



**COMMUNITY DEVELOPMENT DEPARTMENT**

CITY HALL

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**CITY COUNCIL STAFF REPORT**

Meeting: August 15, 2017

Subject

Consider whether to authorize the formal submission of General Plan Amendment applications for the three proposals received in the 2017 Second Cycle including: 16A - Hotel at Cupertino Village site; 16B - Hotel at Good Year Tire store site; and 16C - Mixed-use development at the Oaks Shopping Center (*16A and 16B authorized at the August 1 City Council meeting. 16C continued to August 15*).

16C: A proposal to demolish an existing ~71,254 sq.ft. commercial shopping center and construct one of the two alternative mixed-use developments at the Oaks Shopping Center site that requires City Council authorization for formal submission of one of the alternatives for formal submission of General Plan Amendment applications. (Application No.(s): GPAAAuth-2017-02; Applicant: KT Urban (Mark Tersini); Location: 21267 Stevens Creek Boulevard; APN: 326-27-039, -040 and -041) (*Continued from August 1*)

Recommended Action

Staff recommends that the City Council adopt the draft resolution (Attachment A) after determining if the application is authorized to move forward to apply for General Plan Amendments.

Discussion

Background

On August 1, 2017, the City Council held a public hearing to consider three proposals received for General Plan Amendment Authorization, listed on the agenda as agenda item no. 16 which included agenda item nos. 16A (Hotel at Cupertino Village), 16B (Hotel at Goodyear Tire Store) and 16C (Westport Cupertino mixed-use alternatives.) Additional project details on these items are available online at: <http://laserficheio-app/WebLink/1/edoc/615710/08-01-2017%20Searchable%20packet.pdf>.

Straw polling on the three proposals indicated that there was unanimous consent to authorize item nos. 16A and 16B and a 1-4 vote (Vaidhyanathan, Paul, Sinks, Scharf

voting no) on authorizing item 16C. The Council's desire for the adopted resolution to accurately reflect each councilmembers vote for each of the proposals was not possible since one resolution was presented for all three proposals. Therefore, upon advice of the City Attorney, the Council closed the public hearing, took a formal vote and adopted resolution no. 17-072 on a 5-0 vote authorizing agenda item nos. 16A and 16B. The Council continued the decision regarding agenda item no. 16C to its next regular meeting on August 15, 2017. Attachment A is a draft resolution for the Council to determine whether or not to authorize the Oaks Shopping Center (Westport Cupertino) proposal to move forward to apply for General Plan Amendments. Upon a formal vote at its August 15, 2017 meeting, conforming changes shall be made to the draft resolution for the Mayor's signature.

#### Noticing and Public Outreach

A Notice of Continuation was posted to the Community Hall Bulletin Board and also posted in the Meeting Details for the August 1, 2017 meeting online. Interested parties signed up to receive updates on the General Plan Amendment Authorization projects, received an email notice regarding the continuance and it was also noted on the City's website. No other noticing is required for this item.

No additional public comments have been received as of the publication of this report.

#### Next Steps

Should the Council authorize Westport Cupertino to move forward, the applicant will be able to enter the formal development review process, including necessary environmental analysis. The timeline for the project will begin when the applications are complete and are expected to run about 7-9 months.

If the Council denies authorization, the applicant additionally has the option to resubmit their application with minor adjustments based on Council input within 30 days of this Council meeting. These modifications will be presented at a subsequent meeting later in Fall 2017.

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Benjamin Fu, Assistant Director of Community Development

Aarti Shrivastava, Assistant City Manager

Approved for Submission by: David Brandt, City Manager

Attachments: A - Draft Resolution determining whether to authorize applicant to submit General Plan amendment application