

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CUPERTINO CITY COUNCIL  
AUTHORIZING A PROSPECTIVE DEVELOPMENT PROPOSAL  
DESCRIBED IN THE CANYON VIEW PROJECT GENERAL PLAN  
AMENDMENT AUTHORIZATION APPLICATION, NO: GPA AUTH-2019-  
01, TO PROCEED WITH A GENERAL PLAN AMENDMENT APPLICATION**

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PROJECT DESCRIPTION

Application No: GPAAuth-2019-01

Applicant: Lixin Chen

Location: A.P.N.s: 356-27-026, 35-05-007, 356-05-008

WHEREAS, on September 15, 2015, the City Council adopted procedures for considering General Plan amendments requested by private parties, including to review General Plan Authorization applications twice a year and decide which proposed projects are authorized to proceed with a General Plan Amendment application; and

WHEREAS, the City Council decision to authorize one or more applicants to proceed with a General Plan amendment application, does not in any way presume approval of any proposed amendment or project; and

WHEREAS, the City received one application by May 13, 2019, the deadline to be considered in the 2019 second cycle of the General Plan Amendment application review process: the Canyon View Project General Plan Amendment Authorization (GPAAuth-2019-01); and

WHEREAS, on November 5, 2019, the City Council held a public hearing to consider this General Plan Amendment authorization application; and

WHEREAS, the proposed Resolution is not a project within the meaning of section 15378 of the California Environmental Quality Act ("CEQA") Guidelines because it is simply authorizing submittal of an application and has no potential for resulting in physical change in the environment, either directly or ultimately. In the event that this Resolution is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because

it can be seen with certainty to have no possibility of a significant effect on the environment; and

WHEREAS, the City Council has adopted criteria for determining whether an application will be authorized for processing as follows:

- a. General Plan goals achieved by the proposed project, including, but not limited to, the following:
  - (i) Site and architectural design and neighborhood compatibility;
  - (ii) Brief description of net fiscal impacts (sales tax, transient occupancy tax or other revenue provided by the project), including the extent to which the project would diversify the City's economic base;
  - (iii) The provision of affordable housing; and
  - (iv) Environmental Sustainability.
- b. General Plan amendments (and any other zoning amendments or variances) requested.
- c. Proposed voluntary community amenities, defined as (i) school resources, (ii) public open space, such as parks and trails, (iii) public facilities and utilities, such as library, community center or utility systems and (iv) Transportation facilities with an emphasis on city-wide bicycle, pedestrian and transit improvements, such as community shuttles, pedestrian and bicycle bridges, and transit centers/stations
- d. Staff time and resources required to process the project; and

WHEREAS, the Application was preliminary evaluated using these criteria; and

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of this evaluation, and of maps, facts, exhibits, testimony, staff reports, public comments, and other evidence submitted in this matter, the City Council of the City of Cupertino has determined that the following proposal, as described in GPAAuth-2019-01, is authorized to proceed with a General Plan Amendment application:

Canyon View – A.P.N.s: 356-27-026, 356-05-007, 356-05-008 – General Plan Amendments to allow 29 residential units where four (4) units are currently allowed on 86-acre hillside property with an average slope of 48%. With the following Community Amenities:

- Build and/or provide easements for a trail linkage from Linda Vista Park to the public open space; and,
- Provide six (6) affordable townhomes over two (2) parcels. The townhomes are to range in size from 1,000 sq. ft. to 1,100 sq. ft.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Cupertino the 5th day of November 2019, by the following roll call vote:

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

SIGNED: _____ Steven Scharf, Mayor City of Cupertino	_____ Date
ATTEST: _____ Grace Schmidt, City Clerk	_____ Date