



City of Santa Clara

Draft

REVISED

Meeting Minutes Planning Commission

08/28/2019

6:00 PM

City Hall Council Chambers

6:00 PM REGULAR MEETING

Call to Order

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

Pledge of Allegiance and Statement of Values

Roll Call

Present 7 - Commissioner Steve Kelly, Commissioner Yuki Ikezi, Commissioner Sudhanshu Jain, Vice Chair Lance Saleme, Chair Anthony Becker, Commissioner Nancy A. Biagini, and Commissioner Priya Cherukuru

DECLARATION OF COMMISSION PROCEDURES

Chair Becker read the Declaration of Commission Procedures.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

Commissioner Biagini pulled Item 1.A

Commissioner Cherukuru pulled Item 1.B

**A motion was made by Commissioner Jain, seconded by
Commissioner Ikezi to approve Item 1.C**

Aye: 7 - Commissioner Kelly, Commissioner Ikezi, Commissioner Jain, Vice Chair Saleme, Chair Becker, Commissioner Biagini, and Commissioner Cherukuru

- 1.C [19-893](#) Action on Use Permit for ABC License Type 47 for iChina Jiuba Restaurant and Lounge Located at 2855 Stevens Creek Boulevard

Recommendation: Adopt a resolution approving a Use Permit for the sale and consumption of beer, wine and distilled spirit (ABC License Type 47) in the new iChina Jiuba restaurant and lounge located at 2855 Stevens Creek Boulevard, subject to conditions of approval.

- 1.A [19-881](#) Planning Commission Meeting Minutes of August 14, 2019

Recommendation: Approve the Planning Commission Minutes of the August 14, 2019 Meeting.

A motion was made by Commissioner Cherukuru, seconded by Commissioner Biagini, that this item be approved with the following amendment: on page 4, Item 1.B add 'at applicant's expense'.

Aye: 7 - Commissioner Kelly, Commissioner Ikezi, Commissioner Jain, Vice Chair Saleme, Chair Becker, Commissioner Biagini, and Commissioner Cherukuru

- 1.B [19-878](#) Action on Use Permit for ABC License Type 47 for Pruneridge Golf Course located at 400 Saratoga Avenue

Recommendation: Adopt a resolution approving a Use Permit for the sale and consumption of beer, wine and distilled spirits (ABC License Type 47) for the existing Pruneridge Golf Course located at 400 Saratoga Avenue, subject to conditions of approval.

Commissioner Cherukuru had questions regarding the Conditions of Approval noting that on other items for ABC license approval, prior approval was needed from the Water and Sewer Utilities Department and the County's Department of Health. She questioned why these conditions were not on this project.

A motion was made by Commissioner Cherukuru, seconded by Commissioner Biagini to approve this item with the additional condition of approval to be added: All food service projects conducting commercial cooking operations including dishwashing activities and equipment cleaning that generate grease-laden wastewater are subject to review from the Water and Sewer Utilities Department, for FOG Control and grease interceptor installation requirements. All food service projects are required to have an approved stamp from the Santa Clara County Department of Environmental Health before plans can be accepted for review.

Aye: 7 - Commissioner Kelly, Commissioner Ikezi, Commissioner Jain, Vice Chair Saleme, Chair Becker, Commissioner Biagini, and Commissioner Cherukuru

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING

2. [19-721](#) Public Hearing: Action on Appeal of Architectural Committee Adoption of a Mitigated Negative Declaration and Approval of a Data Center Project Located at 1150 Walsh Avenue

Recommendation: Alternatives 1 and 2:

1. Deny the appeal and uphold the Architectural Committee's adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.
2. Deny the appeal and uphold the Architectural Committee's approval of the data center project located at 1150 Walsh Avenue, subject to conditions.

Associate Planner Debby Fernandez provided a presentation.

Public Speakers:

Appellant Aaron Messing representing California Unions for Reliable Energy provided a presentation.

Applicant Michael Downey, Gensler, representing Raging Wire provided a presentation.

Murray Feldman, Attorney for Raging Wire PreConstruction Manager for ATPD

Chair Becker and Commissioner Kelly abstained from voting and left the dais. Commissioner Saleme presided as Chair for this item. A motion was made by Commissioner Ikezi, seconded by Commissioner Biagini to close public hearing.

Aye: 5 - Commissioner Ikezi, Commissioner Jain, Vice Chair Saleme, Commissioner Biagini, and Commissioner Cherukuru

Abstained: 2 - Commissioner Kelly, and Chair Becker

Assistant City Attorney Alexander Abbe addressed comments made during the Public Hearing regarding rebuttal to the comments and letter received from the Appellant including the fourth letter received the day of the meeting at 4:39 p.m.

Brianna Bohonok, Environmental Consultant with CirclePoint spoke.

A motion was made by Commissioner Cherukuru, seconded by Chair Jain to approve Alternative 1 to deny the appeal and uphold the Architectural Committee's adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

Aye: 5 - Commissioner Ikezi, Commissioner Jain, Vice Chair Saleme, Commissioner Biagini, and Commissioner Cherukuru

Abstained: 2 - Commissioner Kelly, and Chair Becker

A motion was made by Commissioner Jain, seconded by Commissioner Biagini to deny the appeal and uphold the Architectural Committee's approval of the data center project located at 1150 Walsh Avenue, subject to an additional condition of approval to add aesthetic treatment to the data center.

Aye: 5 - Commissioner Ikezi, Commissioner Jain, Vice Chair Saleme, Commissioner Biagini, and Commissioner Cherukuru

Abstained: 2 - Commissioner Kelly, and Chair Becker

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

Commissioner Jain announced that the Board of Supervisors for the County of Santa Clara declared a Climate Emergency.

Commissioner Cherukuru also added that it also brought forward the need for regional contributions.

2. Board or Committee Assignments

3. Architectural Committee

Chair Becker filled in for Commissioner Biagini at the last Architectural Committee meeting.

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

Commissioner Jain requested funds to attend Getting to Zero Forum, October 9-11, 2019, in Oakland.

A motion was made by Commissioner Ikezi, seconded by Commissioner Kelly to allocate up to \$1000 for Commissioner Jain to attend the Getting to Zero event.

Aye: 7 - Commissioner Kelly, Commissioner Ikezi, Commissioner Jain, Vice Chair Saleme, Chair Becker, Commissioner Biagini, and Commissioner Cherukuru

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Updates

Planning Manager Reena Brilliot provided updates.

2. Upcoming Agenda Items

Planning Manager Reena Brilliot provided updates and thanked Commissioners for attending joint Study Sessions. **Commissioner Jain** requested that conditions of approval on upcoming minutes include exact wording of revised conditions and that this item be presented at a future meeting.

3. City Council Actions

Planning Manager Reena Brilliot provided updates.

ADJOURNMENT:

A motion was made by Commissioner Ikezi, seconded by Commissioner Biagini to adjourn the meeting at 8:02 p.m. The next regular scheduled meeting is on September 25, 2019 at 6:00 p.m. in the City Hall Council Chambers. The September 11, 2019 meeting was canceled.

Aye: 7 - Commissioner Kelly, Commissioner Ikezi, Commissioner Jain, Vice Chair Saleme, Chair Becker, Commissioner Biagini, and Commissioner Cherukuru