



# City of Santa Clara

## Meeting Minutes

### Planning Commission

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10/23/2024	6:00 PM	Hybrid Meeting City Hall Council Chambers/Virtual 1500 Warburton Avenue Santa Clara, CA 95050
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- Via Zoom:
  - o <https://santaclaraca.zoom.us/j/91729202898> Webinar ID: 917 2920 2898 or
  - o Phone: 1(669) 900-6833
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#### **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** 7 - Commissioner Yashraj Bhatnagar, Commissioner Nancy A. Biagini, Commissioner Priya Cherukuru, Commissioner Qian Huang, Vice Chair Mario Bouza, Chair Lance Saleme, and Commissioner Eric Crutchlow

### **DECLARATION OF COMMISSION PROCEDURES**

**Secretary Crutchlow** read the Declaration of Commission Procedures.

### **CONTINUANCES/EXCEPTIONS**

**Chair Saleme** requested that Item 4, RTC 24-987, on the Public Hearing Calendar be moved to the first item to be heard under Public Hearing.

### **CONSENT CALENDAR**

**A motion was made by Commissioner Crutchlow, seconded by Commissioner Biagini to approve Item 1 on the Consent Calendar.**

**Aye:** 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

1. [24-1055](#) Planning Commission Meeting Minutes of October 9, 2024

**Recommendation:** Approve the Planning Commission Meeting Minutes of the October 9, 2024 Meeting

### **PUBLIC PRESENTATIONS**

None.

### **PUBLIC HEARING**

4. [24-987](#) PUBLIC HEARING: Continuance from September 11, 2024, for Action on Conditional Use Permit (PLN23-00148) for a New Unmanned AT&T Telecommunication Facility with the Installation of a 60-Foot-Tall Monotree at 3111 Benton Street

**Recommendation:**

1. **Determine** that the project is categorically exempt from formal environmental review per Section 15303(d), New Construction of Utility Extensions, of the CEQA Guidelines; and
2. **Adopt** a Resolution to approve a Conditional Use Permit for a new unmanned AT&T wireless telecommunication facility with the installation of a 60-foot-tall monotree at 3111 Benton Street, subject to findings and conditions of approval.

**Planning Manager Lesley Xavier** provided the staff presentation.

**Steve Proo, representing AT&T** provided the applicant presentation.

**Assistant City Attorney Alexander Abbe** spoke on the Planning Commission's areas of purview in taking actions on this item and that a continuance was not an option on this item due to the Tolling Agreement/Shot Clock expiration date of November 15, 2024. However; should the applicant agree, the expiration of the Tolling Agreement could be extended if agreed to by the applicant.

**David Witkowski, Joint Venture Silicon Valley**, representing the applicant spoke on the Real Estate and Property Value Study.

**Public Speakers:**

Lee Benton  
Anya K.  
Xaio Ling  
Shari  
Maria Barbox  
Ken Kratz  
Nicholas Rossi  
Public Speaker  
Satish  
Satya Mantha  
Jason Morrow

**Commissioners** had a robust discussion on several issues including the location of the tower, compensation to the church, setback issues, tower collapse study, the need for a master plan for unmanned wireless towers, review of a previous design plan submitted which had 3 shorter cell towers

**Applicant** provided closing remarks and stated he is happy to come back at the next meeting with the previous design and extending the Tolling Agreement Shot Clock.

**A motion was made by Commissioner Crutchlow, seconded by Commissioner Cherukuru to close Public Hearing**

**Aye:** 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Meeting went into recess at 8:01 and reconvened at 8:12 p.m.

**A motion was made by Commissioner Saleme, seconded by Commissioner Cherukuru to continue item to December 4, 2024 in order for the applicant to provide an alternate design that includes three shorter poles located in the parking lot.**

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

**Nay:** 1 - Commissioner Crutchlow

2. [24-122](#) PUBLIC HEARING: Action on an Environmental Impact Report and Mitigation Monitoring and Reporting Program, General Plan Amendment, Planned Development Rezone, Vesting Tentative Subdivision Map, and Development Agreement for the Mission Point by Kylli Mixed-Use Project Located at 3005 Democracy Way to Allow the Development of up to 1,800 Multi-Family Residential Units; 3 million Square Feet of Office/Research-and-Development (R&D); up to 100,000 Square Feet of Commercial Retail; and Open Space

**Recommendation:**

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 and UCMP.
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.

**Commissioner Biagini** announced she has met with the Developer.

**Assistant City Attorney Alexander Abbe** announced that resolutions had been updated on this item and introduced a panel of experts: Patrick Maley, ICF CEQA Consultant, Michelle Hunt, Hexagon, outside counsel David Snow, EDQ., and , Chelsea O'Sullivan, RWG Law. Mr. Abbe also addressed the correspondence received from Adams, Broadwell that morning.

**Michelle Hunt** spoke regarding Levi's Stadium parking in relation to the correspondence from Adams Broadwell.

**Commissioners** discussed various aspects of the project including the terms of the Development Agreement, including the amount and length of extensions to the Agreement. They also asked questions about the use of roof top space, all electric usage, sound mitigation from stadium noise, amount of parking and the location of schools.

**Assistant City Attorney Elizabeth Klotz** provided details on the iinitial term of the Development Agreement.

**Brant Trinall - Gensler**, representing the applicant, spoke and provided details on the project.

**Public Speakers:**

Mary Grizzle  
Brian Goldenberg  
Alex Shoor, Catalyze SV  
Anne Kepner  
Mike Moran  
Robert Fitch  
Ruban Camacho  
Jaime Vasques, Nor Cal Carpenters  
Matt Sweeney  
Rick Franco, Adams Broadwell  
Josh Schumsky  
Daniel Meyberg  
Doug Bloch, Adams Broadwell  
Will Smith - IBEW  
Ali  
Manuel, SV@Home  
Andrew Siegler  
Jason Morrow  
Elizabeth Conlan  
Mike

**Assistant City Attorney Alexander Abbe** announced at 10:22 p.m. that he had just been notified by the applicant that they would like to inquire if the Commission would approve an additional 800 housing items for this project.

Meeting went into recess at 10:35 p.m. and reconvened at 10:45 p.m.

**A motion was made by Commissioner Cherukuru, seconded by Commissioner Biagini to close Public Hearing.**

**Aye:** 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

**A motion was made by Commissioner Cheirukuru, seconded by Commissioner Huang to approve Staff Recommendation 1 with the revised resolution.**

**Aye:** 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

**A motion was made by Commissioner Biagini, seconded by Commissioner Cherukuru to reopen Public Hearing.**

**Aye:** 6 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Chair Saleme, and Commissioner Crutchlow

**Nay:** 1 - Vice Chair Bouza

**A motion was made by Commissioner Crutchlow, seconded by Commissioner Biagini to close Public Hearing.**

**Aye:** 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

**A motion was made by Commissioner Cherukuru, seconded by Commissioner Biagini to rescind approval of staff recommendation 1 with the revised resolution.**

**Aye:** 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Meeting went into Recess

Meeting Reconvened

**A motion was made by Commissioner Cherukuru, seconded by Commissioner Crutchlow, to continue this item to the November 6, 2024 Planning Commission Meeting to allow for the project to be renoticed with the alternative to add 800 housing units and reduce office square footage.**

**Aye:** 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

3. [24-958](#) Public Hearing: Action on an Initial Study and Mitigated Negative Declaration, Variance, and Conditional Use Permit (PLN22-00282) to Allow the Construction of a New Four-Story, 111,978 Square Foot Data Center at 1231 Comstock Street.

- Recommendation:**
1. **Adopt** a Resolution adopting the Initial Study and Mitigated Negative Declaration.
  2. **Adopt** a Resolution approving a Conditional Use Permit for the demolition of the existing building and the construction of a new four-story, 111,978 square foot data center at 1231 Comstock, subject to findings and conditions of approval.
  3. **Adopt** a Resolution approving the Variance to height, parking, and front setback for the new four-story, 111,978 square foot data center at 1231 Comstock, subject to findings and conditions of approval.

**Associate Planner Daniel Sobczak** provided the staff presentation.

**Chris Sumpter, Prime Data Centers** provided the Applicant presentation.

Commissioners discussed power needs for data centers, concerns of long term planning and land usage and the impact of additional data centers, revenue for the city generated by data centers, usage of nuclear fuel.

**Public Speakers:**

- Corey Quevedo
- Jeff Pratt - Devcon
- Erica Valentine - UA Local 393
- Public Speaker
- Scott Thomas
- Doug Bloch
- Rigo Gallardo - Norcal Carpenters Union 405
- Ruben Galvin

**A motion was made by Commissioner Cherukuru, seconded by Commissioner Crutchlow to waive rule 2.8 of the Planning Commission Charter to conduct a hearing after 10 p.m.**

- Aye:** 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

**A motion was made by Chair Saleme, seconded by Commissioner Biagini to close Public Hearing.**



**Aye:** 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

**A motion was made by Commissioner Cherukuru, seconded by Commissioner Biagini to deny Staff Recommendation 3.**

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

**Nay:** 3 - Commissioner Bhatnagar, Commissioner Huang, and Commissioner Crutchlow

**A motion was made by Commissioner Cherukuru, seconded by Commissioner Bouza to amend the motion just passed to include findings that there are no special conditions of the site for which to support a variance.**

**Aye:** 4 - Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, and Chair Saleme

**Nay:** 3 - Commissioner Bhatnagar, Vice Chair Bouza, and Commissioner Crutchlow

**A motion was made by Commissioner Cherukuru, seconded by Commissioner Bouza to amend the motion just passed to include findings that there are no special conditions of the site for which to support a variance.**

**A motion was made by Commissioner Cherukuru, seconded by Commissioner Bouza to deny Staff Recommendation 2 with findings: that the operation of the use at the location proposed would be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare.**

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

**Nay:** 3 - Commissioner Bhatnagar, Commissioner Huang, and Commissioner Crutchlow

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

1. Announcements/Other Items

**Chair Saleme** requested that Commissioners send questions to Planning Manager Lesley Xavier for an upcoming Study Session on Data Centers.

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 12:19 a.m. The next regular scheduled meeting is Wednesday, November 6, 2024 at 6 p.m.**

**Aye:** 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

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