



**DRAFT MINUTES**  
**CUPERTINO PLANNING COMMISSION**  
Tuesday, February 27, 2024

At 6:45 p.m. Chair David Fung called the Regular Planning Commission meeting to order and led the Pledge of Allegiance in the Cupertino Community Hall Council Chamber, 10350 Torre Avenue and via teleconference.

**ROLL CALL**

Present: Chair David Fung, Vice Chair Seema Lindskog, and Commissioners Muni Madhhipatla, Tejesh Mistry and Steven Scharf. Absent: None. Commissioner Scharf attended via teleconference pursuant to Government Code § 54954.2(b)(4)).

Commissioner Scharf made a statement to comply with the Brown Act concerning his remote attendance.

**APPROVAL OF MINUTES**

1. Subject: Approve the February 13 Planning Commission minutes.  
Recommended Action: Approve the February 13 Planning Commission minutes.

MOTION: Lindskog moved and Mistry seconded to approve the February 13 Planning Commission minutes. The motion carried with the following vote: Ayes: Fung, Lindskog, Madhhipatla, Mistry and Scharf. Noes: None. Abstain: None. Absent: None.

**POSTPONEMENTS - None**

**ORAL COMMUNICATIONS**

Jennifer Griffin discussed her concern that Senator Wiener was trying to strip local government of its control over decisions for coastal areas and make them state level.

Lisa Warren stated her concern of lack of transparency and need for more public meetings.

Rhoda Fry discussed her concerns about the Vallco area developers, the usage of AB1600 BMR funds to pay for the YIMBY lawsuit and a request for more details on upcoming projects even if not being reviewed by the Planning Commission.

San R requested staff provide all options for residents to give feedback to HCD and the City concerning the Housing Element drafts.

## WRITTEN COMMUNICATIONS

Written Communication was an email to the Commission sent before 5 p.m.

**CONSENT CALENDAR** - None

## PUBLIC HEARINGS

2. Subject: Hillside Exception to add a porch and roof deck, as well as landscape modifications at an existing hillside property on a prominent ridgeline. (Application No(s): EXC-2023-006; Applicant(s): Chris Pomodoro; Location: 22777 San Juan Rd.; APN(s): 342-22-104)

Recommended Action: That the Planning Commission adopt the proposed draft resolution to:

1. Find the project exempt from CEQA; and
2. Approve the Hillside Exception (EXC-2023-006) (Attachment 1)

Commissioners discussed site visits and ex-parte communications.

Planning Manager Piu Ghosh introduced the item and Senior Planner Gian Martire gave a presentation.

Commissioners asked clarifying questions.

Chris Pomodoro, Pomodoro Architects and applicant, gave a presentation.

Elyssa Bassett, landscape architect, gave a presentation.

Commissioners asked questions and made comments.

Chair Fung opened the public hearing and the following people spoke.

San R  
Rhoda Fry  
Lisa Warren

Chair Fung closed the public hearing.

Commissioners asked questions and made comments.

Staff and Chris Pomodoro answered questions.

MOTION: Lindskog moved and Mistry seconded to make a determination the project is exempt from CEQA pursuant to CEQA guideline section 15303 and that the application for hillside exception (EXC-2023-006) subject to the conditions enumerated in the resolution beginning on page 6 be approved. The motion carried with the following vote: Ayes: Fung, Lindskog, Madhhipatla, Mistry and Scharf. Noes: None. Abstain: None. Absent: None.

Chair Fung called for a five-minute recess at 7:35 p.m. to resolve technical difficulties.

Chair Fung brought the meeting back to order at 7:43 p.m.

**OLD BUSINESS** - None

**NEW BUSINESS**

3. Subject: 2023 General Plan Annual Review/Implementation Plan and Housing Element Annual Progress Report (APR).  
Recommended Action: Receive the General Plan Annual Report and the Housing Element APR.

Planning Manager Piu Ghosh introduced the item and gave a presentation.

Commissioners asked questions and made comments.

Chair Fung opened the public hearing and the following people spoke.

Jennifer Griffin  
Peggy Griffin  
Lisa Warren  
San R

Chair Fung closed the public hearing.

Commissioners asked questions and made comments.

The Commission received the report.

**STAFF AND COMMISSION REPORTS**

Staff made an announcement that the Vallco Ministerial Streamline project was approved by the City on February 16, 2024. Staff also announced that the third draft of the Housing Element was submitted to HCD on February 27, 2024, which now has 45 days to review it and provide comments.

Chair Fung announced his attendance at the “all commission” meeting on February 26, 2024.

**FUTURE AGENDA SETTING**

Commissioner Madhhipatla moved, seconded by Commissioner Scharf, to add the following future agenda item:

- A review of contaminated sites in the City with potential for housing and ministerial approval. (Madhhipatla, Scharf)

**ADJOURNMENT**

At 8:37 p.m., Chair Fung adjourned the Regular Planning Commission Meeting.

Minutes prepared by:

---

Jon P. de Ridder, Administrative Assistant