

CITY OF CUPERTINO
10300 Torre Avenue
Cupertino, California 95014

RESOLUTION NO. XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
AMENDING THE GENERAL PLAN TO REMOVE OFFICE AS A PERMITTED
USE FROM THE VALLCO SHOPPING DISTRICT SPECIAL AREA AND
REMOVE ASSOCIATED OFFICE ALLOCATIONS

SECTION I: PROJECT DESCRIPTION

Application No: GPA-2019-01

Applicant: City of Cupertino

Location: 10101 to 10333 N Wolfe Rd

APN#s: 316-20-080, 316-20-081, 316-20-088, 316-20-092, 316-20-094, 316-20-095,
316-20-099, 316-20-100, 316-20-101, 316-20-103, 316-20-104, 316-20-105,
316-20-106, 316-20-107

SECTION II: RECITALS

WHEREAS, Strategy 1 in the Housing Element of the Cupertino General Plan identifies the Vallco Shopping District Special Area as being appropriate to accommodate at least 389 dwelling units to be developed pursuant to a specific plan for the Special Area; and

WHEREAS, the City Council desires to improve the jobs/housing balance within Cupertino by decreasing the amount of future office uses to be developed relative to housing, which will reduce traffic congestion, reduce vehicle miles traveled (VMT), and contribute to a reduction in greenhouse gas emissions from commuting patterns that follow unbalanced office development without adequate residential opportunities; and

WHEREAS, this General Plan Amendment to remove office uses as a permitted land use within the Vallco Shopping District Special Area and remove the associated office development allocation (the "General Plan Amendment") will allow for planning and development that is consistent with the community's vision for the Vallco Shopping District Special Area while the City continues its effort to develop a specific plan for the Special Area; and

WHEREAS, the City has prepared a Second Addendum ("Second Addendum") to the Final Environmental Impact Report ("Final EIR") for the General Plan Amendment, Housing Element Update, and Associated Rezoning Project (State Clearinghouse No. 2014032007) for modifications to the General Plan and zoning affecting the Vallco

Shopping District Special Area in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (“CEQA”) together with the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) (hereinafter, “CEQA Guidelines”); and

WHEREAS, following necessary public notices given as required by the procedural ordinances of the City of Cupertino and the Government Code, the Planning Commission held a public hearing on July 30, 2019 to consider the General Plan Amendment; and

WHEREAS, on July 30, 2019, by Resolution 6884, the Planning Commission recommended on a 4-0 vote (Commissioner Moore recused) that the City Council adopt a General Plan Amendment solely to impose height limitations within the Vallco Shopping District Special Area subject to certain conditions and recommended that the City Council adopt the Second Addendum for modifications to the Project (as defined in Resolution No. [XXXX]) affecting the Vallco Shopping District Special Area; and

WHEREAS, on August 20, 2019, upon due notice, the City Council held a public hearing to consider the General Plan Amendment; and

WHEREAS, the City Council of the City of Cupertino is the decision-making body for this Resolution; and

WHEREAS, prior to taking action on this Resolution, the City Council has exercised its independent judgment and reviewed and considered the information in the Second Addendum, which concludes that no further environmental review is required for the modifications to the Project defined in Resolution No. [###].

SECTION III: RESOLUTIONS

NOW, THEREFORE, BE IT RESOLVED:

After careful consideration of the, maps, facts, exhibits, testimony and other evidence submitted in this matter, the City Council hereby takes the following actions:

1. Adopts the amendments to the General Plan (Application No. GPA-2019-01) as shown in Exhibit GPA-01A and authorizes the staff to make grammatical, typographical, numbering, and formatting changes necessary to assist in production of the final published General Plan.
2. Adopts the amendments to the General Plan Land Use Map as shown in Exhibit GPA-01B.

NOW, THEREFORE, BE IT FURTHER RESOLVED:

The foregoing recitals are true and correct and are included herein by reference as findings.

NOW, THEREFORE, BE IT FURTHER RESOLVED:

The City Council directs the Director of Community Development to file a Notice of Determination with the Santa Clara County Recorder in accordance with CEQA and the CEQA Guidelines.

PASSED AND ADOPTED this 20th day of August 2019, at a Regular Meeting of the City Council of the City of Cupertino by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

Grace Schmidt
City Clerk

Steven Scharf
Mayor, City of Cupertino

Exhibit GPA-01A

Chapter 2, page PA-8

[Delete "Office" from legend of Vallco Shopping District Special Area Diagram.]

Chapter 3, Page LU-13

Table LU-1: Citywide Development Allocation Between 2014-2040

	Commercial (s.f.)			Office (s.f.)			Hotel (rooms)			Residential (units)		
	Current Built (Oct. 7, 2014)	Buildout	Available	Current Built (Oct. 7, 2014)	Buildout	Available	Current Built (Oct. 7, 2014)	Buildout	Available	Current Built (Oct. 7, 2014)	Buildout	Available
Vallco Shopping District**	1,207,774	1,207,774	-	-	2,000,000 =	2,000,000 =	148	339	191	-	389	389

[Make conforming edits to "Citywide" totals]

*** Buildout totals for Office and Residential allocation within the Vallco Shopping District are contingent upon a Specific Plan being adopted for this area by May 31, 2018. If a Specific Plan is not adopted by that date, City will consider the removal of the Office and Residential allocations for Vallco Shopping District. See the Housing Element (Chapter 4) for additional information and requirements within the Vallco Shopping District.*

Chapter 3, Pages LU-50 and LU-51

LU-19.1.2: Parcel Assembly.

Parcel assembly and a plan for complete redevelopment of the site is required prior to adding residential and office-uses. Parcelization is highly discouraged in order to preserve the site for redevelopment in the future.

LU-19.1.4: Land Use.

The following uses are allowed on the site (see Figure LU-2 for residential densities and criteria):

1. Retail: High-performing retail, restaurant and entertainment uses. Maintain a minimum of 600,000 square feet of retail that provide a good source of sales tax for the City. Entertainment uses may be included but shall consist of no more than 30 percent of retail uses.
2. Hotel: Encourage a business class hotel with conference center and active uses including main entrances, lobbies, retail and restaurants on the ground floor.
3. Residential: Allow residential on upper floors with retail and active uses on the ground floor. Encourage a mix of units for young professionals, couples and/or active seniors who like to live in an active "town center" environment.
4. Office: Encourage high-quality office space arranged in a pedestrian-oriented street grid with active uses on the ground floor, publicly accessible streets and plazas/green space.

Exhibit GPA-01B

City of Cupertino Land Use Map

[Designate Vallco Site as Commercial/Residential from Commercial / Office / Residential]