

CITY OF CUPERTINO  
10300 Torre Avenue  
Cupertino, CA 95014

CITY OF CUPERTINO  
PLANNING COMMISSION MEETING  
APPROVED MINUTES, March 27, 2018

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**PLEDGE OF ALLEGIANCE**

At 6:45 p.m Chairperson Paulsen called to order the regular Planning Commission meeting in the Cupertino Community Hall Council Chambers, 10350 Torre Avenue, Cupertino, CA. and led the Pledge of Allegiance.

**ROLL CALL**

Present: Chairperson Geoff Paulsen, and Commissioners David Fung, Don Sun, and Jerry Liu. Absent: Vice Chairperson Takahashi

**APPROVAL OF MINUTES**

1. **Subject:** Draft Minutes of February 13, 2018.

**Recommended Action:** Approve or modify the Draft Minutes of February 13, 2018

Moved by Liu and seconded by Fung to postpone the approval of the minutes to incorporate revisions. The motion carried 4-0-1 (Takahashi absent).

**POSTPONEMENTS/REMOVAL FROM CALENDAR:** None

**ORAL COMMUNICATIONS:**

Kitty Moore spoke regarding the SB35 project submission, Vallco Town Center

Lisa Warren spoke regarding the SB35 project submission, Vallco Town Center

Jennifer Griffin spoke regarding the SB35 project submission, Vallco Town Center

**WRITTEN COMMUNICATIONS:** None

**CONSENT CALENDAR:** None

## **PUBLIC HEARINGS:**

2. **Subject:** Development Permit, Architectural and Site Approval, and Tree Removal applications and Environmental Impact Report for The Forum at Rancho San Antonio, a continuing care retirement community that currently exists on a 51.5-acre site. Application No(s): DP-2017-01, ASA-2017-03, TR-2018-06 (EA-2017-01); Applicant(s): Mary Elizabeth O'Connor (Rancho San Antonio Retirement Housing Corp); Location: 23500 Cristo Rey Dr APN# 342-54-999

**Recommended Action:** 1. Development Permit and environmental analysis (EIR) to allow additions and renovations in a Planned Development Zoning District; 2. Architectural and Site Permit for approval for renovations and additions to the existing facilities, as well as new buildings resulting in 25 new independent living villas, 10 new beds and 46,026 square feet of renovations and additions to the skilled nursing facility, 10,500 square feet of renovations to the assisted living facility, 26 new beds in a 39,000-square-foot new memory care building, and 27,000 square feet of renovations and additions to the commons facilities (dining, fitness and multi-purpose room) with associated site and landscaping improvements; 3. Tree Removal Permit allow the removal and replacement of 25 protected trees.

Senior Planner Catarina Kidd reviewed the Staff Report

The Applicant(s) addressed and answered questions from the Commissioners

Chair Paulsen opened the public comment period and the following individual(s) spoke:

Dick Jacquet

Virginia Willcox

Edith Tousey

Harvey Dixon

Marian Kelly

Lily Young

Dale Peterson

Nancy Vian

Bill Tamblyn

Jerry Fischbein

Chair Paulsen closed the public comment period

Moved by Chair Paulsen, second by Com. Liu, and carried 4-0-1 to recommend to the City Council the approval of the Environmental Impact Report and Application No.(s) DP-2017-01, ASA-217-03 and TR-2018-06 per the Draft Resolution(s).

**3. Subject:** Development Permit to allow the demolition of the existing 1,177 sq. ft. auto repair shop and the construction of a new 2,471 sq. ft. convenience store; an Architectural and Site approval for the construction of a new 2,471 sq. ft. convenience mart, on-site work including new canopy over gas pumps, relocation of all four dual-head pumps, paving for off-street parking and landscaping, and off-street improvements off S De Anza consistent with the South De Anza Conceptual Plan; a Use Permit to allow for the construction of a new 2, 471 sq. ft. convenience mart at an existing 76 gas station. Application No(s): DP-2017-02, ASA-2017-04, U-2017-03; Applicant(s): Amir Khojasteh (Liaoning Benefit Petroleum (US) Corp); Location: 10490 S De Anza Blvd APN# 369-39-041

**Recommended Action:** Recommended Action: 1. Find the project exempt from CEQA; 2. Approve the Development Permit; 3. Approve the Conditional Use Permit for: a. A 2,419 s. f. convenience market; b. Concurrent sale of alcoholic beverages and gasoline; c. 24-hour operations for the gasoline service station and convenience market; and 4. Approve the Architectural and Site Approval Permit.

Assistant Planner Ellen Yau reviewed the Staff Report

The Applicant(s) addressed and answered questions from the Commissioners

Chair Paulsen opened the public comment period and the following individual(s) spoke:

Julie Mercik

Jennifer Griffin

Chair Paulsen closed the public comment period

Moved by Com. Fung, second by Com. Sun, and carried 4-0-1 to approve Application Nos. DP-2017-02, ASA-2017-04, and U-2017-03 per the Draft Resolutions.

**4. Subject:** Conditional Use and Architectural and Site Approval Permits to consider a request to continue operating five tennis courts, associated fencing, and lighting installed and operated without prior permits at Valley Church. Application No(s): U-2017-01, ASA-2017-02; Applicant(s): John Schwarz (Valley Church of Santa Clara County); Location: 10885 N. Stelling Road APN# 326-07-031

**Recommended Action:** 1. Find the project exempt from CEQA; and 2. Approve the Use Permit and Architectural and Site Approval Permit

Assistant Planner Ellen Yau reviewed the Staff Report

The Applicant(s) addressed and answered questions from the Commissioners

Chair Paulsen opened the public comment period and the following individual(s) spoke:

There were no speakers for this item

Chair Paulsen closed the public comment period

Moved by Com. Liu, second by Com. Sun, and carried 4-0-1 to approve Application Nos. U-2017-01, ASA-2017-02 per the Draft Resolutions.

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**REPORT OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:** None

**REPORT OF THE PLANNING COMMISSION:** None

**ADJOURNMENT:**

The meeting was adjourned at 9:35pm to the next Planning Commission meeting on April 10, 2018 at 6:45 p.m.

Respectfully Submitted:

\_\_\_\_\_/s/Beth Ebben  
Beth Ebben, Deputy Board Clerk