



# CITY OF CUPERTINO

## AGENDA

### PLANNING COMMISSION

10350 Torre Avenue, Council Chamber

Tuesday, April 25, 2017

6:45 PM

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

#### APPROVAL OF MINUTES

1. Subject: Draft Minutes of March 14, 2017  
Recommended Action: approve or modify the Draft Minutes of March 14, 2017  
[Draft Minutes of March 14, 2017](#)

#### 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

2. Subject: Review of the five-year Capital Improvements Program (FY 2017-2018 to 2021-2022) for conformity to the City's General Plan; Application Name: Capital Improvements Program; Applicant(s): City of Cupertino; Location: citywide

Recommended Action: Recommend that the City Council concur that the program conforms to the City's General Plan per the draft resolution

[Staff Report](#)

[1 - Draft Resolution](#)

[2 - Municipal Code Section 2.32.070](#)

[3 - Proposed CIP Budget Report-FY2018](#)

[4 - Matrix of CIP Projects and General Plan Consistency Notes](#)

[5 - Excerpts of general plan policies and text](#)

3. Subject: Appeal of the Administrative Hearing Officer's decision to approve an Amendment to an existing Use Permit to allow a private school/daycare center to expand their hours of operation to 7:00 am to 6:30 pm and a Director's Minor Modification to allow modifications to the site including installation of an outdoor play structure. Application No.(s): U-2016-02, DIR-2016-34; Appellant(s): Srilakshmi Vemulakonda; Applicant: Diane Hsu; Location: 940 S. Stelling Rd; APN: 359-25-041

Recommended Action: Uphold the decision of the Administrative Hearing Officer and deny the appeal of the approval of the Use Permit Amendment (U-2016-02) and the Director's Minor Modification (DIR-2016-34) per the draft resolutions

Planning Commission decision final unless appealed

[Staff Report](#)

[1 - Draft Resolution to deny the appeal and uphold approval of U-2016-02](#)

[2 - Draft Resolution to deny the appeal and uphold approval of DIR-2016-](#)

[3 - Applicant Project Description](#)

[4 - Plan Set](#)

[5 - Administrative Hearing Staff Report dated February 23, 2017](#)

[6 - Appellant's Letter](#)

[7 - Noise Study](#)

[8 - Administrative Hearing Summary](#)

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