



City of Santa Clara

PLANNING COMMISSION MEETING MINUTES

Wednesday, September 25, 2013 – 7:00 P.M.

**CITY COUNCIL CHAMBERS
1500 Warburton Avenue
Santa Clara, CA 95050**

Please refer to the Planning Commission Procedural Items coversheet for information on all procedural matters.
An audio recording of this meeting is available in the Planning Office for review or purchase the Friday following the meeting.

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.A.: File No. PLN2012-09365, Climate Action Plan, Location: City-wide**
- **Item 8.B.: File No. PLN2012-09318, Rezone, Location: 1575 Pomeroy Avenue**

1. PLEDGE OF ALLEGIANCE and STATEMENT OF VALUES

Chair Champeny initiated the Pledge of Allegiance, and the Statement of Values was read.

2. ROLL CALL

The following Commissioners responded to roll call: Chair Ian Champeny, Raj Chahal, Deborah Costa, Yuki Ikezi, Steve Kelly, Keith Stattenfield, and Joe Sweeney.

Staff present were City Planner Steve Lynch, Development Review Officer Gloria Sciara, Assistant City Attorney Julia Hill, Assistant Planner II Payal Bhagat, and Office Specialist IV Megan Zimmershead.

3. DISTRIBUTION OF AGENDA AND STAFF REPORTS

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

Chair Champeny reviewed the Planning Commission procedures for those present.

5. REQUESTS FOR EXCEPTIONS, WITHDRAWALS AND CONTINUANCES

- A. Withdrawals - None
- B. Continuances without a hearing – None
- C. Exceptions (requests for agenda items to be taken out of order)

6. ORAL PETITIONS/ ANNOUNCEMENTS AND COMMUNICATIONS

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

James Rowen commended Keith Stattenfield and Raj Chahal for their support for the Northside Library. Mr. Rowen also commented on a current request by the applicants of a previously approved Planned Development (PD) zoning at 2121 Laurelwood to revert the zoning to Light Industrial (ML).

Kevin Park stated that the residents neighboring the 900 Kiely project are experiencing problems with the developers and would like support from City staff to get solutions.

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 August 28, 2013

7.B. Planning Commission 2014 Meeting Calendar

Motion/Action: The Consent Calendar was approved unanimously (7-0-0-0).

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

8. PUBLIC HEARING ITEMS

8.A. File No.(s):	PLN2012-09365
Location:	City-wide
Applicant/Owner:	City of Santa Clara
Request:	Review of Final Draft Climate Action Plan GHG Reduction Measures
CEQA Determination:	Negative Declaration
Project Planner:	Payal Bhagat, Assistant Planner II
Staff Recommendation:	Review and Comment

Notice: Not applicable.

Discussion: Payal Bhagat gave a brief presentation on the project and introduced Jeff Henderson of PMC who continued the presentation.

The Commission engaged in discussion with the City's consultant, Jeff Henderson, to get a better understanding of the technicalities contained in the presentation.

The Public Comment period was opened.

Sudhanshu Jain, Santa Clara resident, expressed concern that there is currently no statement about why this effort is so important. Mr. Jain inquired how the transition from coal to nuclear would happen and requested that the costs associated with the reduction measures be broken down to differentiate between staff time and actual budget costs. Mr. Jain suggested programs such as "feed and tariff" or community solar gardens as possible initiatives for the City.

Kevin Park, Santa Clara resident, inquired how reduction of greenhouse gasses is achieved by intensification of businesses and residential areas. Mr. Park stated that with higher densities, more pollution is generated and more resources are consumed as most people will not move closer to jobs and there is no such thing as sustainable growth. Mr. Park also requested that payments not be accepted in lieu of parks and open space and that the City should hold bigger businesses to higher standards.

The Public Comment period was closed.

The Commission and staff discussed the possibility of hiring a sustainability manager, as well as implementing "feed and tariff" programs and solar gardens, which would be at the discretion of the City Council. It was explained that greenhouse gasses are measured on a per capita basis, and with higher density there are more options available such as alternative transportation, job options, and housing options that can reduce greenhouse gasses when utilized. Staff noted that studies are being conducted to possibly increase development fees and dedications for park space, as well as mitigations for traffic improvements.

The Commission expressed concern for the implementation and effectiveness of transportation demand management (TDM) programs and the corresponding General Plan density bonuses. The Commission also requested that outreach be done to educate the general public on the goals and implementation measures of the Climate Action Plan.

Motion/Action: The Commission reviewed and commented on the Draft Climate Action Plan GHG Reduction Measures.

8.B. File No.(s):	PLN2012-09318
Location:	1575 Pomeroy Avenue, a 12,423 square foot lot located on the east side of Pomeroy Avenue, approximately 350 feet south of El Camino Real, APN: 290-03-089; property is zoned R1-6L (Single Family Residential)
Applicant:	Kurt Anderson of Anderson Architects
Owner:	ERN Speno LLC
Request:	Rezone from R1-6L (Single Family Residential) to PD (Planned Development/R3-18D) to construct five apartments
CEQA Determination:	Categorical Exemption per Section 15303 (b), New Construction of less than six dwelling units in an urbanized area
Project Planner:	Payal Bhagat, Assistant Planner II
Staff Recommendation:	Recommend City Council Approval , subject to conditions

Notice: The notice of public hearing for Item 8.B. was posted within 300 feet of the site and mailed to property owners within 300 feet. Commissioner Costa recused herself.

Discussion: Payal Bhagat gave a brief presentation on the project.

The applicant, Kurt Anderson, stated that similar proposals have come forward in the past, prior to the current General Plan. Mr. Anderson noted that the new General Plan has an increased density allowance that would allow six units on the property while the project only proposes five units. Mr. Anderson stated that the proposal maintains comparable setbacks to existing apartments and the requirements for single family homes.

The Public Hearing was opened.

James Rowen stated that the project has been denied several times by the City Council and

that the Council previously stated a preference for only two units on the project site. Mr. Rowen added that other recent projects have added "green" features such as charging stations while this proposal does not. Mr. Rowen stated that the proposal is inconsistent with Council statements from 2005 and that the project should be denied or referred to the Architectural Committee for redesign.

Valerie Henry, neighboring resident, stated that there are existing parking problems in neighborhood and that the proposal will bring more traffic problems to a neighborhood that already has too much graffiti, crime, and foot traffic.

Eddie Souza, neighboring resident, stated that the project site was owned by his grandparents and is in a residential community with a two lane street that does not have bicycle lanes. Mr. Souza stated that there is a high volume of high-speed traffic coming off El Camino Real, in addition to the street being very narrow, making Pomeroy a dangerous street. Mr. Souza added that the proposal is too big of a project for the existing conditions in the neighborhood.

Kevin Park, Santa Clara resident, stated that the project is too dense for the specific location and that it will have adverse effects on traffic and parking. Mr. Park noted that the allowances in the General Plan are not requirements.

The applicant, in a rebuttal statement, agreed that parking is a problem but that the existing residents do not use their garages for parking and are therefore not helping the problem.

The Commission reviewed the previous proposals and Council actions.

The Public Hearing was closed.

The Commission noted that there was not sufficient information available on the previous applications and discussed the possibility of continuing the public hearing to allow time to gather information.

The Commission discussed the project location and the proximity to El Camino Real and weighed the benefits and detriments to adding higher-density projects to existing single-family neighborhoods. The Commission also acknowledged complaints from the neighborhood about existing conditions and concerns with regard to traffic, crime, and safety. The Commission asked that staff work with the Police Department and Code Enforcement to address these issues.

The Commission deliberated on the findings presented in the resolution for approval and inquired if staff could look into the traffic conditions near the project site before bringing the project to City Council for consideration.

The Chair allowed additional comment from the public and the applicant that referenced the Council action in 2005 and the changes in City policies between now and then.

Motion/Action: The Commission motioned to adopt a resolution recommending that the Council approve the rezone from R1-6L (Single Family Residential) to PD (Planned Development/R3-18D) for the property located at 1575 Pomeroy Avenue (5-2-0-0, Champeny and Ikezi dissenting).

9. OTHER BUSINESS

9.A. Commission Procedures and Staff Communications

i. Announcements/Other Items

- Nomination/Election for vacancies on Architectural Review Committee and Historic Preservation Ordinance Committee

- Commissioner Ikezi was nominated and elected to the Historic Preservation Ordinance Committee.
 - Commissioner Chahal was nominated and Elected (with Commissioner Kelly as alternate) to the Architectural Review Committee.
- ii. Report of the Director of Planning and Inspection**
- City Council Action
- iii. Commission/Board Liaison and Committee Reports**
- Architectural Committee: Commissioner Stattenfield, 1 vacancy
 - Station Area Plan: Commissioner Champeny
 - General Plan sub-Committee: Commissioners Champeny and Ikezi
 - Historic Preservation Ordinance Committee: Commissioner Chahal, 1 vacancy
- iv. Commission Activities**
- Commissioner Travel and Training Reports; Requests to Attend Training
- v. Upcoming agenda items**

10. ADJOURNMENT

The meeting adjourned at 10:08 p.m. The next regular Planning Commission meeting will be held on Wednesday, October 23, 2013, at 7:00 p.m.

Prepared by: 
Megan Zimmershead
Office Specialist IV

Approved: 
Kevin L. Riley
Director of Planning & Inspection

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