



## COMMUNITY DEVELOPMENT DEPARTMENT

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA  
95014-3255 TELEPHONE: (408) 777-3308 • FAX: (408) 777-3333  
CUPERTINO.ORG

### CITY COUNCIL STAFF REPORT

Meeting: July 7, 2020

#### **Subject**

Study Session regarding General Plan Amendment Authorization Procedure adopted by the City Council in September 2015 by Resolution No. 15-078 (see Attachment A) ("GPA Authorization Procedure").

#### **Recommended Action**

That the City Council receive this report and provide direction on any next steps regarding the GPA Authorization Procedure.

#### **Discussion**

##### **Background**

Pursuant to the Council's policy of allowing two councilmembers to request items be added to a future meeting agenda, at the February 18, 2020 City Council meeting, councilmembers Chao and Paul directed staff to conduct a study session to review the existing GPA Authorization Procedure. This study session fulfills this request.

This staff report provides:

- a description of the procedures for processing GPAs that existed prior to adoption of the GPA Authorization Procedure;
- a history of the development and adoption of the GPA Authorization Procedure;
- a description of the GPA Authorization Procedure for processing GPAs;
- a list of concerns raised about the GPA Authorization Procedure;
- a discussion of projects that have been reviewed under the current procedures;
- a brief discussion of GPA screening procedures in other cities; and
- options for the Council on next steps.

## Analysis

### **Procedures for Processing GPA Applications Prior to September 2015**

Prior to the adoption of Resolution No. 15-085, City staff reviewed applications for proposed development projects concurrently with any proposed GPA application and environmental review for the project. Project review included review to ensure that the proposal was consistent with the General Plan or any proposed amendment to the General Plan and complied with zoning regulations. If an applicant sought a Development Agreement to immunize the project against future changes in land use regulations, staff also negotiated that agreement, including the community benefits the developer would provide in exchange for vested rights to proceed with the approved project. Public input about the project was solicited through neighborhood or citywide noticing (depending on the scope of the project), legal notices for meetings, site signage, and neighborhood meetings. On completion of environmental and project review and any negotiations for a Development Agreement, the public could provide input on the final decision in hearings before the Planning Commission and City Council.

While State Planning and Zoning Law limits the number of times a city may amend its general plan to four times in one year, the City did not limit the number of GPA applications that could be filed and processed in any given year.

### **Development and Adoption of GPA Authorization Procedure**

In 2014, during the City's development of the General Plan – Community Vision 2015-2040, members of the community expressed concern about the City's processing of real estate development project applications requesting amendment of the general Plan because that process:

- did not provide the public with an understanding of the number of GPA applications in process during any year;
- did not allow a comparison of projects because applications could be filed at any time and were processed in the order in which they were filed;
- did not provide an opportunity for the City to require projects to compete with one another, which would incentivize developers to design higher quality projects that provide maximum community benefits;
- did not provide for a comprehensive view of multiple development applications processed at approximately the same time frame, resulting in significant development that failed to adequately address city-wide impacts on traffic, open space, affordable housing, public services, and schools;
- prevented the City from assessing the effect of aggregate GPAs on the goals of the City's General Plan;

- did not permit early public input; and
- did not allow the public a meaningful opportunity to influence the community benefits provided by projects because the benefits would be unknown until the applications were before the Planning Commission and City Council for final approval.

The City initially responded to these concerns by adding a policy in the General Plan to allow increased development in certain areas of the city only if project sponsors offered community benefits and provided ground floor retail. Following much deliberation and community input, the City Council adopted Community Vision 2015 – 2040 in December 2014 with placeholder language for Community Benefits in Policy LU-1.3, without adopting specifics about locations for increased development standards, and directed staff to revisit the Community Benefits policy in 2015 after receipt of additional community input.

In early 2015, staff conducted an online survey on community benefits and received 300 validated responses, of which 80 percent were from Cupertino residents.<sup>1</sup> The results of the survey were as follows:

- More than 65% of respondents supported a community benefits program but did not support that ground floor retail should be required as a part of the program.
- The General Plan should limit additional growth and building heights.
- Developers should provide community benefits/amenities to alleviate the adverse impacts of their projects, ranked as follows:
  - Parks/Recreation
  - Transportation enhancements (sidewalks, bikes lanes, etc.)
  - Community services (teen centers, library branches, etc.)
  - In-lieu fee to City (school improvements or affordable housing)
- The construction of approved development projects should be staggered instead of allowing projects to be developed at the same time.
- The public should receive details about projects seeking GPAs earlier in the approval process

City staff also researched how other communities were managing growth from real estate development and its impacts on quality of life. Staff prepared a white paper analyzing

---

<sup>1</sup> Presented at the City Council meeting dated May 19, 2015 and available online at: <https://cupertino.legistar.com/LegislationDetail.aspx?ID=2283966&GUID=42D62254-9990-464E-8C7A-EC5D0B8BA341&Options=&Search=> navigate to Attachment B5

programs to manage development in Berkeley, Santa Monica, San Diego, Mountain View, Morgan Hill, and other cities.<sup>2</sup>

At the May 19, 2015 City Council meeting, staff proposed a standalone Council policy providing an annual review by Council and the public for projects that wished to propose GPAs and associated community benefits.<sup>3</sup> In response to staff's draft policy, the Council deferred a decision on a new GPA policy for 90 days to allow staff to provide additional details on programs that require community benefits, such as in the Cities of Mountain View and Morgan Hill. The Council further directed staff to place all new GPA applications on hold until a decision on the policy.

Following the Council's direction, staff submitted to the Council a supplemental white paper identifying pros and cons of various incentive zoning, growth allocation, and land use regulation models and providing general guidance on managing growth.<sup>4</sup>

The Council held a study session on June 30, 2015 to review a proposed standalone policy for processing GPA applications. The standalone policy was developed upon consideration of the following issues identified in the outreach:

- ***Provide for more orderly development:*** The process would allow the City Council and the public to consider and comment on groups of proposed GPA projects simultaneously, thus allowing the City a greater understanding of the cumulative environmental and other impacts of the proposed projects.
- ***Ensure that additional development improves quality of life for the community:*** Development projects should volunteer community benefits to mitigate intangible impacts of the project on open space and other community facilities and services.
- ***Provide opportunity for early community input:*** The public and Council should preview projects during the pre-application design phase to allow the developer to incorporate changes to the project before the design is incorporated in a formal application and the developer becomes invested in the design.
- ***Avoid a process that is unnecessarily complex, costly, and time-consuming:*** A new process for review of GPAs should be easy for developers and the City to implement and should be transparent.
- ***Provide City Council direction early in the process:*** The City Council should provide direction to staff early in the process about which projects should be given priority

---

<sup>2</sup> Click link above and navigate to Attachment B7

<sup>3</sup> Click link above and navigate to Attachment B1.

<sup>4</sup> The study is available online at:

<https://cupertino.legistar.com/LegislationDetail.aspx?ID=2363022&GUID=E128642C-F8CB-4D1D-B7FE-BB044BD3E132&Options=&Search=> navigate to Attachment D

to minimize delays of those projects and to assist staff in efficient allocation of resources.

After considering the pros and cons of different approaches to manage development by other cities, input from the public, and the staff's draft policy, the City Council directed staff to draft a policy for amendments to the General Plan. On September 1, 2015, the City Council adopted Resolution 15-078 which established the City's standalone policy for processing GPA Authorization applications (see Attachment A).

#### **Current GPA Authorization Procedure**

Under the current GPA Authorization Procedure, proposed GPA applications are processed as follows:

1. Proposed GPA applications are considered twice annually – once in early winter (January/February) and again in late summer (August/September).
2. The City posts all documents related to the proposed project including conceptual plans, proposed community amenities, proposed General Plan amendments, and summary of fiscal impacts on the City's website.
3. A postcard is sent to all City residents when the project is scheduled for a hearing.
4. In deciding which projects are authorized to move forward with a GPA application, the Council considers the following:
  - a. General Plan goals achieved;
  - b. quality of architectural and site design and neighborhood compatibility;
  - c. fiscal impacts;
  - d. affordable housing provided;
  - e. sustainability;
  - f. merits of and the impact on the General Plan of variances sought;
  - g. voluntary community amenities provided (e.g., school resources, public open space, libraries, community centers, utility systems, public and transportation); and
  - h. the staff time and resources to process the application.
5. A Council decision to authorize submittal of a GPA and related project applications is not a guarantee of approval of a project; the City Council retains discretion to approve, disapprove, or conditionally approve each project and its proposed GPA. Before making a final decision on the project, the Council considers environmental review, the site and architectural design, community benefits, consistency with the General Plan, and public input.
6. Applicants may be allowed a "second chance" at presenting the proposed GPA authorization with direction from the City Council. These projects are re-considered

at a later hearing before the Council. Projects given a second chance must submit revisions and/or additional information within 30 days after the first Council hearing.

7. If a proposal is not authorized for processing after the initial review or second chance submittal, the project sponsor must wait until the next application round to resubmit an application for the same project.

Attachment B is a flowchart illustrating this process.

By allowing early public input, the GPA Authorization Procedure provides transparency. It also can lead to better-quality project by requiring developers to compete for the City's approval. The Council limited the number of public hearings on GPA Authorization applications so that staff could spend more time on other Council priorities. When the Council adopted the GPA Authorization Procedure, it determined that public outreach meetings should be conducted after the City Council authorizes a GPA project to proceed.

When a GPA Authorization application is received, staff posts the request and site plans, preliminary landscape plans, elevations, cross sections, preliminary grading plans, offer of community benefits, and other supporting documents on the City's website, and sends an e-notification to members of the public who request notice of GPA applications. Following the City's preparation of a financial feasibility report for the project (or a peer review of the financial feasibility report provided by the applicant), staff schedules a hearing on the application for the City Council and sends a post-card notice of the hearing to every address in the City. Accordingly, every member of the public is notified of the application early in the process.

#### Concerns About the GPA Authorization Procedure

Since the City adopted the GPA Authorization Procedure in 2015, the public and members of the City Council have expressed several concerns about the Program:

- The public could misunderstand the City Council's authorization to apply for a GPA and related approvals as final approval of the project.
- The procedure does not provide guidance about the process for changing the project after GPA authorization. The current GPA Authorization Procedure, which provides that the GPA and other applications filed "should be in substantial compliance with the project authorized by Council," does not provide sufficient guidance about the degree of change in the project that would trigger re-authorization.
- The community benefits from project to project have been inconsistent.
- The community benefits offered may not provide the intended benefits.

- The number of public outreach meetings should be increased to solicit more public input.
- Public notice of the application for authorization to proceed with a GPA application should be given earlier in the process.
- The public notice of hearings and meetings has been cursory and uninformative. The GPA application materials do not provide sufficient details about the proposed projects to thoroughly evaluate them.
- City-wide public notice is conducted via bulk mail and not a more secure form of mailing.

#### General Plan Amendment Authorization Program

Attachment C lists the projects that the Council has reviewed under the GPA Authorization Program since the Program's adoption and the City Council's action on those projects. Of the eight projects applying for authorization (the De Anza Hotel three times), three projects obtained authorization: The Cupertino Village Hotel and the 2017 and 2018 versions of the De Anza Hotel.

In 2017, the De Anza Hotel was authorized to proceed as a five-story hotel with 156 rooms. The applicant subsequently modified the project, proposing a 155-room hotel of six stories, increasing the building height by ~15 feet. Staff determined that with this modification, the project was not "significantly in compliance with the project authorized by Council." Therefore, staff required the applicant to apply for another GPA Authorization in 2018, which the City Council authorized.

#### Cities with General Plan Amendment Initiation/Screening Procedures

Several Bay Area cities have GPA initiation, screening, or authorization procedures to manage development in their jurisdiction, including Sunnyvale, Mountain View, Campbell, Morgan Hill, Walnut Creek, and Fremont. In Southern California, Ventura County and the cities of Costa Mesa and Camarillo have GPA screening procedures. Redwood City will be conducting a one-time GPA Gatekeeper process in 2020. Attachment D includes a list of jurisdictions and links to the procedures for each city.

The GPA initiation/screening/authorization policies in these other cities do not mention voluntary community amenities in each case, but do not prevent a project proponent from volunteering community amenities. Cupertino's GPA Authorization Procedure appears to be unique in that it lists the community's priorities for voluntary community amenities (based on the prior community outreach) to inform developers about them.

#### Options for the General Plan Amendment Procedure

After receiving this report, Council could consider the following options for the City's GPA Authorization Procedure:

- Retain the existing Procedures as is.
- Refine the existing Procedure to address concerns, such as providing additional public outreach or requiring more detailed project submittals as part of the GPA Authorization application.
- Repeal the existing Procedure and revert to the process in effect before adoption of Resolution 15-078.
- Consider additional methods to manage development, including those discussed in the two 2015 white papers available online at:
  - <https://cupertino.legistar.com/LegislationDetail.aspx?ID=2283966&GUID=42D62254-9990-464E-8C7A-EC5D0B8BA341&Options=&Search=> navigate to Attachment B5
  - <https://cupertino.legistar.com/LegislationDetail.aspx?ID=2363022&GUID=E128642C-F8CB-4D1D-B7FE-BB044BD3E132&Options=&Search=> navigate to Attachment D

### **Sustainability Impacts**

None.

### **Fiscal Impacts**

None.

### **Next Steps**

Future meetings on this issue would depend on whether Council decides to repeal, modify, or retain the existing Procedure.

Because amending or developing a new GPA Authorization Procedure would require staff time and potentially consultant and legal services, a change in GPA Authorization policy may require a future budget and FY20/21 City Work Program amendment to ensure that the Council's other priorities are not affected by this new item.

---

Prepared by: Piu Ghosh, Planning Manager

Reviewed by: Benjamin Fu, Director of Community Development

Approved for Submission by: Dianne Thompson, Assistant City Manager

### **Attachments:**

- A. City Council Resolution 15-078
- B. Flowchart indicating GPA Authorization Process
- C. Table of GPA Authorization Projects 2016 – 2019
- D. List of cities with GPA initiation/screening/authorization procedures



## RESOLUTION NO. 15-078

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO ADOPTING PROCEDURES FOR PROCESSING OF GENERAL PLAN AMENDMENT APPLICATIONS

WHEREAS, on December 4, 2014, the City Council adopted an amended General Plan titled Community Vision 2040, which reflects community input, regulatory changes, best practices, and the desire to achieve community-building, sustainability, economic, and fiscal objectives; and

WHEREAS, the City has been evaluating various programs to manage development to address development issues in light of concerns about rapid growth and the impacts of such growth overwhelming the City's ability to accommodate it, as well as the substantial impacts of development on quality of life in the community; and

WHEREAS, as part of its evaluation process, the City has considered Community Business Incentive Zoning (CBIZ) and Growth Management programs; and

WHEREAS, while CBIZ and Growth Management programs can be effective in metering growth and providing for community benefits, they can be difficult to administer, are limited by legal requirements and do not provide the flexibility for managing growth and its substantial impacts on the community; and

WHEREAS, California Government Code Section 65358(a) provides that: "If it deems it to be in the public interest, the legislative body may amend all or part of an adopted general plan. An amendment to the general plan shall be initiated in the manner specified by the legislative body. . . ."; and

WHEREAS, each mandatory element of the City's General Plan may be amended no more than four times during any calendar year and, subject to that limitation, "an amendment may be made at any time, as determined by the legislative body " (Cal. Gov. Code 65358(b)); and

WHEREAS, the City's Municipal Code does not address the timing or initiation of general plan amendments; and

WHEREAS, rather than pursue a CBIZ or Growth Management program, the City desires to set forth an orderly process, in accordance with its legislative discretion, to consider General Plan amendments and ensure that proposals are fairly considered in light of the City's goals and concerns about growth; and

WHEREAS, the City has prepared General Plan Amendment Procedures to provide a process for preliminary review of proposed amendments; and

WHEREAS, the City Council conducted a public hearing on the proposed procedures on May 19, 2015, and the Council directed staff to provide more information and options at a future meeting; and

WHEREAS, the City held an Open House on the General Plan Amendment Process on June 30, 2015, and the City Council held a Study Session after the Open House; and

WHEREAS, at the Study Session, the Council directed staff to look at options that allowed for applications twice a year and that provided a reevaluation process; and

WHEREAS, the procedures include, among other things: (1) notice provisions to ensure the public has an opportunity to comment; (2) evaluation criteria to ensure general plan amendments that move through the application process are in the public interest and meet the City's goals for development, including provision of community amenities; and (3) requirements for requesting preliminary review of a proposed General Plan amendment; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Cupertino hereby adopts the General Plan Amendment Procedures attached hereto, subject to minor revisions as may be made by the City Manager in consultation with the City Attorney. The City Council hereby authorizes City staff to process proposed General Plan amendments in accordance with the General Plan Amendment Procedures and to take any and all other actions necessary to implement the procedures.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino, the 1st day of September, 2015, by the following vote:

Vote:            Members of the City Council

AYES:            Sinks, Chang, Vaidhyanathan

NOES:            Paul, Wong

ABSENT:        None

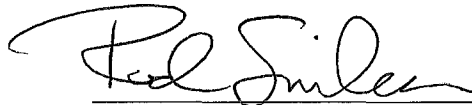
ABSTAIN:       None

ATTEST:

APPROVED:



Grace Schmidt, City Clerk



Rod Sinks, Mayor, City of Cupertino

## **PROCEDURES FOR PROCESSING OF GENERAL PLAN AMENDMENT APPLICATIONS**

### **1. Background/Goals**

Like many communities throughout the State, Cupertino is concerned about balancing the benefits of economic development with the effects of rapid growth. The impacts of such growth can overwhelm the City's ability to accommodate it and affect the quality of life in the community.

The goal is to create a procedure for the consideration of future General Plan amendments that will encourage orderly development of the City and ensure that facility/service and quality of life standards can be met for the community. These procedures only address amendments requested by private parties. The City may initiate General Plan amendments when it deems necessary, such as, to conform to State law or to ensure consistency within the General Plan.

### **2. Procedure**

- a. The Council will consider the timing and processing of General Plan amendments twice a year, approximately every six months.
- b. In order to be considered for processing, applicants will be required to apply for authorization to process a General Plan amendment by a designated date.
- c. In the quarter following the due date (generally), the Council will hold a publicly noticed meeting to preliminarily review the list of proposed General Plan amendments.
- d. Noticing – City-wide postcard and public meeting requirements.
- e. Each application will be preliminarily evaluated for the following:
  - (i) General Plan goals achieved by the project, including, but not limited to, the following:
    - (1) Site and Architectural design and neighborhood compatibility
    - (2) Brief description of net fiscal impacts (sales tax, transient occupancy tax or other revenue provided by the project) including a diverse economic base
    - (3) The provision of affordable housing
    - (4) Environmental Sustainability
  - (ii) General Plan amendments (and any other zoning amendments or variances) requested.
  - (iii) Proposed voluntary community amenities, as defined in Section 3, if any.
  - (iv) Staff time and resources required to process the project.
- f. Based on the above evaluation the Council will consider which projects, if any, will be authorized to proceed with a General Plan amendment application. The decision does not in any way presume approval of the amendment or project. It only authorizes staff to process the application, but the City retains its discretion to consider the application in accordance with all applicable laws, including the California Environmental Quality Act

("CEQA") and the City's zoning laws and ordinances. Consideration of the application will be in accordance with the City's Municipal Code and regulations.

- g. Staff will begin processing the General Plan amendment applications per Council direction. A project that applies for processing should be in substantial compliance with the project authorized by Council.
- h. Proposals not authorized by the Council at the first meeting (per 2.c. above) may be resubmitted with minor amendments within 30 days. Such projects will be considered by the Council at a future public meeting, noticed per the Cupertino Municipal Code, after staff review.

3. Voluntary Community Amenities

- a. For purposes of this policy, voluntary community amenities are defined as facilities, land and/or funding contributions to ensure that any development with a General Plan amendment application enhances the quality of life in the City, including enhancements of the following:
  - (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
  - (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

4. Preliminary Review Requirements

- a. Preliminary documents that would be typically required for the type of application that is requested, such as site plans, preliminary landscape plans, elevations, cross sections, preliminary grading plans and proposed materials.
- b. A description, including graphics, of the General Plan amendment(s) and land use approvals required, if any. The description should include diagrammatic information as necessary to clearly explain the request.
- c. An explanation of how the proposed project meets the overall goals of the General Plan and the benefits/impacts of the project to the community and its quality of life.
- d. A brief summary of net fiscal impacts.
- e. In order to provide the public with early notice and opportunity to provide input, to the extent the proposed project includes voluntary community amenities, as defined in Section 3 above, of a type typically memorialized in a development agreement, the applicant should include a Term Sheet explaining the proposed terms. The Term Sheet will be memorialized in a Development Agreement as part of the project, if approved.

# GUIDANCE ON COMMISSION WORK PROGRAMS FY 2020-21

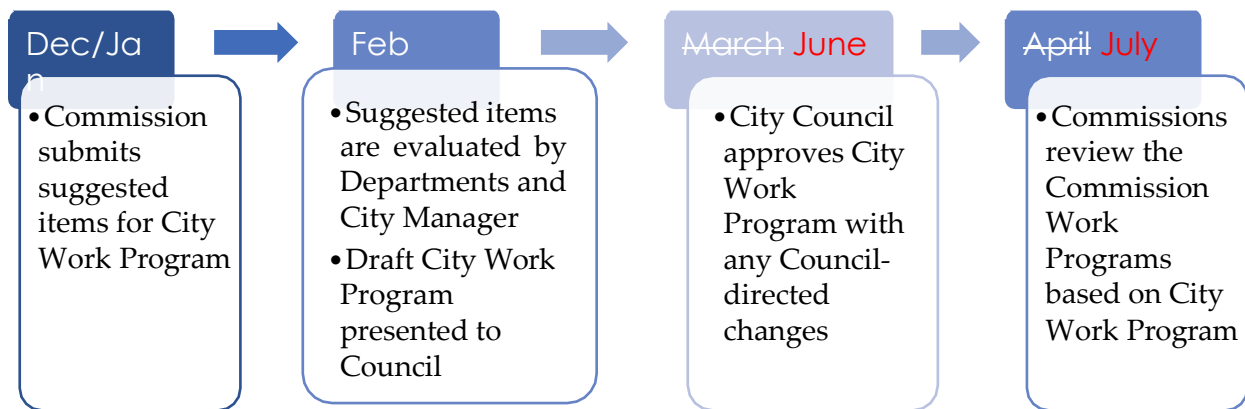
## Role of Commissions

Commissions are established to advise City Council on policy decisions. Commissions carry out this responsibility by reviewing information, weighing public input, and examining issues in depth in order to render a recommendation to the Council. Therefore, items that Council will be considering may come before a commission to make a recommendation for Council. Commissions provide insights for Council specific to their purview as outlined in the Municipal Code, in addition to providing valuable insight as members of the community. The City Work Program includes special items that commissions may be asked to advise on, in addition to the commission's routine work.

## Role of Commission Staff Liaison

The staff liaison is responsible for coordinating the work of the commission and ensuring that the Brown Act and Municipal Code are followed. The staff liaison, as well as all other City staff and Departments, are directed by the City Manager.

## Overview of the Process



In the December/January timeframe, Council requests that each Commission submit suggested ideas for the City Work Program for the upcoming fiscal year. These suggestions are taken into consideration by Departments and the City Manager in developing the proposed City Work Program for Council consideration. When the proposed City Work Program is presented to Council in March, suggested ideas submitted by Commissions are provided as attachments. Commission suggestions that have been incorporated in the proposed City Work Program are indicated. After the City Work Program is adopted by Council, Commissions review Commission Work Programs based upon the items identified for their Commission in the approved City Work Program. Final Commission Work Programs should typically be brought for Council's approval as consent items before July. **\*\*However, given the June revisions to the FY 2020-21 City Work Program due to COVID-19, it is reasonable that Commission Work Programs will be brought for Council's approval later than June, but as early as feasible.\*\***

# GUIDANCE ON COMMISSION WORK PROGRAMS FY 2020-21

## **Guidance on Commission Work Programs**

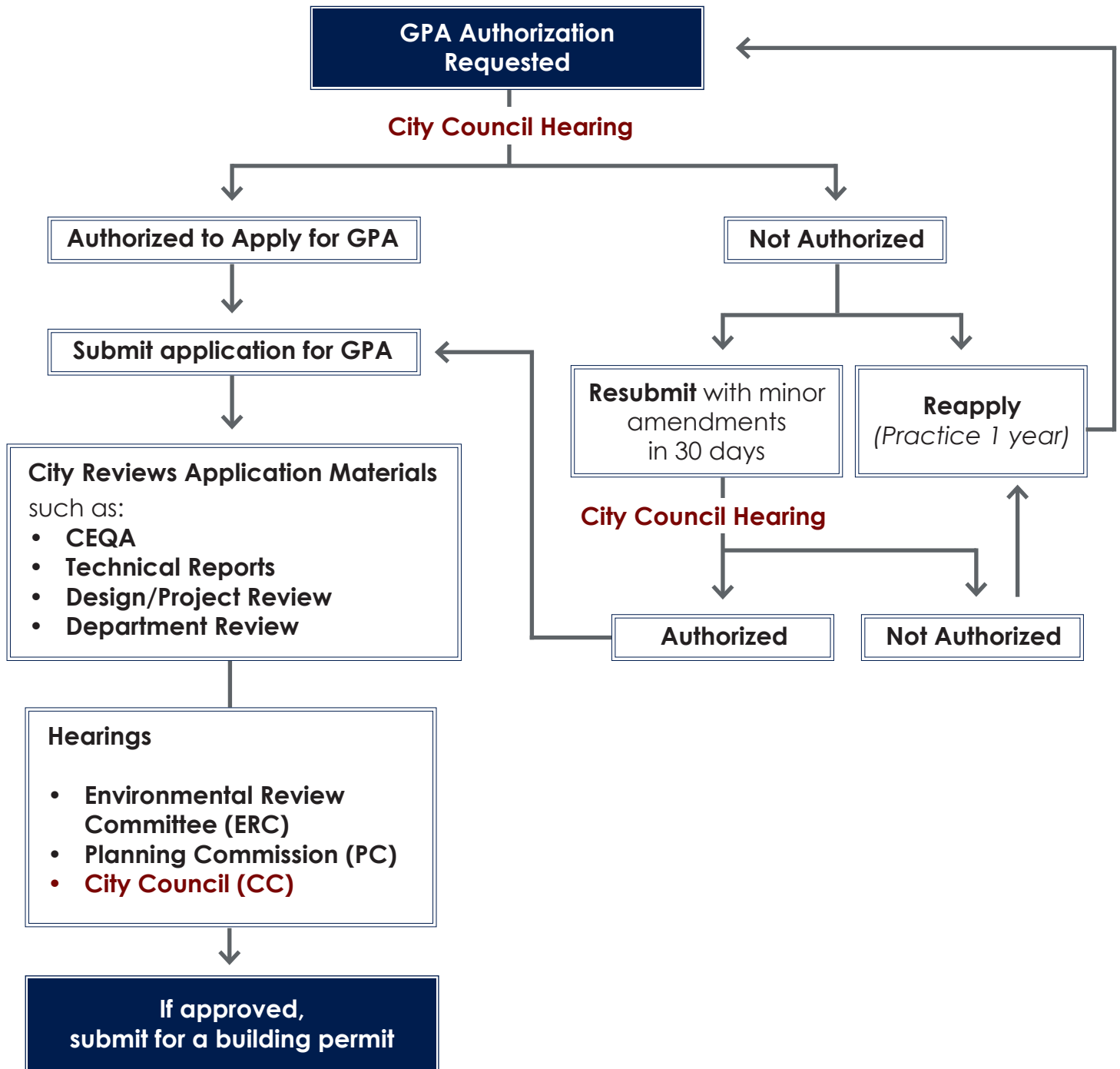
Commission Work Programs align with and support the City Work Program. Generally, work programs govern agendas. Commissioners work together on the annual Commission Work Programs and aim over the course of the year to address those items.

At an agendaized meeting, commissions consider the Commission Work Program for the upcoming year. The Liaison will prepare the Commission Work Program with items from the approved City Work Program that were identified for the commission. Additional minor items may be added to the Commission Work Program as resources allow. It is important that all items are within the purview of the commission as defined in the Municipal Code. Once a final draft is completed, the commission votes on a recommendation for Council to approve the Commission Work Program.



# GENERAL PLAN AMENDMENT AUTHORIZATION WORKFLOW

ATTACHMENT B



# ATTACHMENT C

Project Description	Community Amenities Offered	Date Submitted	Date of Decision	Outcome
<b>Goodyear Tire (De Anza Hotel)</b> 10931 N De Anza Blvd <i>(GPAAuth-2015-01)</i>  Nine-story (~105'), 270-room hotel with ~5,727 s.f. of conference and restaurant facilities	<ul style="list-style-type: none"> <li>• Conf. facilities at no cost to residents on weekends when available</li> <li>• Shuttle services for hotel employees and guests</li> </ul>	11/16/2015	2/2/2016	Not Authorized
<b>Oaks</b> 21255-21755 Stevens Creek Blvd <i>(GPAAuth-2015-02)</i>  280,000 s.f. office (88'), 200-room hotel with conference and meeting space (70'), 270 residential units (60') and 47,660 s.f. of retail/commercial uses	<ul style="list-style-type: none"> <li>• \$1.0mn for construction of permanent school facilities to CUSD</li> <li>• \$250,000 for Veterans' Memorial at Memorial Park</li> <li>• \$50,000 for restroom improv. at Memorial Park</li> <li>• \$1.1mn toward Cupertino Civic Center</li> <li>• \$150,000 above City maximum for Public Art</li> <li>• \$1.15mn for Mary Avenue street improvements (in excess of frontage improvements)</li> <li>• \$400,000 for future senior shuttle program</li> <li>• Parcel tax paid for all units</li> <li>• Future contribution toward safe routes to school to De Anza College</li> <li>• 72 parking passes to De Anza College for 5 years</li> <li>• \$500,000 to create a City incubator program</li> </ul>	11/16/2015	2/2/2016	Not Authorized
<b>Scandinavian Designs</b> 19900 Stevens Creek Blvd <i>(GPAAuth-2016-01)</i>  16,000 SF office allocation	None	11/14/2016	2/21/2017	Not Authorized



Project Description	Community Amenities Offered	Date Submitted	Date of Decision	Outcome
<p><b>Goodyear Tire (De Anza Hotel)</b> 10931 N De Anza Blvd (GPAAuth-2017-01)</p> <p>Five-story, 156-room hotel with underground parking, lounge, and conf. space</p>	<ul style="list-style-type: none"> <li>• Free use of conference facilities for CUSD, City and Cupertino non-profits for up to 12 days per year</li> <li>• Free rooms for use of CUSD for visiting speakers, scholars, and school business activities</li> <li>• Reduced rate shuttle for residents to airport</li> <li>• Complimentary shuttle for hotel guests to SFO</li> <li>• Participate in citywide shuttle service pending participation of other hotels and businesses</li> <li>• One-time payment of \$10,000 per room</li> <li>• Rooftop deck with full food and beverage service</li> </ul>	5/15/2017	8/1/2017	Authorized
<p><b>Oaks</b> 21267 Stevens Creek Blvd (GPAAuth-2017-02)</p> <p>Two alternatives: <i>Alternative 1:</i> 69,500 s.f. commercial; 605 residential units (35-75') <i>Alternative 2:</i> 280,000 s.f. office (88'); 69,500 s.f. commercial; 170 room hotel (70'); 270 residential units (35-60')</p>	<ul style="list-style-type: none"> <li>• \$1.0 million to CUSD for permanent school facilities</li> <li>• \$300,000 to public open space</li> <li>• \$250,000 above City requirement for Public Art</li> <li>• 4,000 sq. ft. community center in project (no details)</li> <li>• \$3.0 million for Mary Ave road improvements and safe routes to school</li> <li>• \$3.5 million construction of on-site transit center</li> <li>• \$250,000 construction of bike trail on western edge of property</li> <li>• \$400,000 toward future city-wide shuttle program like Marina and Hamptons</li> </ul>	5/15/2017	8/1/2017	Withdrawn before hearing

Project Description	Community Amenities Offered	Date Submitted	Date of Decision	Outcome
<p><b>Cupertino Village</b> 10773 N. Wolfe Road (GPAAUTH-2017-03)</p> <p>185 room hotel with conference space and rooftop deck/restaurant</p>	<ul style="list-style-type: none"> <li>• Unpaid internships</li> <li>• Free use of conference facilities to City, non-profits, schools, and other community serving groups</li> <li>• Extended shuttle service to guests and public</li> <li>• One-time payment of \$10,000 per room</li> <li>• \$10,000 to local Transportation Management Agency (TMA)</li> <li>• \$250,000 toward any amenity near their site</li> <li>• Preferential treatment to Cupertino residents for employment</li> <li>• Local negotiated rates for dignitaries visiting Cupertino for governmental or cultural business, subject to availability.</li> </ul>	5/12/2017	8/1/2017	Authorized
<p><b>Goodyear Tire (De Anza Hotel)</b> 10931 N De Anza Blvd (GPAAUTH-2018-01)</p> <p>Six-story, 155-room hotel with underground parking, lounge, and conference space</p>	<ul style="list-style-type: none"> <li>• Complementary use of conference facilities for Cupertino public schools and City of Cupertino for up to 12 days per year;</li> <li>• Cupertino residents are entitled to reduced rate for hotel shuttle to airports and other major destination.</li> <li>• Payment of \$500,000 primarily for transportation programs.</li> <li>• A rooftop amenity, (deck, bar, or restaurant), with public access, not to exceed the height of any rooftop mechanical equipment enclosure.</li> </ul>	11/13/2018	1/15/2019	Authorized

Project Description	Community Amenities Offered	Date Submitted	Date of Decision	Outcome
<p><b>Canyon View</b>  APN: 356-27-026, 356-05-007, 356-05-008  (GPAAUTH-2019-01)</p> <p>25 residential lots where 4 lots are currently allowed on property with Very-low density slope density (5-20) GP designation and RHS zoning</p>	<ul style="list-style-type: none"> <li>• Build and/or provide trail linkage from Linda Vista Park to public open space (sidewalk/street)</li> <li>• Provide six (6) townhomes on two (2) parcels that range in size from 1,000 sq. ft. to 1,100 sq. ft. (Four (4) single-family home BMR units would otherwise be required).</li> </ul>	5/10/2019	11/5/2019	Not Authorized

## ATTACHMENT D

1. Sunnyvale: <https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?blobid=23623>
2. Mountain View: <https://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=22116>
3. Campbell: <https://www.ci.campbell.ca.us/DocumentCenter/View/15110/Preliminary-Applications>
4. Morgan Hill: <https://www.morgan-hill.ca.gov/DocumentCenter/View/259/General-Plan-Amendment?bidId=>
5. Santa Clara: <https://www.santaclaraca.gov/home/showdocument?id=53010>
6. Walnut Creek: <https://www.walnut-creek.org/departments/community-and-economic-development/planning-zoning/permits-forms-fees/guidelines-guidelines/general-plan-amendment-process>
7. Fremont: <https://www.fremont.gov/2783/General-Plan-Amendment-Screening-Request>
8. Ventura County: [https://docs.vcrma.org/images/pdf/planning/zoning/GPA\\_screening\\_guidelines.pdf](https://docs.vcrma.org/images/pdf/planning/zoning/GPA_screening_guidelines.pdf)
9. Costa Mesa: <https://www.costamesaca.gov/home/showdocument?id=222>
10. Camarillo: <https://www.cityofcamarillo.org/Comm%20Dev/Applications/General%20Plan%20Amendment.pdf>
11. Redwood City: <https://www.redwoodcity.org/departments/community-development-and-transportation/planning-services/gatekeeper-process>