

RESOLUTION NO. 19-__

OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
(APPROVING/DENYING) AUTHORIZATION OF PROSPECTIVE DEVELOPMENT
PROPOSAL TO PROCEED AS A GENERAL PLAN AMENDMENT APPLICATION

PROJECT DESCRIPTION

Application No: GPAAuth-2018-01

Applicant: Sherly Kwok (De Anza Properties)

Location: 10931 N. De Anza 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 13, 2018, the deadline to be considered in the 2018 second cycle of the General Plan Amendment application review process; and

WHEREAS, on January 15, 2019, 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 _____to proceed as General Plan Amendment applications:

Goodyear Tire Site – 10931 N. De Anza Boulevard – General Plan Amendment application to increase height, revise building plane, and reduce setback for a modified General Plan Amendment Authorization application for a 155-room hotel to replace an existing 8,323 sq. ft. commercial building (Goodyear Tires.) A previous General Plan Amendment Authorization application (GPAAUTH-2017-01) was authorized to submit General Plan Amendment applications by the City Council in August 2017.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Cupertino the 15th day of January 2019, by the following roll call vote:

Vote: Members of the City Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

Grace Schmidt
City Clerk

Stephen Scharf
Mayor, City of Cupertino