



CITY OF CUPERTINO

AGENDA

PLANNING COMMISSION

10350 Torre Avenue, Council Chamber

Tuesday, September 26, 2017

6:45 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

POSTPONEMENTS

ORAL COMMUNICATIONS

This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on the agenda. Speakers are limited to three (3) minutes. In most cases, State law will prohibit the Commission from making any decisions with respect to a matter not on the agenda.

WRITTEN COMMUNICATIONS

CONSENT CALENDAR

Unless there are separate discussions and/or actions requested by council, staff or a member of the public, it is requested that items under the Consent Calendar be acted on simultaneously.

PUBLIC HEARINGS

1. Subject: Use Permit to change hours of operation from 7 a.m. - 11 p.m. to 5 a.m. - 9 p.m. for a proposed business (Starbucks). (Application No(s): U-2017-06; Applicant(s): Tamara Shroll (Salas O'Brien); Location: 21725 Stevens Creek Boulevard; APN(s): 326-20-059)

Recommended Action: Staff recommends that Planning Commission:

- 1) Find that the project is exempt from CEQA; and
- 2) Approve the Use Permit (U-2017-06) in accordance with the draft resolution (Attachment 1)

Planning Commission decision final unless appealed

[Staff Report](#)

[1 - Draft Resolution](#)

[2 - Application Request Letter](#)

2. Subject: Mitigated Negative Declaration, Hillside Exception, Two Story Permit, and Minor Residential Permit to allow construction of a new 8,962.7 square foot residence on slopes greater than 30%. (Application No(s): EXC-2016-07, R-2016-28, RM-2016-26 (EA-2016-01); Applicant: Glush Dada; Location: Lot 1 Lindy Lane, APN# 356-25-031)

Recommended Action: That the Planning Commission adopt the proposed draft resolutions to:

- 1) Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and
- 2) Allow a Hillside Exception for the construction of a new 8,962.7 square foot residence on slopes greater than 30%; and
- 3) Approve a Two Story Permit to allow the construction of a new 8,962.7 square foot residence; and
- 4) Approve a Minor Residential Permit to construct a home with a second story balcony and a Floor Area Ratio (FAR) greater than 35% on slopes over 20%.

Planning Commission decision final unless appealed

[Staff Report](#)

[1 - Draft Resolution for EA-2016-01](#)

[2 - Draft Resolution for EXC-2016-07](#)

[3 - Draft Resolution for R-2016-28](#)

[4 - Draft Resolution for RM-2016-26](#)

[5 - Plan Set](#)

[6 - ERC Recommendation, IS/MND & Technical Appendix](#)

[7 - Public Comments received as of September 21, 2017](#)

OLD BUSINESS

NEW BUSINESS

STAFF AND COMMISSION REPORTS

ADJOURNMENT

If you challenge the action of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City of Cupertino at, or prior to, the public hearing. In the event an action taken by the planning Commission is deemed objectionable, the matter may be officially appealed to the City Council in writing within fourteen (14) days of the date of the Commission's decision. Said appeal is filed with the City Clerk (Ordinance 632).

In compliance with the Americans with Disabilities Act (ADA), anyone who is planning to attend the next Planning Commission meeting who is visually or hearing impaired or has any disability that needs special assistance should call the City Clerk's Office at 408-777-3223, 48 hours in advance of the meeting to arrange for assistance. Upon request, in advance, by a person with a disability, Planning Commission meeting agendas and writings distributed for the meeting that are public records will be made available in the appropriate alternative format. Also upon request, in advance, an assistive listening device can be made available for use during the meeting.

Any writings or documents provided to a majority of the Planning Commission after publication of the packet will be made available for public inspection in the Community Development Department located at City Hall, 10300 Torre Avenue, during normal business hours and in Planning packet archives linked from the agenda/minutes page on the Cupertino web site.

Members of the public are entitled to address the Planning Commission concerning any item that is described in the notice or agenda for this meeting, before or during consideration of that item. If you wish to address the Planning Commission on any issue that is on this agenda, please complete a speaker request card located in front of the Commission, and deliver it to the City Staff prior to discussion of the item. When you are called, proceed to the podium and the Chair will recognize you. If you wish to address the Planning Commission on any other item not on the agenda, you may do so by during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less. Please note that Planning Commission policy is to allow an applicant and groups to speak for 10 minutes and individuals to speak for 3 minutes.

For questions on any items in the agenda, or for documents related to any of the items on the agenda, contact the Planning Department at (408) 777 3308 or planning@cupertino.org.

