



**APPROVED MINUTES
CUPERTINO PLANNING COMMISSION
Tuesday, December 14, 2021**

REGULAR MEETING

At 6:45 p.m. Chair Wang called the Regular Planning Commission meeting to order. This was a teleconference meeting with no physical location.

ROLL CALL

Present: Chair R Wang, Vice Chair Steven Scharf (6:54 p.m.), Commissioners Muni Madhhipatla, Vikram Saxena. Absent: Commissioner Sanjiv Kapil. All Commissioners teleconferenced for the meeting.

APPROVAL OF MINUTES

1. Subject: Approve the November 23 Planning Commission minutes
Recommended Action: Approve the November 23 Planning Commission minutes

Commissioner Saxena moved and Commissioner Madhhipatla seconded to approve the November 23 Planning Commission minutes. Ayes: Wang, Madhhipatla, Saxena. Noes: None. Abstain: None. Absent: Scharf, Kapil.

POSTPONEMENTS – None

ORAL COMMUNICATIONS

Jennifer Griffin thanked Planning Manager Piu Ghosh for recognizing staff and acknowledged staff who have resigned and/or retired from the City of Cupertino.

WRITTEN COMMUNICATIONS – None

CONSENT CALENDAR – None

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).

Senior Planner Gian Martire gave a presentation on the development proposal from Jordan Architects requesting permits to allow for a partial demolition of the current storage facility and allow for construction of a new storage facility. This would include an easement to the City that would allow for a future multi-use trail facility along the east side of the property, and to provide an access point to a future Junipero Serra trail along I-280. Parking spaces intended for this facility will be clearly marked for the sole use of the facility and will not be for trail and public usage. None of the 8 protected trees proposed for removal are heritage trees and will be replaced with other trees.

Mr. Martire, developers Curtis Leigh, Bruce Jordan, and Todd Trekell, and City Attorney Chris Jensen answered questions from the Commission.

Chair Wang opened the public comment period and the following people spoke:

Thom Buchanan
Jennifer Griffin

Chair Wang closed the public comment period.

Vice Chair Scharf moved and Commissioner Saxena seconded to approve the Resolutions. Ayes: Wang, Scharf, Madhhipatla, Saxena. Noes: None. Abstain: None. Absent: Kapil.

OLD BUSINESS – None

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.

Planning Manager Piu Ghosh led a discussion on items the Planning Commission would like to see considered by Council for the FY 2022-2023 City Work Program.

Among the items discussed were:

1. 5G facilities ordinance based on aesthetics;
2. Outreach to renters to explain their rights to them;
3. Clarified guidance or ordinance update on second-story balconies;
4. Study on how planning policy decisions impact schools by obtaining raw data on student generation for past 25 years, including a study on positive and negative impact of developments on school services; and
5. Adopt regulations requiring homes to be designed to maximize solar exposure for solar energy generation, including requiring roofs to be free of vents or other impediments to solar panel installation.

Chair Wang opened the public comment period and the following people spoke:

Jennifer Griffin

Chair Wang closed the public comment period.

The Commission further identified the Planning Commission's top three priorities for the FY 2022-2023 City Work Program would be: studying how planning decisions impact schools, 5G cell facilities ordinance based on aesthetics, objective standards in the Municipal Code and General Plan, and second-story balcony design standards, in addition to all existing work program items.

Chair Wang moved and Commissioner Saxena seconded to recommend to Council the recommendations. Ayes: Wang, Scharf, Kapil, Madhdhipatla, Saxena. Noes: None. Abstain: None. Absent: Kapil.

STAFF AND COMMISSION REPORTS

Vice Chair Scharf reported that ABAG has approved the final RHNA Plan, with no change to the number of housing units allocated to Santa Clara County.

Mr. Jensen introduced Senior Assistant City Attorney Michael Woo to the Planning Commission.

Ms. Ghosh recognized former employees for their contributions to the Community Development Department during 2021: Senior Planner Erick Serrano, Assistant Planners Lauren Ninkovich and Victoria Ortiz, and Deputy Board Clerk Beth Ebben. Ms. Ghosh also recognized new hires to the Planning Division during 2021: Senior Planner Luke Connolly, Associate Planner Brianne Harkousha, and Assistant Planner AJ Haase.

Commissioners were encouraged to review previous year's Housing Element report in preparation for the 2022 General Plan annual report and housing element.

FUTURE AGENDA SETTING

ADJOURNMENT

At 8:26 p.m., Chair Wang adjourned the meeting.

/s/Cyrah Caburian
Cyrah Caburian, Administrative Assistant