City of Santa Clara

PLANNING COMMISSION MEETING MINUTES

Wednesday, November 28, 2012 – 7:00 P.M.

CITY COUNCIL CHAMBERS
1500 Warburton Avenue
Santa Clara, CA 95050

Please refer to the Planning Commission Procedural Items coversheet for information on all procedural matters.
An audio recording of this meeting is available in the Planning Office for review or purchase the Friday following the meeting.

ITEMS FOR COUNCIL ACTION

The following items from this Planning Commission agenda will be scheduled for Council review following the conclusion of hearings and recommendations by the Planning Commission. Due to timing of notices for Council hearings and the preparation of Council agenda reports, these items will not necessarily be heard on the date the minutes from this meeting are forwarded to the Council. Please contact the Planning Division office for information on the schedule of hearings for these items:

- **Item 8.A.** PLN2012-09096/ CEQ2012-01138, Address: 2121 Laurelwood Road (Rezoning)

1. PLEDGE OF ALLEGIANCE and INVOCATION

Chair Costa initiated the Pledge of Allegiance, and the Invocation was read.

2. ROLL CALL

The following Commissioners responded to roll call: Chair Deborah Costa, Vice-Chair Ian Champeny, Commissioners Steve Kelly, Teresa O'Neill, Keith Stattenfield, and Joe Sweeney.

Staff present were Director of Planning and Inspection Kevin Riley, City Planner Steve Lynch, Assistant City Attorney Julia Hill, Associate Planner Debby Fernandez, and Office Specialist IV Megan Zimmershead.

3. DISTRIBUTION OF AGENDA AND STAFF REPORTS

Copies of current agendas and staff reports for each of the items on the agenda are available from the Planning Division office on the Friday afternoon preceding the meeting and are available at the Commission meeting at the time of the hearing.

4. DECLARATION OF COMMISSION PROCEDURES

Chair Costa reviewed the Planning Commission procedures for those present.

5. REQUESTS FOR EXCEPTIONS, WITHDRAWALS AND CONTINUANCES

A. Withdrawals – None
B. Continuances without a hearing – None
C. Exceptions (requests for agenda items to be taken out of order) – None

6. ORAL PETITIONS/ ANNOUNCEMENTS AND COMMUNICATIONS

Members of the public may briefly address the Commission on any item not on the agenda. None.

7. CONSENT CALENDAR

Consent Calendar items may be enacted, approved or adopted, based upon the findings prepared and provided in the written staff report, by one motion unless requested to be removed by anyone for discussion or explanation. If any member of the Planning Commission, staff, the applicant or a member of the public wishes to comment on a Consent Calendar item, or would like the item to be heard on the regular agenda, please notify Planning staff, or request this action at the Planning Commission meeting when the Chair calls for these requests during the Consent Calendar review. Items listed on the Consent Calendar with associated file numbers constitute Public Hearing items.

7.A. Planning Commission Minutes of October 17, 2012

7.B.	**File No.(s)**:	**PLN2011-08944**
	Address:	2783 El Camino Real, a 1,340 square foot tenant space within an existing commercial shopping center, on a 2.13 acre site, located at the northeast corner of El Camino Real and Bowers Avenue APN: 216-01-058, 059, Property is zoned Thoroughfare Commercial (CT)
	Applicant:	Paul Lee
	Owner:	Christopher S. Yi
	Request:	**Six month review** of Conditional Use Permit allowing on-site beer and wine sales in conjunction with a full service restaurant (Shabuway)
	CEQA Determination:	Categorical Exemption per Section 15301, Existing Facilities
	Project Planner:	Yen Chen, Associate Planner
	Staff Recommendation:	Note and File Report

Motion/Action: The Commission motioned to approve the Consent Calendar unanimously (6-0-0-0).

**********END OF CONSENT CALENDAR**********

8. PUBLIC HEARING ITEMS

8.A.	**File No.(s)**:	**PLN2012-09096/ CEQ2012-01138**
	Address:	2121 Laurelwood Road, a 7.02 acre parcel on the north side of Laurelwood Road approximately 940 feet north of Thomas Road, (APN: 104-14-153). Property is zoned Light Industrial (ML)
	Applicant:	John Duquette, ARC Tech Inc.
	Owner:	SPI Holdings, Inc.
	Request:	**Rezone** from Light Industrial (ML) to Planned Development (PD) to construct a six-story 217,000 square foot office building, one-story 9,300 square foot amenity building, one-story 4,000 square foot retail building, three level parking garage and surface parking lot totaling 896 spaces, landscaping, and site improvements, in conjunction with demolition of an existing 100,000 square foot furniture retail/warehouse building; and **Adoption of a Mitigated Negative Declaration**
	CEQA Determination:	Mitigated Negative Declaration
	Project Planner:	Debby Fernandez, Associate Planner
	Staff Recommendation:	**Recommend City Council Adoption** of the Mitigated

Negative Declaration and **Approval** of the rezoning, subject to conditions

Notice: The notice of public hearing for Item 8.A. was posted within 500 feet of the site and mailed to property owners within 500 feet.

Discussion: Debby Fernandez gave a brief presentation on the project and noted that the Airport Land Use Commission (ALUC) requires an added condition to provide an avigation easement to the City of San Jose due to the project residing within the airport referral boundary.

The Commission inquired about the height of the neighboring Biltmore Hotel and how approvals were achieved for that project without requiring a PD rezoning such as for this proposal. Staff noted that a Use Permit was approved to allow the Biltmore Hotel and did not have the height of the building in feet as requested by the Commission.

The Commission then expressed concern for the implication this project, combined with other recently approved projects, would have on traffic in the area. The Environmental Consultant, Shannon George with David J. Powers and Associates, noted that all background and approved projects were included in the traffic analysis along with potential traffic impacts from the proposed project, which were determined to be non-significant.

The Commission discussed condition P14, which requires a Transportation Demand Management (TDM) program to reduce overall vehicle trips.

John Duquette, representative for the applicant, gave a presentation highlighting design features, landscaping, and location of the project.

The Commission inquired about the potential tenants of the property and the applicant was not privy to the identity of the prospective tenants. The Commission discussed the potential employee occupancy in the building and common commute hours and how those aspects could impact traffic in the area.

The Public Hearing was opened.

Byron Renfro, with Orchard Commercial, stated that his company owns adjacent parcels at 2055 and 1995 Laurelwood Road and that they support this proposal. He stated that the proposal, if approved, will improve the area and attract better tenants. Mr. Renfro added that the building they own is 90% leased and traffic has not been a problem in the area.

The Public Hearing was closed.

The Commission voiced support for the project but reiterated concern about traffic impacts. Staff stated that the area is not pedestrian or bicycle friendly making it heavily reliant on vehicle transportation. The Commission noted that there is an imbalance of jobs and housing in Santa Clara and that this project would deepen the imbalance. Staff acknowledged the concern but also stated that the housing market is strong and the General Plan promotes the addition of housing in Santa Clara in an ongoing 1:1 jobs/housing balance.

Motion/Action: The Commission motioned to adopt a resolution recommending that the City Council adopt the Mitigated Negative Declaration and Mitigated Monitoring and Reporting Program for the project located at 2121 Laurelwood Road (6-0-0-0).

The Commission further discussed the TDM program and the possibility of increasing the minimum reduction of vehicle trips from three-to-five percent (3-5%) to fifteen percent (15%) in an effort to help reduce negative traffic impacts to the area. The applicant requested that the minimum reduction be held to five percent (5%) as fifteen percent (15%) is very limiting for

potential tenants.

Motion/Action: The Commission motioned to adopt a resolution recommending that the City Council approve the rezoning request from Light Industrial (ML) to Planned Development (PD) for the project located at 2121 Laurelwood Road (5-1-0-0, Kelly dissenting) with the following amended condition:
1) P14: The Developer/Owner shall implement the project Transportation Demand Management (TDM) program that includes elements to reduce vehicle trips by five percent (5%) or more.

9. OTHER BUSINESS

9.A. Commission Procedures and Staff Communications

i. Announcements/Other Items

ii. Report of the Director of Planning and Inspection

- City Council Action

iii. Commission/Board Liaison and Committee Reports

- Architectural Committee: Commissioners Stattenfield and Costa
- Station Area Plan: Commissioner Champeny
- General Plan sub-Committee: Commissioners Champeny and O'Neill

iv. Commission Activities

- Commissioner Travel and Training Reports
  - Commissioner Sweeney gave a brief report on his attendance at the CalAPA Conference.

v. Upcoming agenda items

- Planning Commission Procedures

10. ADJOURNMENT

The meeting adjourned at 8:31. The next meeting of the Planning Commission will be held on December 12, 2012 at 7:00 pm.

Prepared by: Megan Zimmershead
Office Specialist IV

Approved: Kevin L. Riley
Director of Planning & Inspection

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