



CITY OF CUPERTINO

AGENDA

PLANNING COMMISSION

10350 Torre Avenue, Council Chamber

Tuesday, June 11, 2019

6:45 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

1. Subject: Draft Minutes of May 28, 2019

Recommended Action: approve or modify the Draft Minutes of May 28, 2019

[Draft Minutes of May 28, 2019](#)

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.

STUDY SESSION

2. Subject: presentation on the Below Market Rate Housing Program

Recommended Action: Receive presentation and provide any input or recommendations to Staff

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.

WRITTEN COMMUNICATIONS

PUBLIC HEARINGS

3. Subject: Consider approving a new 185 room 5-story hotel (24-hour operations) with underground parking, event meeting rooms, a restaurant with a separate bar

and rooftop lounge with a separate bar at the Cupertino Village Shopping Center by demolishing two commercial buildings with an area of 13,429 sq. ft. and the removal of 41 trees. City Actions would include a General Plan Amendment to consider increasing the development allocation of hotel rooms to 185 hotel rooms in the North Vallco Special Area; Other permits include: Development, Architectural and Site Approval, Tree Removal, and Use Permits. A Development Agreement is also proposed; (Application No(s): GPA-2017-05, DP-2018-04, ASA-2017-09, DA-2017-01, TR-2017-46, U-2018-03,EA-2017-06; Applicant(s): Kimco Realty (Michael Strahs); Location: 10801 and 10805 North Wolfe Road; APN #316-45-017, 316-05-056

Recommended Action: Conduct the public hearing and;

1. Recommend that the City Council approve a Mitigated Negative Declaration; and
2. Recommend that the City Council approve the applications per the draft resolutions

Postponed from the March 26, 2019 meeting

Tentative City Council hearing date: July 16, 2019

[Staff Report](#)

[1 – Draft Resolution for EA-2017-06](#)

[2 – Draft Resolution for GPA-2017-05](#)

[3 – Draft Resolution for DP-2018-04](#)

[4 – Draft Resolution for ASA-2017-09](#)

[5 – Draft Resolution for TR-2017-46](#)

[6 – Draft Resolution for U-2018-03](#)

[8 - Fiscal Analysis of the Cupertino Village Boutique Hotel GPA Applica](#)

[7 - Draft Resolution for DA-2017-01](#)

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

[10 – Environmental Review Committee Recommendation](#)

[11 – Response to Comments Memo for IS-MND](#)

[12 - Project Plans](#)

4.

Subject: Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for 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: That the Planning Commission recommend that the City Council adopt the draft resolution to:

- 1) Find that the proposed actions are exempt from CEQA; and
- 2) Adopt “An ordinance of the City Council of the City of Cupertino amending Chapter 19.112, Accessory Dwelling Units.”

Postponed from the February 12, 2019 meeting

Tentative City Council hearing date: August 6, 2019

[Staff Report](#)

[1 - Draft Resolution of the Planning Commission recommending adoption](#)

[2 - Redline document indicating changes in Chapters 19.112](#)

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.