City of Santa Clara

PLANNING COMMISSION
MEETING MINUTES
Wednesday, June 27, 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. PLN2011-08988/CEQ2011-01130** (GPA, Rezoning, Architectural Review)
- **Item #8.B. PLN2012-09226** (Rezoning)

1. PLEDGE OF ALLEGIANCE and INVOCATION
Chair Marine initiated the Pledge of Allegiance, and the Invocation was read.

2. ROLL CALL
The following Commissioners responded to roll call: Chair Tony Marine, Vice-Chair Robert Mayer, Commissioners Deborah Costa, Todd Fitch, Teresa O'Neill, and Keith Stattenfield. Commissioner Ian Champeny was excused.

Staff present were Director of Planning and Inspection Kevin Riley, City Planner Steve Lynch, Development Review Officer Gloria Sciara, Associate Planner Debby Fernandez, Assistant City Attorney Alexander Abbe, 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 Marine 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 May 30, 2012

The Commission motioned to approve the Minutes of May 30, 2012 unanimously (6-0-1-0, Champeny absent) with an added notation to Item 8.C. that Commissioner Costa abstained and stepped down from the dais to participate as a member of the public.

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

8. PUBLIC HEARING ITEMS

Note: The Planning Commission moved to hear item 8.B. ahead of item 8.A. at the meeting.

8.A.	**File No.(s)**:	**PLN2011-08988/ CEQ2011-01130**
	Address/APN:	5403 and 5405 Stevens Creek Boulevard, a 5.08 acre parcel on the north side of Stevens Creek Boulevard bounded by Highway 280 to the north and east, Stevens Creek Boulevard to the south and Santa Clara/Cupertino city boundaries to the west APN: 316-19-031
	Applicant:	Kenneth Rodrigues, Kenneth Rodrigues & Partners, Inc.
	Owner:	John Arillaga, Peery Arillaga
	Request:	**General Plan Amendment** No. 2012-01 from Regional Commercial to High Intensity Office/Research and Development; **Rezone** from Thoroughfare Commercial (CT) to Planned Development (PD); and **Architectural Review** to construct two six-story office buildings totaling 295,500 square feet; a two-level below grade parking garage, a four-level above grade parking garage, and surface parking with a combined total of 1,118 parking spaces, site improvements and landscaping along with demolition of an existing one-story commercial building
	CEQA Determination:	Environmental Impact Report, SCH#2012022005
	Project Planner:	Debby Fernandez, Associate Planner
	Staff Recommendation:	**Recommend City Council Approval**, 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 item. It was clarified that the project being discussed was the Reduced Density Alternative presented in the Environmental Impact Report (EIR) and that the EIR was not being voted on in this public hearing.

The Environmental Consultant, Shannon George of David J. Powers and Associates, stated that she had requested data for the Apple Campus proposal from Cupertino; however, no information was available. Because of this, no speculation was made in the EIR analysis and the Apple Campus proposal could not be part of this projects cumulative data as it is not quantitatively possible to address.

The Public Hearing was opened.

The Applicant, Kevin Jones of Kenneth Rodriguez Architects, highlighted the proposal noting that it would be a favorable addition to Stevens Creek Boulevard.

The Commission expressed concern about the traffic patterns surrounding the proposed project. The Traffic Consultant, Gary Black of Hexagon Transportation Consultants, stated that a new signal will be installed at the entrance which will help the ingress and egress of the proposed development. This new signal will be interconnected with the two signals that are 800 feet to both the east and west on Stevens Creek Boulevard.

Catherine Thaler, Cupertino resident, stated that the proposed development will impact the Cupertino neighborhood just south of the project site. Ms. Thaler expressed concern about the traffic in the area and asked that the signal be installed at the beginning of the project.

Jennifer Griffin, Cupertino resident, stated that the traffic signal needs be installed as soon as possible due to the existing congestion in the area. Ms. Griffin added that any possible mitigations should be utilized to improve the traffic flow, and that she'd like to see the building height reduced to five-stories and have more trees added to the landscaping.

The Public Hearing was closed.

The Commission discussed with the Applicant the options available for working with the neighboring northern property owners to allow egress through the back of the project site. The applicant indicated that efforts were made to this effect, but were unsuccessful.

The Commission and staff discussed the General Plan Amendment (GPA) proposal and Staff indicated that this GPA came about through a request by the City of Cupertino not to use the site as residential due to the negative impacts it would have on the School District. With that request, proposals came forward to develop the site as a multi-story office development, similar to the height of neighboring apartment buildings in San Jose.

It was noted that the new signal would be under the City of Cupertino's jurisdiction, so that while installing the signal at the beginning of construction would be possible, it would need to be a collaborative effort with the City of Cupertino.

The Commission clarified that the current proposal is roughly twenty percent (20%) smaller than the proposal evaluated in the EIR and that with the reduction in the overall project, there would be a similar reduction in the traffic.

The Commission discussed the difficulty in approving the proposal without having concrete information from the City of Cupertino about the expected development of the new Apple campus.

Motion/Action: The Commission motioned to adopt the resolution recommending City Council approval of the General Plan Amendment for the project located at 5403-5405 Stevens Creek Boulevard (4-2-1-0, Mayer and Stattenfield dissenting, Champeny absent).

The Commission discussed difficulties making finds A and D in the resolution for rezoning the property. Mr. Abbe clarified that the Commission may strike findings that do not suit the proposal, so long as the rezoning falls within the intent of the Zoning Code regulations.

Motion/Action: The Commission motioned to adopt the resolution recommending City Council approval of the rezoning of the project site located at 5403-5405 Stevens Creek Boulevard (4-2-1-0, Mayer and Stattenfield dissenting, Champeny absent) with an amendment to the Conditions of Approval as follows:

E.15.a. Project shall implement measures/mitigations identified in TIA: Coordinate with Cupertino City staff for design and installation of new signal at Stevens Creek/Stern and interconnect to Stevens Creek/Calvert to occur at the outset of construction activities on the project site.

Motion/Action: The Commission motioned to recommend that the City Council remand the architectural review for the project located at 5403-5405 Stevens Creek Boulevard to the Architectural Review Committee (6-0-1-0, Champeny absent).

8.B.	**File No.(s):**	**PLN2012-09226**
	Address/APN:	1231 Lafayette Street, a 5,850 square foot parcel located 80 feet from the intersection of Lafayette Street and Fremont Street, APN: 269-16-085, Property is zoned CD (Downtown Commercial)
	Applicant/Owner:	Shirley Odou
	Request:	**Rezone** from CD (Downtown Commercial) to R1-6L (Single Family Residential); *City Council Initiated Rezoning*
	CEQA Determination:	Categorically Exempt per Section 15303
	Project Planner:	Yen Chen, Associate Planner
	Staff Recommendation:	**Recommend City Council Approval**, subject to conditions

Notice: The notice of public hearing for Item 8.B. was posted within 300 feet of the site and mailed to property owners within 300 feet.

Discussion: Gloria Sciara gave a brief presentation on the project.

The Public Hearing was opened and closed with no public comments received.

Motion/Action: The Commission motioned to adopt the resolution recommending City Council approval of the rezoning of the property located at 1231 Lafayette Street (6-0-1-0, Champeny absent).

9. OTHER BUSINESS

9.A. Recognition of Outgoing Commissioners

Commissioner Marine and Mayer were recognized for their years of service.

9.B. Nomination of Planning Commission Officers for 2012/2013 Term

The Commission nominated the following slate of candidates:

Deborah Costa – Chair
Ian Champeny – Vice Chair
Todd Fitch – Secretary

9.C. 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 Mayer
- Station Area Plan: Commissioner Champeny
- General Plan sub-Committee: Commissioners Champeny and O'Neill

iv. Commission Activities

- Commissioner Travel and Training Reports

v. Upcoming agenda items

- Planning Commission Procedures

10. ADJOURNMENT

The meeting adjourned at 8:57. The next meeting of the Planning Commission will be held on August 1, 2012 at 7:00 pm.

Prepared by: Megan Zimmershead
Office Specialist IV

Approved: Kevin L. Riley
Director of Planning & Inspection

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