



# CITY OF CUPERTINO

## AGENDA

### PLANNING COMMISSION

10350 Torre Avenue, Council Chamber

Tuesday, August 13, 2019

6:45 PM

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

#### APPROVAL OF MINUTES

1. Subject: Draft Minutes of July 30, 2019  
Recommended Action: approve or modify the Draft Minutes of July 30, 2019  
[Draft Minutes of July 30, 2019](#)

#### ORAL COMMUNICATIONS

#### WRITTEN 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

*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.*

#### STUDY SESSION

2. Subject: Presentation from City staff and consultant on Green Stormwater Infrastructure (GSI) and the City's Municipal Regional Permit (MRP) requirement to adopt a long term GSI Plan. Continued from the July 23rd cancelled Planning Commission meeting  
Recommended Action: receive presentation and provide any input to Staff  
[Staff Report](#)  
[1 - GSI Work Plan dated April 18, 2017.pdf](#)  
[2 - Presentation slides](#)  
[3 - Draft Green Stormwater Infrastructure Plan with Appendices.pdf](#)

3. **Subject:** Below Market Rate (BMR) Residential Housing Mitigation and Commercial Linkage Fees Update for the Cupertino BMR Housing Program. Application No(s): CP-2019-01; Applicant(s): City of Cupertino; location: citywide  
**Recommended Action:** receive the update and provide any input to Staff
- [Staff Report](#)  
[1 – July 2019 Economic Feasibility Analysis prepared by Strategic Economics](#)  
[2 – LeSar Development Consultants Peer Review](#)  
[3 – Track Changes Draft Economic Feasibility Analysis prepared by Strategic Economics](#)  
[4 – Strategic Economics Memorandum Regarding Peer Review](#)

## PUBLIC HEARINGS

4. **Subject:** Hillside Exception to allow for the construction of a new 4,076 square foot two-story single-family residence within the 15% site line of a prominent ridge line. Application No(s): EXC-2018-07; Applicant(s): Walter Chapman (Barniv residence); Location: 21650 Rainbow Court APN# 366-38-007  
**Recommended Action:** Conduct the public hearing and find:  
1) that the proposed actions are exempt from CEQA; and  
2) approve the application per the Draft Resolution

Planning Commission decision final unless appealed

[Staff Report](#)  
[1 - Draft Resolution for EXC-2018-07](#)  
[2- Plan Set](#)

## 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).*