CITY OF CUPERTINO
10300 Torre Avenue
Cupertino, California 95014

DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CUPERTINO APPROVING A GENERAL PLAN AMENDMENT TO DEVELOPMENT ALLOCATIONS AT THE NORTH VALLCO SPECIAL AREA

The Planning Commission recommends that the City Council approve the General Plan Amendment, in substantially similar form to the Draft Resolution attached hereto as Exhibit GPA.

PASSED AND ADOPTED at a Regular Meeting of the Planning Commission of the City of Cupertino the 11th day of June 2019, by the following roll call vote:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
ABSENT: COMMISSIONERS:

ATTEST:

Benjamin Fu
Acting Dir. of Community Development

APPROVED:

R "Ray" Wang
Chair, Planning Commission

EXHIBIT GPA

RESOLUTION NO._____

A RESOLUTION OF THE CUPERTINO CITY COUNCIL
APPROVING A GENERAL PLAN AMENDMENT TO DEVELOPMENT
ALLOCATIONS AT THE NORTH VALLCO SPECIAL AREA

SECTION I: PROJECT DESCRIPTION

Application No:	GPA-2017-05
Applicant:	Kimco Realty (Michael Strahs)
Property Owner:	Cupertino Village, LP
Location:	10801 and 10805 North Wolfe Road (APN: 316-45-017 and 316-05-56)

SECTION II: RECITALS

WHEREAS, upon review of a General Plan Amendment Authorization Application (GPAAuth-2016-01), the City Council of the City of Cupertino authorized the applicant to submit an application for a General Plan Amendment and staff to review the proposed General Plan Amendments on August 1, 2017;

WHEREAS, the City of Cupertino received the application for a General Plan Amendment as described in Section I. of this resolution; and

WHEREAS, the Citywide Development Allocation Between 2014-2040 (Table LU-1) of the Cupertino General Plan has insufficient hotel room allocation to accommodate a 185 room hotel; and

WHEREAS, the General Plan Amendment to Development Allocations are fully described and analyzed in the May 30, 2019 Final Draft Initial Study "The Cupertino Village Hotel Project" (Draft IS/MND) (State Clearinghouse No. 2018112025); and

WHEREAS, on December 13, 2018, prior to making any recommendation regarding the adoption of the Draft IS/MND, the City of Cupertino's Environmental Review Committee held a duly noticed public hearing to receive public testimony where it reviewed and considered the information contained in the Draft IS/MND, voted 5-0-0 to recommend that the City Council to adopt the Draft IS/MND (EA-2017-06) and mitigation measures with their motion; and

WHEREAS, following necessary public notices given as required by the procedural ordinances of the City of Cupertino and the Government Code, the Planning Commission held a public hearing on June 11, 2019 to consider the General Plan Amendment; and

WHEREAS, on June 11, 2019, the Planning Commission, after considering the administrative record and public hearing, exercised its independent judgment and

recommended adoption of the Final Draft IS/MND (EA-2017-06) for the Project on a X-X vote, which incorporated all the identified mitigation measures as conditions of approval for the Project prior to taking final action on the Project; and

WHEREAS, on June 11, 2019 the Planning Commission recommended on a X-X vote that the City Council approve the General Plan Amendment (GPA-2017-05), in substantially similar form to the Resolution presented (Resolution no. _____), approve the Development Permit (DP-2018-04) in substantially similar form to the Resolution presented (Resolution No. _____), approve the Architectural and Site Approval Permit (ASA-2017-09) in substantially similar form to the Resolution presented, approve a Use Permit (U-2018-03) in substantially similar form to the Resolution presented, approve the Tree Removal Permit (TR-2017-46) in substantially similar form to the Resolution presented (Resolution no. _____) and approve a Development Agreement (DA-2017-01) in substantially similar form to the Ordinance presented; and

WHEREAS, on July 16, 2019, upon due notice, the City Council held a public hearing to consider the General Plan Amendment; and;

WHEREAS, the City Council of the City of Cupertino is the decision-making body for this Resolution;

WHEREAS, after consideration of evidence contained in the entire administrative record, at the public hearing on July 16, 2019, the City Council adopted Resolution No. [####] adopting the Draft IS/MND;

WHEREAS, the applicant has met the burden of proof required to support said application; and

SECTION III: RESOLUTIONS

NOW, THEREFORE, BE IT RESOLVED:
After careful consideration of the, maps, facts, exhibits, testimony and other evidence submitted in this matter, the City Council hereby adopts:

1. Amendments to the General Plan (Application No. GPA-2017-05) as shown in Exhibit GPA-1 and authorizes the staff to make grammatical, typographical, numbering, and formatting changes necessary to assist in production of the final published General Plan; and

NOW, THEREFORE, BE IT FURTHER RESOLVED:
The foregoing recitals are true and correct and are included herein by reference as findings.

NOW, THEREFORE, BE IT FURTHER RESOLVED:

The City Council finds this Resolution is within the scope of the Draft IS/MND and directs the Director of Community Development to file a Notice of Determination with the Santa Clara County Recorder in accordance with CEQA guidelines.

PASSED AND ADOPTED this 16th day of July 2019, at a Regular Meeting of the City Council of the City of Cupertino, State of California, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

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

POLICY LU-1.4: PARCEL ASSEMBLY

Encourage parcel assembly and discourage parcelization to ensure that infill development meets City standards and provides adequate buffers to neighborhoods.

POLICY LU-1.5: COMMUNITY HEALTH THROUGH LAND USE

Promote community health through land use and design.

POLICY LU-1.6: JOBS/HOUSING BALANCE

Strive for a more balanced ratio of jobs and housing units.

Table LU-1: Citywide Development Allocation Between 2014-2040

	commercial (s.f.)			office (s.f.)			hotel (rooms)			residential (units)		
	current built (Oct 7,2014)	buildout	available	current built (Oct 7,2014)	buildout	available	current built (Oct 7,2014)	buildout	available	current built (Oct 7,2014)	buildout	available
Heart of the City	1,351,730	214,5000	793,270	2,447,500	2,464,613	17,113	404	526	122	1,336	1,805	469
Vallco Shopping District**	1,207,774	120,7774	-	-	2,000,000	2,000,000	148	339	191	-	389	389
Homestead	291,408	291,408	-	69,550	69,550	-	126	126	-	600	750	150
N. De Anza	56,708	56,708	-	2,081,021	2,081,021	-	126	126	-	49	146	97
N. Vallco	133,147	133,147	-	3,069,676	3,069,676	-	123	308 ~~123~~	185	554	1154	600
S. De Anza	352,283	352,283	-	130,708	130,708	-	315	315	-	6	6	-
Bubb	-	-	-	444,753	444,753	-	-	-	-	-	-	-
Monta Vista Village	94,051	99,698	5,647	443,140	456,735	13,595	-	-	-	828	878	50
Other	144,964	144964,	-	119,896	119,896	-	-	-	-	18,039	18,166	127
Major Employers	-	-	-	109,935	633,053	523,118	-	-	-	-	-	-
Citywide	3,632,065	4,430,982	798,917	8,916,179	11,470,005	2,553826,	1116	1614 ~~1429~~	498 ~~313~~	21,412	23,294	1,882

*** Buildout totals for Office and Residential allocation within the Vallco Shopping District are contingent upon a Specific Plan being adopted for this area by May 31, 2018. If a Specific Plan is not adopted by that date, City will consider the removal of the Office and Residential allocations for Vallco Shopping District. See the Housing Element (Chapter 4) for additional information and requirements within the Vallco Shopping District.*