



## MINUTES CUPERTINO PLANNING COMMISSION

Tuesday, April 22, 2025

At 6:45 p.m. Chair Santosh Rao 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 Santosh Rao, Vice Chair Tracy Kosolcharoen, and Commissioners David Fung, Steven Scharf and Seema Lindskog. Absent: None.

### APPROVAL OF MINUTES

1. Subject: Approval of the March 11, 2025 Planning Commission Minutes  
Recommended Action: Approve the March 11, 2025 Planning Commission Minutes

Administrative Assistant Nelson announced a correction to the minutes.

MOTION: Kosolcharoen moved and Fung seconded to approve the corrected March 11, 2025 Planning Commission Minutes. The motion passed with the following vote: Ayes: Rao, Kosolcharoen, Fung, Scharf. Noes: None. Abstain: Lindskog. Absent: None.

2. Subject: Approval of the March 25, 2025 Planning Commission Minutes  
Recommended Action: Approve the March 25, 2025 Planning Commission Minutes

MOTION: Lindskog moved and Kosolcharoen seconded to approve the March 25, 2025 Planning Commission Minutes. The motion passed with the following vote: Ayes: Rao, Kosolcharoen, Fung, Scharf, Lindskog. Noes: None. Abstain: None. Absent: None.

### POSTPONEMENTS – None

### ORAL COMMUNICATIONS

The following members of the public spoke:

Jennifer Griffin indicated her support for the city flags being at half-mast in honor of the Pope's death. She spoke critically about SB-79, sponsored by Senator Wiener, which proposes to allow the construction of 7-story buildings, by right, on properties located within half a mile of transit. She also voiced her concerns about the Stevens Creek Vision study and potential impacts.

**CONSENT CALENDAR- None**

**PUBLIC HEARINGS –**

3. Subject: Update to Vehicle Parking Restrictions on Public Roadways, and Restrictions on Oversized Vehicle Parking in Residential Districts and Customer-Facing Retail Establishments

Recommended Action: Recommend to the City Council to conduct first reading of Ordinance No. 25-\_\_\_\_: “An Ordinance of the City Council of the City of Cupertino amending Section 11.24.130, Section 11.24.200, Section 11.28.010, and Section 11.28.020 to the Municipal Code regarding prohibiting parking of vehicles for more than seventy-two (72) hours, removal of vehicles from street, and parking of oversized vehicles restricted.”

Planning Manager Ghosh introduced City Attorney Andrews.

City Attorney Andrews presented the ordinance to the Commissioners.

Chair Rao opened the floor to Commissioner questions.

Commissioners asked questions which City Attorney Andrews and Community Development Director Benjamin Fu responded to.

Chair Rao opened the public hearing and the following people spoke:

- Dave McLeroy
- Jean Bedord
- Peggy Griffin

Chair Rao closed the public hearing.

Chair Rao opened the floor to Commissioner comments, questions, and discussions.

Commissioners made comments, and asked questions, which staff responded to.

Dave McLeroy approached the podium to speak but he was notified that the public comment period was closed. Commissioner Scharf requested that he be allowed to speak. McLeroy spoke regarding the amount of time oversize vehicles typically park on the street before they depart on their journey.

Commissioners continued their discussion.

MOTION: Rao moved and Scharf seconded to the staff recommendation, with the amendment that oversized vehicles be allowed to park for no more than 72 hours within residential neighborhoods, and that the vehicle must be moved at least one mile after the 72 hours elapses.

The Commission did not vote on this motion.

City Attorney Michael Woo clarified the staff recommended action.

Chair Rao withdrew his motion.

MOTION: Lindskog moved and Scharf seconded to continue the item with additional direction for staff on next steps. The motion passed with the following vote: Ayes: Rao, Kosolcharoen, Fung, Scharf, Lindskog. Noes: None. Abstain: None. Absent: None.

**OLD BUSINESS** – None

**NEW BUSINESS** –

4. Subject: Modification to a previously approved Development Permit and Architectural & Site Approval for the Westport Development including, but not limited to, dwelling count and ground floor retail, Park Land Dedication Fees and minor changes to Building 1. (Application No(s): M-2024-003, ASA-2024-003; Applicant(s): Related California (Cascade Zak); Location: 21267 Stevens Creek Boulevard; APN #326-27-048)

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

1. Adopt the First Addendum to an EIR and approve the Development Permit Amendment (M-2024-003); and
2. Approve the Architectural and Site Approval Permit (ASA-2024-003).

Planning Manager Ghosh introduced Senior Planner Martire.

Senior Planner Martire gave a presentation.

Chair Rao asked if Commissioners had any Ex Parte disclosures.

Commissioners spoke regarding Ex Parte disclosures.

Chair Rao opened the floor to Commissioner questions.

Commissioners asked questions which staff responded to.

Chair Rao opened the floor to the applicant's presentation.

The applicant presented.

Commissioners asked questions, which the applicant responded to.

Chair Rao opened the public hearing and the following people spoke:

- Jennifer Griffin

- Jean Bedord
- Jean Schwab
- Diana Ferris
- Richard Addler
- Peggy Griffin
- Lisa

Chair Rao closed the public hearing.

The applicant spoke and responded to Commissioner comments and questions.

MOTION: Rao motioned and Kosolcharoen seconded to move the staff recommendation with the following additional conditions of approval:

- Suggest exploring twenty on or more off-site parking
- Explore for the possibility of adding additional retail, and not add additional parking for this added retail

FRIENDLY AMMENDMENT: Scharf proposed a friendly amendment to the motion:

- Require doubling retail sq. ft. to eight thousand square feet
- Covenant that housing will remain Assisted Living in perpetuity
- Allow a reduction from the currently approved eighty spaces for the assisted living portion of the project to eleven spaces
- Institute time limited parking on Mary Ave, Quinlan, Sports Center, Memorial parking, and Alves Dr. west of Stelling

Rao and Kosolcharoen accepted the friendly amendment.

The Commission did not vote on this motion.

SUBSTITUTE MOTION: Lindskog moved and Fung seconded to move the staff recommendation with the following additional conditions of approval:

- Add a TDM for the employees
- Request that the retail be consolidated near the Retail in Building 2
- Explore the possibility of adding additional retail to get to 8,000 square feet, but not add additional parking for this added retail.

The motion failed with the following vote: Ayes: Fung, Lindskog. Noes: Rao, Kosolcharoen, Scharf. Abstain: None. Absent: None.

FRIENDLY AMMENDMENT: Chair Rao requested that the motion on the table be amended to change the retail to become a request and not a requirement.

Commissioner Scharf did not accept the amendment.

MOTION: Chair Rao moved and Vice Chair Kosolcharoen seconded to:

- Explore the possibility of adding 4,000 square feet of additional retail, without adding additional parking for this added retail
- Request TDM for staff parking for the assisted living portion

The motion failed with the following vote: Ayes: Kosolcharoen, Rao. Noes: Fung, Lindskog, Scharf. Abstain: None. Absent: None.

MOTION: Rao motioned and Fung seconded to move staff recommendation with added condition of approval to explore retail expansion as feasible by applicant.

The motion failed with the following vote: Ayes: Rao, Fung. Noes: Kosolcharoen, Lindskog, Scharf. Abstain: None. Absent: None.

MOTION: Kosolcharoen moved and Lindskog seconded to accept the staff recommendation with the added conditions of approval to:

- Refund the previously paid in lieu of parkland dedication fee and waive the outstanding fee balance for the in lieu parkland dedication fee in exchange for providing a total of 8,000 square feet of retail, with no additional parking for the additional 4,000 square feet of retail.
- TDM for the employees of the assisted living.

The motion passed with the following vote: Ayes: Rao, Kosolcharoen, Fung, Scharf, Lindskog. Noes: None. Abstain: None. Absent: None.

5. Subject: Review of the new projects proposed in the Fiscal Year 2025 - 2026 Capital Improvement Program for consistency with the General Plan.

Recommended Action: Adopt a Resolution finding that the new project proposed in the Fiscal Year 2025 - 2026 Capital Improvement Program is consistent with the General Plan.

Director of Public Works Mosley introduced CIP Manager Michael, who gave a presentation.

Chair Rao opened the floor to Commissioner discussion.

Chair Rao opened the public hearing and the following people spoke:

- Jennifer Griffin

Chair Rao closed the public hearing.

Chair Rao opened the floor to Commissioners for discussion.

MOTION: Chair Rao moved and Commissioner Lindskog seconded to approve the motion.

The motion passed with the following vote: Ayes: Rao, Kosolcharoen, Fung, Scharf, Lindskog. Noes: None. Abstain: None. Absent: None.

#### **STAFF AND COMMISSION REPORTS**

None.

#### **FUTURE AGENDA SETTING**

None.

#### **ADJOURNMENT**

At 11:07 p.m. Chair Rao adjourned the Regular Planning Commission Meeting.

Minutes prepared by:

*Lindsay Nelson*

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Lindsay Nelson, Administrative Assistant