

RESOLUTION NO. 2600
 OF THE PLANNING COMMISSION OF THE CITY OF CUPERTINO
 RECOMMENDING APPROVAL OF A USE PERMIT TO ADD
 APPROXIMATELY 1,700 SQ. FT. TO AN EXISTING
 24,800 GROSS SQ. FT. RETAIL FURNITURE STORE.

APPLICANT: Alan Firenzi
 ADDRESS: 17900 Stevens Creek Boulevard,
 Cupertino, California 95014
 SUBMITTED: November 30, 1984
 LOCATION: South side of Stevens Creek Boulevard approximately
 300 ft. east of Blaney Avenue.

FINDINGS AND SUBCONCLUSIONS:

Approval is subject to the findings as set forth on Page 1 and the subconclusions as set forth in the minutes of the Planning Commission meeting of January 16, 1985.

CONDITIONS:

1-15. STANDARD CONDITIONS

Standard Conditions to the extent that they do not conflict with the special conditions enumerated herein. In the event a conflict does exist, the special conditions as enumerated herein shall apply.

16. APPROVED EXHIBITS

That the recommendation of approval is based on Exhibits A and B of Application 29-U-84 except as may be amended by special conditions enumerated herein.

17. TRIP CONSTRAINT

The land use intensity shall be limited to an intensity that will not generate more than 16 one-way trips per acre at the peak traffic hour, or such other traffic constraints as may be imposed by the current General Plan. For the purpose of the 16 one-way trip Traffic Intensity Performance Standard, the following accounting of trips is hereby incorporated into the project approval:

TRIPS GENERATED BY THE PROJECT:	19.9
TRIPS ALLOCATED TO THE PROJECT SITE:	30.4
SURPLUS TRIPS:	10.5

In the event that a development does not utilize the full 16 trips-per-acre allotted by the trip & j performance standard, the owner of record shall have the ability to sell or transfer trips with other property owners within the Traffic Intensity Performance Standard Area. All sales or transfers of trips shall be filed with the Planning Director and City Clerk. No sale or transfer shall be finally consummated until a use permit has been approved for the property to which the trips are to be applied. The applicant shall record a covenant to describe the trip-acre constraint and the total number of trips allocated to the particular development at the time of development approval. The covenant shall be worded to suggest that future purchasers of properties consult the individual Use Permit files to obtain an up-to-date status report of trips allocated to each particular property.

18. DEED RESTRICTION

In order to compensate for a lack of parking for General Commercial or office activities, the property owner shall record a deed restriction stating that the building may be used as a retail furniture store only. This deed restriction shall be subject to the approval of the City Attorney.

The property owner/applicant may seek Use Permit approval for another use. If approved, the deed restriction may be modified accordingly.

19. PARKING

The applicant shall provide a minimum of 78 parking spaces.

20. FUTURE INGRESS/EGRESS EASEMENTS

The applicant shall sign an agreement to participate in a reciprocal access easement with the adjoining property owner(s) when said property owner(s) are obligated to participate in a similar agreement.

21. LANDSCAPING

The front landscaping may be adjusted to maintain visibility of the building and compliment existing trees, provided the landscaping is consistent with policies in the Stevens Creek Boulevard Sidewalk and Landscape Standards. All such landscape adjustments are subject to Planning Department approval.

22. PEDESTRIAN EASEMENT

Pedestrian easements over the sidewalk area shall be prepared by the applicant, reviewed by the City Attorney and recorded on the subject property prior to issuance of building permits.

PASSED AND ADOPTED this 16th day of January, 1985, at a regular adjourned meeting of the Planning Commission of the City of Cupertino, State of California, by the following roll-call vote:

AYES: Commissioners Adams, Sorensen, Szabo and Chairman Claudy
NAYS: None
ABSTAIN: None
ABSENT: Commissioner Mackenzie

ATTEST:

APPROVED:

James H. Sisk
Planning Director

John Claudy, Chairperson
Planning Commission

CITY OF CUPERTINO

1-15 City Standard Development Conditions

1. Street widening, improvements, and dedications shall be in accordance with City Standards and specifications and as required by the City Engineer.
2. Curbs, gutters, sidewalks and structures shall be installed to grades and to be constructed in accordance with standards specified by the City Engineer.
3. Street lighting shall be installed and shall be as approved by the City Engineer. On-street lighting shall be as required by the Architectural and Site Approval Committee and ordinances and regulations of the City. All on and off-site lighting shall be designed to in no way interfere with adjacent areas and shall be no higher than the maximum height permitted by the zone in which the property is located.
4. Fire hydrants shall be located as required by the City.
5. Traffic control signs will be placed at locations to be specified by the City.
6. Street trees will be planted in the public right-of-way and shall be of a type approved by the City in accordance with Ordinance No. 125.
7. Grading shall be as approved and required by the City Engineer in accordance with Ordinance No. 214(a).
8. Drainage shall be to the satisfaction of the City Engineer.

Surface flow across public sidewalks may be allowed in R1, R2, and R3 zoning unless storm drain facilities are deemed necessary by the City Engineer.

All developments other than R1, R2, and R3 zoning shall be served by on-site storm drainage facilities connected to the City storm drainage system. If City storm drains are not available, drainage facilities shall be installed to the satisfaction of the City Engineer.
9. The applicant shall be responsible for complying with the requirements of the Underground Utility Ordinance No., 331 and other related ordinances and regulations of the City of Cupertino, and shall make the necessary arrangements with the utility companies involved for the installation of said facilities. The applicant shall submit a detailed plan showing utility underground provisions. (this plan must have prior approval of the utility companies and the City Engineer.)
10. The location of all buildings, fences, roadways, parking areas, landscaping and other facilities or features shall be as shown on the site plan submitted labeled "Exhibit A", except or unless indicated otherwise herein.

1-15 Standard Conditions (Continued)

11. Parking must meet the requirements set forth in Cupertino City Ordinance No. 002(q) and must be in accordance with the approved plot plan.
12. A masonry wall will be built by a commercial developer to separate such commercial area from any residential area; such wall shall be six feet high above the highest adjoining finished grade.
13. Landscaping areas shall be maintained as shown on site plan. Detailed landscaping plans, related to arrangement, selection of plant materials and sizes, shall be approved by the Architectural and Site Approval Committee and City Council prior to issuance of a building permit.
14. The applicant shall be responsible for completing the site as shown on approved plot plan and shall be required to enter into a development agreement with the City of Cupertino providing for payment of necessary fees, including but not limited to checking and inspection fees, storm drain fee, and underground utility fee. Said agreement shall be executed prior to the issuance of a building permit.
15. Electrical and telephone transformers shall be screened with fencing and landscaping, or undergrounded, such that they are not visible from public street areas.