



# CITY OF CUPERTINO

## AGENDA

### PLANNING COMMISSION

10350 Torre Avenue, Council Chamber

Tuesday, February 12, 2019

6:45 PM

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

#### APPROVAL OF MINUTES

1. Subject: Draft Minutes of January 8, 2019  
Recommended Action: Approve or modify the Draft Minutes of January 8, 2019  
[Draft Minutes of January 8, 2019](#)

#### CEREMONIAL MATTERS AND PRESENTATIONS

2. Subject: Election of Chair, Vice Chair and Committee appointments  
Recommended Action: 1) Elect a Chair and Vice Chair of the Planning Commission, assign representatives to various Committees, make a recommendation to the City Council for the Planning Commission representative to the Environmental Review Committee;  
2) Review the upcoming meeting calendar  
[Staff Report](#)  
[Committee Appointments 2019 template](#)  
[Committee appointments 2018](#)  
[2019 meeting calendar](#)

#### POSTPONEMENTS

*Item #4 - Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for parkland dedication and fees (Chapter 13.08 - Park Land Dedication Fee, Chapter 14.05 - Park Maintenance Fee, and Chapter 18.24 - Dedications and Reservations), and size of Accessory Dwelling Units (Chapter 19.112 - Accessory Dwelling Units), for clarifications, and consistency, has been postponed to the February 26, 2019 meeting.*

#### 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**

3. Subject: Appeal of the Administrative Hearing Officer's decision to approve a Front Yard Interpretation to consider designating the street side property line (Bette Avenue) as the front lot line to allow for a 198 square foot addition to the first floor and a Two Story Permit to consider allowing a 980 square foot second floor to an existing single-story residence. Application No(s):R-2018-20, INT-2018-01; Appellant(s): Elisa Herberg; Applicant(s): Clayton Johnson (Lau residence); Location: 10550 Bette Avenue APN# 369-26-016  
Recommended Action: Uphold the decision of the Administrative Hearing Officer and deny the appeal per the Draft Resolutions

Planning Commission decision final unless appealed

[Staff Report](#)

[1 - Draft Resolution for R-2018-20](#)

[2 - Draft Resolution for INT-2018-01](#)

[3 - Admin Hearing Res No. R-2018-20](#)

[4 - Admin Hearing Res No. INT-2018-01](#)

[5 - Approved Plan Set](#)

[6 - Appellant Elisa Herberg's Letter and Images](#)

[7 - Revised Plan Set](#)

4. Subject: Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for parkland dedication and fees (Chapter 13.08 - Park Land Dedication Fee, Chapter 14.05 - Park Maintenance Fee, and Chapter 18.24 - Dedications and Reservations), and size of Accessory Dwelling Units (Chapter 19.112 -Accessory Dwelling Units), for clarifications, and consistency. Application No(s): MCA-2018-04; Applicant(s): City of Cupertino; Location: citywide  
Recommended Action: Postponed to the February 26, 2019 meeting

**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.*

*IMPORTANT NOTICE: Please be advised that pursuant to Cupertino Municipal Code 2.08.100 written communications sent to the Cupertino City Council, Commissioners or City staff concerning a matter on the agenda are included as supplemental material to the agenda item. These written communications are accessible to the public through the City's website and kept in packet archives. You are hereby admonished not to include any personal or private information in written communications to the City that you do not wish to make public; doing so shall constitute a waiver of any privacy rights you may have on the information provided to the City.*

*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.*

*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).*