



CITY OF CUPERTINO

AGENDA

PLANNING COMMISSION

This will be a teleconference meeting with no physical location

Tuesday, June 14, 2022

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, June 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_Ml6YWRb1RSq1Guzs5Zl_vA

Phone

Dial: (669) 900 6833 and enter Webinar ID: 978 1926 7941 (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: 978 1926 7941

SIP: 97819267941@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 April 26 Planning Commission minutes
Recommended Action: Approve the April 26 Planning Commission minutes
[1 - Draft Minutes](#)

2. Subject: Approve the May 24 Planning Commission minutes
Recommended Action: Approve the May 24 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

3. Subject: Consider renewal of a Conditional Use Permit for an existing mono-eucalyptus wireless communications facility (U-2011-10). (Application No(s): U-2022-001; Applicant: Kathryn Leal; Location: 23600 Via Splendor; APN(s): 342-54-016)
Recommended Action: That the Planning Commission adopt the proposed draft resolution to:
1. Find that the approval of the project is exempt from CEQA;
 2. Approve the Use Permit (U-2022-001 (Attachment 1))
- [Staff Report](#)
[1 - Draft Resolution](#)
[2 - Existing Site Plan Set for Reference](#)
[3 - Existing Site Photos](#)
[4 - Updated EME-RF Study](#)
[5 - U-2011-10](#)
4. Subject: Consider renewal of a Conditional Use Permit for an existing mono-pine wireless communications facility (U-2011-02). (Application No: U-2022-002; Applicant: Kathryn Leal; Location: 22475 Rancho Deep Cliff Drive; APN: 356-02-999)
Recommended Action: That the Planning Commission adopt the proposed draft resolution to:
1. Find that the approval of the project is exempt from CEQA;
 2. Approve the Use Permit (U-2022-002 (Attachment 1))

[Staff Report](#)[1 - Draft Resolution](#)[2 - 2018 Site Plan Set for Reference](#)[3 - Existing Site Photos](#)[4 - Updated EME-RF Study](#)[5 - U-2011-02 Resolution](#)

5. Subject: Consider an appeal of the Community Development Director's approval of a Two-Story Permit to consider the construction of a new 3,233-square-foot, two-story single-family residence, and an attached 797-square-foot Accessory Dwelling Unit (ADU) (Application No.: R-2021-023; Applicant: Kyle Chan.; Property Owners: Dung N. (David) Do & Wen Hsiu (Cristina) Hung; Appellant: Sanjiv and Deepika Kapil; Location: 6522 Clifford Dr; APN # 369-24-037)

Recommended Action: That the Planning Commission conduct a public hearing and adopt the Draft Resolution (Attachment 1) denying the appeal and upholding the Director's decision to approve the application.

[Staff Report](#)[1 - Draft Resolution](#)[2 - Single Family Residential \(R1\) Ordinance](#)[3 - Action Letter with Conditions of Approval](#)[4 - Approved Plan Set](#)[5 - Appellant Letter](#)**OLD BUSINESS****NEW BUSINESS****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 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.