



City of Santa Clara

FINAL

Meeting Minutes Planning Commission

Revised

03/06/2024

6:00 PM

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

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

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>

6:00 PM REGULAR MEETING

Call to Order

Chair Cherukuru called the meeting to order at 6 pm

Pledge of Allegiance and Statement of Values

Secretary Bouza read the Statement of Values.

Roll Call

Present 5 - Vice Chair Yashraj Bhatnagar, Commissioner Nancy A. Biagini, Chair Priya Cherukuru, Commissioner Mario Bouza, and Commissioner Lance Saleme

Absent 2 - Commissioner Qian Huang, and Commissioner Eric Crutchlow

A motion was made by Commissioner Biagini, seconded by Vice Chair Bhatnagar, to excuse Commissioners Huang and Crutchlow.

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

Absent: 2 - Commissioner Huang, and Commissioner Crutchlow

DECLARATION OF COMMISSION PROCEDURES

Secretary Bouza read the Declaration of Procedures.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

1. [24-250](#) Planning Commission Meeting Minutes of February 21, 2024

Recommendation: Planning Commission Meeting Minutes of the February 21, 2024 Meeting

A motion was made by Commissioner Saleme, seconded by Commissioner Bouza to approve this item.

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

Excused: 2 - Commissioner Huang, and Commissioner Crutchlow

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING

2. [24-139](#) PUBLIC HEARING: Action on Significant Property Alteration Permit for a 556 Square Foot Addition to the Basement and a 590 Square Foot First Floor Addition to a Residence on the Historic Resource Inventory with a Mills Act Contract and a Minor Modification for the Construction of a New Nonconforming Garage at 324 Madison Street

- Recommendation:**
1. Determine that the project is categorically exempt from formal environmental review under Class 1 (Section 15301, Existing Facilities) and Class 31 (Section 15331, Historical Resource Restoration/Rehabilitation) of the CEQA Guidelines ; and
 2. Adopt a Resolution to approve a Significant Property Alteration Permit for major alterations to the main historic resource and a Minor Modification for the new nonconforming garage, subject to findings and conditions of approval.

Associate Planner Tiffany Vien provided the staff presentation.

Commissioners inquired upon the size of the garage and use of the space. The Applicant and Homeowner provided responses.

Public Speakers:

Applicant Rob Mayer
Homeowner Tommy Tran

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

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

Excused: 2 - Commissioner Huang, and Commissioner Crutchlow

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

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

Excused: 2 - Commissioner Huang, and Commissioner Crutchlow

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

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

Excused: 2 - Commissioner Huang, and Commissioner Crutchlow

3. [24-172](#) PUBLIC HEARING. Action on Environmental Impact Report, General Plan Amendment, and Use Permit to allow the construction of a new four-story, 244,068 square foot data center with a substation at 2805 Bowers Avenue (Continued from Planning Commission Hearing on January 31, 2024)

- Recommendation:**
1. Adopt a Resolution accepting the Environmental Impact Report prepared by the California Energy Commission (CEC) and adopting the Mitigation Monitoring and Reporting Program;
 2. Adopt a Resolution recommending the City Council approve the General Plan Amendment from High Intensity Office / Research and Development to Light Industrial, subject to findings; and
 3. Adopt a Resolution approving the Use Permit for the demolition of the existing building and construction of a new four-story 244,068 square foot data center with a substation and site improvements in the Light Industrial (ML) zoned property at 2805 Bowers Avenue, subject to findings and conditions of approval.

Senior Planner Nimisha Agrawal provided the staff presentation.

Commissioners inquired on various items including when the application was submitted, what the long term benefits are for SCUSD; clarification on funds generated by the data center that would be provided to the City, noise impacts to affected properties. The Applicant Tim Guarnieri provided replies.

Public speakers:

Monique Brown - Carpenters Union
Teresa O'Neil

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

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

Excused: 2 - Commissioner Huang, and Commissioner Crutchlow

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

The motion did not pass.

Aye: 3 - Vice Chair Bhatnagar, Commissioner Biagini, and Commissioner Saleme

Nay: 2 - Chair Cherukuru, and Commissioner Bouza

Excused: 2 - Commissioner Huang, and Commissioner Crutchlow

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

The motion did not pass.

Aye: 3 - Vice Chair Bhatnagar, Commissioner Biagini, and Commissioner Saleme

Nay: 2 - Chair Cherukuru, and Commissioner Bouza

Excused: 2 - Commissioner Huang, and Commissioner Crutchlow

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

The motion did not pass.

Aye: 3 - Vice Chair Bhatnagar, Commissioner Biagini, and Commissioner Saleme

Nay: 2 - Chair Cherukuru, and Commissioner Bouza

Excused: 2 - Commissioner Huang, and Commissioner Crutchlow

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

Commissioners provided updates on their attendance at the State of the Valley Conference that took place on March 1, 2024.

Chair Cherukuru requested a study session on data centers.

Commission Dinners before Meetings - Chair Cherukuru

2. Commissioner Travel and Training Reports, Requests to attend Trainings

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

Planning Manager Lesley Xavier provided updates.

1. Planning Commission Budget Update

Staff Aide II Elizabeth Elliott provided updates.

2. Upcoming Agenda Items

Planning Manager Lesley Xavier provided updates.

3. City Council Actions

Planning Manager Lesley Xavier provided updates.

ADJOURNMENT:

Chair Cherukuru announced the meeting is adjourned in memory of former **HLC Commissioner Spike Standifer** and spoke of his outstanding accomplishments and dedication to the City of Santa Clara and a moment of silence was taken in his memory.

The meeting adjourned at 8:12 pm. The next meeting is a Special Meeting on April 17, 2024 at 6 pm.

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."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

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.