

RESOLUTION NO. 17-__

OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
AUTHORIZING A PROSPECTIVE DEVELOPMENT PROPOSAL
TO PROCEED AS A GENERAL PLAN AMENDMENT APPLICATION

PROJECT DESCRIPTION

Application No: GPAauth-2017-01;

Applicant: Keith Fichtner (Kings Mill Group)

Location: 19900 Stevens Creek Boulevard.

WHEREAS, on September 15, 2015, the City Council adopted procedures for considering future General Plan amendments, including to review prospective applications twice a year and decide which are authorized to proceed as 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 November 14, 2016, the deadline to be considered in the 2017 first cycle of the General Plan Amendment application review process; and

WHEREAS, on March 7, 2017, the City Council held a public hearing to consider said General Plan Amendment authorization applications; 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 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.

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration 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 is authorized to proceed as General Plan Amendment applications based on the criteria shown in Exhibit A:

{Name(s) of project authorized to proceed by the City Council to be inserted here}

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Cupertino the 7th day of March 2017, by the following roll call vote:

Vote: Members of the City Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

Grace Schmidt
City Clerk

Savita Vaidhyanathan
Mayor, City of Cupertino

Exhibit A

Table 1: Summary Evaluation of the Development Proposal

Project	Site and architectural design and neighborhood compatibility	Fiscal impacts, including a diverse economic base	Provision of affordable housing	Environmental sustainability	General Plan amendments requested	Proposed voluntary community amenities	Staff time and resources (2)
1.Scandinavian Furniture	a. Site and Architectural design –further review required for design, circulation, site planning and landscaping. (1) b. Neighborhood compatibility – generally compatible in terms of land use and building size.	a. Increase in service costs to the City’s General Fund \$33,000-\$36,000. b. The City’s Economic Development Specific Plan supportive of incubator or co-working uses. c. Moderate increase in property tax revenue.	No benefits in terms of affordable housing other than statutorily required payment of Below-Market-Rate Program fees.	Project will meet all statutorily required environmental sustainability features No additional sustainability features proposed	Office allocation: 16,000 sq. ft.	a. School resources – none b. Public open space – none c. Public Facilities – none d. Transportation Facilities – none Total - \$0/square foot.	0.3FTE (full-time equivalent) of staff time and consultants for environmental review, etc.

(1) ASA-2016-13 & TR-2016-35 to permit parking lot modifications to improve landscaping and ensure parking count conforms to retail standards (1 space/250 sq. ft.) on the site was approved on November 10, 2016. The ASA entitlement does not affect the land use however the design will provide enough parking for either retail or incubator office use.

(2) All staff time and resources will be paid for by applicant.