



# CITY OF CUPERTINO

## AGENDA

### PLANNING COMMISSION

10350 Torre Avenue, Council Chamber

Tuesday, February 14, 2017

6:45 PM

#### SALUTE TO THE FLAG

#### ROLL CALL

#### CEREMONIAL ITEMS

1. Subject: Elect a Chair, Vice Chair and Committee representatives  
Recommended Action: Recommend and elect a Planning Commission Chair, Planning Commission Vice Chair, make a recommendation to the City Council for a representative to the Environmental Review Committee, keep or select new representatives to the Housing Commission and Economic Development Committee  
[Staff Report](#)  
[1 - Committee appointments](#)  
[2 - Meeting Calendar](#)

#### APPROVAL OF MINUTES

2. Subject: Approval of the Draft Minutes of January 17, 2017  
Recommended Action: approve or modify the Draft Minutes of January 17, 2017  
[Draft Minutes of January 17, 2017](#)

#### CONSENT CALENDAR

#### 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.*

**PUBLIC HEARING**

3. Subject: Use Permit to consider allowing an existing business (Meet Fresh/Tea Chansii) to operate past 11pm in a mixed use development (Application No.: U-2016-04; Applicant: Ching-yi Fu (Easy Way Group); Owner: Main Street Cupertino Aggregator LLC; Location: 19449 Stevens Creek Blvd; APN: 316-20-112)

Recommended Action: That the Planning Commission approve the Use Permit (U-2016-04) in accordance with the draft resolution.

Planning Commission decision final unless appealed

[Staff Report](#)

[1 -Draft Resolution U-2016-04](#)

[2 - Floor Plan](#)

[3 - Business Description](#)

[4 - Public Comments](#)

4. Subject: Modification to a Use Permit (29-U-84) including consideration of removal of a deed restriction that limits the use of the property. (Application No. M-2017-01; Applicant: Keith Fichtner (Kingsmill Group); Owner: 19900 Stevens Creek Blvd. LLC; Location: 19900 Stevens Creek Boulevard; APN: 369-05-038)

Recommended Action: That the Planning Commission approve the Modification (M-2017-01) in accordance with the draft resolution

Planning Commission decision final unless appealed

[Staff Report](#)

[1 - Draft Resolution M-2017-01](#)

[2 - Use Permit Resolution 2600 for 29-U-84](#)

[3 - Deed Restriction No. 8605849](#)

[4 - Letter from Keith Fichtner](#)

[5 - Approved Plan Set from ASA-2016-13, TR-2016-35](#)

**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](mailto:planning@cupertino.org).*