



# City of Santa Clara

1500 Warburton Avenue  
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santaclaraca.gov  
@SantaClaraCity

## Agenda Report

18-906

Agenda Date: 6/26/2018

### REPORT TO COUNCIL

#### **SUBJECT**

Request to Set July 17, 2018 for a Public Hearing to Consider Two Appeals Submitted in Relation to 2305 Mission College Boulevard Data Center Project (PLN2017-12535 & CEQ2017-01034)

#### **BACKGROUND**

In accordance with Santa Clara City Code 18.108.060, in case the applicant or others affected not satisfied with the action of the Planning Commission, they may, within seven days after rendition of the decision by the Planning Commission, appeal in writing to the City Council.

Appeals of Planning Commission actions are heard by the City Council at a set public hearing date.

#### **DISCUSSION**

California Unions for Reliable Energy submitted the attached appeal of the June 13, 2018 Planning Commission's action to deny an appeal and uphold the April 18, 2018 Architectural Review Committee's actions to (1) adopt the Mitigated Negative Declaration and Mitigation Monitoring or Reporting Program and (2) approve the data center project located at 2305 Mission College Boulevard, subject to conditions.

In addition, Laborers International Union of North America, Local Union 270 submitted the attached appeal of the June 13, 2018 Planning Commission's action to deny an appeal and uphold the April 18, 2018 Architectural Review Committee's actions to (1) adopt a Mitigated Negative Declaration and (2) Architectural approval for the demolition of an existing two-story 358,000 square foot office/R&D and construction of a two-story 495,610 square foot data center building with equipment yards and onsite improvements.

#### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

#### **FISCAL IMPACT**

Each appellant paid the \$400 appeal fee. There is no additional cost to the City other than administrative time and expense.

#### **COORDINATION**

This report has been coordinated with Community Development and the City Attorney's Office.

#### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

**RECOMMENDATION**

Set July 17, 2018 for a public hearing to consider the appeals submitted by California Unions for Reliable Energy and Laborers International Union of North America, Local Union 270 in relation to 2305 Mission College Boulevard Data Center Project (PLN2017-12535 & CEQ2017-01034).

Reviewed by: Jennifer Yamaguma, Acting City Clerk

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. California Unions for Reliable Energy Appeal
2. Laborers International Union of North America, Local Union 270 Appeal