

CITY OF CUPERTINO



AGENDA

Tuesday, September 23, 2025

6:45 PM

10350 Torre Avenue, Council Chamber and via Teleconference

Planning Commission

SANTOSH RAO, CHAIR

TRACY KOSOLCHAROEN, VICE CHAIR

DAVID FUNG, COMMISSION MEMBER

SEEMA LINDSKOG, COMMISSION MEMBER

STEVEN SCHARF, COMMISSION MEMBER

IN PERSON AND TELECONFERENCE MEETING

For more information:

(408) 777-3200 | www.cupertino.gov

IN-PERSON AND TELECONFERENCE / PUBLIC PARTICIPATION INFORMATION

OPTIONS TO OBSERVE: Members of the public wishing to observe the meeting may do so in one of the following ways:

- 1) Attend in person at Cupertino Community Hall, 10350 Torre Avenue.
- 2) Tune to Comcast Channel 26 and AT&T U-Verse Channel 99 on your TV.
- 3) Watch a live stream online at www.Cupertino.org/youtube and www.Cupertino.org/webcast

OPTIONS TO PARTICIPATE AND COMMENT: Members of the public wishing to address the Planning Commission may do so in the following ways:

- 1) Appear in person at Cupertino Community Hall:

- a. During “Oral Communications”, the public may comment on matters not on the agenda, and for agendized matters, the public may comment during the public comment period for each agendized item.

- b. Speakers are requested to complete a Speaker Card . While completion of Speaker Cards is voluntary and not required to attend the meeting or provide comments , it is helpful for the purposes of ensuring that all speakers are called upon.

- c. Speakers must wait to be called , then proceed to the lectern/podium and speak into the microphone when recognized by the Chair.

- d. Speakers are limited to three (3) minutes each. However, the Chair may reduce the speaking time depending on the number of people who wish to speak on an item. A speaker representing a group of 2 to 5 or more people who are present may have up to 2 minutes per group member, up to 10 minutes maximum .

- e. Please note that due to cyber security concerns, speakers are not allowed to connect any personal devices at the lectern/podium. However, speakers that wish to share a document (e.g. presentations, photographs or other documents) during oral comments may do so in one of the following ways:

- At the overhead projector at the podium or
- E-mail the document to planning@cupertino.gov by 3:00 p.m. and staff will advance the slides/share the documents during your oral comment.

2) Written communications as follows:

- a. E-mail comments to planningcommission@cupertino.gov**
- b. Regular mail or hand delivered addressed to the: Cupertino Planning Commission, City Hall, 10300 Torre Avenue, Cupertino, CA 95014**
- c. Comments addressed to the Planning Commission received by 5:00 p.m. on the day of the meeting will be included in written communications published and distributed before the beginning of the meeting.**
- b. Comments addressed to the Planning Commission received after the 5:00 p.m. deadline, but through the end of the Planning Commission meeting, will be posted to the City's website by the end of the following business day.**

3) Teleconference in one of the following ways:

- a. Online via Zoom on an electronic device (Audio and Video): Speakers must register in advance by clicking on the link below to access the meeting:**

https://cityofcupertino.zoom.us/webinar/register/WN_x36JUpEHTu2gIjy8OPd0sg

- Registrants will receive a confirmation email containing information about joining the webinar.**
- Speakers will be recognized by the name they use for registration. Once recognized, speakers must click 'unmute' when prompted to speak.**
- Please read the following instructions about technical compatibility carefully: One can directly download the teleconference (Zoom) software or connect to the meeting in their internet browser. If a browser is used, make sure the most current and up-to-date browser, such as the following, is used: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers, including Internet Explorer.**
- b. By Phone (Audio only): No registration is required in advance and speakers may join the meeting as follows:**
 - i. Dial 669-900-6833 and enter WEBINAR ID: 897 2152 5737**
 - ii. To "raise hand" to speak: Dial *9; When asked to unmute: Dial *6**
 - iii. Speakers will be recognized to speak by the last four digits of their phone number.**

- c. Via an H.323/SIP room system:**

i. H.323 Information:

144.195.19.161 (US West)

206.247.11.121 (US East)

Meeting ID: 897 2152 5737

ii. SIP: 89721525737@zoomcsrc.com**PLEDGE OF ALLEGIANCE****ROLL CALL****APPROVAL OF MINUTES**

1. Subject: Approval of the September 9, 2025 Planning Commission Minutes.
Recommended Action: Approve the September 9, 2025 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.

PUBLIC HEARINGS - None

Effective January 1, 2023, Government Code Section 65103.5 (SB 1214) limits the distribution of copyrighted material associated with the review of development projects. Members of the public wishing to view plans that cannot otherwise be distributed under SB 1214 may make an appointment with the Planning Division to view them at City Hall by sending an email to planning@cupertino.org. Plans will also be made available digitally during the hearing to consider the proposal.

OLD BUSINESS - None**NEW BUSINESS**

2. Subject: Presentation on the Arts & Culture Commission's recommendation to the City Council on an Art-in-lieu fee policy. (Application No. MCA-2025-003; Applicant: City of Cupertino; Location: City-wide)
Recommended Action: Receive a presentation.
[Staff Report](#)
[1 - Municipal Code Chapters 19.12. 19.148 Required Artwork in Public and Private Developments \(redline\)](#)
[2 - Amended Policy \(City Council Resolution No. 05-040](#)
[3 - Jurisdiction Analysis of Art Programming](#)

STAFF AND COMMISSION REPORTS

This portion of the meeting is reserved for staff to provide any updates on matters pertinent to the Commission and for Commissioners to report on any Commission related activities they have taken part in since the prior regularly scheduled meeting.

FUTURE AGENDA SETTING

This portion of the meeting is reserved for the Chair or any two Commissioners to propose a future agenda item within the jurisdiction of the Commission. A proposal to add a future agenda item shall be brief and without discussion by the Commission.

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 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 City web site.

IMPORTANT NOTICE: *Please be advised that pursuant to Cupertino Municipal Code section 2.08.100, written communications sent to the City Council, Commissioners or staff concerning a matter on the agenda are included as supplemental material to the agendized item. These written communications are accessible to the public through the City 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.*

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.

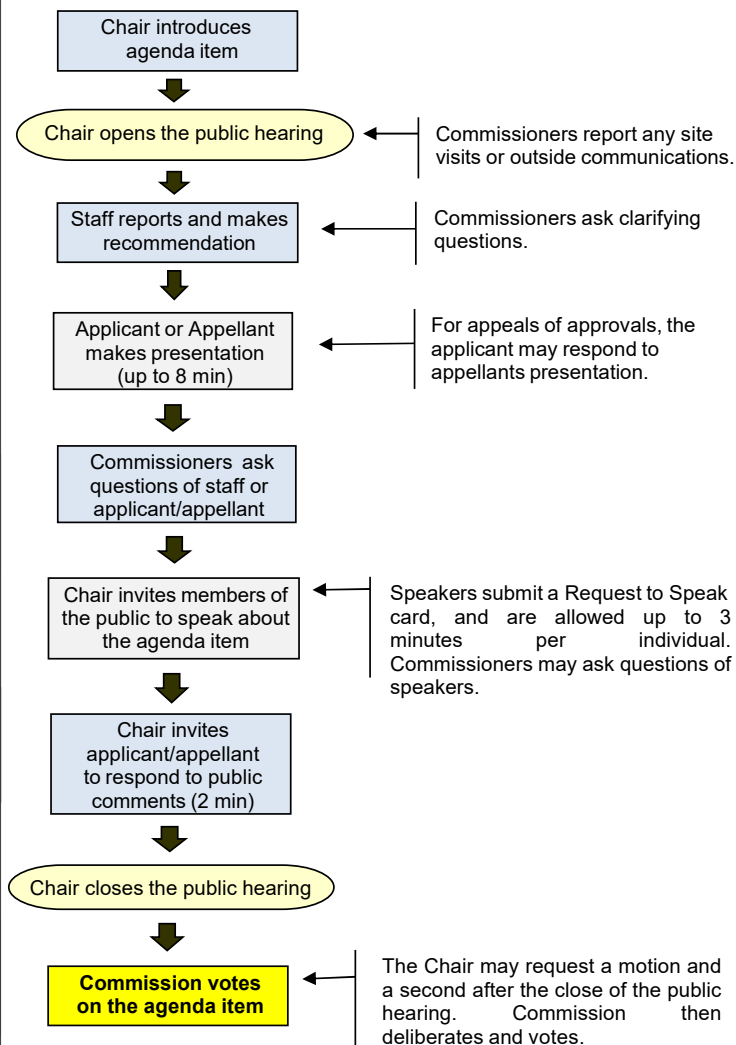
CONDUCT OF BUSINESS

The Chair is the presiding officer of the Planning Commission. Any member of the public may speak on any item on the agenda for up to three minutes. All statements and questions must be addressed to the Chair.

Planning Commission hearings serve as a venue for the discussion of sometimes divergent points of view. Please respect the opinions of others and refrain from cheering or clapping. That may delay the meeting or intimidate other persons wishing to express alternate views. Actions that disrupt the meeting will result in a warning, followed by removal if disruption continues.

The proceedings of the meeting are recorded, therefore members of the audience who address the Commission at an in-person meeting must come to the lectern/microphone, and are requested to complete a Speaker Card and identify themselves. Completion of Speaker Cards and identifying yourself is voluntary and not required to attend the meeting or provide comments.

FLOWCHART FOR HEARING ITEMS:



PUBLIC HEARINGS

The Planning Commission is required by law to hold public hearings on certain matters prior to making its decision. Notice to interested parties is given by legal advertisement in the local newspaper of general circulation at least 10 calendar days preceding the hearing date. Applications requiring public hearings include change of zoning, variances, use permits, and tentative maps.

Effective January 1, 2023, Government Code Section 65103.5 (SB 1214) limits the distribution of copyrighted material associated with the review of development projects. Members of the public wishing to view plans that cannot otherwise be distributed under SB 1214 may make an appointment with the Planning Division to view them at City Hall by sending an email to planning@cupertino.org. Plans will also be made available digitally during the hearing to consider the proposal.

COMMISSION MEETINGS

The Planning Commission regularly meets the second and fourth Tuesdays of each month. Urgent business, holidays, or election days may trigger special or adjourned meetings. These meetings will be noticed beforehand.

AGENDAS, MINUTES, AND PACKETS AVAILABLE ON THE WEB

Agendas, minutes, and packets for current and prior Planning Commission meetings are available at www.cupertino.org, or you can purchase the items on CD.

PLANNING COMMISSION DECISION

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 (CMC Section 19.12.170). Contact the City Clerk's office for more information or go to www.cupertino.org/cityclerk for an appeal form.

COMMUNICATING WITH COMMISSION

All Commissioners:	PlanningCommission@cupertino.gov	
David Fung	DFung@cupertino.gov	
Seema Lindskog	SLindskog@cupertino.gov	
Santosh Rao	SRao@cupertino.gov	
Steven Scharf	SScharf@cupertino.gov	
Tracy Kosolcharoen	TKosolcharoen@cupertino.gov	
Planning Division	Planning@cupertino.gov	(408) 777-3308
City Hall	www.cupertino.gov	(408) 777-CITY

NEWS AND NOTICES FROM CITY HALL

EMAIL

Sign up for e-notification of agendas, elections, and other news on the city website at www.cupertino.org/notify

TELEVISION

The City Channel broadcasts City Council and Planning Commission meetings, as well as agenda previews, public service announcements, and other programs of community interest, on Channel 26 in Cupertino. The meetings are shown at these times:

Tuesday (live)	6:45 p.m.	Friday (replay)	10:00 a.m.
Thursday (replay)	7:00 p.m.	Saturday (replay)	9:00 a.m.

INTERNET

City Council and Planning Commission videos are available on demand at www.cupertino.org. Select "I Want To, View City Council meetings".

News and community information can also be found at:

<https://www.facebook.com/cityofcupertino/>

<https://twitter.com/CityofCupertino>

<https://www.instagram.com/cityofcupertino>

AUDIO

Tune into Radio Cupertino, 1670 AM, for meeting announcements, public service messages, and emergency announcements.

USEFUL TELEPHONE NUMBERS

City of Cupertino (City Hall)	General Information and Comments	(408) 777-CITY
Fire (Emergency)	Santa Clara County Fire Dept. dispatch	911
Fire (Non-Emergency)	Santa Clara County Fire Dept.	(408) 378-4010
Garbage	Recology South Bay	(408) 725-4020
Gas & Electricity	Pacific Gas & Electric (PG&E)	1-800-743-5000
Recreation & Community Services	Quinlan Community Center	(408) 777-3120
Police (Emergency)	Santa Clara County Sheriff dispatch	911
Police (Non-Emergency)	Santa Clara County Sheriff	(408) 868-6600
Public Health	Santa Clara County Public Health	(408) 732-3720
Sanitary Sewers	Cupertino Sanitary District	(408) 253-7071
Water	San Jose Water	(408) 279-7900
	California Water	(650) 917-0152