



City of Santa Clara

Meeting Minutes

Planning Commission

07/13/2023

6:00 PM

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

Special Meeting

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 ("The Brown Act") and Section 708 of the Santa Clara City Charter, the undersigned calls for a **Special Meeting of the Planning Commission of the City of Santa Clara**, to commence and convene on **July 13, 2023, at 6:00 pm** for a **Special Meeting in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California**, to consider the following matter(s) and to potentially take action with respect to them.

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 (available during the meeting)

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 SPECIAL MEETING**Call to Order**

Chair Cherukuru called the meeting to order at 6:00 pm.

Pledge of Allegiance and Statement of Values

Commissioner Bhatnagar read the Statement of Values.

Roll Call

Present 7 - Vice Chair Yashraj Bhatnagar, Commissioner Nancy A. Biagini, Chair Priya Cherukuru, Commissioner Qian Huang, Commissioner Mario Bouza, Commissioner Lance Saleme, and Commissioner Eric Crutchlow

DECLARATION OF COMMISSION PROCEDURES

Commissioner Bhatnagar read the Declaration of Procedures.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

1. [23-867](#) Planning Commission Special Meeting Minutes of January 23, 2023 Meeting

Recommendation: Approve the Planning Commission Special Meeting Minutes of the January 23, 2023 Meeting

A motion was made by Commissioner Saleme, seconded by Commissioner Huang to approve Item 1.

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

Abstained: 1 - Commissioner Crutchlow

PUBLIC PRESENTATIONS

Public Speaker spoke regarding Data Centers and use of solar panels, parking lot solar canopies

PUBLIC HEARING

2. [23-878](#) Introduction to City Attorney Glen Googins

City Attorney Glen Googins provided information on his role as City Attorney in support of the Planning Commission.

4. [23-663](#) Action on Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment and Rezone for the Property Located at 2655 The Alameda to Allow the Development of a Four-story Multi-family Housing Development with 39 Rental Units, and 1,500 Square Feet of Ground Floor Commercial Space.

Recommendation: Alternative: 1, 2 and 3

1. Adopt a resolution to recommend the City Council adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the 2655 The Alameda Mixed Use Project.
2. Adopt a resolution to recommend the City Council approve a General Plan Amendment from Neighborhood Mixed Use to Very High Density Residential.
3. Adopt a resolution to recommend City Council approve a Rezone from Neighborhood Commercial (CN) to Planned Development (PD), subject to conditions.

A member of the public requested Public Hearing Item 4 be heard before Item 3. **Chair Cherukuru** approved the request.

Associate Planner Debby Fernandez provided the Staff presentation.

Consultant Shannon George of David Powers and Associates spoke regarding the site and mitigation measures.

Applicant provide a presentation.

Commissioners inquired upon shared parking with existing tenants in the vicinity, labor union engagement with the development and community outreach events.

Suzanne Barko/Attorney spoke regarding contaminants a the site and mitigation measures.

Public Speakers:

Claudia Daw
Adam Thompson
Kenneth Do - Carpenters Union 405
Rob Mayer
Chad Viso
Myron Von Raesfeld
Alex Schoor, Catlyze SV
Noah McDonald

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

Aye: 7 - Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru, Commissioner Huang, Commissioner Bouza, Commissioner Saleme, and Commissioner Crutchlow

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

Aye: 7 - Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru, Commissioner Huang, Commissioner Bouza, Commissioner Saleme, and Commissioner Crutchlow

A motion was made by Commissioner Huang, seconded by Commissioner Bouza to approve Staff Recommendation 2.

Aye: 7 - Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru, Commissioner Huang, Commissioner Bouza, Commissioner Saleme, and Commissioner Crutchlow

A motion was made by Commissioner Biagini, seconded by Commissioner Huang to Approve Staff recommendation 3 with the following conditions:

add a new paragraph 5 of resolution to read, "The City encourages the Owner and any contractors or subcontractors to evaluate hiring local labor, hiring from or contributing to apprenticeship programs, increasing resources for labor compliance, and providing living wages during the development of this Project.

In condition P18, change the text "TDM measures are to include but are not limited to providing ongoing transit passes" to read, "TDM measures shall include but are not limited to providing ongoing transit passes"

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

Nay: 1 - Commissioner Bouza

3. [23-354](#) Consideration of an Environmental Impact Report, General Plan Amendment, Rezone, and Vesting Tentative Subdivision Map for the Property Located at 906-950 Monroe Street and 1341 Homestead Road (CEQA: An Environmental Impact Report (EIR) was Prepared for the Project)

- Recommendation:**
1. Adopt a resolution to recommend the City Council adopt the Environmental Impact Report and the Mitigation Monitoring and Reporting Program for the 950 Monroe Street Project.
 2. Recommend the City Council approve a General Plan Amendment to modify the text for the Community Mixed Use land use designation and related policies.
 3. Recommend the City Council approve a rezone from General Office (OG), Historic Combining (HT), and Community Commercial (CC) to Planned Development (PD) to allow a six-story mixed-use development with 50 units, four townhomes, and three single-family residences with on-site parking and amenities, landscaping, and off-site improvements, with added standards for the two HIR properties with provisions of the HT Zoning District (Sections 18.58.050, 18.58.060, and 18.58.070) that would be applicable to both HRI properties.
 4. Recommend City Council approval of a Vesting Tentative Subdivision Map.

Meeting went into Recess at 8:13 pm and reconvened at 8:20 pm.

Commissioner Nancy Biagini announced she had met with Sal Caruso, Randy Lambert and DCTF Member Adam Thompson.

Assistant Planner Steve Le provided the staff presentation.

Shannon George of David Powers and Associates provided information on cultural resources inquiries from Commissioners.

Assistant City Attorney Alexander Abbe provided a presentation in reference to letter received from the Applicant's attorney.

Sal Caruso provided the Applicant presentation.

Commissioners had a robust discussion on the proposed project.

Public Speakers:

Jonathan Evans
Dan Ondrasek
Public Speaker
Brian Goldenberag

Steve Kelly
Adam Thompson
Emmy Moore Minister
Janet Stevens
Jorge Haro
Rob Mayer
Dave Delozier
Robert Fitch
John Elwood
Steve Eimer
Chad Viso
Ray Gamma
Diane Ringer
Myron VonRaesfeld
Donna West
Noah McDonald
Connie Costa
Kristin Brown, , SVLG
Norren Carlson
Bajis Katwan
Mike
Bev Hromec
Public Speaker
Pat

Applicant Sal Caruso provided a rebuttal presentation.

The meeting went into recess at 10:49 and commenced at 10:55 pm

Commissioners inquired on several topics related to the proposed project.

A motion was made by Commissioner Biagini, seconded by Commissioner Huang to reopen public hearing

Aye: 7 - Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru, Commissioner Huang, Commissioner Bouza, Commissioner Saleme, and Commissioner Crutchlow

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

Aye: 7 - Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru, Commissioner Huang, Commissioner Bouza, Commissioner Saleme, and Commissioner Crutchlow

A motion was made by Commissioner Huang, seconded by Commissioner Biagini to adopt a resolution to approve Staff Recommendation 1 (recommend the Council adopt the Environmental Impact Report and the Mitigation Monitoring and Reporting Program for the 950 Monroe Street Project).

Aye: 7 - Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru, Commissioner Huang, Commissioner Bouza, Commissioner Saleme, and Commissioner Crutchlow

A motion was made by Commissioner Huang, seconded by Commissioner Biagini to adopt a resolution to approve Staff Recommendation 2 (recommend the Council approve a General Plan Amendment to modify the text for the Community Mixed Use land use designation and related policies)

Aye: 7 - Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru, Commissioner Huang, Commissioner Bouza, Commissioner Saleme, and Commissioner Crutchlow

A motion was made by Commissioner Huang, seconded by Commissioner Biagini, to approve Staff Recommendation 3 (Recommend the Council approve a rezone from General Office (OG), Historic Combining (HT), and Community Commercial (CC) to Planned Development (PD) to allow a six-story mixed-use development with 50 units, four townhomes, and three single-family residences with on-site parking and amenities, landscaping, and off-site improvements, with added standards for the two HRI properties with provisions of the HT Zoning District (Sections 18.58.050, 18.58.060, and 18.58.070) that would be applicable to both HRI properties); and with an added section 5 in the resolution to read "The Planning Commission encourages the Owner and any contractors or subcontractors working on the Project to evaluate hiring local labor, hiring from or contributing to apprenticeship programs, increasing resources for labor compliance, and providing living wages during the development of this Project."

Aye: 7 - Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru, Commissioner Huang, Commissioner Bouza, Commissioner Saleme, and Commissioner Crutchlow

A motion was made by Chair Cherukuru, seconded by Commissioner Bouza to adopt a resolution to approve staff recommendation 4 (recommend Council approval of a Vesting Tentative Subdivision Map).

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

Nay: 1 - Commissioner Biagini

A motion was made by Chair Cherukuru, seconded by Commissioner Bouza, to direct staff to prepare a condition of approval to recommend to the City Council for adoption based on the idea that where the historic structure is exposed to adjacent construction or demolition work, a protective plan including documentation monitoring and specific safeguards be implemented to prevent damage and loss of historic fabric.

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

Nay: 1 - Commissioner Huang

5. [23-816](#) Election of Planning Commission Chair, Vice Chair and Secretary

Recommendation: There is no staff recommendation.

A motion was made Commissioner Biagini to nominate Chair Cherukuru to continue for another term as Planning Commission Chair.

Aye: 7 - Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru, Commissioner Huang, Commissioner Bouza, Commissioner Saleme, and Commissioner Crutchlow

A motion was made by Commissioner Biagini to nominate Commissioner Bhatnagar to continue as Vice Chair

Aye: 7 - Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru, Commissioner Huang, Commissioner Bouza, Commissioner Saleme, and Commissioner Crutchlow

A motion was made by Commissioner Biagini to nominate Commissioner Bouza as Secretary.

Aye: 7 - Vice Chair Bhatnagar, Commissioner Biagini, Chair Cherukuru, Commissioner Huang, Commissioner Bouza, Commissioner Saleme, and Commissioner Crutchlow

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

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

Commissioner Crutchlow requested to form a study session on guidance for Planning Commission on design standards for data centers.

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

ADJOURNMENT:

A motion was made by Commissioner Biagini, seconded by Commissioner Crutchlow to adjourn. The meeting adjourned at 12:05 am. The next regular scheduled meeting is August 23, 2023.

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.

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