

City of Cupertino  
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**ACTION MINUTES OF THE REGULAR MEETING OF  
THE ENVIRONMENTAL REVIEW COMMITTEE  
HELD ON MAY 19, 2022**

**CALL TO ORDER**

Chair Moore opened the meeting at 9:31 a.m.

**ROLL CALL**

Commission Members present:      Kitty Moore, Chair and City Councilmember  
    Mett Morley, Vice Chair and Director of Public Works  
    Dianne Thompson, Assistant City Manager  
    Benjamin Fu, Director of Community Development  
    Steven Scharf, Planning Commission Chair

Commissioners Members absent:      None

Staff present:                              Piu Ghosh, Planning Manager  
    Brianne Harkousha, Associate Planner  
    Gian Martire, Senior Planner  
    Andre Duurvoort, Sustainability Manager  
    Cyrah Caburian, Administrative Assistant

Outside Panelists:                      Nick Pappani, Raney Planning  
    Emily Marino, Rincon  
    Matt Maddox, Rincon

**APPROVAL OF MINUTES**

1. Subject: Approve the October 28, 2021 Environmental Review Committee meeting minutes  
Recommended Action: Approve the October 28, 2021 Environmental Review Committee meeting minutes

Fu moved and Thompson seconded.

AYES:                      Moore, Thompson, Fu

NOES:                      None

ABSTAIN:                Morley, Scharf

ABSENT:                None

VOTE:                    3-0-2-0

**POSTPONEMENTS**

None

**ORAL COMMUNICATIONS**

Member of the public, Connie Cunningham, spoke regarding redesign of 20680 McClellan Road.

Member of the public, Jennifer Griffin, spoke regarding AB 2011.

## **WRITTEN COMMUNICATIONS**

None

## **CONSENT CALENDAR**

None

## **PUBLIC HEARINGS**

None

## **OLD BUSINESS**

None

## **NEW BUSINESS**

2. Subject: Consider whether a Mitigated Negative Declaration (MND) is the appropriate environmental document for a project to subdivide and redevelop one single family residential property into six single family residential properties. Permits required include a Zoning Map Amendment Permit to consider rezoning a 1.27-acre parcel from R1-10 to R1-7.5, Tentative Map Permit to consider the subdivision of one parcel into six parcels, and six Two-Story Permits to consider the development of single-family homes. (Application No(s): Z-2021-002, TM-2021-006, R-2021-040, -041, -042 -043, -044, -045, EA-2022-002; Applicant(s): Alok Damireddy (District McClellan LLC); Location: 20860 McClellan Road APN #359-20-030)

Recommended Action: That the Environmental Review Committee consider the Mitigated Negative Declaration the appropriate environmental review document for the proposed project.

Staff member Harkousha provided presentation and answered questions.

Public comment was opened twice during discussion and the following members of the public spoke:

Jennifer Griffin

Lisa Warren

Mynul Hoda

Larry Harrison

Connie Cunningham

Motion by Moore and second by Morley to accept Mitigated Negative Declaration as the appropriate environmental review document for the proposed project on the condition that additional soil testing be conducted through a scope of work agreed upon by the city's third party reviewer and applicants Geotech specialists and any additional measures from the peer review be incorporated in the Mitigated Negative Declaration prior to Planning Commission, which was substituted with motion by Moore to continue item upon further soil testing and review of historical uses of the site (Scharf seconded).

Substitute motion by Thompson to accept the Mitigated Negative Declaration as the appropriate environmental review document for the proposed project on the condition that additional testing be conducted through a scope of work agreed upon by the city's third-party reviewer and applicants

Geotech specialists and any additional measures from the peer review be incorporated in the Mitigated Negative Declaration prior to Planning Commission and seconded by Morley.

AYES: Morley, Thompson, Fu  
NOES: Moore, Scharf  
ABSTAIN: None  
ABSENT: None  
VOTE: 3-2-0-0

3. Subject: Development Permit and associated applications to allow the construction of a mixed used project of eighteen (18) units consisting of five (5) single-family homes, eight (8) town homes, and five (5) apartments over a 4,500 sq. ft. commercial building. A Mitigated Negative Declaration is proposed. Application No(s): DP-2018-07, ASA-2018-09, U-2018-04, TR-2018-39, TM-2018-04, Z-2018-02 (EA-2018-06); Applicant(s): Dan Shaw (SCR Enterprises); Location: 10625 S Foothill Blvd. APN #342-16-087

Recommended Action: Conduct the public hearing and recommend that the Environmental Review Committee consider the Mitigated Negative Declaration appropriate for the project.

Staff member Martire provided presentation and answered questions.

Morley moved and Fu seconded.

AYES: Moore, Morley, Thompson, Fu, Scharf  
NOES: None  
ABSTAIN: None  
ABSENT: None  
VOTE: 5-0-0-0

Committee recessed from 11:13 to 11:18.

4. Subject: Climate Action Plan 2.0 Draft Initial Study and Negative Declaration

Recommended Action: Review the draft Initial Study and recommend that the Environmental Review Committee consider a Negative Declaration appropriate for the project.

Staff member Duurvoort provided presentation and answered questions.

The following members of the public spoke:

Jenny Griffin

Fu moved and Thompson seconded.

AYES: Moore, Morley, Thompson, Fu, Scharf  
NOES: None  
ABSTAIN: None  
ABSENT: None  
VOTE: 5-0-0-0

**STAFF UPDATES AND COMMISSION REPORTS:**

None

**FUTURE AGENDA** *(limitation, cannot discuss)*

- Suggestion by Moore of subsequent items to be distributed with depth of materials.

**ADJOURNMENT**

The meeting was adjourned at 12:06 p.m. to the next regularly scheduled Environmental Review Committee meeting.

Respectfully submitted:

/s/Cyrah Caburian

Cyrah Caburian

Administrative Assistant