



**City of Santa Clara**  
**PLANNING COMMISSION**  
**MEETING MINUTES**  
**Wednesday, August 28, 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.(s):**PLN2013-09756, Location: 961 Bellomy Street/Rezone
- **Item 8.B. File No.(s):**PLN2013-09743/PLN2013-09780, Location: 2350 Mission College Boulevard/PD Extension

#### **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, Yuki Ikezi, Steve Kelly, Keith Stattenfield, and Joe Sweeney. Commissioner Costa was excused.

Staff present were Development Review Officer Gloria Sciara, Assistant City Attorney Alexander Abbe, Associate Planner Debby Fernandez, 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.

None.

## 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 7, 2013

7.B. **File No.(s):** **PLN2012-09533**  
**Location:** 3275 Stevens Creek Boulevard, a 0.61 acre parcel on the north side of Stevens Creek Boulevard approximately 75 feet east of Henry Avenue, APN: 303-18-022; property is zoned Thoroughfare Commercial (CT)  
**Applicant/Owner:** Abe Novin  
**Request:** **Six-Month Review** of Use Permit initial phase for 15 outdoor auto displays in an existing office complex and **Approval** of phase two allowing a total of 24 outdoor vehicle display spaces, subject to no complaints during operation of phase one and compliance with adopted conditions of approval  
**CEQA Determination:** Categorical Exemption per Section 15301, Existing Facilities involving negligible or no expansion of use  
**Project Planner:** Yen Chen, Associate Planner  
**Staff Recommendation:** **Approve, subject to conditions**

**Discussion:** Item 7.B. was pulled from the Consent Calendar for discussion.

The Public Hearing was opened.

Michael Hallord, neighborhood resident, stated that he had no objections to the proposal and that the applicant has been cooperative. Mr. Hallord asked that Staff continue to monitor the situation.

The Commission inquired if any complaints had been received to which Staff confirmed there were none.

The applicant, Abe Novin, expressed appreciation for the neighbors' support and Staff assistance with the processing of the Use Permit.

The Commission inquired if it was possible to place a sign asking tenants and customers of the building not to park on the public streets in the neighborhood. The Applicant stated that he has tried various approaches to deter people from parking on the street, however, because it is not enforceable, the efforts have not had much success.

David Steeley, neighborhood resident, stated that he had previously spoke against the proposal. Mr. Steeley indicated that since that time, he has met with the applicant and

appreciates the improvements he has made to the building and is now in favor of approving the current request.

The Public Hearing was closed.

**Motion/Action:** The Commission motioned to note and file the six month review of the Use Permit and approve the initiation of phase two of the Use Permit allowing 24 vehicle display parking spaces for the property located at 3275 Stevens Creek Boulevard (6-0-1-0, Costa absent)

<b>7.C. File No.(s):</b>	<b>PLN2012-09935</b>
Location:	1460 Halford Avenue, a 2,667 square foot tenant space in an existing shopping center located on 1.18 acre parcel located at the intersection of Burnley Way and Halford Avenue; the project site is zoned as CC-Community Commercial
Applicant/Owner:	Tye-Tazy Lin/Nicholas G Kadjevich Jr.
Request:	<b>Use Permit</b> to allow service of beer and wine (ABC License Type 41) in conjunction with a new full service restaurant
CEQA Determination:	Categorical Exemption per Section 15301, Existing Facilities involving negligible or no expansion of use
Project Planner:	Payal Bhagat, Assistant Planner II
Staff Recommendation:	<b>Approve, subject to conditions</b>

**Discussion:** Item 7.C. was pulled from the Consent Calendar for discussion. Commissioner Stattenfield abstained from the item and participated in the Public Hearing as a member of the public.

The Public Hearing was opened.

Keith Stattenfield, neighboring resident, stated that there have been ongoing problems with the property and that the property needs to be better cared for by the property management.

The Public Hearing was closed.

The Commission discussed the requirements in the project Conditions of Approval, including Condition P3 that requires architectural review inclusive of a landscape plan. It was noted that Code Enforcement would look into the complaint and proceed per standard enforcement procedures.

**Motion/Action:** The Commission motioned to adopt a resolution approving the Use Permit for the property located at 1460 Halford Avenue (6-0-1-1, Costa absent, Stattenfield abstaining).

<b>7.D. File No.(s):</b>	<b>PLN2013-09823</b>
Location:	3080 El Camino Real, APN: 290-04-006, a 1,608 square foot restaurant, located within an existing 1.17 acre multi-tenant commercial shopping center
Applicant/Owner:	Jeomsuk Lee / J & H Camino Center, LLC
Request:	<b>Use Permit</b> to allow the sale of beer and wine in conjunction with food (ABC License Type 41) at a proposed restaurant
CEQA Determination:	Categorical Exemption per Section 15301, Class Existing Facilities involving negligible or no expansion of use
Project Planner:	Gregory Qwan, Planning Intern

**Staff Recommendation: Approve, subject to conditions**

**Motion/Action:** The remainder of the Consent Calendar was approved unanimously (6-0-1-0, Costa absent).

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

**8. PUBLIC HEARING ITEMS**

**8.A. File No.(s):** PLN2013-09756  
**Location:** 961 Bellomy Street/APN: 269-38-049  
**Applicant/Owner:** Salvatore Caruso/Randy Strawn  
**Request:** **Rezone** from Planned Development (PD) to Planned Development (PD) to allow relocation and rehabilitation of a historic building for residential use  
**CEQA Determination:** Categorical Exemption per Section 15331, Historical Resource Restoration/Rehabilitation  
**Project Planner:** Debby Fernandez, Associate Planner  
**Staff Recommendation:** **Recommend City Council Approval**, subject to conditions

**Notice:** The notice of public hearing for Item 8.A. was posted within 300 feet of the site and mailed to property owners within 300 feet.

**Discussion:** Debby Fernandez gave a brief presentation on the project.

The Commission discussed the setbacks proposed in the project and confirmed that notification of the project was sent to the neighboring property owner.

The applicant, Salvatore Caruso, stated that the portion of the property with a three foot setback is due to placement of a bay window and that the actual structure is more than three feet back. Mr. Caruso noted that Condition P11 addresses parking concerns in that the additional demand for parking by tenants beyond the 13 parking spaces provided on-site will be provided through the purchase and use of University parking permits for off-site parking.

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

**Motion/Action:** The Commission motioned to adopt a resolution recommending that the Council approve the rezoning from Planned Development (PD) to Planned Development (PD) to allow relocation and rehabilitation of a historic building for residential use for the project located at 961 Bellomy unanimously (6-0-1-0, Costa absent).

**8.B. File No.(s):** PLN2013-09743/PLN2013-09780  
**Location:** 2350 Mission College Boulevard, an 8.5 acre parcel, located at the southwest corner of Mission College Boulevard and Juliette Lane, APNs: 104-13-097, 098 & 099)  
**Applicant:** Mark Regoli, South Bay Development  
**Owner:** 2350 Mission College Land, LLC  
**Request:** **Approval of a Time Extension** to a PD (Planned Development) zoning approval allowing the construction of two six-story (150,000 square feet each) office buildings, a 6,000 square foot retail building, and a six level parking garage with an existing

CEQA Determination: 251,000 square foot office building to remain  
Previously adopted Environmental Impact Report  
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 500 feet of the site and mailed to property owners within 500 feet. Commissioner Costa recused herself.

**Discussion:** Gloria Sciara gave a brief presentation on the project.

The Commission inquired as to why the project had not yet been built to which staff indicated the applicant felt there were unfavorable market conditions to move forward with this project within the two year timeframe of the PD zoning.

Representative for the applicant, Ken Rodriguez, project architect, stated that market conditions have significantly improved and they would like to move forward with the construction of the project in the very near future.

The Commission confirmed that the project will move forward to the Architectural Review Committee after Council approval of the project.

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

The Commission and Staff clarified that there is a modification to the project for a minor reduction in parking.

**Motion/Action:** The Commission motioned to adopt a resolution recommending that the Council approve the time extension for the Planned Development (PD) zoning for the project located at 2350 Mission College Boulevard unanimously (6-0-1-0, Costa absent).

## 9. OTHER BUSINESS

### 9.A. Commission Procedures and Staff Communications

#### i. Announcements/Other Items

#### ii. Report of the Director of Planning and Inspection

- City Council Action

#### iii. Commission/Board Liaison and Committee Reports

- Architectural Committee: Commissioners Stattenfield and Costa
- Station Area Plan: Commissioner Champeny
- General Plan sub-Committee: Commissioners Champeny and Ikezi
- Preservation Ordinance Committee: Commissioners Chahal and Costa

#### iv. Commission Activities


- Commissioner Travel and Training Reports

#### v. Upcoming agenda items

## 10. ADJOURNMENT

The meeting adjourned at 8:12 p.m. The next regular Planning Commission meeting will be held on Wednesday, September 25, 2013, at 7:00 p.m.

Prepared by:   
Megan Zimmershead  
Office Specialist IV

Approved:   
Kevin L. Riley  
Director of Planning & Inspection