaker:** Tom Freitas spoke regarding a lack of trees in his neighborhood and requested the city have an ordinance and policy for tree requirements.

**Commission Kelly** asked permission to leave the dais and address the Planning Commission as a citizen. **Steve Kelly** spoke as a member of the public about damage to sewer lines serving single family homes.

**DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:**

1. Planning Commission Budget Updates
2. Upcoming Agenda Items

**Planning Manager Reena Brilliot** provided updates and stated the May 8, 2019 Planning Commission Meeting is canceled due to Attorney staff not being available for the meeting.

3. City Council Actions

**Development Review Officer/Staff Liaison Gloria Sciara** provided updates.

**Deputy City Attorney Diana Fazely** requested that a vote be taken regarding Commissioner Williams absence from the meeting.

**A motion was made by Commissioner Ikezi, seconded by Commissioner Becker to not excuse Commissioner Williams from the April 24, 2019 Planning Commission meeting.**

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

4. Follow up Items from April 10, 2019 Planning Commission Meeting
  - El Camino Real Specific Plan
  - Live Entertainment

**Development Review Officer/Staff Liaison Gloria Sciara** provided a presentation on Live Entertainment permit process.

**ADJOURNMENT:**

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

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

Meeting adjourned at 8:10 p.m. The next regular scheduled meeting is on May 22, 2019.