

RESOLUTION NO. 21-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
AUTHORIZING A PROSPECTIVE DEVELOPMENT PROPOSAL DESCRIBED IN THE
19280 HOMESTEAD ROAD GENERAL PLAN AMENDMENT AUTHORIZATION
APPLICATION, NO: GPA AUTH-2020-001, TO PROCEED WITH A GENERAL PLAN
AMENDMENT APPLICATION

PROJECT DESCRIPTION

Application No: GPAAuth-2020-001

Applicant: Homestead Homes

Location: 19280 Homestead Rd. (A.P.N.: 316-04-064)

WHEREAS, on September 15, 2015, the City Council adopted procedures for considering future General Plan amendments requested by private parties, including to review prospective applications twice a year and decide which proposed projects are authorized to proceed with 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 9, 2020, the deadline to be considered in the 2021 first cycle of the General Plan Amendment application review process: the 19280 Homestead Rd. Project General Plan Amendment Authorization (GPAAuth-2020-001); and

WHEREAS, on April 6, 2021, the City Council held a public hearing to consider said General Plan Amendment authorization application; after closing the public hearing considered whether to allow the applicant to proceed with the General Plan Amendment application based on the relevant criteria; and motioned for the applicant to resubmit within 30 days and in consideration of Council's comments; and

WHEREAS, resubmittal of applications with minor amendments within 30 days of the decision on the original application is allowed under the General Plan Amendment Authorization procedures adopted by the City Council; and

WHEREAS, on May 6, 2021, the City of Cupertino received a resubmitted application with minor amendments to the 19280 Homestead Road project proposal; and

WHEREAS, on June 15, 2021, the City Council held a public hearing to consider said General Plan Amendment authorization application; 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 is simply authorizing submittal of an application and 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 authorized to proceed as a General Plan Amendment application:

19280 Homestead Rd. – A.P.N.: 316-04-064– General Plan Amendments to allow 4 residential units where one (1) unit is currently allowed on .46-acre property. With the following Community Amenity:

- Affordable Housing Mitigation Fee of \$30 a square foot.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Cupertino the 15th day of June 2021, by the following roll call vote:

Vote: Members of the City Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

Kirsten Squarcia
City Clerk

Darcy Paul
Mayor, City of Cupertino