

CITY OF CUPERTINO
10300 Torre Avenue
Cupertino, CA 95014

CITY OF CUPERTINO
PLANNING COMMISSION MEETING
APPROVED MINUTES, February 23, 2021

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

CEREMONIAL MATTERS AND PRESENTATIONS:

1. **Subject:** Training on Commissioner handbook approved by the City Council on January 19, 2021

Recommended Action: That the City Clerk; 1) Conduct training on the new handbook – *postponed to the Planning Commission meeting of March 9, 2021*

ROLL CALL

Present: Chair R Wang, Vice Chair Steven Scharf, Commissioners Vikram Saxena, Sanjiv Kapil, Muni Madhhipatla

Absent: None

APPROVAL OF MINUTES:

2. **Subject:** Draft Minutes of January 26, 2021.

Recommended Action: Approve or modify the Draft Minutes of January 26, 2021

Moved by Wang and seconded by Kapil to: “Approve the minutes”. The motion carried 3-0-3 (Scharf, Saxena, Madhhipatla abstain)

3. **Subject:** Draft Minutes of February 11, 2021.

Recommended Action: Approve or modify the Draft Minutes of February 26, 2021

Moved by Scharf and seconded by Madhhipatla to: “Approve the minutes”. The motion carried 5-0-0

POSTPONEMENTS:

Item #1: Training on Commissioner handbook approved by the City Council on January 19, 2021 – Postponed to the March 9, 2021 meeting.

ORAL COMMUNICATIONS:

Jennifer Griffin – spoke about the possible recall of Governor Newsom

WRITTEN COMMUNICATIONS:

Emails were received regarding item #6

PUBLIC HEARING:

4. **Subject:** Hillside Exception application to consider allowing the construction of a 1,400 square foot deck at an existing residence on a prominent ridgeline. Application No(s): EXC-2020-004; Applicant(s): Glenn Katz (Kapadia residence); Location: 22245 Canyon View Cir. APN #366-45-004

Recommended Action: That the Planning Commission adopt the proposed Draft Resolution to: 1) Find the proposed project is exempt from CEQA; and 2) Approve the Hillside Exception

Jeffrey Tsumura, Associate Planner, reviewed the Staff Report with the Planning Commissioners. He was asked clarifying questions, which he answered.

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

None

Chair Wang closed the public comment period.

The Commissioners clarified that an exception is required because the original deck (built with the house construction) was torn down and was not reconstructed prior to the expiration of their building permit. Due to how much time has elapsed, the deck is now considered to be new rather than a replacement for maintenance. The Commissioners concurred with Staff's findings to approve the project.

Moved by Madhhipatla and seconded by Saxena to: Find the proposed project exempt from CEQA and approve the Hillside Exception per the Draft Resolution. The motion carried 5-0-0

5. **Subject:** Consider amendments to Cupertino Municipal Code Sections 19.56.030A (Table 19.56.030) and 19.56.030F (Density Bonus Ordinance) to incentivize the development of affordable housing by allowing for density bonuses of up to 40 percent. Application No(s): MCA-2021-002; Applicant(s): City of Cupertino; Location: citywide

Recommended Action: That the Planning Commission adopt the proposed Draft Resolution recommending that the City Council: 1) Find the proposed project is exempt from CEQA; and 2) Adopt amendments to Cupertino Municipal Code Sections 19.56.030A (Table 19.56.030) and 19.56.030F to incentivize the development of affordable housing by allowing for density bonuses of up to 40 percent

Piu Ghosh, Planning Manager, and consulting attorney, Barbara Kautz from Goldfarb & Lipman, LLP, reviewed the Staff Report with the Planning Commissioners. They were asked clarifying questions, which they answered.

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

Jennifer Griffin

Lisa Warren

Chair Wang closed the public comment period.

The proposed Municipal Code amendments are being done to codify into the City's Municipal Code the changes to the Housing Program that were adopted by the City Council in December 2020. These changes were precipitated by State Laws going into effect on January 1, 2021.

Moved by Saxena and seconded by Madhahipatla to: Find the proposed project exempt from CEQA and recommend that the City Council adopt amendments to Cupertino Municipal Code Sections 19.56.030A (Table 19.56.030) and 19.56.030F to incentivize the development of affordable housing by allowing for density bonuses of up to 40 percent per the Draft Resolution. The motion carried 4-1-0 (Kapil voting no)

OLD BUSINESS: None

NEW BUSINESS:

6. **Subject:** Discussion about the aesthetics of small cell facilities (5G)

The Commissioners discussed the residents' concerns regarding the installations of 5G cell site in the city.

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

RajulPandit

Tessa Parish

Peter Chu

Jing Liu

Venkat Ranganathan

James Lin

Karis Lee

William W

Limin

Satheesh Madhathil

Lisa Warren

Vishal Agarwal

Cindy Woo

Preethi Prakash

Ting Chen

Chair Wang closed the public comment period.

Chair wang made a list of the concerns mentioned by the residents. It will be included as part of the agenda packet materials after the meeting.

REPORT OF THE DIRECTOR OF COMMUNITY DEVELOPMENT: None

REPORT OF THE PLANNING COMMISSION:

Commissioner Saxena attended the Economic Development Meeting. They discussed ways to help business recover from the effects of the COVID-19 restrictions. Vice Chair Scharf attended the Housing Commission meeting and attends the California Alliance of Local Electeds (CALE). He encouraged the other Commissioners to attend these meetings as well.

FUTURE AGENDA SETTING

ADJOURNMENT:

The meeting was adjourned at 9:30 pm. to the next regular Planning Commission meeting on March 9, 2021 at 6:45 p.m.

Respectfully Submitted:

/s/Beth Ebben

Beth Ebben, Deputy Board Clerk