



COMMUNITY DEVELOPMENT DEPARTMENT

CITY HALL

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CITY COUNCIL STAFF REPORT

Meeting: April 6, 2021

Subject

Consider whether to authorize the formal submission and processing of a General Plan Amendment Authorization for a change to the Land Use Designation from Low Density (1-5 DU/Ac.) to Low/ Medium Density (5-10 DU/Ac.), which would allow construction of four small lot single family homes where one single family home currently exists. (Application No.(s): GPAAuth-2020-001; Applicant: Homestead Homes; Location: 19820 Homestead Road. APN(s): 316-04-064.

Recommended Action

Determine if the project described in General Plan Amendment Authorization application (GPAAuth-2020-001) is authorized to proceed to apply for the requested General Plan Amendments.

If authorized, adopt Resolution No. ____ of the City Council of the City of Cupertino, authorizing a prospective development proposal described in the 19820 Homestead Road Project General Plan Amendment Authorization application, No: GPAAuth-2020-001, to proceed with a General Plan Amendment application.

Discussion

Background

On September 1, 2015, the City Council adopted procedures for considering General Plan amendments requested by private parties. The procedures provide the following benefits over the previous process whereby General Plan amendment applications were processed as they were received:

- Provide an orderly process to ensure that General Plan amendment proposals are fairly considered in light of the City's goals and concerns about growth;
- Encourage orderly development of the City and ensure that facility/service and quality of life standards can be met for the community;
- Provide opportunity for early community input;
- Consider impacts on staff and other resources.

Pursuant to the procedures, the City Council evaluates General Plan Amendment proposals for authorization as follows (see Attachment B for adopted Council policy):

- General Plan Amendment Authorization applications are considered twice a year and 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, if any.
 - (iv) Staff time and resources required to process the project.
- Based on the above evaluation, Council determines if the project may proceed to apply for the requested General Plan Amendments;
- Staff will receive and begin processing any authorized General Plan Amendment applications.
- Proposals not authorized by the Council may be resubmitted with minor amendments within 30 days and be reconsidered by Council.

A decision to authorize initiating a General Plan Amendment 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 General Plan Amendment application will be in accordance with the City's Municipal Code and regulations.

The deadline to apply for general plan amendment authorizations for consideration by Council in the First Cycle of 2021 was November 9, 2020. The City received one application for authorization for General Plan amendments – the 19820 Homestead Road project. This report reviews the project based on the evaluation criteria set forth in the procedures.

Analysis

Introduction

The proposal is to subdivide an existing residential lot into four residential parcels and one parcel that would act as a common driveway between the properties. Two of the proposed residential lots will have an Accessory Dwelling Unit. Currently, the property is developed with an approximately 2,500 square foot single family residence.

Project Location and Surrounding Uses

The 0.46-acre project site is located on the southside of Homestead Road bordering the City of Sunnyvale to the north, east, and south. Those neighborhoods are low-density residential, with single family detached homes. To the west is the PG&E service yard which is located within the City of Cupertino. The current site is zoned A1-43, or Agricultural Residential with a minimum lot size of 43,000 square feet. The site is located 0.25 miles from



Figure 1: Project Site and Vicinity

the Cupertino Village Shopping Center, 0.1 miles from the Oakmont Shopping Center (at N. Blaney and Homestead) and 0.5 mile from the Apple Campus 2.

Evaluation of Project Proposal:

The following is a high-level evaluation of the project proposal related to compliance with the City's General Plan and zoning standards.

Project Data

Table 1 indicates the proposed project data along with General Plan amendments, or variances, requested and/or required.

Table 1: 19820 Homestead Project Data

<u>Requirement/ Standard</u>	<u>Allowed/Required/ Existing</u>	<u>Proposed</u>	<u>Comments</u>
General Plan Designation	Low Density(1-5 DU/Ac.)	Low / Medium Density (5-10 DU/Ac.)	New General Plan Land Use Designation necessary

<u>Requirement/ Standard</u>	<u>Allowed/Required/ Existing</u>	<u>Proposed</u>	<u>Comments</u>
Zoning Designation	A1-43	<i>Would need to be revised to be consistent with new General Plan Land Use Designation</i>	Zoning Map Amendment
Development Allocation			
General Plan Residential Yield	2 units	4 units (not including ADUs)	General Plan Amendment required to increase allowed number of homes
Minimum Lot Size	43,000 square feet	3,750 – 4,290 square feet	Future Development would need either a planned zoning district to establish development standards or R1C (R1 Cluster) Zoning
Height	28 feet (max.)	24.5 feet	
Setbacks			
Front	First Floor: 30 feet Second Floor: 30 feet	First Floor: 0-20 feet Second Floor: 0-20 feet	
Side	First Floor: 20 feet Second Floor: 20 feet	First Floor: 8.6-20 feet Second Floor: 8.6-20 feet	
Rear	First Floor: 20 feet Second Floor: 25 feet	First Floor: 8.6-9 feet Second Floor: 8.6-9 feet	
Floor Area Ratio	45%	76-97%	
Lot Coverage	40%	42-51%	
Fiscal Impact	\$1,700 annually to the General Fund	\$9,300 annually to the General Fund	An increase of \$7,600

Evaluation Criteria Discussion

The following is a discussion of the project relative to the evaluation criteria established by City Council procedure for General Plan Amendment authorization requests.

Evaluation Criteria

Based on the criteria in the policy adopted by the City Council on September 1, 2015, the project has been evaluated based on:

- General Plan goals achieved by the project:

- Site and architectural design and neighborhood compatibility – does the project exhibit superior quality of site layout and project design? Is the project compatible with the surrounding uses?
- Fiscal impacts, including a diverse economic base – would the project have positive or negative one-time and ongoing impacts to the City’s fiscal base?
- Provision of affordable housing – does the project provide or otherwise promote affordable housing above and beyond typical City requirements?
- Environmental sustainability – to what extent does the project include features including green building, site design and project operation principles, that promote environmental sustainability above and beyond the City’s typical requirements?
- General Plan amendments requested – number and type of General Plan amendments requested by the applicant.
- Proposed voluntary community amenities – what is the per-square-foot amount of community amenities offered by the applicant?
- Staff time and resources required to process the project – would the amount of staff time and resources require hiring of staff or consultants to process the project? It should be noted that applicants would be required to pay the full cost of processing the project, including staff and consultant time and materials.

General Plan Goals Achieved by Proposal

Site and Architectural Design and Neighborhood Compatibility:

- Staff has not completed a design review of the current proposal. However, if approved for submission, the architecture, site layout, and overall project design shall be consistent with the General Plan standards to encourage compatibility with the surrounding environment, attractive design, and setback standards.

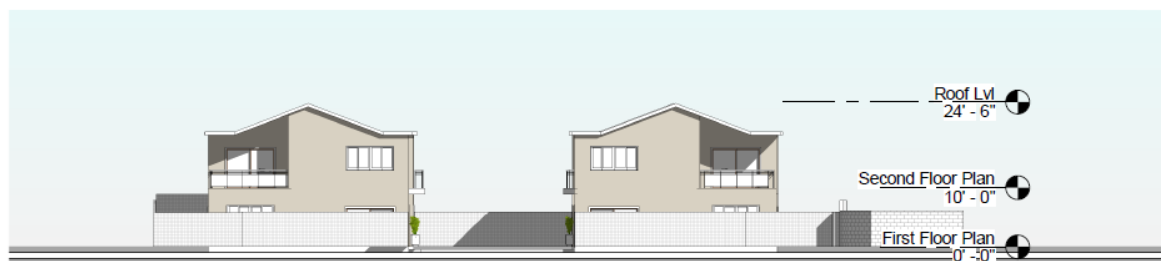


Figure 2 North Elevations visible from Homestead Road.

- In accordance with Policy LU-23.6: Neighborhood Buffer, the development shall provide building transitions, setbacks, and/or landscaping to buffer the development from the adjoining single-family neighborhoods.

- The project would require the removal of trees to accommodate the project. The number and species of trees to be removed is unknown at this time.

Net Fiscal Impacts

- An analysis of fiscal impacts to the City has been prepared by Economics and Planning Systems, Inc. (EPS), a third-party consulting firm, see Attachment E. The report estimates the proposed project would have a \$9,300 net positive annual fiscal impact on the City's General Fund. This would be a net increase of \$7,600 from the existing use onsite.



Figure 3 Bird's eye view of the proposed development.

Provision of affordable housing

- The Below Market Rate (BMR) Mitigation Program Procedural Manual requires that any residential development between one to six units either pay the Affordable Housing Mitigation Fee or provide one BMR unit. The applicant is proposing to pay the Mitigation fee (For reference, the current fee is equal to \$20.88 a square foot.)
- The applicant will receive a credit for the existing unit on the site. Therefore, the calculation will be based on the three (3) net new units minus the garage and ADU square footages. At approximately 8,105 square feet, the estimated fee would be \$169,232.40.

Environmental Sustainability

- The project would be required to be either GPR certified at a minimum of 50 points, LEED Silver, or Alternative Reference to be consistent with the City's Green Building ordinance.

General Plan Amendments Requested

The applicant is requesting General Plan Amendments for the following:

Change in General Plan Land Use Designation from Low Density Residential (1-5 dwelling units/acre) to Low/Medium Density Residential (5-10 dwelling units/acre) which would allow for 4 units on the project site where currently the density would allow

the potential for two (2) units (zoning, however, would only allow one (1) unit). This would include, but not be limited to, an amendment to the General Plan Land Use Map.

Voluntary Community Amenities Proposed

Table 3 below indicates the proposed voluntary community amenities.

Table 3: Proposed Voluntary Community Amenities

Categories	Proposed	Beneficiary	Value	Comments
School resources	None	None	\$0	-
Public open space	None	None	\$0	-
Public facilities	None	None	\$0	-
Transportation facilities	None	None	\$0	-
Affordable Housing	None	None	\$0	-
	Total Value of Qualified Community Amenities		\$0	
	Total Value/square-foot of Qualified Community Amenities		\$0 per s.f.	

The applicant is not proposing any community benefits beyond the required mitigation and in-lieu fees required for development.

Staff Time and Resources:

The Planning Division will dedicate a project manager (either staff or consultant, based on availability) to guide the project through the entitlement process, appropriate environmental, and city related reviews. It is estimated that approximately 0.25 FTE hours will be required for processing this application. Staff time and consultant costs will be paid for by the applicant.

Public Noticing and Outreach

The following table indicates the public noticing and outreach conducted on the General Plan authorization process as required by the procedures adopted by the City Council.

Noticing, Site Signage	Agenda
<ul style="list-style-type: none"> ▪ Postcard mailed to all postal customers in Cupertino (<i>at least 10 days prior to meeting</i>) 	<ul style="list-style-type: none"> ▪ Posted on the City's official notice bulletin board (<i>at least five days prior to the hearing</i>)

▪ Site signage on subject property (<i>at least 10 days prior to meeting</i>)	▪ Posted on the City of Cupertino's Web site (<i>at least five days prior to the hearing</i>)
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Environmental Impact

The California Environmental Quality Act (CEQA) does not apply since the City Council's action, consideration and authorization of formal applications, is not a project as defined by CEQA. However, project level environmental review will be conducted for the projects that are authorized to move forward with applications for General Plan Amendments.

Fiscal Impact

The project net fiscal impact to the City's budget has been discussed previously in the "Net Fiscal Impacts" section above.

Sustainability Impact

The sustainability impacts are discussed in the "Environmental Sustainability" section above.

Next Steps

Projects authorized by the Council to move forward will enter the formal development application and review process including necessary environmental analysis. The timeline for the projects will begin when the applications are complete and are expected to run about 9-12 months.

Projects additionally have the option to resubmit their application with minor adjustments based on Council input within 30 days of this Council meeting. These modifications would be presented at a subsequent meeting.

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Approved for Submission by: Dianne Thompson, Assistant City Manager

Attachments:

- A – Draft Resolution
- B - City Council policy for General Plan Amendment application procedures
- C - Project Plans
- D - Project Description

- E - Homestead Homes Feasibility Analysis, prepared by Kelly Snider of Land use Analysis & Entitlement Services, dated November 5, 2020.
- F - Fiscal Analysis of the Homestead GPA Application, prepared by Economics and Planning Systems, Inc., dated December 23, 2020.