

CITY OF CUPERTINO
10300 Torre Avenue
Cupertino, CA 95014

CITY OF CUPERTINO
PLANNING COMMISSION MEETING
APPROVED MINUTES, June 14, 2020

PLEDGE OF ALLEGIANCE

At 6:45 pm Chairperson Moore called to order the regular Planning Commission meeting. This was a teleconference meeting with no physical location.

ROLL CALL

Present: Chairperson Moore, Vice Chair R Wang, Commissioners, David Fung, Vikram Saxena, Alan Takahashi

Absent: none

APPROVAL OF MINUTES:

1. **Subject:** Draft Minutes of June 23, 2020.

Recommended Action: Approve or modify the Draft Minutes of June 23, 2020

Moved by Vice Chair Wang and seconded by Chair Moore to: "Approve the minutes". The motion carried 3-0-2 (Takahashi and Saxena abstain)

POSTPONEMENTS/REMOVAL FROM CALENDAR: None

ORAL COMMUNICATIONS:

Henry Sang, Age Friendly Cupertino Task Force, gave a presentation regarding the need for Senior housing options

Richard Adler, Age Friendly Cupertino Task Force, gave a presentation on the senior demographics in Cupertino

Jean Bedord, Age Friendly Cupertino Task Force, gave a presentation on the need for housing options for Seniors

Lisa Warren echoed the need for housing diversity not just for Seniors but for all Cupertino residents

WRITTEN COMMUNICATIONS:

Several emails were received regarding Item #2

PUBLIC HEARINGS:

2. **Subject:** Consider approving a development proposal to demolish a 71,250 square foot retail center (The Oaks), remove and replace 74 protected trees, and construct a mixed-used

development consisting of 267 housing units (88 Rowhouse/Townhomes, 179 senior apartments of which 131 are senior licensed assisted living units and 48 are affordable or below market rate (“BMR”) senior independent living units), 27 memory care licensed assisted living residences (“memory care residences”), and 20,000 square feet of commercial space. The applicant is requesting a Heart of the City Exception for retail frontage along Stevens Creek Boulevard. The applicant is also requesting a density bonus, including associated density bonus parking reduction and density bonus waivers for height, slope line setback, and dispersion of BMR housing units. City approvals would be certification of the Final Environmental Impact Report, Development Permit (including findings regarding density bonus and waivers), Architectural and Site Approval Permit, Tree Removal Permit, Use Permit, Heart of the City Exception, and Vesting Tentative Map; (Application No(s): DP-2018-05, ASA-2018-05, TM-2018-03, TR-2018-22, U-2019-03, EXC-2019-03, EA-2018-04; Applicant(s): KT Urban (Mark Tersini); Location: 21267 Stevens Creek Boulevard; APN #326-27-042, -043

Recommended Action: Conduct the public hearing, consider the evidence presented, and recommend that the City Council; 1) Approve an Environmental Impact Report; 2) approve the applications per the (revised) Draft Resolutions; or 3) recommend denial of the project per the Draft Resolution

Senior Planner, Gian Martire, reviewed the Staff Report and revised project scope. He was asked and answered questions by the Commissioners. Members from the KT Urban team addressed the Commissioners with a presentation highlighting the project’s revised operation plan. They were asked questions by the Commissioners, which they answered.

Chair Moore opened the public comment period and the following individual(s) spoke:

Jennifer Griffin

Connie Cunningham

Peggy Griffin

Lisa Warren

Umesh Toprani (email)

Rhonda Nunez (email)

Chair Moore closed the public comment period.

The Commissioners discussed at length the various concerns of the project with Staff, the City’s legal Representatives and the applicant. While in overall support of the project, the discussion regarding whether the density bonus waiver for the BMR unit dispersion was appropriate to be granted with a waiver or if the applicant should be required to produce additional documentation and apply for a concession due to financial considerations.

There was a motion to deny the project per Staff’s analysis of the project as shown on page 27 of the Staff Report and the Draft Resolution: Find that this action is not subject to environmental review under Section 21080(b)(5) and 15270 of the California Environmental Quality Act (CEQA) guidelines because CEQA does not apply to projects which a public agency rejects or disapproves; and Deny the following permits, as set forth in the attached draft resolution: Development Permit (DP-2018-05), Architectural and Site Approval (ASA-2018-05), Vesting Tentative Map (TM-2018-03), Tree Removal Permit (TR-2018-22), Use Permit (U-2019-03), and Heart of the City Exception (EXC-2019-03)

Moved by Chair Moore, second by Com. Saxena, the motioned carried 3-2-0 (Takahashi and Fung, voting no)

NEW BUSINESS: None

OLD BUSINESS: None

REPORT OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Deputy Board Clerk, Beth Ebben, mentioned that there was an error in the 6/23 minutes showing Commissioner Saxena absent for the meeting. Chair Moore asked that the minutes be revised and brought back for approval at the next meeting.

REPORT OF THE PLANNING COMMISSION:

Chair Moore reported that she had attended the Housing Commission meeting on July 9th.

ADJOURNMENT:

The meeting was adjourned at 10:30 p.m. to the next regular Planning Commission meeting on August 11, 2020 at 6:45 p.m.

Respectfully Submitted:

_____/s/Beth Ebben
Beth Ebben, Deputy Board Clerk