

Planning Commission  
Meeting

May 28, 2024

Written Communications

**From:** [Sury](#)  
**To:** [City of Cupertino Planning Commission](#); [City Clerk](#)  
**Subject:** 5/28/24 meeting - for "oral communications" from cupertino resident.  
**Date:** Tuesday, May 28, 2024 7:18:30 AM

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Dear Planning Commission,

I would like to submit a few pictures to be used during my comments on a matter not on the agenda for the "oral communications" part of the meeting. This is regarding a courtesy notice dated 5/7/24 from Code Enforcement, Case File #: 24-000350. I'd appreciate if these can be projected on screen upon my request. Thanks.

Sincerely,  
Sury.

**Picture #1**



**Picture #2**



**Picture #3**



**From:** [Peggy Griffin](#)  
**To:** [City of Cupertino Planning Commission](#)  
**Cc:** [City Clerk](#)  
**Subject:** 2024-05-28 Planning Commission Meeting - ORAL COMMUNICATIONS  
**Date:** Tuesday, May 28, 2024 6:55:36 PM

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PLEASE INCLUDE THIS AS PART OF WRITTEN COMMUNICATION FOR THE ABOVE MEETING.

Dear Planning Commission,

I am sorry I had technical issues that interfered with my speaking tonight during Oral Communications. In spite of that, I'd like you to be made aware of the following information.

ORAL COMMUNICATIONS

Planning Commissions Written Communications are NOT being posted until AFTER the PC meetings now.

- In the past it was posted BEFORE the PC meetings.
- I don't know when it stopped being done.
- Gathering all the written communications BEFORE the meeting is a VERY convenient place for commissioners and council to see all the input received all in one place and quickly review it BEFORE their meetings!
- NOT publishing it is withholding this information from the public BEFORE the meeting takes place.
- Issues that appear in front of the Planning Commission impact our daily lives. Often, items in written communications point out cases that should be considered (pros and cons) for specific items being reviewed.

REQUEST: PLEASE restore the practice of posting PC written communications received BEFORE the meeting.

Thank you,  
Peggy Griffin

Planning Commission  
Meeting

May 28, 2024

Written Communications

Item #2

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



**From:** [Connie Cunningham](#)  
**To:** [City of Cupertino Planning Commission](#); [City of Cupertino Planning Dept.](#)  
**Subject:** 2024-5-28 PC Agenda Item 2, Lawrence Mitty Park  
**Date:** Tuesday, May 28, 2024 4:17:03 PM

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2024-5-28 PC Agenda Item 2, Lawrence Mitty Park

Dear Chair Fung, Vice Chair Lindskog, Commissioners and Staff:

I appreciate the Staff's attention to resident input in their preparation of this Final Conceptual Design for Lawrence-Mitty Park and Trail. It is exciting to see a new park being created.

I especially appreciate the Staff Report's attention to the riparian corridor (creek), the human history and the existing wildlife along this property. Although people may not always notice these silent voices from the past, or the small creatures living there, these things are an integral part of what makes Lawrence Mitty Park special.

- Saratoga Creek
- Buried cultural resources including prehistoric Native American burials.
- Dusky-Footed Woodrats
- Roosting Bats
- Nesting Birds

Page 7: I am pleased with the design direction in which the bike trail will be kept to the outside of the park and allow the quieter play features to be on the side closer to Saratoga Creek.

Page 14 & 15: This statement shows sensitivity to nature. "Though the creekside deck overlook will extend over the top of bank, the foundation and support beams for the deck will be placed entirely outside of the top of bank to minimize impacts to creek habitat. Lighting is not planned due to its detrimental effect on wildlife. The exception may be at a future restroom, which is close to the expressway."

Page 15: all temporarily impacted areas within riparian habitat will be restored to pre-project conditions or better.

I agree with the Recommended Actions.

Sincerely,

Connie Cunningham  
Chair, Housing Commission (self only)



Planning Commission  
Meeting

May 28, 2024

Written Communications

Item #3

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

**From:** [Rhoda Fry](#)  
**To:** [City of Cupertino Planning Commission](#); [City Clerk](#)  
**Subject:** Cupertino City Council Agenda #3 Fence ordinance changes  
**Date:** Tuesday, May 28, 2024 10:17:11 AM

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Dear Planning Commission,  
Please explain why this fence ordinance is coming to the Planning Commission.  
I did not see this on the work program.  
There had been a desire to improve the sign ordinance – why were fences put ahead of signs?  
Because this item does not appear to be on the work plan, please postpone this item until we have an explanation.  
Regards,  
Rhoda Fry



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**From:** [Swim5am \(Connie Cunningham\)](#)  
**To:** [City of Cupertino Planning Commission](#); [City of Cupertino Planning Dept.](#)  
**Subject:** 2024-5-28 PC Agenda Item 3: CMC Amendments to Fences 19.48  
**Date:** Tuesday, May 28, 2024 2:20:31 PM

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Dear Chair Fung, Vice Chair Lindskog, Commissioners and Staff:

2024-5-28 PC Agenda Item 3: Public Hearing: CMC Amendments to Fences 19.48 (citywide)

I appreciate the wording of the revision for Hillside Fences, and, also, the inclusion of footnote one. However I strongly urge that you make a critical change to add the words about wild animals **“living in”** as well as migrating through the hillside zoning areas. The hillsides are the homes for many animals. Open spaces are dwindling as we human beings move farther into the remaining open spaces. The wild animals cannot protect themselves. People, like you and like me, must protect them.

Page 2: *Hillside Fences*: "This change is proposed to provide consistency with General Plan Policies LU-12.1.1

and ES-5.3.21 to ensure consistency with the intent of the Residential Hillside zoning to **preserve the natural setting** in the hillsides and overdevelopment in the Hillside Zoning areas."

**Page 2, Footnote one:**

1 Cupertino General Plan (Community Vision 2015-2024), [Chapter 3: Land Use and Community Design](#)

"Policy LU-12.1: Land Use Regulations Establish and maintain building and development standards for hillsides that ensure **hillside protection**."

[Chapter 6: Environmental Resources and Sustainability Element](#) "Policy ES-5.4: Hillside Wildlife

Migration. Confine fencing on hillside property to the area around a building, rather than around an entire site, **to allow for migration of wild animals.**"

I appreciate the work of the City Staff and the Planning Commissioners to protect the environmental goals stated in our General Plan Chapters 3 and 6, and in many other implementing documents, such as CAP 2.0.

However, I urge you to make a critical change to add the words about wild animals “living in” as well as migrating through the Hillside areas.

Sincerely,

Connie Cunningham  
Housing Commission (self only)

Planning Commission  
Meeting

May 28, 2024

Written Communications

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.

**From:** [Rhoda Fry](#)  
**To:** [City of Cupertino Planning Commission](#); [City Clerk](#)  
**Subject:** Planning Commission 5/28/2024 Agenda #4 sign exception - vote no - no exceptions  
**Date:** Tuesday, May 28, 2024 10:42:50 AM

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Dear Planning Commission,

Please vote for NO EXCEPTIONS.

I made this map this weekend and took photos of many gas stations (those will be emailed separately).

See attached map with photos of the new gas station.

There are about 11 gas stations in jurisdictional Cupertino.

There are about 8 more within the sphere of influence of Cupertino.

The gas station knew the rules when it went to replace the previous gas station at that location. The gas station listed in the report has having had an exception, 76 / 10275 N. De Anza Blvd., appears to no longer exist.

That leaves us with 4 gas stations that have received exceptions in the past, dating from 1998 through 2019.

The staff report justifies getting sign exceptions because a few other gas stations have gotten exceptions - - - that is not a good reason.

Applicant's request:

1. One of the requested signs is double-sided. I would count that as two signs. Please count these as two signs.
2. 3 canopy signs
3. 2 illuminated signs

Please say no to LED signs – this is a public safety issue:

The intersection is dangerous. We are spending a fortune in public funds to improve the intersection right now. LED lights are very distracting (so are signs, that's the purpose). But the bigger problem with LED signs is that they make it harder to see things in the dark. So a driver could have their eyes disrupted by an LED sign at night and not see the a pedestrian or a cyclist.

It is not save to put LED signs at this location.

Here's another example, did you know why airplanes turn their lights off during descent? It is so that passengers eyes can adjust to the darkness so they'll see the fluorescent tape on the floor in case there's a power loss and emergency upon landing.

The canopy is huge. People already know there's a gas station there. 3 canopy signs is too many.

Before we get too deeply into the signs, please also figure out what is going on with the sidewalk area. There are 2 areas on the sidewalk that look like they will be getting electrified

signs, but that does not seem to correlate with the poorly detailed description that has been provided.

Please – safety first. And second, let's not make Cupertino uglier than it already is.

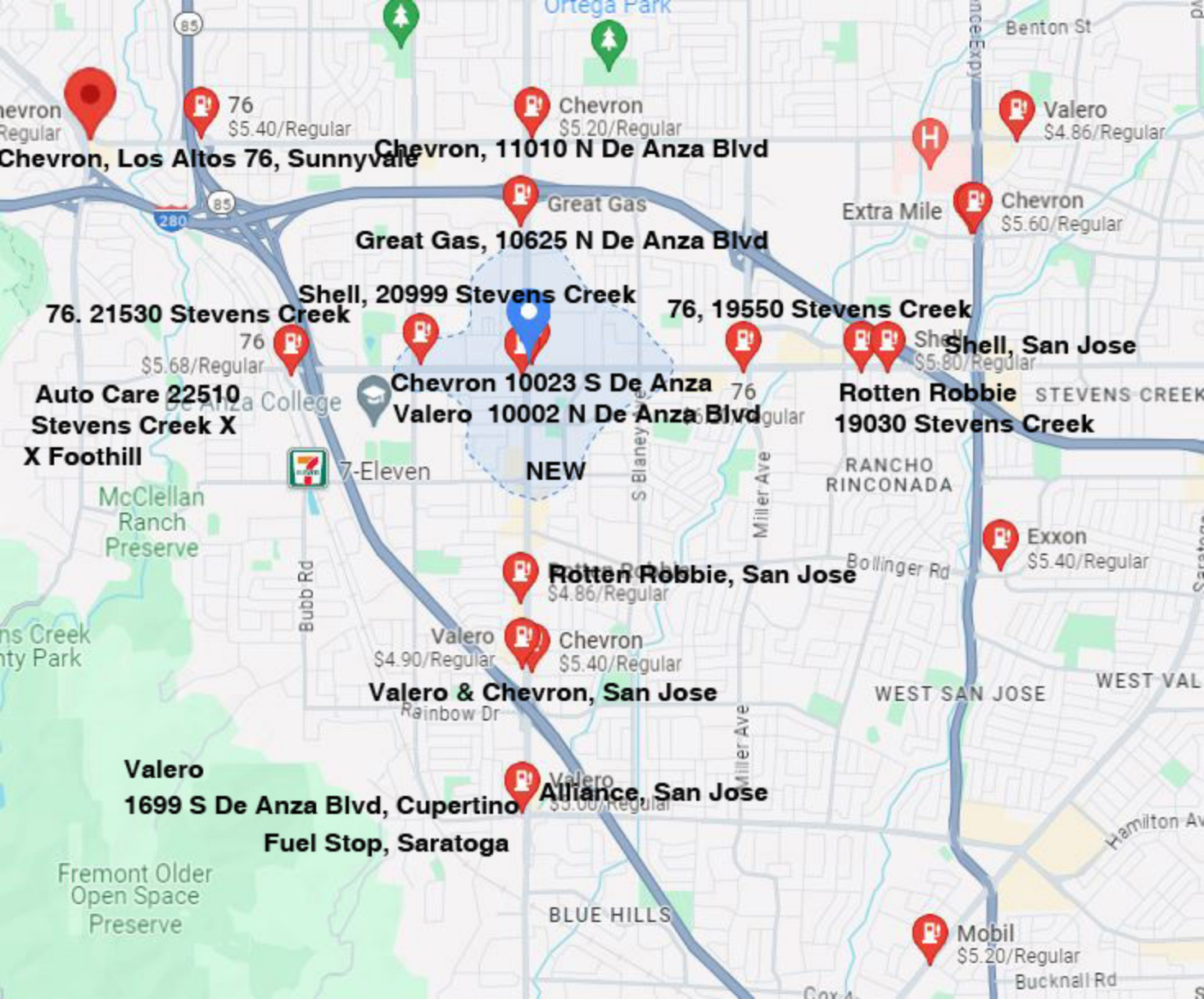
Please have the applicant return with a proposal that is compliant with the Cupertino sign ordinance.

Sincerely,  
Rhoda Fry



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**Chevron, Los Altos 76, Sunnyvale**

**Chevron, 11010 N De Anza Blvd**

**Valero \$4.86/Regular**

**Great Gas, 10625 N De Anza Blvd**

**Extra Mile Chevron \$5.60/Regular**

**76. 21530 Stevens Creek**

**Shell, 20999 Stevens Creek**

**76, 19550 Stevens Creek**

**Shell, San Jose \$5.80/Regular**

**Auto Care 22510 Stevens Creek X Foothill**

**Chevron 10023 S De Anza Valero 10002 N De Anza Blvd**

**Rotten Robbie 19030 Stevens Creek**

**7-Eleven**

**NEW**

**RANCHO RINCONADA**

**McClellan Ranch Preserve**

**Rotten Robbie, San Jose \$4.86/Regular**

**Valero \$4.90/Regular Chevron \$5.40/Regular**

**Valero & Chevron, San Jose**

**WEST SAN JOSE**

**WEST VAL**

**Valero 1699 S De Anza Blvd, Cupertino**

**Alliance, San Jose \$5.00/Regular**

**Fuel Stop, Saratoga**

**Fremont Older Open Space Preserve**

**BLUE HILLS**

**Mobil \$5.20/Regular Bucknell Rd**



















Dear Planning Commission,

Here are some photos of gas stations in and around Cupertino. I didn't take photos of all of them, considering that there are nearly 20 gas stations in jurisdictional Cupertino and within its sphere. Many do not have a huge canopy like the one at the new station. One has a large canopy, but it is nicely disguised.

Here is an interesting intersection at Prospect and De Anza. There are 3 gas stations at one intersection. One is in Cupertino, one is in Saratoga, and one is in San Jose. This is the gas station in San Jose:



Here is the one in Cupertino and you can see the one in Saratoga behind it:



And here is the one in Saratoga with pretty landscaping.



Here's one in Cupertino on Foothill X Stevens Creek





This one is on Stevens Creek X Bubb. The canopies are not excessively tall.



Here is another where the canopy was nicely disguised at De Anza X Stevens Creek – 2 views



Here's another image of the somewhat disguised canopy



Here is one on the opposite corner of Stevens Creek and De Anza – 2 views



Here's another view of Stevens Creek x De Anza



This is great gas on N De Anza near 280



I think that this is Rotton Robbie in San Jose on De Anza near Fallenleaf



This is probably Valero on De Anza in San Jose





This is probably Chevron on De Anza in San Jose

