



**COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION**

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**ADMINISTRATIVE HEARING STAFF REPORT**

Meeting Date: January 9, 2020

Subject

Architectural and Site Approval Permit to allow for architectural and site improvements to an existing 13,250 square foot industrial building; (Application No(s): ASA-2019-005; Applicant: Scott Stotler; Location: 10100 Bubba Road.; APN(s): 357-20-024)

Recommended Action

That the Hearing Officer adopt the draft resolution (Attachment 1) to:

1. Find that the proposed actions are exempt from CEQA; and
2. Approve the Architectural and Site Approval Permit.

Discussion

*Project Data:*

<b>General Plan Designation</b>	Industrial/Residential/Commercial	
<b>General Plan Special Area</b>	Bubba Road Special Area	
<b>Zoning Designation</b>	ML-rc (Light Industrial)	
<b>Lot Size</b>	38,052 sq. ft. (no change)	
	<b>Existing</b>	<b>Proposed</b>
<b>Floor Area</b>	13,250 sq. ft.	12,850 sq. ft.
<b>Lot Coverage</b>	37%	34%
<b>Project Consistency With:</b>		
General Plan	Yes	
Zoning	Yes	
Environmental Assessment	Categorically Exempt per Section 15301 (Class 1) and 15332 (Class 32) of the California Environmental Quality Act (CEQA)	

*Background:*

The property is located within the Bubba Road Special Area which is bounded by Stevens Creek Blvd to the north, 85 Highway to the east, McClellan Road to the south, and Southern Pacific railroad tracks to the west. The Bubba Road Special Area is comprised primarily of one-story industrial and research and development buildings, with some two-story buildings.

The site was previously occupied by an auto maintenance and repair shop. The property is located adjacent to other administrative and professional offices to the north and west (marketing office, administrative office for an import/export company, and Apple Inc. offices) and a Caltrans Maintenance Station to the south.



**Figure 1** Site aerial

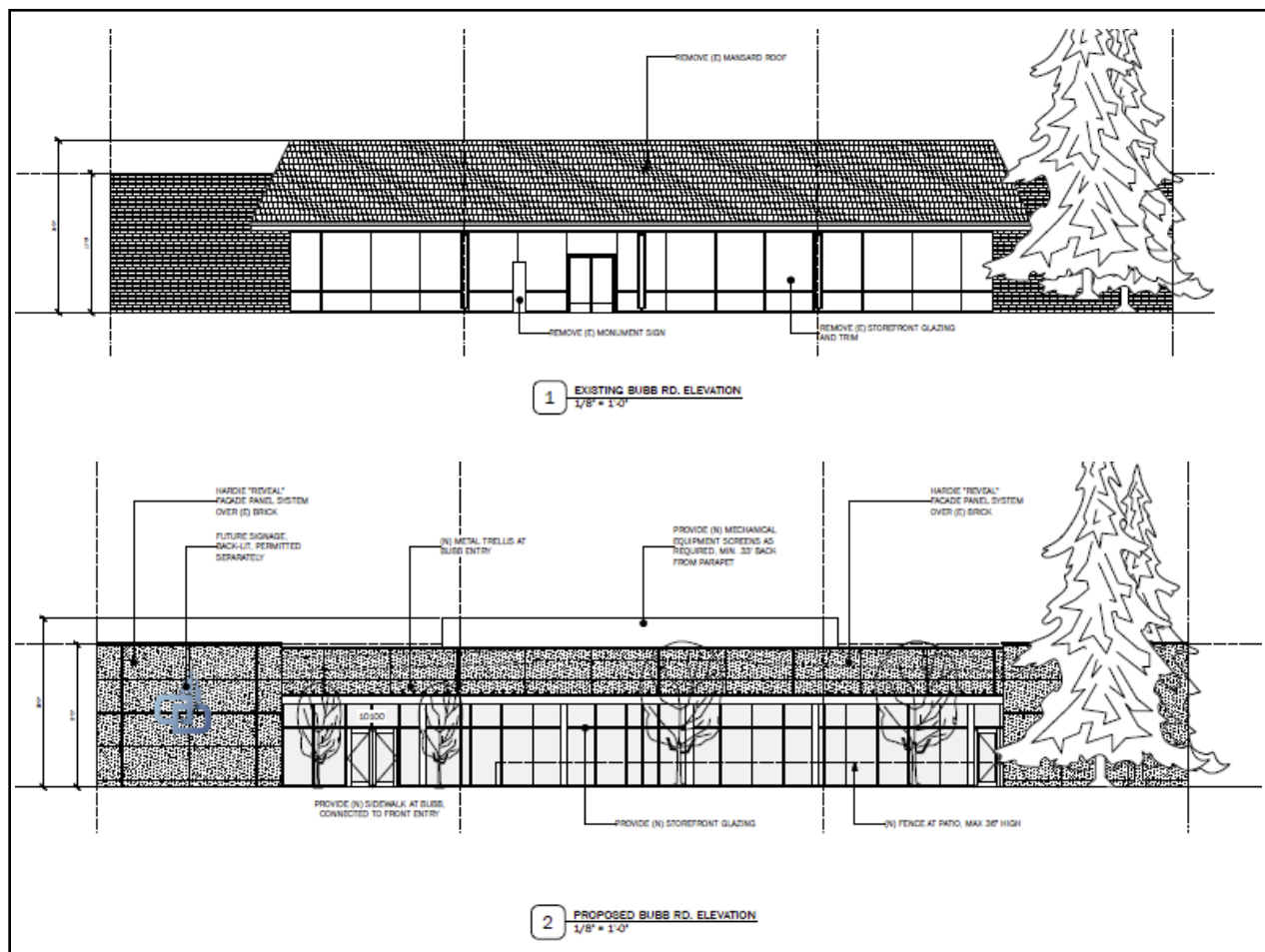
*Analysis:*

As part of their tenant improvements, the applicant is requesting for architectural and material changes to the existing building to accommodate primarily administrative offices for a real estate development firm. The proposed use is permitted in the ML-rc zoning district and therefore, a change in the zoning or a Conditional Use Permit is not required for the proposed use.

The footprint of the existing building will largely be retained except for a minor reduction in square footage where a new building entrance (along the northern wall) and exterior courtyard is proposed. The application also proposes the replacement of the existing mansard roof with a contemporary parapet and flat roof form, installation of a new glass window and door system, and styling of the building with a contemporary industrial aesthetic with gray-tone paint on fiber-cement panels and stucco. There is a minor reduction in lot coverage due to the conversion of the mansard roof to a vertical parapet resulting in removal of existing roof eaves, and a reduction in roof coverage where the new north-facing entrance is proposed.

Overall the architectural modifications are minor in scope and include the following (see Figures 2 and 3):

- Addition of a new building entrance and courtyard area to a north-facing main entrance by reducing the building's square footage and installing a wood trellis cover over the area;
- Removal of the existing mansard roof and replacement with Hardie "Reveal" fiber-cement clad panel system for the façade and new parapet;
- Installation of a new ground-to-ceiling storefront glazing system with a new front door facing directly to Bubb Road;
- Provide a front entry patio area along the Bubb frontage; and
- Addition of an attached architectural metal trellis along the Bubb frontage.



**Figure 2** Existing and proposed east elevation (Bubb Road)

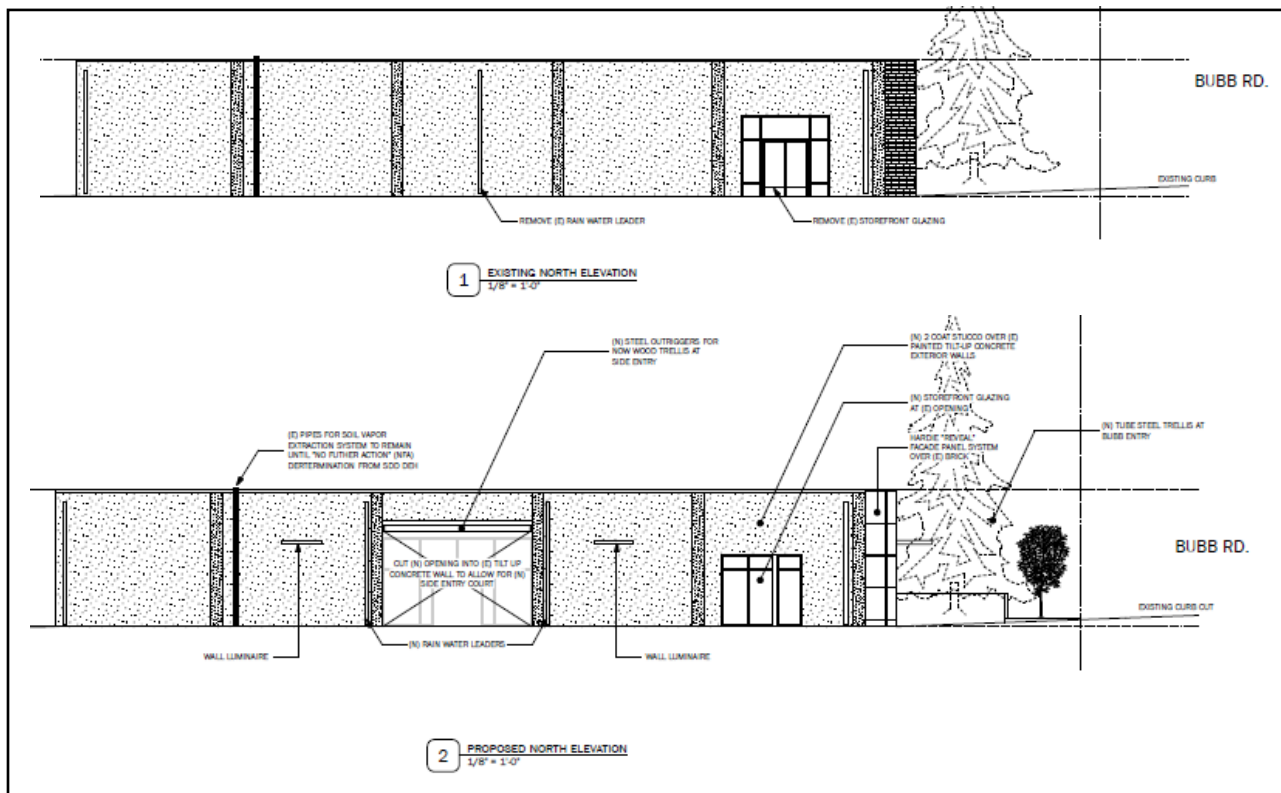


Figure 3 Existing and proposed north elevation

In addition to the building and façade changes the applicant will provide site improvements consistent with the vision of the Bubb Road Special area and the Cupertino Municipal Code as follows:

- Provide pedestrian access to buildings from parking areas and the public right-of-way;
- Propose new low-water use plantings in new landscape planting strips and in the front area along Bubb Road;
- Provide landscape screening along the shared property line with Highway 85; and
- Plant new parking lot trees.

#### Bicycle and Vehicular Parking

The new building square footage of 12,850 sq. ft. would require a total of 45 off-street vehicular parking stalls and 11 Class 1 bicycle parking spots.

The proposed plan will maintain the existing 35 vehicular parking stalls that are located along the northern and eastern property lines and add an additional 11 stalls along the rear of the building. Therefore, the proposal will provide 46 vehicular stalls and an additional stall in the enclosed garage for a total of 47 off-street parking stalls. The

required bicycle parking will be provided within the secured enclosed garage with two additional Class 3 bicycle parking at the Bubb Road entrance.

### Landscaping & Trees

No trees are proposed to be removed as the four existing trees on the property (two redwoods in the southwest corner and two redwoods in the southeast corner) will be protected during construction and retained. The applicant is required to meet the City's Landscape Ordinance and all proposed landscaping has low to moderate watering needs.

Consistent with the tree-lined vision of the Bubb Road Special Area, the applicant is proposing to plant four new trees within the front setback area - two Cathedral live oaks (*Quercus virginiana* 'Cathedral') and two Swan Hill olives (*Olea europaea* 'Swan Hill'). These trees will supplement the two existing redwood trees at the southwest corner of the property. In addition, the applicant will install parking lot trees in compliance with the Parking Ordinance by constructing two landscape islands between the parking stalls on the north side, and planting trees along the eastern property line (closest to Highway 85). Since the ML-rc ordinance requires rear yards facing Highway 85 to be screened, the property owner has selected to install sweet bay shrubs (*Laurus nobilis* 'Monrik').

### Sidewalk

In coordination with the Planning Division and the Public Works Department, the applicant is proposing to construct a 5'-0" monolithic sidewalk to match the western side of Bubb Road. Furthermore, the construction of the sidewalk aligns with the vision of Bubb Road - to be a tree-lined avenue that is more bike and pedestrian friendly.

### Environmental Review

This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) per Section 15301 – Existing Facilities and 15332 - In-Fill Development Projects.

### Other Department/Agency Review

The City's Building Division, Environmental Programs Division, Public Works Department, Cupertino Sanitary District, and the Santa Clara County Fire Department have no objections to the project.

### Public Noticing And Community Outreach

The following table is a brief summary of the noticing for this project:

Notice of Public Hearing	Agenda
<ul style="list-style-type: none"> <li>▪ Site Signage (<i>at least 10 days prior to hearing</i>)</li> <li>▪ 6 notices mailed to property owners adjacent to the project site (<i>at least 10 days prior to the hearing</i>)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Posted on the City's official notice bulletin board (<i>five days prior to hearing</i>)</li> <li>▪ Posted on the City of Cupertino's Web site (<i>five days prior to hearing</i>)</li> </ul>

No comments have been received at the time of production of this staff report.

### Permit Streamlining Act

This project is subject to the Permit Streamlining Act (Government Code Section 65920 – 65964). The City has complied with the deadlines found in the Permit Streamlining Act.

**Project Received:** September 3, 2019; **Deemed Incomplete:** October 3, 2019

**Revisions Received:** October 28, 2019; **Deemed Incomplete:** November 27, 2019

**Revisions Received:** December 11, 2019; **Deemed Complete:** December 17, 2019

Since this project is Categorical Exempt, the City has 60 days (until February 17, 2020) to make a decision on the project.

### Conclusion

Staff recommends approval of the Architectural and Site Approval permit, since the plans and conditions of approval address all concerns related to the proposed project. Additionally, all the findings for approval of the proposed project, consistent with chapter 19.168 of the Cupertino Municipal Code, may be made as follows:

1. The proposal, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare, or convenience;

*The applicant proposes a façade modification that utilizes minor exterior changes to modernize the style. The changes include material changes from concrete wall surfaces to painted stucco, from brick accents to painted fiber-cement panels, and from a wood-tiled mansard roof to a painted fiber-cement façade and parapet wall. The building will include a new front patio that fronts the building and an exterior courtyard entrance along the north-side of the building. The courtyard is created by reducing the interior building square footage. All the proposed changes are minor improvements to the existing building and site and will not be detrimental or injurious to property or improvements in the vicinity*



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2. The proposal is consistent with the purposes of Chapter 19.168, the General Plan any specific plan, zoning ordinances, applicable planned development permit, conditional use permits, variances, subdivision maps or other entitlements to use which regulate the subject property including, but not limited to, adherence to the following specific criteria:

- a) Abrupt changes in building scale should be avoided. A gradual transition related to height and bulk should be achieved between new and existing buildings.

*There are no changes in building scale except for a minor reduction in bulk where the mansard roof is proposed to be removed on the one-story building.*

- b) In order to preserve design harmony between new and existing buildings and in order to preserve and enhance property values, the materials, textures and colors of new building should harmonize with adjacent development by being consistent or compatible with design and color schemes with the future character of the neighborhoods and purposes of the zone in which they are situated. The location, height and materials of walls, fencing, hedges and screen planting should harmonize with adjacent development. Unsightly storage areas, utility installations and unsightly elements of parking lots should be concealed. The planting of ground cover or various types of pavements should be used to prevent dust and erosion, and the unnecessary destruction of existing healthy trees should be avoided. Lighting for development should be adequate to meet safety requirements as specified by the engineering and building departments and provide shielding to prevent spill-over light to adjoining property owners.

*The planning area was designed to preserve light industrial uses and the proposed materials contribute to the industrial aesthetic. The façade changes include stucco wall textures, fiber-cement accent paneling, and metal trellis architectural features painted in shades of gray and black. The project will include new trees to line the newly proposed sidewalk and shade parking lot areas. All utilities are located at the rear of the property, and landscape hedging is proposed along the eastern property line. Therefore, unsightly elements are not proposed for the site and will not be visible from the public right-of-way.*

- c) The number, location, color, size, height, lighting and landscaping of outdoor advertising signs and structures have been designed to minimize traffic hazard, positively affect the general appearance of the neighborhood and harmonize with adjacent development.

*No signs are proposed as part of this project.*

- d) With respect to new projects within existing residential neighborhoods, new development should be designed to protect residents from noise, traffic, light and

visually intrusive effects by use of buffering, setbacks, landscaping, walls and other appropriate design measures.

*This application is not a new project and is not located near residential neighborhoods.*

#### Next Steps

The permit will be effective 14 calendar days from the date of the hearing. The decision of the Administrative Hearing Officer is final, unless appealed within 14 calendar days from the date of the hearing. The applicant team may apply for building and/or other permits with the City at the end of the appeal period.

This approval is valid until January 9, 2022. The applicant team may apply for a one-time two-year extension before the approval expires.

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Prepared by:

Ellen Yau, Associate Planner

Reviewed and Approved for submission by:

Piu Ghosh, Planning Manager

#### **ATTACHMENTS**

1. Draft Resolution for ASA-2019-005
2. Plan Set