



City of Santa Clara

Meeting Minutes

Planning Commission

11/06/2024	6:00 PM	Hybrid Meeting City Hall Council Chambers/Virtual 1500 Warburton Avenue Santa Clara, CA 95050
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Public Comments prior to meeting may be submitted via email to PlanningPublicComment@SantaClaraCA.gov no later than noon on the day of the meeting; (Comments received after 12:00 PM on the day of the meeting will be made part of the public record but will not be read out loud during the meeting) and also before and during the meeting via eComment. Clearly indicate the project address, meeting body, and meeting date in the email.

Agendas, Staff Reports and associated documents for Planning Commission items may be viewed on the City's website at <https://santaclara.legistar.com/Calendar.aspx>

6:00 PM REGULAR MEETING

Call to Order

Chair Saleme called the meeting to order at 6:02 p.m.

Pledge of Allegiance and Statement of Values

Secretary Crutchlow read the Statement of Values

Roll Call

Present 6 - Commissioner Yashraj Bhatnagar, Commissioner Nancy A. Biagini, Commissioner Qian Huang, Vice Chair Mario Bouza, Chair Lance Saleme, and Commissioner Eric Crutchlow

Absent 1 - Commissioner Priya Cherukuru

A motion was made by Commissioner Crutchlow, seconded by Commissioner Bouza to excuse Commissioner Cherukuru's absence.

Aye: 6 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Excused: 1 - Commissioner Cherukuru

DECLARATION OF COMMISSION PROCEDURES

Secretary Crutchlow read the Declaration of Commission Procedures.

CONTINUANCES/EXCEPTIONS**CONSENT CALENDAR**

Chair Saleme moved the Consent Calendar to be heard before the Study Session.

A motion was made by Commissioner Crutchlow, seconded by Commissioner Biagini to approve the consent calendar.

Aye: 6 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Excused: 1 - Commissioner Cherukuru

1.A [24-1072](#) Action to Recommend City Council Adoption of a Resolution of Local Support for Transit-Oriented Communities Implementation Grants

- Recommendation:**
1. Adopt a Resolution of Local Support for the City’s application for technical assistance grants related to ABAG’s Transit-Oriented Communities Policy; and
 2. Recommend that the City Council Authorize the City Manager to execute all documents related to accepting the technical assistance grants.

1.B [24-1100](#) Planning Commission Meeting Minutes of October 23, 2024

Recommendation: Approve the Planning Commission Meeting Minutes of the October 23, 2024 Meeting.

STUDY SESSION

[24-1115](#) Study Session on the Library Facilities Master Plan

Recommendation: There is no recommendation. The purpose of this report is to support a Study Session on this topic and to receive input from the Planning Commission on the development of the City’s Library Facilities Master Plan.

Staff presentation was provided by **City Librarian Patty Wong** and the City’s consultants from MSR Tracy Lesneski and Kristilyn Vercruysse.

Commissioners provided input on the goals for the needs of the Santa Clara community for new library facilities and programs. Comments included: easy access to public transportation, space for bicyclists, located near housing, socialization opportunities, cooking experiences, historical areas, and gardening opportunities.

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING

2. [24-1095](#) PUBLIC HEARING CONTINUANCE: Action on a Recommendation to City Council with respect to: an Environmental Impact Report and Mitigation Monitoring and Reporting Program, General Plan Amendment from High-Intensity Office/Research-and-Development to newly created Urban Center Mixed Use and Urban Center Residential Mixed Use land use designations, a Rezoning to PD - Planned Development, a Vesting Tentative Subdivision Map, and a Development Agreement for a Mixed Use Project at 3005 Democracy Way comprised of up to 1,800 units (approximately 1.8 million square feet of residential uses) , up to 3 million square feet of office/research-and-development, approximately 100,000 square feet of retail, and approximately 10,000 square feet of childcare facilities ("Option A"), with a project alternative ("Option B") that allows for the flexibility of up to an additional 800 dwelling units (for a total of up to 2,600 residential units) with a corresponding reduction in office/research and development square footage to 2.2 million square feet.

Recommendation: 'Option A'

1. Adopt a resolution to recommend the City Council certify the Final EIR prepared for the Mission Point Project (SCH # 2018072068) and adopt a Mitigation Monitoring and Reporting Program, CEQA Findings, and a Statement of Overriding Considerations.
2. Adopt a resolution to recommend the City Council approve a General Plan amendment to add 2 new land use designations, Urban Center Mixed-Use (UCMU) and Urban Center Mission Point (UCMP), and to change the land use designation for the project site from High Intensity Office/Research & Development (HI O/R&D) to UCMU (Area D) and UCMP (Areas A, B, and C).
3. Adopt a resolution to recommend the City Council approve the Planned Development Rezoning from HO-RD - High-Intensity Office/Research and Development to PD - Planned Development.
4. Adopt a resolution to recommend the City Council approve a Vesting Tentative Subdivision Map.
5. Adopt a resolution to recommend the City Council adopt an ordinance to approving the Development Agreement.

Planning Manager Lesley Xavier provided the Staff Presentation.

Ben Tranel, Gensler provided the Applicant Presentation.

Public Speakers:

Mary Grizzle
Rick Franco
Doug Bloch
Danny Mangan
Armand Murrillo - Nor Cal Carpenters
Alex Shoor - Catalyze SV

Ali - Housing Action Coalition

A motion was made by Commissioner Biagini, seconded by Commissioner Bouza to close the public hearing.

Aye: 6 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Excused: 1 - Commissioner Cherukuru

A motion was made by Commissioner Biagini, seconded by Commissioner Saleme, to Utilize “Option B” in subsequent motions.

Aye: 5 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Chair Saleme, and Commissioner Crutchlow

Nay: 1 - Vice Chair Bouza

Excused: 1 - Commissioner Cherukuru

A motion was made by Commissioner Crutchlow, seconded by Commissioner Huang to approve Staff Recommendation 1 with the revised resolution for Option B.

Aye: 5 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Chair Saleme, and Commissioner Crutchlow

Nay: 1 - Vice Chair Bouza

Excused: 1 - Commissioner Cherukuru

A motion was made by Commissioner Crutchlow, seconded by Commissioner Huang to Approve Staff Recommendation 2 with the revised resolution for Option B.

Aye: 5 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Chair Saleme, and Commissioner Crutchlow

Nay: 1 - Vice Chair Bouza

Excused: 1 - Commissioner Cherukuru

A motion was made by Commissioner Crutchlow, seconded by Commissioner Biagini, to Approve a Rezoning of the Project Site from ML (Light Industrial) to PD (Planned Development) for the Project Site, with the revised resolution for Option B.

Aye: 5 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Chair Saleme, and Commissioner Crutchlow

Nay: 1 - Vice Chair Bouza

Excused: 1 - Commissioner Cherukuru

A motion was made by Commissioner Crutchlow, seconded by Commissioner Biagini to Approve Staff Recommendation 4 with the revised resolution for Option B.

Aye: 5 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Chair Saleme, and Commissioner Crutchlow

Nay: 1 - Vice Chair Bouza

Excused: 1 - Commissioner Cherukuru

Ms. Xavier then pointed out that Commissioner Crutchlow's earlier motion, concerning the rezoning of the Project Site to PD, erroneously stated that the existing zoning was ML (Light Industrial), when in fact it is High Intensity Office / Research & Development (HO-RD).

A motion was made by Commissioner Crutchlow, seconded by Commissioner Bouza, to rescind the prior rezoning motion, and to approve Staff Recommendation 3, a rezoning from HO-RD - High-Intensity Office/Research and Development to PD - Planned Development, with the revised resolution for Option B.

Aye: 6 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Excused: 1 - Commissioner Cherukuru

A motion was made by Commissioner Crutchlow, seconded by Commissioner Biagini to Approve Staff Recommendation 5 with revised resolution for Option B.

Aye: 5 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Chair Saleme, and Commissioner Crutchlow

Nay: 1 - Vice Chair Bouza

Excused: 1 - Commissioner Cherukuru

A Motion was made by Commissioner Biagini, seconded by Commissioner Crutchlow, to recommend that the City Council seriously consider additional parking in a way that better ensures a successful project, as the current consideration of 1:1, plus some shared parking with Levi's Stadium and commercial entities, raises grave concerns with the Planning Commission.

Aye: 4 - Commissioner Biagini, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Nay: 1 - Commissioner Huang

Excused: 1 - Commissioner Cherukuru

Abstained: 1 - Commissioner Bhatnagar

A motion was made by Commissioner Biagini, seconded by Commissioner Crutchlow, to recommend that City Council include the language set forth in condition of approval G10 as a part of the development agreement: “The City encourages the Owner and any contractors or subcontractors working on the project to evaluate hiring local labor, hiring from or contributing to approved, accredited apprenticeship programs, increasing resources for labor compliance, and providing living wages during the development of this Project.”

Aye: 5 - Commissioner Bhatnagar, Commissioner Biagini, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Excused: 1 - Commissioner Cherukuru

Abstained: 1 - Commissioner Huang

A motion was made by Commissioner Crutchlow, seconded by Commissioner Bouza, to recommend that the Council engage with the State of California about the cumulative impact of state-mandated high density housing policies on the environment and City resources, given concerns over long-term sustainability as available land and resources continue to diminish.

Aye: 5 - Commissioner Bhatnagar, Commissioner Biagini, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Nay: 1 - Commissioner Huang

Excused: 1 - Commissioner Cherukuru

3. [24-967](#) Public Hearing: Action on a Conditional Use Permit for a New Drive-through Restaurant (PLN22-00428) at 3575 Stevens Creek Boulevard (CEQA: Class 3 Categorical Exemption Section 15303).

- Recommendation:**
1. Determine that the project is categorically exempt from formal environmental review per Section 15303(c), New Construction or Conversion of Small Structures; and
 2. Adopt a Resolution approving the Conditional Use Permit to allow a new drive-through restaurant at 3575 Stevens Creek Boulevard, subject to findings and conditions.

Meeting went into Recess at 8:59 p.m.

Meeting Reconvened at 9:10 p.m.

Senior Planner Steve Le provided the Staff Presentation.

Frank Coda, Greenbergfarrow provided the Applicant Presentation.

Public Speakers:

Tom Nelson - Colliers Parish

Traci Johnson

Royanna Gazlay

Chris Giangreco -

Public Speaker

Rob Mezzetti

Kara Mezzetti

John Faylor

A motion was made by Commissioner Biagini, seconded by Commissioner Biagini to continue the meeting after 10 pm.

Aye: 6 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Excused: 1 - Commissioner Cherukuru

A motion was made by Commissioner Biagini, seconded by Chair Saleme to close public hearing.

Aye: 6 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Excused: 1 - Commissioner Cherukuru

A motion was made by Commissioner Biagini, seconded by Commissioner Crutchlow to Approve Staff Recommendation 1.

Aye: 6 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Excused: 1 - Commissioner Cherukuru

A motion was made by Commissioner Biagini, seconded by Commissioner Crutchlow to amend hours for the drive thru to 5:00 a.m. to 9:00 p.m., Monday-Saturday, and 6:00 a.m. to 9:00 p.m. Sunday.

Aye: 6 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Excused: 1 - Commissioner Cherukuru

A motion was made by Commissioner Crutchlow, seconded by Commissioner Biagini to Approve Staff Recommendation 2, including the amended hours, an additional condition for a drive-through gate subject to City design approval; an additional condition setting trash collection for 7 a.m. – 5 p.m. Mon-Fri, 1-2 times per week; and a review 9 months after start of operations.

Aye: 6 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Excused: 1 - Commissioner Cherukuru

4. [24-968](#) Public Hearing. Action on a Variance Request (PLN24-00343) from the Sign Ordinance to Allow for a 48 Square Foot Internally Illuminated Freestanding Monument sign, a 16 Square Foot Halo-Illuminated Wall Sign, and a Seven & Half Square Foot Halo-Illuminated Real Estate Sign in a Residential Development at 3131 Homestead Road

- Recommendation:**
1. Determine the project is exempt from the California Environmental Quality Act (“CEQA”) per CEQA Guidelines section 15311 (Class 11 - “Accessory Structures”); and
 2. Adopt a resolution approving a Variance from the Sign Ordinance to allow for a 48 square foot internally illuminated freestanding monument sign, a 16 square foot halo-illuminated wall sign, and a seven and a half square foot halo-illuminated real estate sign, subject to findings and conditions of approval for the property located at 3131 Homestead Road.

Meeting went into recess at 10:15 p.m.
 Meeting reconvened at 10:20 p.m.

Chair Saleme recused himself from this item due to the proximity of his residence to the project address. **Vice Chair Bouza** acted as Chair for this item.

Assistant Planner Alex Tellez provided the Staff Presentation.

Applicant Michael Burch provided the Applicant Presentation.

Public Speakers:

Audrey Mitchell
 Steve Quan
 Sue Houchen
 Jeff Z.
 Audrey Ito

A motion was made by Commissioner Biagini, seconded by Commissioner Huang to close public hearing.

Aye: 5 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Vice Chair Bouza, and Commissioner Crutchlow

Excused: 1 - Commissioner Cherukuru

Recused: 1 - Chair Saleme

A motion was made by Commissioner Crutchlow, seconded by Commissioner Bouza to deny approval of the variance due to the size of the signs exceeding City standards without sufficient justification and the proposed lighting being incompatible with the surrounding neighborhood.

Aye: 4 - Commissioner Bhatnagar, Commissioner Biagini, Vice Chair Bouza, and Commissioner Crutchlow

Nay: 1 - Commissioner Huang

Excused: 1 - Commissioner Cherukuru

Recused: 1 - Chair Saleme

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items
2. Commissioner Travel and Training Reports, Requests to attend Trainings

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Update

Staff Aide II Elizabeth Elliott provided budget updates.

2. Upcoming Agenda Items

Planning Manager Lesley Xavier provided updates.

3. City Council Actions

Planning Manager Lesley Xavier provided updates.

ADJOURNMENT:

The meeting adjourned at 11:05 p.m. The next regular scheduled meeting is December 11, 2024.

Aye: 6 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Excused: 1 - Commissioner Cherukuru

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