



**APPROVED MINUTES  
CUPERTINO PLANNING COMMISSION  
Tuesday, March 12, 2024**

At 6:45 p.m. Chair David Fung 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 David Fung, Vice Chair Seema Lindskog, and Commissioners Tejesh Mistry and Steven Scharf. Absent: Commissioner Muni Madhhipatla.

**APPROVAL OF MINUTES**

1. Subject: Approve the February 27 Planning Commission minutes.  
Recommended Action: Approve the February 27 Planning Commission minutes.

MOTION: Lindskog moved and Mistry seconded to approve the February 27 Planning Commission minutes. The motion carried with the following vote: Ayes: Fung, Lindskog, Mistry and Scharf. Noes: None. Abstain: None. Absent: Madhhipatla.

**POSTPONEMENTS** - None

**ORAL COMMUNICATIONS** - None

**CONSENT CALENDAR** - None

**PUBLIC HEARINGS**

2. Subject: Amendment to a Development Agreement (DA-2017-01) for the Cupertino Village Boutique Hotel and associated environmental review. (Application No(s): DA-2023-002; Applicant(s): KIMCO (Sunil Plaha); Location: 10801 N. Wolfe Rd., APN: 316 45 017)  
Recommended Action: Staff recommends that the Planning Commission adopt the draft resolution (Attachment 1) recommending that the City Council:

1. Find the amendment to the existing development agreement consistent with the project's Mitigated Negative Declaration (State Clearinghouse No. 2018112025) and
2. Adopt the ordinance to amend the existing Development Agreement (DA-2023-002).

Commissioners discussed site visits and ex-parte communications.

Planning Manager Piu Ghosh introduced the item and Senior Planner Gian Martire gave a presentation.

Michael Strahs, Kimco Realty, representing applicant Sunil Plaha, Cupertino Village LP, gave a presentation.

Commissioners asked clarifying questions and made comments.

Staff and Michael Strahs answered questions.

Chair Fung opened the public hearing and the following people spoke.

Jennifer Griffin  
Connie Cunningham  
Lisa

Chair Fung closed the public hearing.

Commissioners asked questions and made comments.

Staff and Michael Strahs answered questions.

MOTION: Lindskog moved and Mistry seconded to recommend that the City Council:

1. Find the amendment to the existing development agreement consistent with the project's Mitigated Negative Declaration (State Clearinghouse No. 2018112025) and
2. Adopt the ordinance to amend the existing Development Agreement (DA-2023-002) with the additional modification that the project comply with Chapter 19.102, Glass and Lighting Standards (Bird safe and Dark Sky ordinance).

The motion carried with the following vote: Ayes: Fung, Lindskog, Mistry and Scharf. Noes: None. Abstain: None. Absent: Madhhipatla.

3. Subject: Amendment to a Development Agreement (DA-2018-01) for the De Anza Hotel Project and associated environmental review. (Application No(s): DA-2023-003; Applicant(s): De Anza Properties (John Vidovich); Location: 10931 N De Anza Blvd.; APN: 326-10-061)

Recommended Action: Staff recommends that the Planning Commission, in accordance with draft resolution, recommend that the City Council:

1. Find the amendment to the existing development agreement consistent with the project's Mitigated Negative Declaration (State Clearinghouse No. 2019079010) and
2. Adopt the ordinance to amend the existing Development Agreement (DA-2023-003).

Commissioners discussed site visits and ex-parte communications.

Planning Manager Piu Ghosh introduced the item and Senior Planner Gian Martire gave a presentation.

Commissioners asked clarifying questions.

Claudio Bono, Cupertino Hotel Group, spoke on behalf of applicant John T. Vidovich,.

Commissioners asked questions and made comments.

Staff and Claudio Bono answered questions.

Chair Fung opened the public hearing and the following people spoke.

Jennifer Griffin  
Connie Cunningham  
Lisa

Chair Fung closed the public hearing.

Commissioners asked questions and made comments.

Staff and Claudio Bono answered questions.

MOTION: Lindskog moved and Mistry seconded to recommend that the City Council:

1. Find the amendment to the existing development agreement consistent with the project's Mitigated Negative Declaration (State Clearinghouse No. 2019079010) and
2. Adopt the ordinance to amend the existing Development Agreement (DA-2023-003). with the modification that the project comply with Chapter 19.102, Glass and Lighting Standards (Bird Safe and Dark Sky ordinance).

The motion carried with the following vote: Ayes: Fung, Lindskog, Mistry and Scharf. Noes: None. Abstain: None. Absent: Madhhipatla.

**OLD BUSINESS** - None

**NEW BUSINESS - None****STAFF AND COMMISSION REPORTS**

Staff requested a representative from the Commission to attend the 4/3/2024 City Council meeting to represent the Commission's position on their recommendations. Chair Fung stated he would attend.

**FUTURE AGENDA SETTING - None****ADJOURNMENT**

At 7:59 p.m., Chair Fung adjourned the Regular Planning Commission Meeting.

Minutes prepared by:

/s/ Jon P. de Ridder  
Jon P. de Ridder, Administrative Assistant