



CITY OF CUPERTINO

AGENDA

PLANNING COMMISSION

This will be a teleconference meeting with no physical location

Tuesday, December 14, 2021

6:45 PM

TELECONFERENCE / PUBLIC PARTICIPATION INFORMATION TO HELP STOP THE SPREAD OF COVID-19

In accordance with Government Code 54953(e), this will be a teleconference meeting without a physical location to help stop the spread of COVID-19.

Members of the public wishing comment on an item on the agenda may do so in the following ways:

1) E-mail comments by 5:00 p.m. on Tuesday, December 14 to the Commission at planningcommission@cupertino.org. These e-mail comments will be received by the Commission members before the meeting and posted to the City's website after the meeting.

2) E-mail comments during the times for public comment during the meeting to the Commission at planningcommission@cupertino.org. The staff liaison will read the emails into the record, and display any attachments on the screen, for up to 3 minutes (subject to the Chair's discretion to shorten time for public comments). Members of the public that wish to share a document must email planningcommission@cupertino.org prior to speaking.

3) Teleconferencing Instructions

Members of the public may observe the teleconference meeting or provide oral public comments as follows:

Oral public comments will be accepted during the teleconference meeting. Comments may be made during "oral communications" for matters not on the agenda, and during the public comment period for each agenda item.

To address the Commission, click on the link below to register in advance and access the meeting:

Online

Please click the link below to join the webinar:

https://cityofcupertino.zoom.us/webinar/register/WN_PHXRkPYuQNKf2IfBNy9kpw

Phone

Dial: (669) 900 6833 and enter Webinar ID: 999 8803 5856 (Type *9 to raise hand to speak)

Unregistered participants will be called on by the last four digits of their phone number.

Or an H.323/SIP room system:

H.323:

162.255.37.11 (US West)

162.255.36.11 (US East)

Meeting ID: 999 8803 5856

SIP: 99988035856@zoomcrc.com

After registering, you will receive a confirmation email containing information about joining the webinar.

Please read the following instructions carefully:

1. You can directly download the teleconference software or connect to the meeting in your internet browser. If you are using your browser, make sure you are using a current and up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers, including Internet Explorer.
2. You will be asked to enter an email address and a name, followed by an email with instructions on how to connect to the meeting. Your email address will not be disclosed to the public. If you wish to make an oral public comment but do not wish to provide your name, you may enter "Cupertino Resident" or similar designation.
3. When the Chair calls for the item on which you wish to speak, click on "raise hand." Speakers will be notified shortly before they are called to speak.
4. When called, please limit your remarks to the time allotted and the specific agenda topic.

ROLL CALL**APPROVAL OF MINUTES**

1. Subject: Approve the November 23 Planning Commission Minutes
Recommended Action: Approve the November 23 Planning Commission Minutes
[1 - Draft Minutes](#)

POSTPONEMENTS

ORAL COMMUNICATIONS

This portion of the meeting is reserved for persons wishing to address the Commission on any matter within the jurisdiction of the Commission and not on the agenda. Speakers are limited to three (3) minutes. In most cases, State law will prohibit the Commission from making any decisions with respect to a matter not on the agenda.

WRITTEN COMMUNICATIONS

CONSENT CALENDAR

Unless there are separate discussions and/or actions requested by council, staff or a member of the public, it is requested that items under the Consent Calendar be acted on simultaneously.

PUBLIC HEARINGS

2. **Subject:** Consider Development and Architectural and Site Approval permits that would allow the replacement of seven (7) storage buildings, with three (3) new buildings between one (1) and three (3) stories in height to allow for a 166,845 sq. ft. storage facility; Consider a Fence Exception request to allow electronic vehicular gates and a Tree Removal Permit request to allow the removal and replacement of eight (8) protected trees. (Application No(s): DP-2019-05, ASA-2019-05, EXC-2019-04, TR-2019-048; Applicant(s): Emilia Samudio (Jordan Architects); Location: 10655 Mary Ave.; APN: 326-06-050)

Recommended Action: Staff recommends that the Planning Commission, in accordance with draft resolutions (Attachments 1-4), recommends that the City Council:

1. Find the project exempt from CEQA;
2. Approve the Development Permit (DP-2019-05);
3. Approve the Architectural and Site Approval (ASA-2019-05);
4. Approve the Fence Exception (EXC-2019-04); and
5. Approve the Tree Removal Permit (TR-2019-048).

[Staff Report](#)

[1 - Draft Resolution for DP-2019-05](#)

[2 - Draft Resolution for ASA-2019-05](#)

[3 - Draft Resolution for EXC-2019-04](#)

[4 - Draft Resolution for TR-2019-048](#)

[5 - Plan Set](#)

[6 - Parking Study](#)

[7 - Categorical Exemption Memo](#)

OLD BUSINESS

NEW BUSINESS

3. Subject: Discuss potential City Work Program proposals for Fiscal Year 2022-2023
Recommended Action: Recommend potential City Work Program proposals for Fiscal Year 2022-2023 and identifying the top three proposals, limited to no more than five.
[Staff Report](#)
[1 - FY 2021-2022 Planning Commission Work Program Items](#)
[2 - FY 2022-2023 Planning Commission Work Program Proposal Template](#)

STAFF AND COMMISSION REPORTS

FUTURE AGENDA SETTING

ADJOURNMENT

If you challenge the action of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City of Cupertino at, or prior to, the public hearing. In the event an action taken by the Planning Commission is deemed objectionable, the matter may be officially appealed to the City Council in writing within fourteen (14) days of the date of the Commission's decision. Said appeal is filed with the City Clerk (Ordinance 632).

In compliance with the Americans with Disabilities Act (ADA), anyone who is planning to attend this teleconference meeting who is visually or hearing impaired or has any disability that needs special assistance should call the City Clerk's Office at 408-777-3223, at least 48 hours in advance of the meeting to arrange for assistance. In addition, upon request, in advance, by a person with a disability, meeting agendas and writings distributed for the meeting that are public records will be made available in the appropriate alternative format.

Any writings or documents provided to a majority of the Planning Commission after publication of the packet will be made available for public inspection in the Community Development Department located at City Hall, 10300 Torre Avenue, Cupertino, California 95014, during normal business hours; and in Planning packet archives linked from the agenda/minutes page on the Cupertino web site.

IMPORTANT NOTICE: *Please be advised that pursuant to Cupertino Municipal Code section 2.08.100 written communications sent to the Cupertino City Council, Commissioners or City staff concerning a matter on the agenda are included as supplemental material to the agenda item. These written communications are accessible to the public through the City's website and kept in packet archives. Do not include any personal or private information in written communications to the City that you do not wish to make public, as written communications are considered public records and will be made publicly available on the City website.*

Members of the public are entitled to address the Planning Commission concerning any item that is described in the notice or agenda for this meeting, before or during consideration of that item. If you

wish to address the Planning Commission on any issue that is on this agenda, please complete a speaker request card located in front of the Commission, and deliver it to the City Staff prior to discussion of the item. When you are called, proceed to the podium and the Chair will recognize you. If you wish to address the Planning Commission on any other item not on the agenda, you may do so by during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.

For questions on any items in the agenda, or for documents related to any of the items on the agenda, contact the Planning Department at (408) 777 3308 or planning@cupertino.org.