



CITY OF CUPERTINO

AGENDA

PLANNING COMMISSION

10350 Torre Avenue, Council Chamber

Tuesday, July 26, 2016

6:45 PM

AMENDED

Amended on July 22, 2016 to revise Agenda item No. 2, to insert Attachment 11, a CEQA Memo for Development Agreement and replace Attachment 1, DP-2015-01, Draft Resolution

SALUTE TO THE FLAG

ROLL CALL

APPROVAL OF MINUTES

1. Subject: Draft Minutes of June 14, 2016
Recommended Action: Approve or modify Draft Minutes of June 14, 2016
[Draft Minutes, June 14, 2016](#)

WRITTEN COMMUNICATIONS

POSTPONEMENTS/REMOVAL FROM CALENDAR

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.

CONSENT CALENDAR

PUBLIC HEARING

2. Subject: Architectural and Site approval to allow the construction of a 122-room hotel, two mixed-use buildings with 188 apartment units, and approximately 22,600 square feet of commercial space and associated site and off-site improvements, Development Permit to allow the demolition of approximately

44,000 square feet of commercial space and construct a 122-room hotel, two mixed-use buildings with approximately 22,600 square feet of commercial space and 188 apartments with associated underground and surface parking. The project proposes 16 units as very low income, Below Market Rate units, making the project eligible for density bonus, Use Permit to allow 24-hour operations for a 122-room hotel including a restaurant with a separate bar, Development Agreement for a 122-room hotel, two mixed-use buildings with 188 apartments, and approximately 26,000 square feet of commercial space in a Planned General Commercial and Residential Zoning District, Heart of the City Exception for Building A to allow rear and side setbacks of 10 feet where 22.5 feet are required, and to allow a 16-foot setback for an architectural feature where 31 feet is allowed, Fence Exception to allow electronic vehicle gates, Tree Removal Permit to allow the removal and replacment of 90 trees. Application No(s): ASA-2015-22, DP-2015-05, U-2015-06, DA-2016-01, EXC-2016-03, EXC-2016-05, TR-2016-14 (EA-2015-05); Applicant(s): Amy Chan (De Anza Venture, LLC); Location: 10122 Bandley Drive and 10145 De Anza Boulevard (Marina Plaza) APN# 326-34-043, 326-34-066

Continued from the June 14, 2016 meeting

Recommended Action: Recommend that the City Council approve a Mitigated Negative Declaration

Recommend that the City Council approve the applications per the draft resolutions

Tentative City Council hearing date: September 6, 2016

Staff Report

[1 - DP-2015-05 Draft Resolution](#)

[2 - ASA-2015-22 Draft Resolution](#)

[3 - U-2015-06 Draft Resolution](#)

[4 - DA-2016-01 Draft Resolution](#)

[5 - EXC-2016-03 Draft Resolution](#)

[6 - EXC-2016-05 Draft Resolution](#)

[7 - TR-2016-14 Draft Resolution](#)

[8 - ERC Recommendation](#)

[9 - Initial Study/Mitigated Negative Declaration](#)

[10 - Response to Comments for IS/MND](#)

[11 - CEQA Memo to Development Agreement](#)

[12 - Planning Commission Staff Report from June 14, 2016](#)

[13 - Link to Plan Set](#)

OLD BUSINESS

NEW BUSINESS

REPORT OF THE PLANNING COMMISSION

Environmental Review Committee

Housing Commission

Mayor's Monthly Meeting with Commissioners

Economic Development Committee Meeting

REPORT OF THE DIRECTOR OF COMMUNITY DEVELOPMENT

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.