

## EXCERPT ARCHITECTURAL COMMITTEE MEETING MINUTES OF SEPTEMBER 18, 2019

<b>8.A File No.(s):</b>	<b>PLN2019-13745</b>
Location:	<b>2175 Martin Avenue</b> , a 1.68 acre site located on the north and east of Martin Avenue, approximately 775 feet west of Scott Boulevard; APN: 224-10-115; property is zoned Light Industrial (ML).
Applicant:	Scott Rynders, LVP Martin Avenue Associates
Owner:	LVP Martin Avenue Associates
Request:	Adoption of a <b>Mitigated Negative Declaration; Architectural Review</b> Architectural Review to allow construction of a new approximately 80,000 square foot 3-story (69'-9" high) data center building. The project includes demolition of the existing 31,500 square foot one-story office/warehouse building.
CEQA Determination:	IS/MND
Project Planner:	Nimisha Agrawal, Assistant Planner I
Staff Recommendation:	<b>Approve</b> , subject to conditions

Assistant Planner Nimisha Agrawal presented the project with recommendations for approval.

Following the staff presentation, the applicant provided a brief overview of their organization and the proposed project. The Committee then opened the meeting to public comment at which time Andrew Messing of the law firm Adams Broadwell Joseph & Cardozo, on behalf of Santa Clara Citizens for Sensible Industry (SCCSI) spoke in opposition of the project.

Mr. Messing reiterated the comments previously submitted by the firm Adams Broadwell Joseph & Cardozo during the public review period of the MND. In his comments, Mr. Messing requested the preparation of an Environmental Impact Report (EIR) and that the Architectural Committee disapprove the MND and deny the Architectural application. The comments included claims of fair argument that the proposed project could result in potentially significant impacts to air quality, land use, energy and biological resources. Some of the major comments point to inadequacy in analyzing special-status species in the vicinity, deficiencies in cumulative analysis of energy impacts, underestimation of project's diesel particulate matter (DPM) emissions and potential health risks, inadequate mitigations for impacts to biological resources, inconsistency with the City's General Plan, and the assertion that there is not substantial evidence to make the findings for architectural approval of the project.

There were no other public comments on the project. The Committee then closed the public hearing. As a rebuttal, staff and Alex Merit representing the applicant commented that there were no new comments from the previously submitted comment letter and that these comments were thoroughly addressed by the City in the Response to Comments (*Attachment 1* for the Project's CEQA link to Responses to Comments (RTC) Received on the MND).

The Committee deliberated on the project. Development Review Officer Gloria Sciara explained that the environmental documents (MND and supportive documents) were reviewed by the CAO and that it was found to be legally adequate, sufficient to satisfy the requirements under CEQA. Commissioner Lance agreed that the City has professionals that have

reviewed and evaluated the MND thoroughly and that it fulfills the CEQA requirements. Commissioner Lance further commented on the proposed architecture of the building, that while the efforts have been put in with different materials, it still a concrete box with a dull color palate and lacks the character to have a positive influence or create interest in the neighborhood. Commissioner Anthony agreed that the Applicant needs to work on the aesthetics of the proposed building.

Applicant, Scott Rynders said he appreciates the feedback, and pointed out that the proposed building was in an industrial environment, and that they have worked hard to integrate on-site and off-site improvements to preserve the neighborhood. The Architect from Gensler, representing the Applicant pointed that the efficiency and security was their primary concerns while designing the building.

Both Commissioners advised the Applicant to work with the staff to further enhance the architecture of the proposed building.  
and subject to conditions of approval established by the City's Project Clearance Committee

**Motion/Action:** Motion to approve the architecture of the project with the added condition that the Applicant shall work with the staff to further enhance the architecture of the proposed building and subject to conditions of approval established by the City's Project Clearance Committee was made by Planning Commissioner Lance Salem, seconded by Planning Commissioner Anthony Beker and unanimously approved by the Architectural Committee (2-0-0-0).

A second motion to approve and adopt the MND and MMRP of the project was made by Planning Commissioner Anthony Beker, seconded by Planning Commissioner Lance Salem and unanimously approved by the Architectural Committee (2-0-0-0).