



DRAFT MINUTES
CUPERTINO PLANNING COMMISSION
Tuesday, March 22, 2022

REGULAR MEETING

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

ROLL CALL

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

APPROVAL OF MINUTES

1. Subject: Approve the February 22 Planning Commission minutes
Recommended Action: Approve the February 22 Planning Commission minutes

Commissioner Saxena moved and Chair Scharf seconded to approve the February 22 Planning Commission minutes. Ayes: Scharf, Kapil, Saxena. Noes: None. Abstain: None. Absent: Madhhipatla, Wang.

POSTPONEMENTS – None

ORAL COMMUNICATIONS

Lisa Warren spoke regarding public participation regarding the Housing Element Cycle and lack of notification from the EngageCupertino platform.

Jennifer Griffin spoke regarding site selection from RHNA and Plan Bay Area for Housing Element Cycle.

WRITTEN COMMUNICATIONS – None

CONSENT CALENDAR – None

PUBLIC HEARINGS

2. Subject: Discussion of the Priority Development Area (PDA) Planning Grant funds awarded to the City by the Association of Bay Area Governments/Metropolitan Transportation Commission (ABAG/MTC) for the Heart of the City Specific Plan Update. Recommended Action: That the Planning Commission consider the information presented and consider whether to adopt the draft resolution recommending that the City Council:
1. Accept the awarded Priority Development Area (PDA) Planning Grant funds;
 2. Initiate the Heart of the City Specific Plan Update in conjunction with the Sixth-Cycle Housing Element Update; and
 3. Award a revised consultant agreement to EMC Planning Group to incorporate the Heart of the City Specific Plan Update into the contract scope of work for the Sixth-Cycle Housing Element Update.

Planning Manager Piu Ghosh introduced Associate Planner Erika Poveda who gave presentation on the PDA Planning Grant funds awarded by ABAG/MTC, to be used toward the Heart of the City (HOC) Specific Plan Update.

The City applied for the grant in February 2021 and was awarded \$400,000 in grant funds which would be allocated toward updating the HOC Specific Plan and Special Area located in the Valley Transportation Authority (VTA) Cores, Corridors, and Station Area PDA. The purpose of the PDA Planning Grant program is to provide funding to local jurisdictions to amend specific plans within established PDAs to encourage housing development and reduce vehicle miles traveled in the PDA. City Council would then move to accept these funds by April 30, 2022. If accepted, the City will have three years from the date of acceptance to use funds.

Acceptance of PDA Planning Grant funds for use would require the City to adhere to deliverables of the draft scope of work and may potentially impact re-zoning to accommodate for the City's Regional Housing Needs Allocation (RHNA) numbers.

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

Jenny Griffin
Abdullah Memon
Jean Bedord
Lisa Warren oppose

Chair Scharf closed the public comment period.

Written Communications for this item were received by the Commission before the meeting, including an email from Peggy Griffin that was read to the Commission.

Ms. Poveda, Ms. Ghosh and Senior Assistant City Attorney Michael Woo answered questions from the Commission.

Chair Scharf made new motion to:

1. Accept the awarded Priority Development Area Planning Grant funds; and
2. Direct staff to present a consultant agreement regarding the Heart of the City Specific Plan update after the Sixth Cycle Housing Element update has been certified by HCD.

Vice Chair Scharf moved and Commissioner Saxena seconded to accept the revised actions for Council adoption. Ayes: Scharf, Kapil, Saxena. Noes: None. Abstain: None. Absent: Madhhipatla, Wang.

3. Subject: Consider an appeal of the Director of Community Development's approval of a Two-Story Permit to allow a new 2,271 square-foot two-story home with a 561 square-foot attached accessory dwelling. (Application No.: R-2021-056; Applicant: Jackson Lu; Property Owners: Chengzhu Liu and Cailin Huang; Appellants: Sharon Hall; Location: 18750 Barnhart Ave; APN # 375-27-042)
Recommended Action: That the Planning Commission conduct a public hearing and adopt the Draft Resolution denying the appeal and upholding the Director's decision to approve the applications, with the modified plans.

Planning Manager Piu Ghosh introduced Assistant Planner Alexa (AJ) Haase who gave presentation on application for property owner at 18750 Barnhart Ave to build a new 2,271 square-foot two-story home with a 561 square-foot attached accessory dwelling unit (ADU). This was approved by the Director of Community Development on April 19, 2021.

On February 17, 2022, Appellants filed an appeal to decision appeal of decision to approve application.

Written Communications from Applicant and neighbors were received before the meeting and sent to the Commission.

Appellant Sharon Hall, Property owner Cailin Huang, and Applicant Jackson Lu each addressed the Commission.

Ms. Haase, Ms. Ghosh and Mr. Woo answered questions from the Commission.

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

Jenny Griffin

Lisa Warren

Laura

Chair Scharf closed the public comment period.

Chair Scharf made motion to deny appeal and uphold the Director's decision if the applicant can:

1. Reduce the plate height of the principal structure to a maximum of 9' on each floor;
2. Replace rear privacy planting shrubs with *pittosporum tenuifolium*; and
3. Require provision of existing natural grade for all height measurements on all building permit plans as condition of approval.

Chair Scharf moved and Commissioner Saxena seconded to accept the revised actions.

Ayes: Scharf, Kapil, Saxena. Noes: None. Abstain: None. Absent: Madhhipatla, Wang.

4. Subject: 2021 General Plan Housing Element Annual Progress Report (APR) on forms required by HCD

Recommended Action: That the Planning Commission receive the report.

Ms. Ghosh introduced Housing Manager Kerri Heusler who gave presentation on current progress on the 2021 General Plan Housing Element APR, with discussion on forms required by California Department of Housing and Community Development. This report was also shared with the City Council at the March 15th meeting and will be presented to the Housing Commission at the April 14th meeting. Cupertino was found to be in compliance with the 2021 report.

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

Jenny Griffin

Chair Scharf closed the public comment period.

Commissioners asked questions and made comments.

The Planning Commission received the report and feedback to City staff.

OLD BUSINESS – None

NEW BUSINESS – None

STAFF AND COMMISSION REPORTS

Chair Scharf and Commissioner Kapil reported their experience attending the Planning Commissioner Academy held March 15-18, 2022 in San Ramon. Vice Chair Madhhipatla was unable to attend.

FUTURE AGENDA SETTING – None

ADJOURNMENT

At 9:44 p.m., Chair Scharf adjourned the meeting.

/s/Cyrah Caburian
Cyrah Caburian, Administrative Assistant