

RESOLUTION NO. 18-085

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO  
APPROVING A GENERAL PLAN AMENDMENT TO DEVELOPMENT  
ALLOCATIONS, THE GENERAL PLAN LAND USE MAP AND  
DEVELOPMENT STANDARDS RELATED TO THE VALLCO TOWN CENTER  
SPECIAL AREA

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SECTION I: PROJECT DESCRIPTION

Application No: GPA-2018-02

Applicant: City of Cupertino

Location: 10101 to 10333 N Wolfe Rd

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

SECTION II: RECITALS

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

WHEREAS, the Vallco Town Center Specific Plan has been developed pursuant to City Council direction to initiate a project to prepare a specific plan for the Vallco Town Center Special Area, including any required changes to the adopted goals and objectives for the Special Area, in order to implement the Housing Element of the Cupertino General Plan and to plan for anticipated future development activity; and

WHEREAS, pursuant to the City Council direction to conduct extensive public outreach the City conducted multiple forms of public outreach including two multi-day charrettes, online civic engagement, open houses and brown bag presentations, comment meetings etc.; and

WHEREAS, the General Plan Amendment to Development Allocations, the General Plan Land Use Map and development standards related to the Vallco Town Center Special Area (the "General Plan Amendment") is part of the Vallco Town Center Specific Plan, all as fully described and analyzed in the May 2018 Vallco Special Area Specific Plan Environmental Impact Report ("Draft EIR") (State Clearinghouse No. 2018022021), as amended by the July 2018 Vallco Special Area Specific Plan Environmental Impact Report Amendment ("EIR Amendment") and by text revisions in the August 2018 Vallco Special Area Specific Plan Final EIR document which contains Response to Comments to the Draft EIR and the EIR Amendment, and the August 30, 2018, September 11, 2018, and

September 13, 2018 Supplemental Text Revisions to the Vallco Special Area Specific Plan Final Environmental Impact Report; (together, the "Final EIR");

WHEREAS, the Final EIR was presented to the Environmental Review Committee ("ERC") for review and recommendation on August 31, 2018, and after considering the Final EIR, and Staff's presentation, the ERC recommended on a 5-0 vote that the City Council certify the EIR; 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 September 4, 2018 to consider the General Plan Amendment; and

WHEREAS, based on substantial evidence in the administrative record, on September 4, 2018 the Planning Commission recommended on a 5-0 vote that the City Council certify that the Final EIR has been completed in compliance with the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.*, and reflects the independent judgment and analysis of the City, adopt the Findings and Statement of Overriding Considerations, and implement all of the mitigation measures for the Project that are within the responsibility and jurisdiction of the City that are identified in Findings, in substantially similar form to the Resolution presented (Resolution No. 6860); and

WHEREAS, on September 4, 2018, the Planning Commission recommended on a 4-1 vote (Liu: no) that the City Council adopt the General Plan Amendment (GPA-2018-05), in substantially similar form to the Resolution presented (Resolution no. 6861) with additional recommendations to amend Strategy LU-19.1.2, correct Table LU-1, and consider a middle tier Development Allocation for the Vallco Town Center Special Area as more particularly described in Resolution no. 6861; and

WHEREAS, on September 19, 2018 (continued from September 18, 2018), upon due notice, the City Council has held at least one 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, after consideration of evidence contained in the entire administrative record, at the public hearing on September 19, 2018 (continued from September 18, 2018), the City Council adopted Resolution No. 18-084 certifying the Final EIR, adopting Findings and a Statement of Overriding Considerations, adopting Mitigation Measures, and adopting a Mitigation Monitoring and Reporting Program; and

WHEREAS, prior to taking action on this Resolution, the City Council has exercised its independent judgment in carefully considering the information in the Final EIR and finds that the scope of this Resolution falls within the certified Final EIR, in that the aspects of

the General Plan Amendment proposed in this Resolution that have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment have been examined in the Final EIR and therefore, no recirculation of the Final EIR is required.

### 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 adopts:

1. Amendments to the General Plan (Application No. GPA-2018-05) as shown in Exhibit GPA-1 and authorizes the staff to make grammatical, typographical, numbering, and formatting changes necessary to assist in production of the final published General Plan; and
2. Changes to the Land Use Map as shown in Exhibit GPA-2.

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 finds this Resolution is within the scope of the EIR and directs the Director of Community Development to file a Notice of Determination with the Santa Clara County Recorder in accordance with CEQA guidelines.

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PASSED AND ADOPTED this 19th day of September 2018 (continued from September 18, 2018), at a Special Meeting of the City Council of the City of Cupertino by the following roll call vote:

AYES: Sinks, Chang, Vaidhyanathan

NOES: Paul, Scharf

ABSTAIN: None

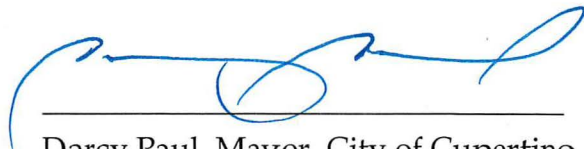
ABSENT: None

ATTEST:

APPROVED:

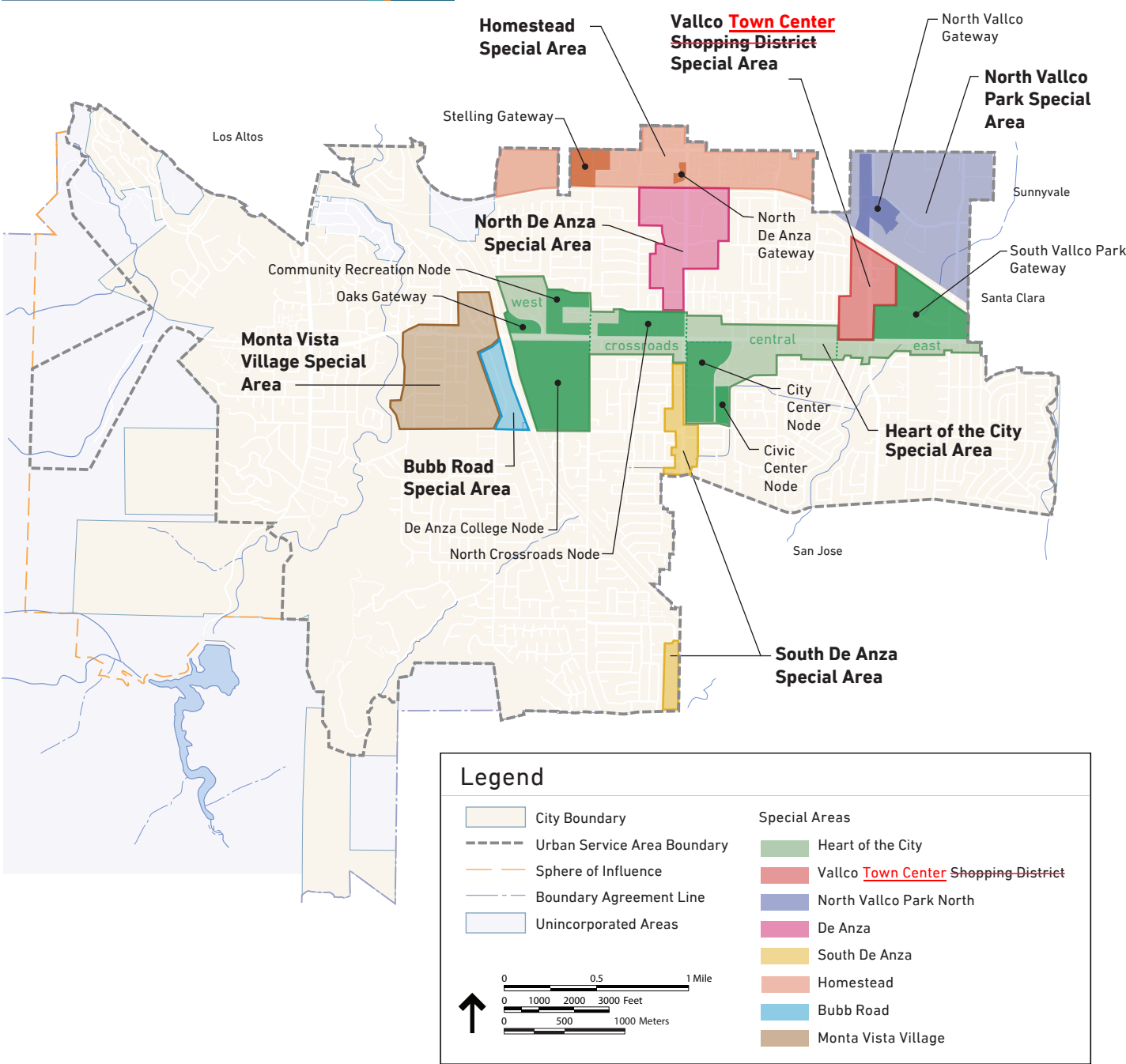


Grace Schmidt, City Clerk



Darcy Paul, Mayor, City of Cupertino

Figure PA-1  
SPECIAL AREAS





The City Center subarea is located south of the Central Stevens Creek Boulevard subarea, between De Anza and Torre Avenue/Regnart Creek. The primary use for this area is office/residential/hotel/public facilities/commercial retail/mixed-uses. This subarea is further defined into the City Center Node and Civic Center Node. The City Center Node includes Cali Plaza. The Civic Center Node includes City Hall, Cupertino Community Hall, Cupertino Public Library, as well as the Library Plaza and Library Field.

The East Stevens Creek Boulevard subarea is located at the east end of the Heart of the City Specific Plan area and extends from Portal Avenue to the eastern city limit. The area is largely defined by the South Vallco Park Gateway immediately east of the Vallco Town Center Shopping District Special Area, which includes Nineteen 800 (formerly known as Rosebowl), The Metropolitan and Main Street developments. This area is intended as a regional commercial district with retail/commercial/ office as the primary uses. Office above ground level retail is allowed as a secondary use, with residential/residential mixed-use as a supporting use per the Housing Element.

## VISION

The Heart of the City area will continue being a focus of commerce, community identity, social gathering and pride for Cupertino. The area is envisioned as a tree-lined boulevard that forms a major route for automobiles, but also supports walking, biking and transit. Each of its five subareas will contribute their distinctive and unique character, and will provide pedestrian and bicycle links to adjacent neighborhoods through side street access, bikeways and pathways. While portions of the area is designated as a Priority Development Area (PDA), which allows some higher intensity near gateways and nodes, development will continue to support the small town ambiance of the community. The Stevens Creek Boulevard corridor will continue to function as Cupertino's main mixed-use, commercial and retail corridor. Residential uses, as allowed per the Housing Element, should be developed in the "mixed-use village" format described later in the Land Use and Community Design Element.



## VALLCO TOWN CENTER SHOPPING DISTRICT

### CONTEXT

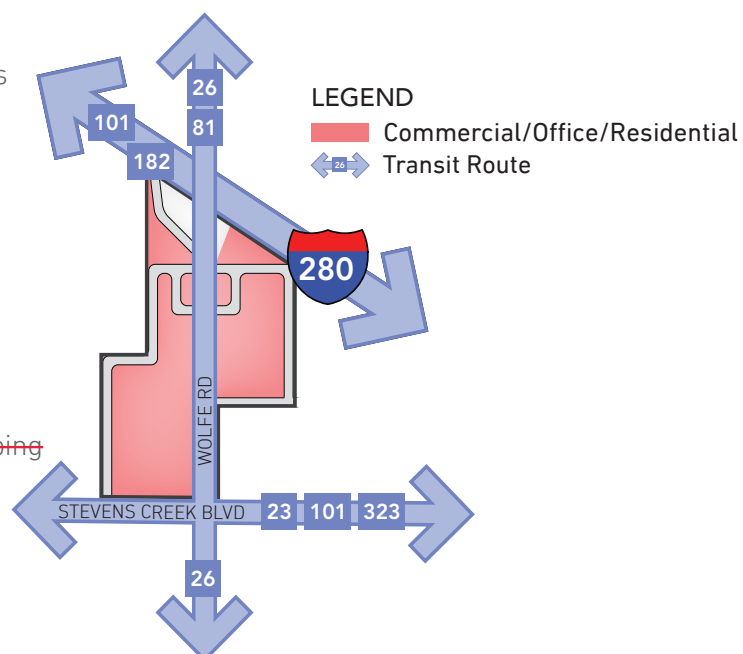
The Vallco ~~Town Center Shopping District~~ Special Area encompasses Cupertino's most significant commercial center, formerly known as the Vallco Fashion Park. This Special Area is located between Interstate 280 and Stevens Creek Boulevard in the eastern part of the city. The North Blaney neighborhood, an established single-family area, is adjacent on the west side of the Vallco ~~Town Center Shopping District~~. Wolfe Road bisects the area in a north-south direction, and divides Vallco Shopping District into distinct subareas: Vallco Shopping District Gateway West and Vallco Shopping District Gateway East. In recent years there has been some façade improvement to the Vallco Fashion Mall; however, there has been no major reinvestment in the mall for decades. Reinvestment is needed to upgrade or replace older buildings and make other improvements to that this commercial center is more competitive and better serves the community. Currently, the major tenants of the mall include a movie theater, and a bowling alley and three national retailers. The Vallco ~~Town Center Shopping District~~ is identified as a separate Special Area given its prominence as a regional commercial destination and its importance to future planning/redevelopment efforts expected over Vallco.

### VISION

The Vallco ~~Town Center Shopping District~~ will continue to function as a major regional and community destination. The City envisions this area as a new mixed-use "town center" and gateway for Cupertino. It will include an interconnected street grid network of bicycle and pedestrian-friendly streets, more pedestrian-oriented buildings with active uses lining Stevens Creek Boulevard and Wolfe Road, and publicly-accessible parks and plazas that support the pedestrian-oriented feel of the revitalized area. New development in the Vallco ~~Town Center Shopping District~~ should be required to provide buffers between adjacent single-family neighborhoods in the form of boundary walls, setbacks, landscaping or building transitions.



### VALLCO TOWN CENTER SHOPPING DISTRICT SPECIAL AREA DIAGRAM



## NORTH BLANEY

### CONTEXT

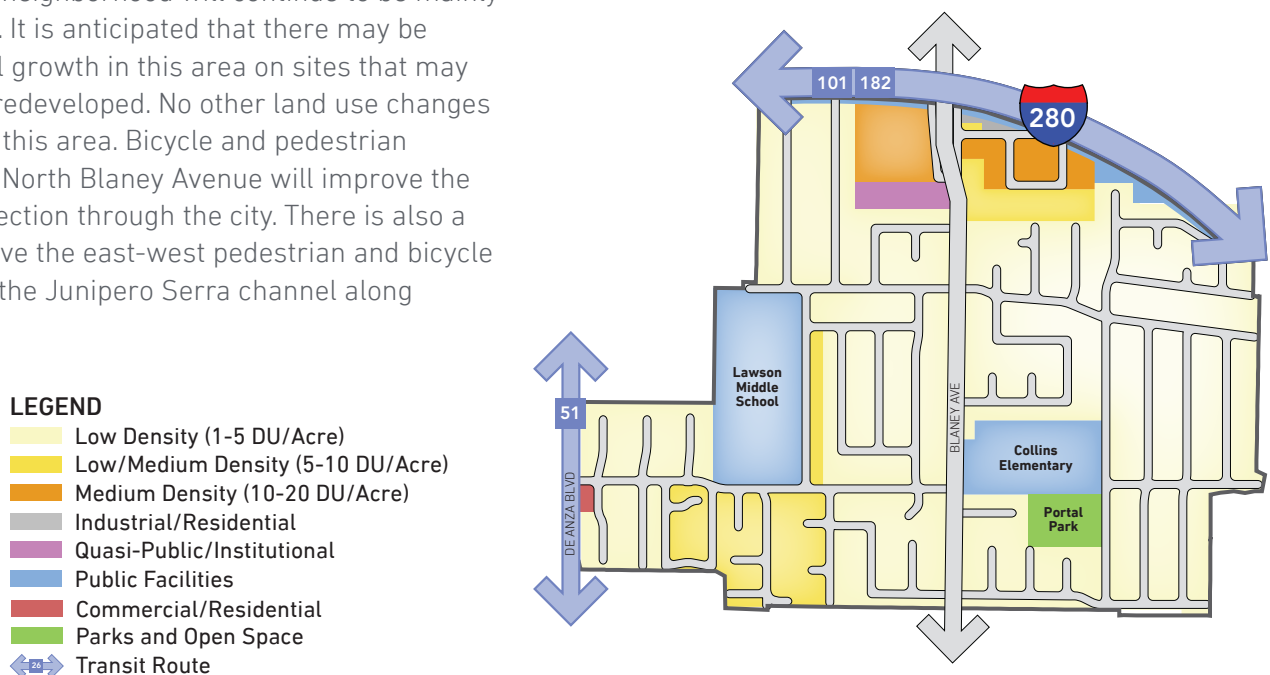
The North Blaney neighborhood is located in the eastern portion of Cupertino, north of Stevens Creek Boulevard and east of De Anza Boulevard. This area, predominantly defined by single-family residential homes, is on the valley floor with minimal grade changes. Bounded generally by De Anza Boulevard, Highway 280, Stevens Creek Boulevard, and Perimeter Road, this area is served by amenities including Portal Park, which includes a number of recreational amenities such as a tot lot and a recreation building. The Junipero Serra drainage channel runs along the northern edge of the neighborhood along Interstate 280. North Blaney is a major north-south corridor through the area. The Portal Plaza Shopping Center, located in the Heart of the City Special Area, includes grocery facilities and a variety of neighborhood serving uses. Proximity to the Vallco ~~Shopping Mall~~ Special Area in the Heart of the City Special Area provides opportunities for shopping for this neighborhood within close walking distance. Housing types located in this neighborhood include duplexes, townhomes and apartments closer to the freeway. The North Blaney Neighborhood includes Collins Elementary School and Lawson Middle School.



### VISION

The North Blaney neighborhood will continue to be mainly a residential area. It is anticipated that there may be limited residential growth in this area on sites that may be subdivided or redeveloped. No other land use changes are anticipated in this area. Bicycle and pedestrian enhancements to North Blaney Avenue will improve the north-south connection through the city. There is also a potential to improve the east-west pedestrian and bicycle connection along the Junipero Serra channel along Interstate 280.

### NORTH BLANEY NEIGHBORHOOD DIAGRAM



### **LU-1.2.3: Unused Development Allocation.**

Unused development allocations may be re-assigned to the citywide allocation table per Planning Area, when development agreements and development permits expire.

### **LU-1.2.4: Neighborhood Allocation.**

Allocate residential units in neighborhoods through the building permit process unless subdivision or development applications are required.

### **POLICY LU-1.3: LAND USE IN ALL CITYWIDE MIXED-USE DISTRICTS**

Encourage land uses that support the activity and character of mixed-use districts and economic goals.

#### **STRATEGIES:**

### **LU-1.3.1: Commercial and Residential Uses.**

Review the placement of commercial and residential uses based on the following criteria:

1. All mixed-use areas with commercial zoning will require retail as a substantial component. The North De Anza Special Area is an exception.
2. All mixed-use residential projects should be designed on the “mixed-use village” concept discussed earlier in this Element.

3. On sites with a mixed-use residential designation, residential is a permitted use only on Housing Element sites and in the Monta Vista Village Special Area.
4. Conditional use permits will be required on mixed-use Housing Element sites that propose units above the allocation in the Housing Element, and on non-Housing Element mixed-use sites, unless otherwise allowed in a Specific Plan.

### **LU-1.3.2: Public and Quasi-Public Uses.**

Review the placement of public and quasi-public activities in limited areas in mixed-use commercial and office zones when the following criteria are met:

1. The proposed use is generally in keeping with the goals for the Planning Area, has similar patterns of traffic, population or circulation of uses with the area and does not disrupt the operations of existing uses.
2. The building form is similar to buildings in the area (commercial or office forms). In commercial areas, the building should maintain a commercial interface by providing retail activity, storefront appearance or other design considerations in keeping with the goals of the Planning Area.

**POLICY LU-1.4: PARCEL ASSEMBLY**

Encourage parcel assembly and discourage parcelization to ensure that infill development meets City standards and provides adequate buffers to neighborhoods.

**POLICY LU-1.5: COMMUNITY HEALTH THROUGH LAND USE**

Promote community health through land use and design.

**POLICY LU-1.6: JOBS/HOUSING BALANCE**

Strive for a more balanced ratio of jobs and housing units.

**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
Heart of the City		1,351,730	214,5000	793,270	2,447,500	2,464,613	17,113	404	526	122	1,336	1,805	469
Vallco Town Center	* Tier 1	1,207,774	600,000			750,000	750,000	148	339	191		2,034	2,034
	Shopping District**	1,207,774	120,7774	-	-	2,000,000	2,000,000	148	339	191	-	389	389
	Tier 2	1,207,774	485,000			1,500,000**	1,500,000**	148	339	191		2,923	2,923
Homestead		291,408	291,408	-	69,550	69,550	-	126	126	-	600	750	150
N. De Anza		56,708	56,708	-	2,081,021	2,081,021	-	123 <del>126</del>	123 <del>126</del>	-	49	146	97
N. Vallco		133,147	133,147	-	3,069,676	3,069,676	-	315 <del>123</del>	315 <del>123</del>	-	554	1154	600
S. De Anza		352,283	352,283	-	130,708	130,708	-	315 <del>315</del>	315 <del>315</del>	-	6	6	-
Bubb		-	-	-	444,753	444,753	-	-	-	-	-	-	-
Monta Vista Village		94,051	99,698	5,647	443,140	456,735	13,595	-	-	-	828	878	50
Other		144,964	144,964	-	119,896	119,896	-	-	-	-	18,039	18,166	127
Major Employers		-	-	-	109,935	633,053	523,118	-	-	-	-	-	-
With Vallco Town Ctr Tier 1		3,632,065	3,823,208			10,220,005	1,303,826	1,116	1,429	313		24,939	3,527
Citywide		3,632,065	4,430,982	798,917	8,916,179	11,470,005	2,553,826	1,116	1,429	313	21,412	23,294	1,882
With Vallco Town Ctr Tier 2		3,632,065	3,708,208			10,970,005	2,053,826	1,116	1,429	313		25,828	4,416

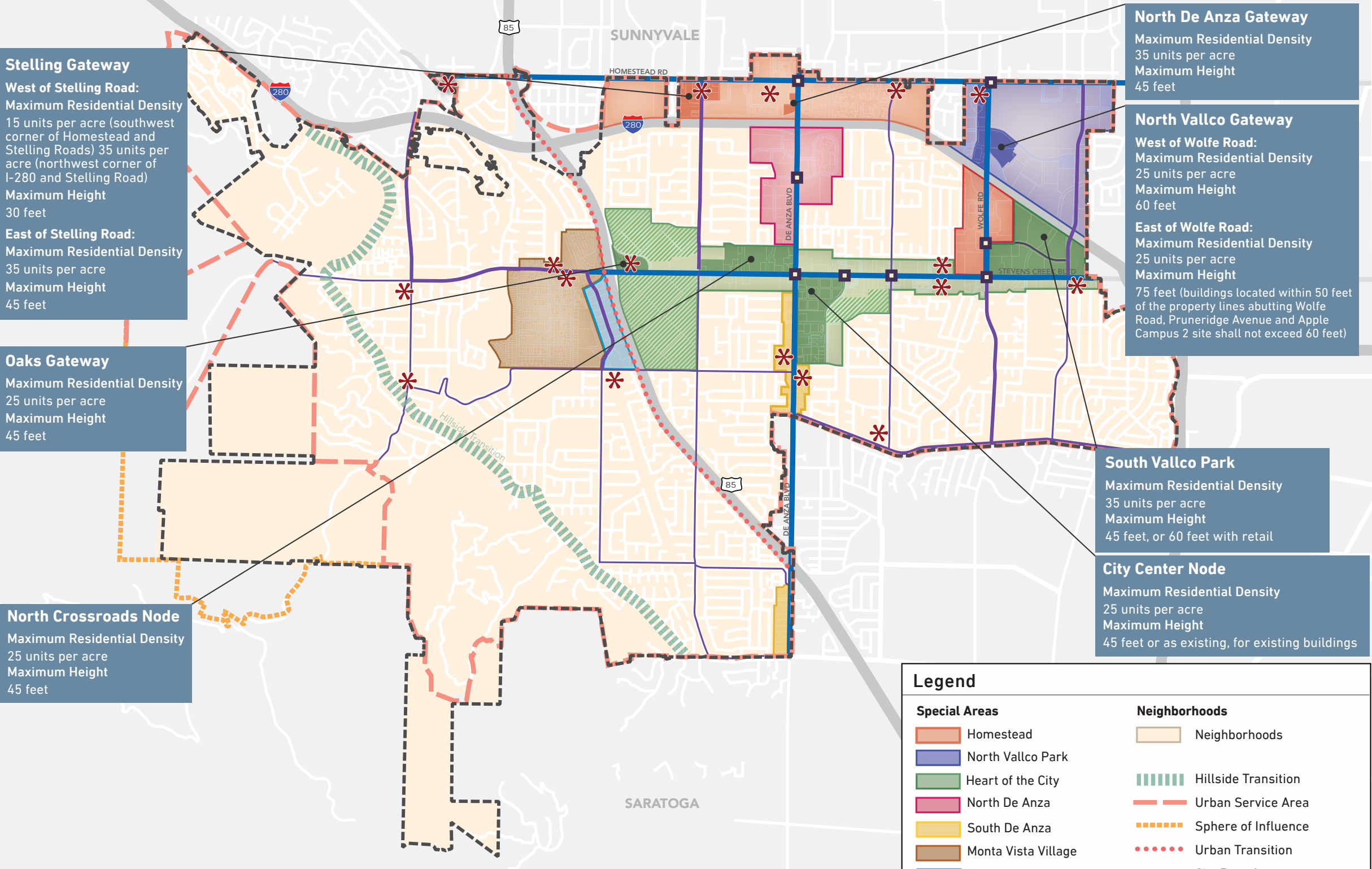
\*\* Buildout totals for Office and Residential allocation within the Vallco Shopping District are contingent upon a Specific Plan being adopted for this area by May 31, 2018. If a Specific Plan is not adopted by that date, City will consider the removal of the Office and Residential allocations for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

\* The Vallco Town Center Specific Plan authorizes a community benefits density bonus as an alternative to the State Density Bonus if proposed development meets specified criteria. The applicable Development Allocations, if the City approves a community benefits density bonus, are identified as Tier 2 in Table LU-1.

\*\* For a Tier 2 project in the Vallco Town Center Special Area, an additional 250,000 square feet of allocation is allowed for office amenity space, as defined in the Vallco Town Center Specific Plan, for a total allocation of 1,750,000 square feet.



Figure LU-2  
COMMUNITY FORM DIAGRAM



**Building Planes:**

- Maintain the primary building bulk below a 1:1 slope line drawn from the arterial/boulevard curb line or lines except for the Crossroads Area and the Vallco Town Center Special Area.
- For the Crossroads area, see the Crossroads Streetscape Plan.
- For the Vallco Town Center Special Area, see the Vallco Town Center Specific Plan
- For projects adjacent to residential areas: Heights and setbacks adjacent to residential areas will be determined during project review.
- For the North and South Vallco Park areas (~~except for the Vallco Shopping District Special Area~~): Maintain the primary building bulk below a 1.5:1 (i.e., 1.5 feet of setback for every 1 foot of building height) slope line drawn from the Stevens Creek Blvd. and Homestead Road curb lines and below 1:1 slope line drawn from Wolfe Road and Tantau Avenue curb line.

**Rooftop Mechanical Equipment:** Rooftop mechanical equipment and utility structures may exceed stipulated height limitations if they are enclosed, centrally located on the roof and not visible from adjacent streets.

**Priority Housing Sites:** Notwithstanding the heights and densities shown above, the maximum heights and densities for Priority Housing Sites identified in the adopted Housing Element shall be as reflected in the Housing Element.

**Homestead Special Area**

**Maximum Residential Density**  
Up to 35 units per acre per General Plan Land Use Map  
15 units per acre (southeast corner of Homestead Road and Blaney Avenue)

**Maximum Height**  
30 feet, or 45 feet (south side between De Anza and Stelling)

**North Vallco Park Special Area**

Maximum Residential Density	Maximum Height
25 units per acre	60 feet

**Heart of the City Special Area**

**Maximum Residential Density**  
25 or 35 (South Vallco) units per acre

**Maximum Height**  
45 feet, or 30 feet where designated by hatched line

**North De Anza Special Area**

Maximum Residential Density	Maximum Height
25 units per acre	45 feet

**South De Anza Special Area**

**Maximum Residential Density**  
25 (north of Bollinger) or 5-15 (south of 85) units per acre

**Maximum Height**  
30 feet

**Monta Vista Village Special Area**

**Maximum Residential Density**  
Up to 15 units per acre per General Plan Land Use Map

**Maximum Height**  
Up to 30 feet

**Bubb Road Special Area**

Maximum Residential Density	Maximum Height
20 units per acre	45 feet

**Vallco Town Center Shopping District Special Area**

West of Wolfe Rd	East of Wolfe Rd
<b>Maximum Residential Density</b> <u>Tier 1:</u> 35 units per acre <u>Tier 2:</u> 52.5 units per acre in areas where the Vallco Town Center Specific Plan authorizes a community benefits density bonus as an alternative to the State Density Bonus	<b>Maximum Residential Density</b> <del>35 units per acre</del> <b>Maximum Height</b> Per Specific Plan
<b>Maximum Height</b> Per Specific Plan	

**Neighborhoods**

**Maximum Residential Density**  
As indicated in the General Plan Land Use Map;  
15 units per acre for Neighborhood Commercial Sites

**Maximum Height**  
30 feet



## GOAL LU-19

Create a distinct and memorable mixed-use "town center" that is a regional destination and a focal point for the community

### VALLCO TOWN CENTER ~~SHOPPING DISTRICT~~ SPECIAL AREA

The City envisions a complete redevelopment of the existing Vallco Fashion Mall into a vibrant mixed-use "town center" that is a focal point for regional visitors and the community. This new Vallco Town Center ~~Shopping District~~ will become a destination for shopping, dining and entertainment in the Santa Clara Valley.

#### POLICY LU-19.1: SPECIFIC PLAN

Implement the Vallco Town Center Specific Plan and apply the adopted vision, policies or development standards in the review of any development on the site including the street layout, land uses, design standards and guidelines, and infrastructure improvements required. The Vallco Town Center Specific Plan ~~will be~~ is based on the following strategies:

#### STRATEGIES:

##### LU-19.1.1: Master Developer.

Redevelopment will require a master developer in order to remove the obstacles to the development of a cohesive district with the highest levels of urban design.

##### LU-19.1.2: Parcel Assembly.

Parcel assembly and a master site development plan for complete redevelopment of the site is required prior to issuance of other implementing permits ~~adding residential and office uses.~~ ~~Parcelization is highly discouraged in order to preserve the site for redevelopment in the future.~~ Accommodate parcelization needs of certain development types, such as senior housing or affordable housing, or if demonstrated to be necessary for financing reasons.

**LU-19.1.3: Complete Redevelopment.** The ~~"town center"~~ Any site development ~~plans~~ should be based on complete redevelopment of the site in order to ensure that the site can be planned to carry out the community vision in the specific plan.

##### LU-19.1.4: Land Use.

~~The following uses are allowed on the site (see Figure LU-2 for residential densities and criteria):~~ Uses allowed on the site shall be as shown in the Vallco Town Center Specific Plan and generally include residential, office, commercial (including retail, restaurant, entertainment, and cultural uses), and hotel uses.

Table LU-1 identifies the development potential on the site in two levels: Tier 1 and Tier 2. Tier 1 identifies the maximum development potential for the site under the base density as defined in Figure LU-2 and the Vallco Town Center Specific Plan. Tier 2 identifies the maximum development potential for the site for projects that have applied for and received a community benefits density bonus, as an alternative to the state Density Bonus law, which is further defined in the Vallco Town Center Specific Plan and which requires certain community benefits to be incorporated into the project.

1. ~~Retail Commercial: Include~~ 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 such as ~~including~~ main entrances, lobbies, ~~retail~~ and restaurants, at key locations, on the ground floor .
3. Residential: Allow residential ~~on upper floors~~ with retail and active uses on the ground floor per the Vallco Town Center Specific Plan. 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, such as lobbies, cafes, break rooms, active office amenities, on the ground floor in key locations ~~publicly accessible street and that front~~ plazas/green space.

**LU-9.1.5: "Town Center Layout"** Create streets and blocks laid out using "transect planning" (appropriate

street and building types for each area), which includes a discernible center and edges, public space ~~at center~~, high quality public realm, and land uses appropriate to the street and building typology.

#### **LU-19.1.6: Connectivity.**

Provide a newly configured complete street grid hierarchy of streets, boulevards and alleys that is pedestrian-oriented, connects to existing streets, and creates walkable urban blocks for buildings and open space. It should also incorporate transit facilities, provide connections to other transit nodes and coordinate with the potential expansion of Wolfe Road bridge over Interstate 280 to continue the walkable, bikeable boulevard concept along Wolfe Road. The project should also contribute towards a study and improvements to a potential Interstate 280 trail along the drainage channel south of the freeway and provide pedestrian and bicycle connections from the project sites to the trail.

#### **LU-19.1.7: Existing Streets.**

Improve Stevens Creek Boulevard and Wolfe Road to become more bike and pedestrian-friendly with bike lanes, wide sidewalks, street trees, improved pedestrian intersections to accommodate the connections to ~~Rosebow~~ Nineteen800, and Main Street and in the vicinity.



