

CITY OF CUPERTINO  
10300 Torre Avenue  
Cupertino, CA 95014

CITY OF CUPERTINO  
PLANNING COMMISSION MEETING  
AMENDED APPROVED MINUTES, July 30, 2019

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**PLEDGE OF ALLEGIANCE**

At 6:45 p.m Chairperson Wang called to order the special Planning Commission meeting in the Cupertino Community Hall Council Chambers, 10350 Torre Avenue, Cupertino, CA. and led the Pledge of Allegiance.

**ROLL CALL**

Present: Chairperson R Wang, Vice Chair Vikram Saxena, Commissioners Kitty Moore, David Fung, Alan Takahashi. Absent: None

**APPROVAL OF MINUTES**

1. **Subject:** Draft Minutes of July 9, 2019.

**Recommended Action:** Approve or modify the Draft Minutes of July 9, 2019

Moved by Moore and seconded by Fung to: "Approve the minutes". The motion carried 5-0-0.

**POSTPONEMENTS/REMOVAL FROM CALENDAR:** None

**ORAL COMMUNICATIONS:**

Ed Hirshfield - asked Commissioner Moore to recuse herself from Vallco discussions  
David Tuzman - objected to a public post by Commissioner Moore concerning the potential hazards to the City by an influx of male engineers from the proposed Vallco development  
Jennifer Griffin – spoke in support of women and diversity in the workplace

**WRITTEN COMMUNICATIONS:**

Emails were received regarding Item #3

**CONSENT CALENDAR:** None

**STUDY SESSION:**

2. **Subject:** Study Session regarding Application and Review Procedures for Projects Proposed pursuant to Senate Bill 35. Application No(s): CP-2019-04; Applicant(s): City of Cupertino; Location: citywide *continued from the July 23rd cancelled Planning Commission meeting*

**Recommended Action:** That the Planning Commission hold a study session to review the draft Application and Review Procedures for Projects Proposed pursuant to Senate Bill 35 and provide comments to Staff to consider and forward to the City Council.

(Commissioner Moore Recused herself)

The Deputy City Attorney, Joseph Petta, and Caitlin Brown from the City Attorney's Office reviewed the draft Application checklist and workflow processes for use when an SB35 Housing Project is submitted for approval. The Planning Commission asked questions of the City Attorney's Office and Staff.

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

Ed Hirshfield

Jennifer Griffin

Jim Moore

Lisa Warren

Chair Wang closed the public comment period.

The Planning Commissioners provided comments and recommendations to Staff for consideration by the City Council.

### **PUBLIC HEARINGS:**

**3. Subject:** Vallco Shopping District Special Area General Plan, Zoning Amendments and Second Addendum to the 2014 General Plan, Housing Element update and associated Re-Zoning. Application No(s): GPA-2019-01, GPA-2019-02, MCA-2019-01, Z-2019-01, EA-2013-03; Applicant(s): City of Cupertino; Location: citywide *continued from the July 23rd cancelled Planning Commission meeting*

**Recommended Action:** That the Planning Commission conduct a public hearing and recommend that the City Council adopt a resolution to approve; a Second Addendum to the 2014 General Plan Amendment, Housing Element Update, and Associated Rezoning Project Environmental Impact Report and amending the General Plan to remove office as a permitted use from the Vallco Shopping District Special Area and remove associated office allocations; an amendment to the General Plan and General Plan Land Use Map to establish height limits and enact development standards for residential uses within the Vallco Shopping District Special Area and identifying a recommended location for future residential development on 13.1 acres of the Special Area. Conduct a first reading of an Ordinance to; eliminate references in the Municipal Code to the Vallco Town Center Specific Plan and adding language establishing development standards for a new Mixed Use Planned Development with Multifamily (R3) Residential and General Commercial zoning designation (P(R3,CG)); and amend the zoning map to rezone 13.1 acres within the Vallco Shopping District Special Area to Mixed Use Planned Development with Multifamily (R3) Residential zoning P(R3,CG) and General Commercial uses and the remainder of the Special Area to General Commercial (CG).

(Commissioner Moore Recused herself)

The Deputy City Attorney, Joseph Petta, and Special Council to the City, Eric Phillips, reviewed the Staff Report and Draft Resolutions and Draft Ordinances for the Planning Commission. The Planning Commission asked and received answers regarding the proposed amendments. The Planning Commissioners discussed the impacts for future development at the site.

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

Geoff Paulsen

Reed Moulds

Kevin McClelland

Jennifer Griffin

Josh Selo

Jim Moore

Adam Buchbinder

Brent Bardsley

Cupertino resident

Ian Greensides

Rick Kitson

Jean Bedord

Shelley Newkirk

Lisa Warren

Kim James

Susan Moore

Chair Wang closed the public comment period.

~~The Planning Commissioners narrowed the focus of their discussion to the proposed height limits and economic feasibility of a project given these proposed development restrictions. A motion to approve General Plan Amendment GPA-2019-01 failed to carry; 2-0-2, Fung and Takahashi voted no, Moore recused. A motion to approve General Plan Amendment GPA-2019-02 failed to carry; 2-0-2, Fung and Takahashi voted no, Moore recused. A motion to recommend that Council consider the proposed General Plan Amendments, Municipal Code Amendment, and Master Zoning Map Amendment was discussed but not moved. Because the General Plan amendments were not recommended, the Municipal Code Amendment and Master Zoning Map Amendment to implement the General Plan amendments were not required.~~

AMENDED TO READ:

Commissioners discussed providing options for additional residential development within the Vallco Shopping District Special Area. The Commissioners could not come to an agreement that the proposed amendments were necessary at this time. A motion to approve General Plan Amendment GPA-2019-01 failed to carry; 2-2-0, Fung and Takahashi voted no, Moore recused. A motion to approve General Plan Amendment GPA-2019-02 failed to carry; 2-2-0, Fung and Takahashi voted no, Moore recused. Because the General Plan amendments were not recommended, the Municipal Code Amendment and Master Zoning Map Amendment to implement the General Plan amendments were not required.

~~Moved by Takahashi and seconded by Wang to adopt a Draft Resolution to: recommend that the City Council Adopt a resolution adopting a Second Addendum to the 2014 General Plan~~

~~Amendment, Housing Element Update, and Associated Rezoning Project Environmental Impact Report and taking such action as appropriate to establish height limits within the Vallco Shopping District Special Area.~~

AMENDED TO READ:

The Planning Commissioners discussed height limits across the site and economic feasibility of a project. Moved by Takahashi and seconded by Wang to adopt a Draft Resolution to: recommend that the City Council adopt a proposed General Plan Amendment solely to establish a height limit of 60 feet for residential use only, and 75 feet for residential use above commercial, within the Vallco Shopping District Special Area and take such other action as appropriate to establish these height limits within the Vallco Shopping District Special Area; subject to economic analysis of the feasibility of development consistent with those general plan amendments, and subject to additional public engagement; and recommend that the City Council adopt a Second Addendum to the Environmental Impact Report for the 2014 General Plan Amendment, Housing Element Update, and Associated Rezoning Project for the proposed modifications to the Project affecting the Vallco Shopping District Special Area.

The motion carried 4-0 (Moore recused).

**REPORT OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:** None

**REPORT OF THE PLANNING COMMISSION:**

Commissioners Fung and Moore mentioned the various public meetings and events they have attended. Chair Wang stated his desire to be able to work with Sand Hill Property Company for a new project at Vallco.

**ADJOURNMENT:**

The meeting was adjourned at 12:45am to the next regular Planning Commission meeting on August 13, 2019 at 6:45 p.m.

Respectfully Submitted:

                  /s/Beth Ebben                  

Beth Ebben, Deputy Board Clerk