

CC 06-17-2025

Item No. 10

Bianchi Way

Desk Item



## PUBLIC WORKS DEPARTMENT

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255  
TELEPHONE: (408) 777-3354 • FAX: (408) 777-3333  
CUPERTINO.ORG

### CITY COUNCIL STAFF REPORT DESK ITEM

Meeting: June 17, 2025

#### Agenda Item #10

##### Subject

Approval of a Final Map and the Subdivision Improvement Agreement for the 7-Unit Bianchi Way Development Project (Tract No. 10648; Applicant: Bianchi Way LLC; Location: 10070-10082 Bianchi Way; APN: 359-07-021)

##### Recommended Action

Adopt Resolution No. 25-XXX:

1. Approving the final map consisting of Tract No. 10648;
2. Accepting the street dedication and public easements as shown on the map; and
3. Authorizing the City Engineer to execute and record the Subdivision Improvement Agreement.

##### Background:

**Staff's responses to questions received from councilmembers are shown in italics.**

Q1: I noticed there is Art Work designated on Site Plan A1.0 for this project along the north fence. Did this go to the Arts and Culture Commission for review? This is a project where the in lieu of payment may have been preferred because the location will not be visible to the wider public, however, that increases the cost to the developer.

*Staff response: The proposed Public Artwork location was incorporated into the project plan set that was approved by the Planning Commission on December 12, 2023, and by City Council on January 17, 2024. When the applicant applies for an application for public artwork with the Community Development Department, staff will review the public art proposal with the property owner and present the application to the Arts and Culture Commission for review and approval. This requirement is noted in Condition of Approval #17 of Resolution No. 24-011 as copied below for reference:*

### **PUBLIC ART REQUIREMENT**

*Public art shall be provided for the project in accordance with General Plan Policy 2-66 and the City's Public Art Ordinance (Chapter 19.148 of the Cupertino Municipal Code). The minimum expenditure for the artwork, including, but not limited to design, fabrication, and installation is one (1) percent of the construction valuation for the first \$100 million on construction valuation, or 0.9% of construction valuation for valuation in excess of \$100 million. The project pro forma shall be provided to the City to confirm the project budget. The public art plans shall be reviewed and approved by the Arts and Culture Commission prior of final occupancy. Once approved by the Arts and Culture Commission, the public artwork shall be installed to the satisfaction of the City prior to certificates of occupancy being issued on more than 50% of the units in each of the two buildings – i.e., no more than 1 unit in Building B and no more than 2 units in Building A. In the event the developer or property owner determines that the placement of artwork on a particular property may not be feasible, the developer or property owner may apply to the City for an in-lieu payment alternative as indicated in Chapter 19.148 of the Cupertino Municipal Code, subject to review of the Arts and Culture Commission and the City Council. The in-lieu payment shall be 1.25% of the construction valuation.*

Q2: How is the valuation of the artwork confirmed by the city? I am estimating the cost to be \$100,000 - \$200,000, which would provide for a fine sculpture, what will it be?

*Staff response: The applicant is required to submit a project pro forma with the public artwork application to confirm the project's budget. The concept for the artwork is currently unknown but will be approved by the Arts and Culture Commission as stated in the condition of approval.*

Attachments Provided with Original Staff Report:

- A. Draft Resolution
- B. Final Map
- C. Subdivision Improvement Agreement

Attachments Provided with Desk Item:

None