



City of Santa Clara

Meeting Minutes

Planning Commission

06/14/2023

5:00 PM

Hybrid Meeting
 City Hall Council
 Chambers/Virtual
 1500 Warburton Avenue
 Santa Clara, CA 95050

REVISED AGENDA - ITEM 1.E HAS BEEN ADDED TO THE AGENDA

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 (“The Brown Act”) and Section 708 of the Santa Clara City Charter, the undersigned calls for a **Special Meeting** of the Planning Commission of the City of Santa Clara, to commence and convene on **June 14, 2023 at 5:00 pm** for a **Special Meeting** in the **City Hall Council Chambers** located in the **East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California**, to consider the following matter(s) and to potentially take action with respect to them.

The City of Santa Clara is conducting Planning Commission meetings in a hybrid manner (in-person and continues to have methods for the public to participate remotely).

- Via Zoom:
 o <https://santaclaraca.zoom.us/j/91729202898> Webinar ID: 917 2920 2898 or
 o Phone: 1(669) 900-6833
- Via the City’s eComment (available during the meeting)

The public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City’s YouTube channel or Facebook page.

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>

5:00 PM SPECIAL MEETING**Call to Order**

Chair Cherukuru called the meeting to order at 6 pm.

Pledge of Allegiance and Statement of Values

Commissioner Bhatnagar read the Statement of Values.

Roll Call

Chair Cherukuru welcomed Eric Crutchlow to the Planning Commission as the newest Commissioner.

Present 7 - Vice Chair Yashraj Bhatnagar, Commissioner Nancy A. Biagini, Chair Priya Cherukuru, Commissioner Qian Huang, Commissioner Mario Bouza, and Commissioner Lance Saleme, Commissioner Eric Crutchlow

DECLARATION OF COMMISSION PROCEDURES

Commissioner Bhatnagar read the Declaration of Commission Procedures.

A motion was made by Commissioner Saleme, seconded by Commissioner Bouza to retroactively excuse Commissioners Biagini and Bhatnagar from the May 24, 2024 meeting.

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

Abstained: 1 - Commissioner Eric Crutchlow

CONTINUANCES/EXCEPTIONS

Giovanni Bui requested to have Item 1C pulled from the Consent Calendar and moved to the August 23, 2023 Planning Commission meeting.

CONSENT CALENDAR

Commissioner Biagini requested to pull item 1.B

Chair Cherukuru requested to pull item 1.C

A motion was made by Commissioner Saleme, seconded by Commissioner Huang to approve Items 1A and 1D.

Commissioner Bouza recused himself from voting ion Item 1D due to his relationship with the Applicant

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

1.A [23-581](#) Action on a Use Permit to allow for an office / research and development (R&D) use on a Thoroughfare Commercial (CT) zoned property located at 3305 The Alameda (CEQA: Categorical Exemption 15301 - Class 1 Existing Facilities)

- Recommendation:**
1. Approve CEQA Categorical Exemption 15301 - Class 1 Existing Facilities; and
 2. Adopt a Resolution to approve a Use Permit to allow an office / research and development use on a Thoroughfare Commercial (CT) zoned property located at 3305 The Alameda, subject to conditions.

1.B [23-615](#) Action on Use Permit to Allow an Outdoor Play Area for a New Child Day Care Facility at 2280 El Camino Real (CEQA: Class 3 Categorical Exemption Section 15303)

- Recommendation:** Approve the use of a Class 3 Categorical Exemption Under CEQA Guidelines Section 15303; and Adopt a Resolution approving the Use Permit to allow an outdoor play area for a new child day care facility at 2280 El Camino Real, subject to conditions of approval.

Associate Planner Meha Patel provided the staff presentation.

Commissioners inquired upon several items including concerns of traffic, parking and the use of this property as a day care facility, safety of the outdoor play area.

Public Speaker
 John Ha - Project Architect
 Mark Taylor

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

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

A motion was made by Commissioner Biagini, seconded by Commissioner Crutchlow to direct the applicant to provide additional traffic information including: evaluate traffic flow in light of the specific location and the adjoining uses (including the new daycare and gas station); provide data points such as police calls and travel patterns of other preschools; provide Police data on accidents and red light violations in the vicinity.

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

A motion was made by Commissioner Biagini, seconded by Commissioner Crutchlow to continue this item to the August 23 Planning Commission meeting.

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

1.C [23-664](#)

Action on Architectural Review and a Major Significant Property Alteration Permit for additions and renovations to a Historic Property at 4120 Bassett Street (CEQA: Exempt - Class 1(e)(2)-Existing Facilities and 31-Historical Resource Restoration / Rehabilitation)

- Recommendation:**
1. Approve the use of Categorical Exemptions under CEQA Guidelines Sections 15301(e)(2)-Existing Facilities and 15331-Historical Resource Restoration / Rehabilitation;
 2. Adopt a Resolution to approve the Architectural Review for the proposed additions and renovations to the historic residence located at 4120 Bassett Street, subject to conditions; and
 3. Adopt a Resolution to approve the Major Significant Property Alteration Permit for the proposed additions and renovations to the historic residence located at 4120 Bassett Street, subject to conditions.

Associate Planner Debby Fernandez provided the staff presentation.

Public Speaker:

Mark

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

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

A motion was made by Commissioner Biagini, seconded by Commissioner Huang Approve staff recommendation 1

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

A motion was made by Commissioner Bouza, seconded by Commissioner Crutchlow to Approve staff recommendation 2 subject to an additional condition to add a privacy screen on the deck adjacent to the neighbor on the south side with lattice.

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

A motion was made by Commissioner Biagini, seconded by Commissioner Bouza to approve staff recommendation 3.

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

1.D [23-666](#) Action on a Rezone from PD - Planned Development to MH - Heavy Industrial and Variance for the properties located at 700 Mathew Street (CEQA: Categorical Exemption, Class 1 Section 15301 Existing Facilities)

Recommendation:

1. Approve the use of the Class I Categorical Exemption per Section 15301, Existing Facilities of the CEQA Guidelines;
2. Adopt a resolution approving the Variance for front setback, landscaping, and parking, including the required findings; and
3. Adopt a resolution recommending City Council approve the Rezone from Planned Development (PD) to Heavy Industrial (MH) for the property located at 700 Mathew Street, subject to conditions of approval.

1.E [23-797](#) Continuance of a Rezone to Planned Development for the First- and Second-story Addition at 1485 Bellomy Street

Recommendation: Staff recommends that the Planning Commission open the public hearing on this item and then immediately continue the proposed project to the Planning Commission Special Meeting on July 13th, 2023.

A motion was made to continue the item to the August 23, 2023 Planning Commission meeting.

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

PUBLIC PRESENTATIONS

Meeting went into Recess at 7:09 and reconvened at 7:17 pm.

PUBLIC HEARING

2. [23-602](#) Amendment to the City of Santa Clara General Plan and Re-Adoption of the 2023-2031 Housing Element with Revisions

Recommendation: Alternative: 1

1. Adopt a Resolution to Recommend the City Council Amend the General Plan by Re-Adopting the 2023-2031 Housing Element with revisions incorporated to address HCD comments

Consultant Planner John Baty provided the staff presentation.

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

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

A motion was made by Commissioner Biagini, seconded by Commissioner Bouza to Approve staff recommendation with an additional policy added to the text of the housing element to encourage contractors and developers to evaluate hiring local labor, hiring from or contributing to apprenticeship programs, increasing resources for labor compliance, and providing living wages

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

3. [23-741](#) Planning Commission continuance of a Use Permit and Mitigated Negative Declaration to allow the conversion of an industrial building to a data center requiring the installation of backup generators, cooling towers, equipment yard and on- and off-site improvements at 3060 Raymond Street.

Recommendation: 1. Adopt a Resolution to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the 3060 Raymond Street Data Center; and
 2. Adopt a Resolution to approve a Use Permit to allow conversion of an industrial building to a data center requiring the installation of backup generators, cooling towers, equipment yard and on- and off-site improvements, at 3060 Raymond Street, subject to conditions.

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

Aye: 6 Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru, Commissioner Huang, , and Commissioner Saleme, Commissioner Eric Crutchlow

Abstained: 1 - Commissioner Bouza

A motion was made by Commissioner Huang, seconded by Commissioner Biagini to approve staff recommendation 1.

Aye 5- Cherukuru, Commissioner Huang, and Commissioner Saleme
 Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru,

Recused 1 - Commissioner Crutchlow

Abstained 1 - Commissioner Bouza

A motion was made by Commissioner Biagini, seconded by Commissioner Huang to approve staff recommendation 2.

Aye: 5 Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru,
 Commissioner Huang, and Commissioner Saleme, Commissioner

Recused 1 - Commissioner Crutchlow

Abstained 1 - Commissioner Bouza

4. [23-766](#) Continuance of an Environmental Impact Report, General Plan Amendment, Rezone, and Tentative Subdivision Map for the Property Located at 906-950 Monroe Street and 1341 Homestead Road (CEQA: An Environmental Impact Report (EIR) was Prepared for the Project)

Recommendation: That the Planning Commission approve the continuance request to the July 13, 2023 Planning Commission meeting.

A motion was made by Commissioner Saleme, seconded by Commissioner Biagini to continue this item to the July 13, 2023 Special Planning Commission meeting.

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

5. [23-544](#) Action on a Variance to construct a 10-foot tall monitored, electrified perimeter security fence to be located within the front 15-foot setback and the 15-foot street side setback, as well as a variance to the materials proposed at 1800 Duane Avenue (CEQA: Not Required Per Guidelines Section 15270, Projects Which Are Disapproved). - Continued from the May 24, 2023 Planning Commission Meeting

Recommendation: Adopt a resolution to deny the Variance to construct a ten-foot electrified fence within the street-side yard setback and front setback.

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

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

Associate Planner Daniel Sobczak provided the staff presentation.

Applicant Keith Kaneko provided a presentation.

Public Speaker:
Clark Freitag

A motion was made by Commissioner Biagini, seconded by Commissioner Saleme to approve staff recommendation.

Aye: 4 Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru, and Commissioner Saleme, Commissioner

Abstained: 1 Eric Crutchlow

Nay: 2 - Commissioner Huang, and Commissioner Bouza

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

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

A motion was made b Commissioner Bhatnagar, seconded by Commissioner Huang to authorize expending funds for Commissioners to attend upcoming conferences.

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

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

ADJOURNMENT:

The meeting adjourned at 9:58 pm. The next regular scheduled meeting is a Special Meeting on July 13, 2023.

MEETING DISCLOSURE

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

STREAMING SERVICES: As always, the public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

Note: The public cannot participate in the meeting through these livestreaming methods; livestreaming capabilities may be disrupted at times, viewers may always view and participate in meetings in-person and via Zoom as noted on the agenda.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

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Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.