

Planning Commission
Meeting

May 28, 2024

Presentations

Item 2

Lawrence-Mitty Park and Trail
project Final Conceptual
Design General Plan
Consistency and Initial
Study/Mitigated Negative
Declaration.

Lawrence-Mitty Park and Trail Project

General Plan Consistency and Initial Study Mitigated Negative Declaration

Planning Commission meeting

May 28, 2024



CUPERTINO

Tonight's Action

Subject: Capital Improvement Programs' Lawrence-Mitty Park and Trail project Final Conceptual Design and Initial Study/Mitigated Negative Declaration.

Recommended Action:

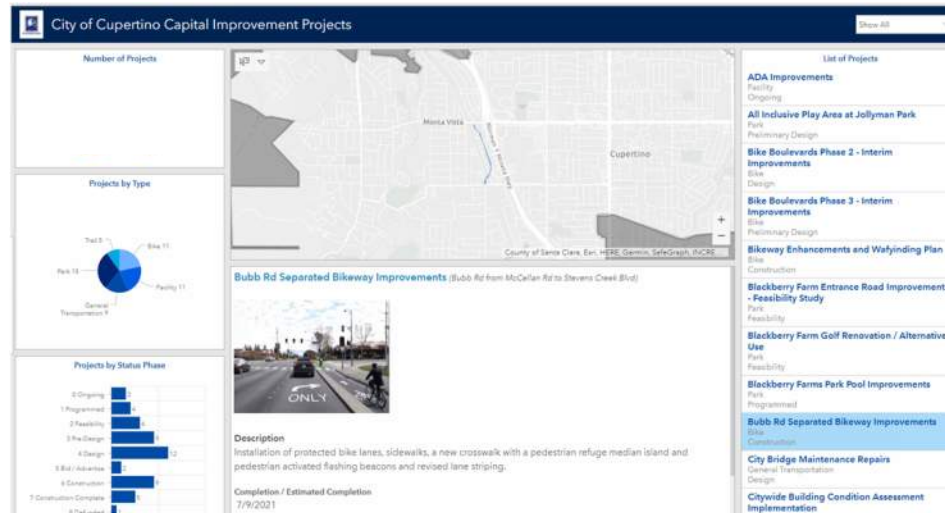
That the Planning Commission:

1. Adopt a Resolution (Attachment 1) finding that the Lawrence-Mitty Park and Trail project Final Conceptual Design is consistent with the City's General Plan; and
2. Adopt a Resolution (Attachment 2) recommending that the City Council adopt the Initial Study/Mitigated Negative Declaration for the Lawrence-Mitty Park and Trail project.

CIP Dashboard

For more detail on the status of current CIP projects, refer to the City's CIP dashboard:

<https://gis.cupertino.org/webmap/cip/>



Navigation: Cupertino.org > Public Works > City Construction Projects (CIP) (on the left sidebar) > Interactive Dashboard

Lawrence – Mitty Park and Trail Project

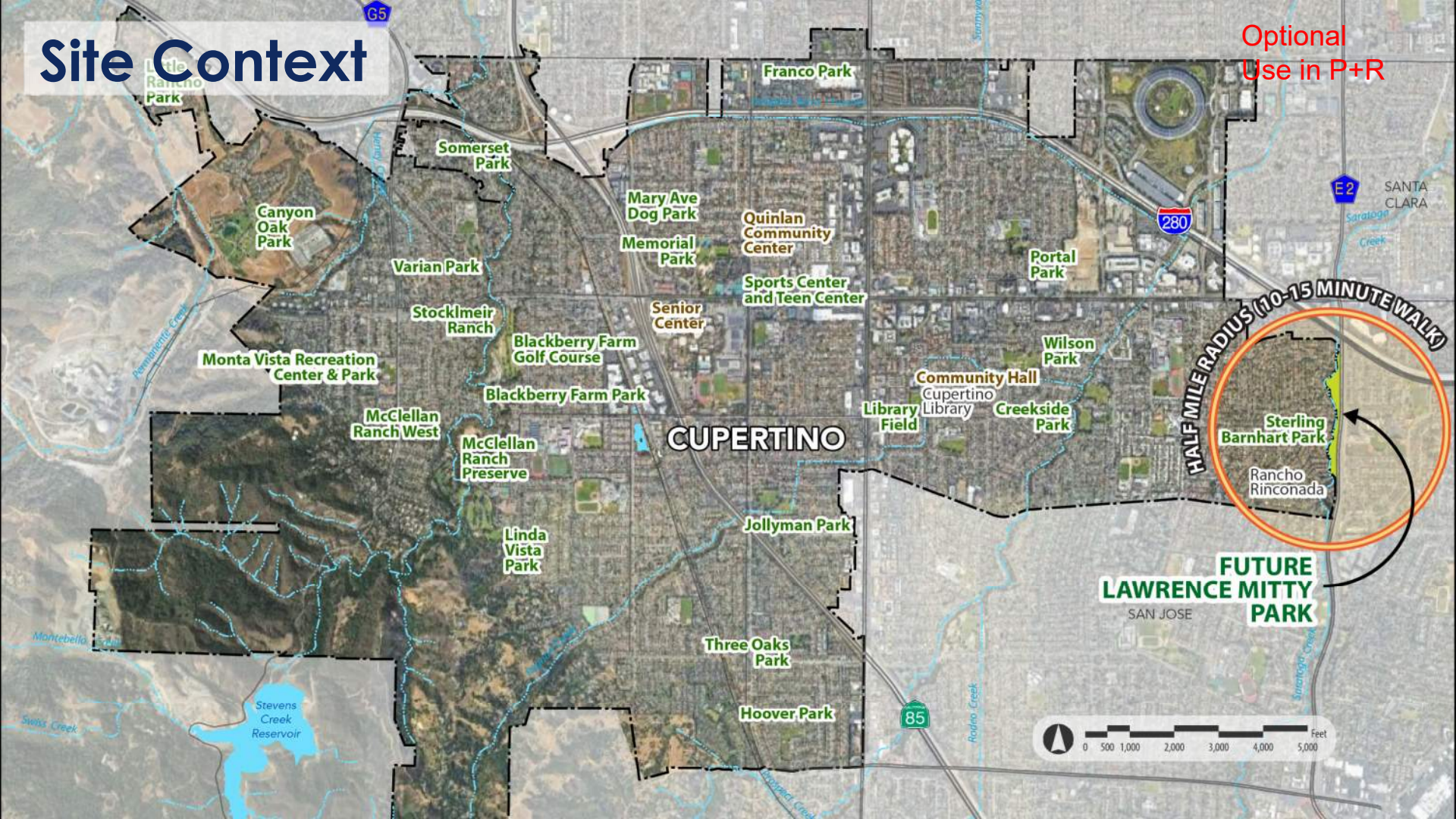
Agenda

1. Final Concept Plan Overview
2. General Plan Alignment
3. CEQA Summary

Final Concept Plan Overview

Site Context

Optional
Use in P+R

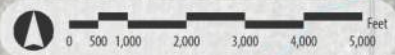


CUPERTINO

HALF MILE RADIUS (10-15 MINUTE WALK)

FUTURE
LAWRENCE MITTY
PARK

SAN JOSE



Existing Conditions

Optional
Use in P+R



MAP LEGEND

-  Saratoga Creek
-  Lawrence-Mitty Park Boundary
-  Existing Trees
-  Existing Saratoga Creek Trail
-  Existing Access Point
-  Existing Bike/Pedestrian Route



Phasing

Optional
Use in P+R

FUTURE PHASE

CURRENT PHASE

FUTURE PHASE



South Park and Trail:
Trail and recreation
enhancements

North Park and Trail:
Concept Plan
(Priority Project)

Trail Connection North:
Continuation to
Stevens Creek Blvd

Final Concept Plan

Optional
First plan slide
with legend



CONCEPT LEGEND

- Park Boundary
- Light Blue Area: Saratoga Creek (OHWM)
- Top of Bank

- Existing Vegetation:**
- Green Area: Riparian Zone
 - Green Circle: Tree Canopy (Existing)
 - Light Green Circle: Tree Root Protection Zone

- New Vegetation:**
- Green Circle: Trees (Proposed)
 - Dark Green Area: Stormwater Areas
 - Light Green Area: Native/Climate Adapted Planting
 - Yellow-Green Area: Open Meadow Space
- Circulation:**
- Grey Path: Paved Multi-use Path
 - Light Yellow Path: Walking Path
 - Light Grey Path: Maintenance/Emergency Access

- Recreation Features:**
- Yellow Area: Play Area
 - Blue Icon: Creekside Deck Overlook
 - Purple Icon: Creekside Bench Overlook
 - Blue Diamond: Shaded Seating / Picnic Table
- Inspiration Images:**
- Circle with #: See image collage

Final Concept Plan



General Plan Alignment

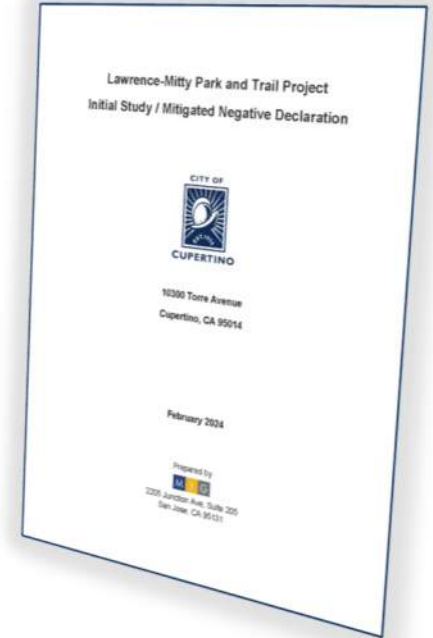
General Plan

- **Goal RPC-3:** Preserve and enhance access to parks that have significant natural resources. Preserve natural areas, utilizing natural features, topography, natural habitat, native planting and by establishing Nature Play Areas.
- **Goal RPC-4:** Integrate parks and public facilities within neighborhoods and areas.
- **Goal RPC-5:** Trails: create an interconnected system of multi-use trails and provide safe pedestrian and bicycle access through the City and connections to local nodes and destinations.
- **Goal RPC-7:** Provide high-quality, flexible, and well-maintained community facilities that meet the changing needs of the community and are a source of community identity.

CEQA Summary

CEQA Process

- Draft Initial Study / Mitigated Negative Declaration (IS/MND)
- 30-day Public Review Period: 2.12.24 – 3.13.24
- Four Comment Letters Received
- Final IS/MND, Responses to Comments, Mitigation Monitoring and Reporting Program
- Planning Commission Recommendation to City Council
- Adoption of MND by City Council



Environmental Impacts

Less than Significant with Mitigation Incorporated	Less than Significant or No Impact	
<ul style="list-style-type: none">• Biological Resources• Cultural Resources• Tribal Cultural Resources	<ul style="list-style-type: none">• Aesthetics• Agriculture & Forest Resources• Air Quality• Energy• Geology and Soils• Greenhouse Gas Emissions• Hazards and Hazardous Materials• Hydrology & Water Quality• Land Use & Planning	<ul style="list-style-type: none">• Mineral Resources• Noise• Population & Housing• Public Services• Recreation• Transportation• Utilities & Service Systems• Wildfire

Mitigation

Western Pond Turtle

- Conduct Pre-construction Survey
- Worker Environmental Awareness Program
- Install Wildlife Exclusion Barrier
- Construction Monitoring

San Francisco Dusky-Footed Woodrat

- Conduct Pre-Construction Survey
- Relocation of Woodrat Houses

Bats

- Conduct Pre-Construction Survey
- Conduct Acoustic Survey
- Create Roost Buffer

Mitigation (cont.)

Nesting Birds

- Conduct Pre-Construction/Pre-Disturbance Survey

Cultural Resources

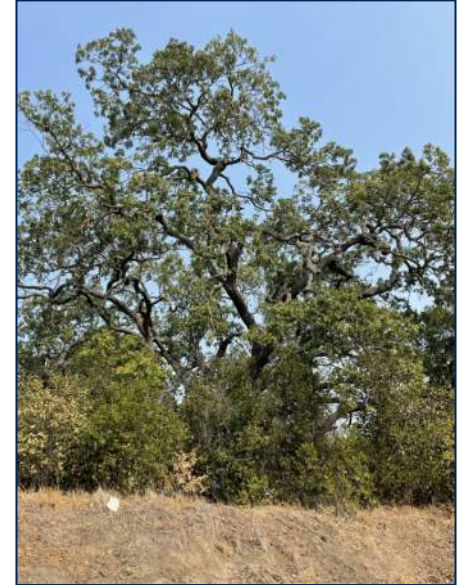
- Note on excavation plans of the potential for exposing buried cultural resources (incl. Native American burials)
- Implement a Worker Awareness Training (WAT) program for cultural resources prior to the start of ground disturbing activities
- Retain professional archaeologist on an on-call basis during construction
- Protocols for discovery of unrecorded human remains

Tribal Cultural Resources

- Native American monitoring required in the event that Native American archaeological resources are discovered, or suspected to have been discovered before further ground disturbance is allowed

Next Steps

- Final IS/MND, Responses to Comments & Mitigation Monitoring and Reporting Program prepared for PC and CC hearings
- PC hearing for recommendation of adoption of MND to CC
- CC adoption of the MND and approval of the project



Tonight's Action

Subject: Capital Improvement Programs' Lawrence-Mitty Park and Trail project Final Conceptual Design and Initial Study/Mitigated Negative Declaration.

Recommended Action:

That the Planning Commission:

1. Adopt a Resolution (Attachment 1) finding that the Lawrence-Mitty Park and Trail project Final Conceptual Design is consistent with the City's General Plan; and
2. Adopt a Resolution (Attachment 2) recommending that the City Council adopt the Initial Study/Mitigated Negative Declaration for the Lawrence-Mitty Park and Trail project.

Thank You!



CUPERTINO

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Presentations

Item 3

Consider Municipal Code
Amendments to Chapter 19.48
(Fences), Chapter 19.08
(Definitions).

MCA-2024-001 – Fence Ordinance

Planning Commission

May 28, 2024



**CITY OF
CUPERTINO**

Chapter 19.48 Background

- Fence ordinance last modified in 2011
- Potential to streamline City review
- Updates for consistency with State law and internal practices/policies
- Minor corrections or edits included

Fence Locations and Height

In R1, RHS, R2, and R3 (up to Four Units)

- Height increased from 6 feet to 7 feet (CBC)
- In RHS, reduced area of non-open fencing (GP consistency)
- Minor ornamental entry features allowed

Design Standards

- Fencing materials identified
 - Allowed e.g. engineered plastic, brick and stone, wood, and wrought iron
 - Prohibited e.g. barbed wire and chicken wire, cloth, and plywood
- Design Review applicability clarified
- Maintenance requirements (i.e. maintain in good condition)

Roadway and Driveway Gates

- Current standards require a Fence Exception for all driveway gates
- Proposed standards allow driveway gates in most zones through Building Permit
- Standards added for location and design of gates:
 - Allow gates on residential properties setback 20' or behind building wall line
 - Allow gates in other development when separating private uses and setback

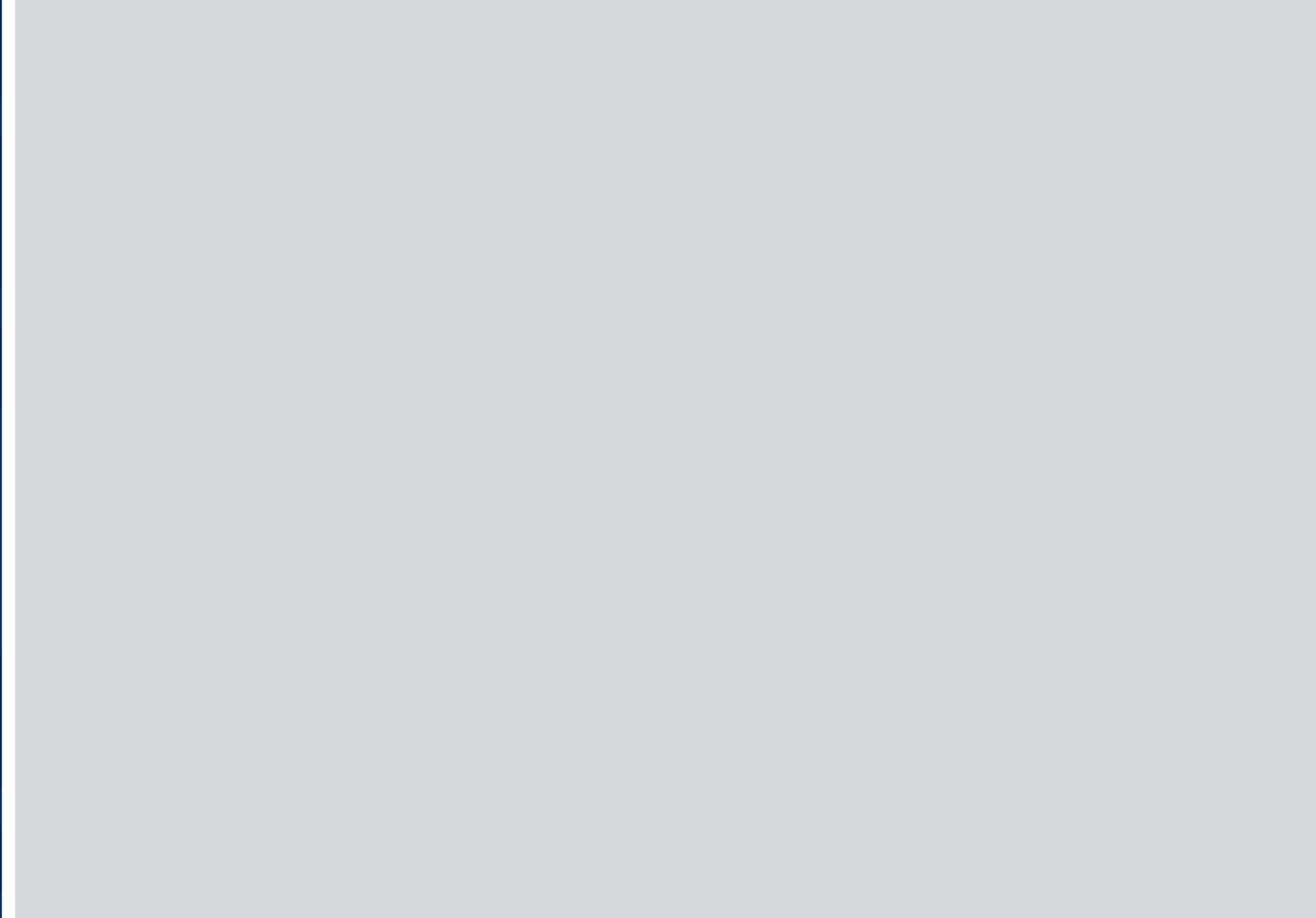
Definitions

- Modified
 - “Accessory Structure,”
 - “Fence,”
 - “Fence Height,”
 - “Residential District,” and
 - “Sidewalk Site Triangle”
- “Hedge” defined

Recommended Actions

Adopt the draft resolution (Attachment 1) recommending that the City Council adopt an ordinance to amend:

1. Chapter 19.48, Fences
2. Chapter 19.12, Administration
3. Chapter 19.08, Definitions



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Presentations

Item 4

Sign Exception Permit to consider a ground sign with LED lighting and three wall signs exceeding 200 square feet in an area where only one is allowed at an existing service station.

EXC-2023-010 – Sign Exception

Planning Commission

May 28, 2024



**CITY OF
CUPERTINO**

Project Site

Address

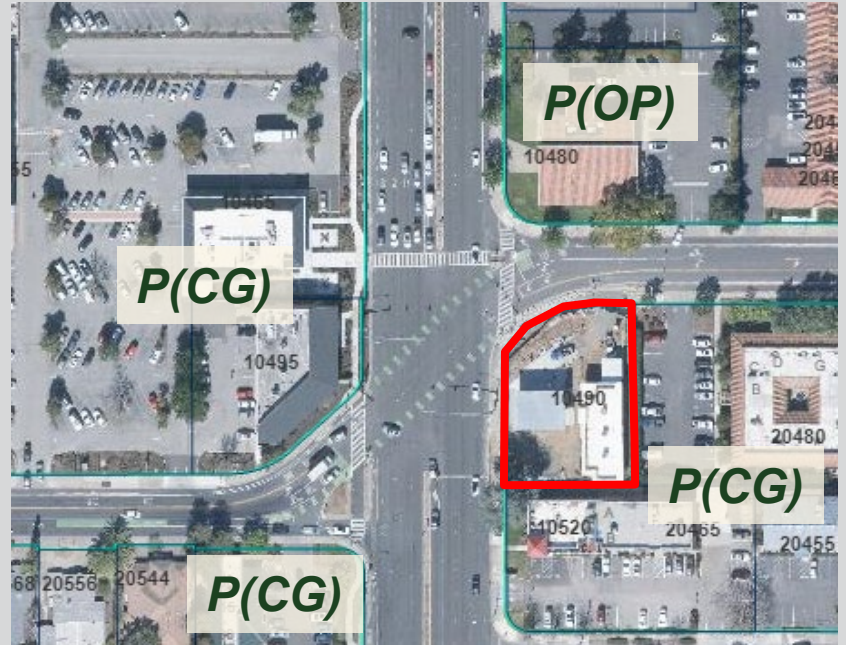
10490 S De Anza Blvd

Zoning District

P(CG)

Request

LED ground sign and
two additional wall
signs

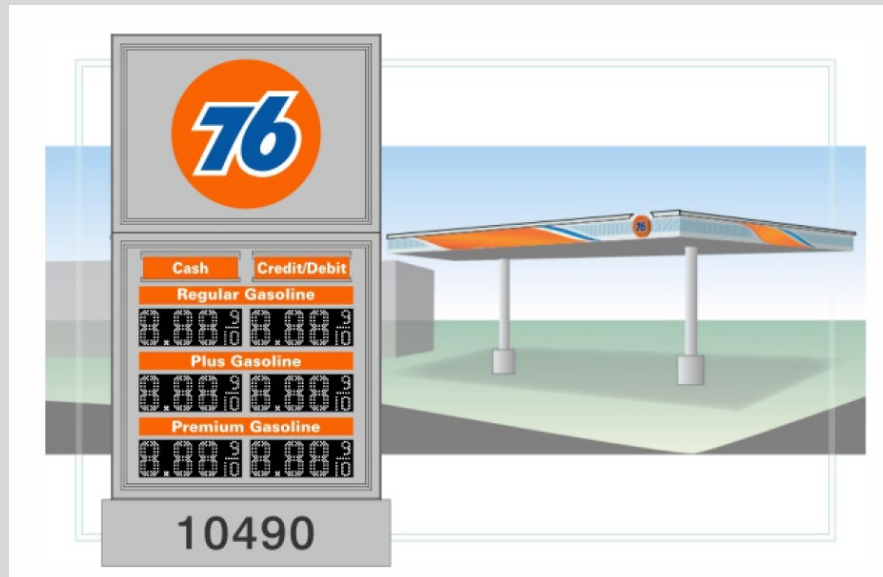


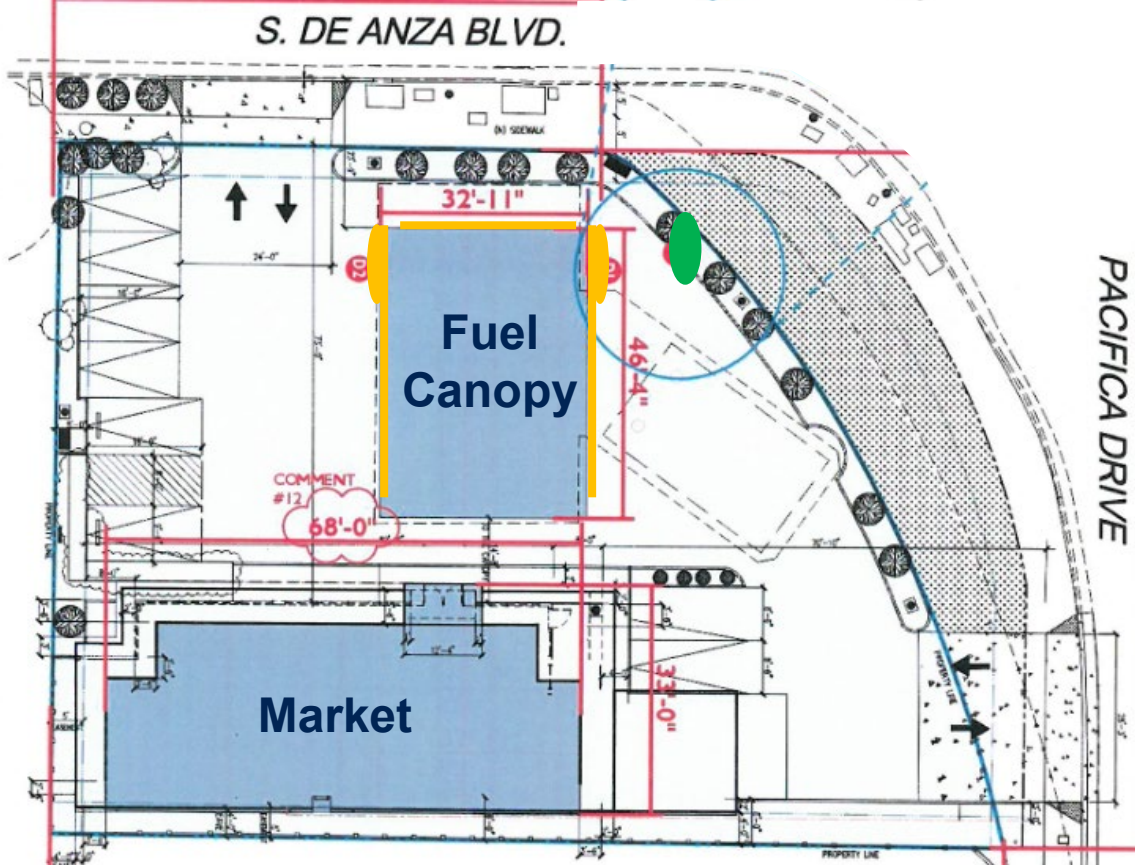
Background

- 76 gas station approved in 2018 (DP-2017-02)
- New service station and convenience market
- Approved hours of operation: 24 hours, 7 days/week
- Currently under construction

Proposed Signage

- Three canopy signs (two with illuminated logos)
- One ground sign with LED price numerals



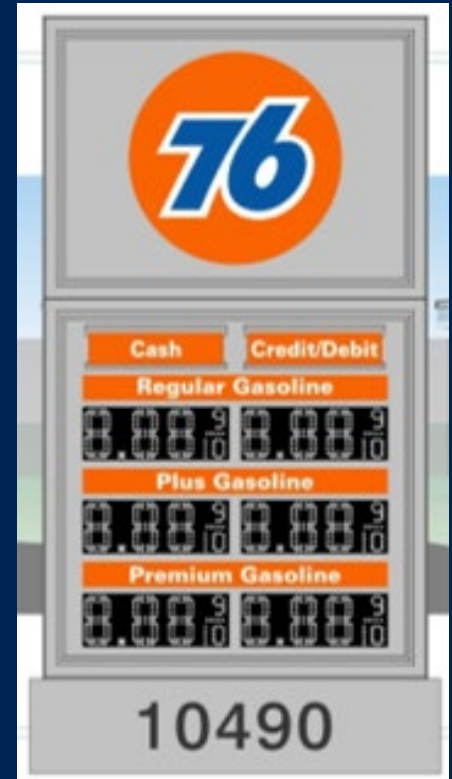


Municipal Code Standards – Wall Signs

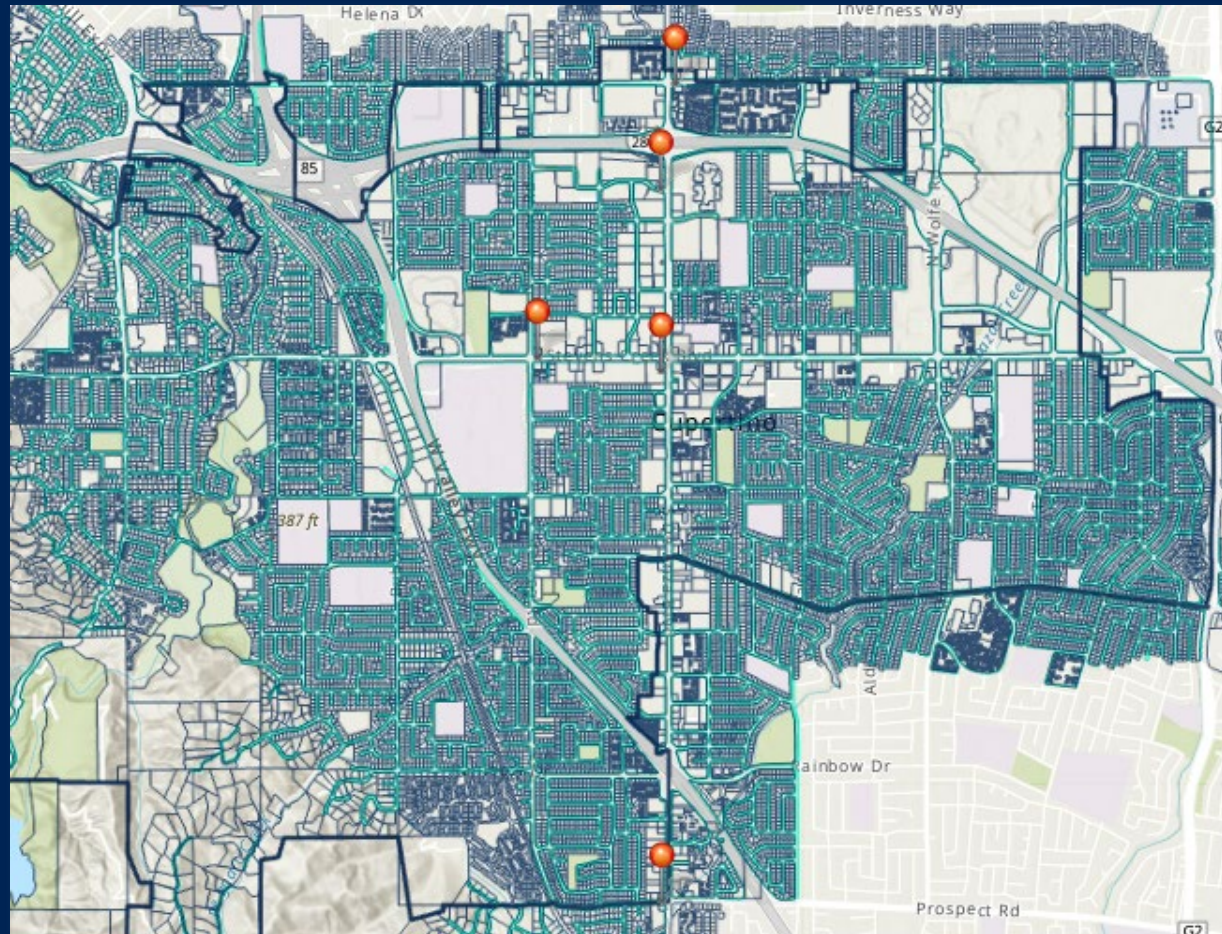
- One wall sign allowed; maximum area is 200 s.f.
- Consistent with Municipal Code standards, there will be:
 1. No more than one sign per frontage
 2. Located below roof (i.e. on canopy)
 3. Located outside of public right of way
 4. Consistent with design criteria

Municipal Code Standards – Ground Sign

- Consistent with Municipal Code standards, there will be:
 1. One ground sign
 2. Less than 43 s.f. in size
 3. Less than 8 feet tall
 4. At least one foot from public right of way and outside of sight triangle
- Exception requested to allow a directly visible light source (LED price numerals)



Previous Gas Station Sign Exceptions



Recommended Actions

Adopt the proposed draft resolution with an amendment to Page 1, as follows:

WHEREAS, the applicant has met the burden of proof required to support said application ~~with the modification of the scope to only allow for an additional non-illuminated wall sign above the entrance along the east façade~~, as detailed in the Staff report; and

