



City of Santa Clara

Meeting Minutes

Planning Commission

01/31/2024

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 6:03 pm

Pledge of Allegiance and Statement of Values

Roll Call

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

Absent 1 - Commissioner Qian Huang

A motion was made by Commissioner Biagini, seconded by Commissioner Bhatnager to excuse Commissioner Huang.

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

Excused: 1 - Commissioner Huang

DECLARATION OF COMMISSION PROCEDURES

Secretary Bouza read the Declaration of Procedures.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

A motion was made by Commissioner Biagini, seconded by Commissioner Bouza to approve the Consent Calendar.

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

Excused: 1 - Commissioner Huang

1. [24-116](#) Special Planning Commission Meeting Minutes of January 24, 2024

Recommendation: Approve the Special Planning Commission Meeting Minutes of the January 24, 2024 Meeting

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING

2. [24-1522](#) Public Hearing. Rezone Request from MP Planned Industrial to HO-RD High Intensity Office / R&D for the Properties Located at 2421, 2431, 2441 and 2451 Mission College Boulevard

- Recommendation:**
1. Determine that the project falls within the scope of the December 19, 2023 Addendum to the General Plan EIR.
 2. Adopt a resolution recommending the City Council approve a Rezone from MP Planned Industrial to HO-RD High Intensity Office / R&D.

Planning Manager Lesley Xavier provided the Staff presentation.

Commissioners inquired upon the proximity of residences to the project and the applicant intended use of the property. Staff replied the use is for medical offices and discussed the allowed uses for this property, high intensity office and R&D.

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 Bouza, Commissioner Saleme, and Commissioner Crutchlow

Excused: 1 - Commissioner Huang

A motion was made by Commissioner Biagini, seconded by Commissioner Saleme to approve Staff Recommendation 1.

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

Excused: 1 - Commissioner Huang

A motion was made by Commissioner Crutchlow, seconded by Commissioner Biagini to approve Staff Recommendation 2.

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

Excused: 1 - Commissioner Huang

3. [24-1380](#) 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

- 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 had a robust discussion including questions and concerns on the proximity of schools and neighboring properties to the proposed data center, height of neighboring buildings, and tree removals at the site. Other items discussed were Commissioner concerns regarding the power usage by data centers and the large of amount of data centers throughout the City, location of generators at the data center and noise abatement.

Commissioners expressed concerns that there was no public input on this item and inquired on the noticing that took place and discussed using local labor hiring for the proposed project. Commissioners inquired on how to create a policy on data centers.

The Applicant and Applicant's team spoke on this item:

Tim Guarnieri, Owner's representative, CEO
Mission Critical Reality

Neil Sheehan, Principal (Architect)
SNHA
Scott Galati, President
DayZen LLC

Michael Lisenbee, Senior Project Manager

Public Speaker:
Field Representative for Carpenters Local Union 405

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

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

Excused: 1 - Commissioner Huang

3. [24-1380](#) 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

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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.

A motion was made by Commissioner Crutchlow, seconded by Commissioner Biagini to continue this item to the March 6, 2024 Planning Commission meeting and directed staff to provide additional notification to properties no less than 2,000 ft. with staff discretion to provide additional notification including schools and daycare facilities.

4. [24-92](#) Study Session: 2023 State Housing Legislation Update

Meeting went into Recess at 8:16 pm and reconvened at 8:24 pm

Assistant City Attorney Alexander Abbe provided the staff presentation providing and overview of 2023 State Housing Legislation.

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

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

1. [24-117](#) APA National Planning Conference 2024

Recommendation: There is no staff recommendation.

A motion was made by Commissioner Biagini, seconded by Commissioner Bhatnagar to expend funds for Commissioners Biagini and Cherukuru to attend the APA National conference in person; and for Commissioner Saleme to attend remotely.

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

Excused: 1 - Commissioner Huang

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 9:43 pm. The next regular scheduled meeting is on Wednesday, February 21, 2024 at 6 pm in the Council Chambers and via Zoom.

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.

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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.

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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.