RESOLUTION NO. 18-085

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
APPROVING A GENERAL PLAN AMENDMENT TO DEVELOPMENT
ALLOCATIONS, THE GENERAL PLAN LAND USE MAP AND
DEVELOPMENT STANDARDS RELATED TO THE VALLCO TOWN CENTER
SPECIAL AREA

SECTION I: PROJECT DESCRIPTION

Application No: GPA-2018-02
Applicant: City of Cupertino
Location: 10101 to 10333 N Wolfe Rd
APN#s: 316-20-080, 316-20-081, 316-20-103, 316-20-107, 316-20-101, 316-20-105,
316-20-106, 316-20-104, 316-20-088, 316-20-092, 316-20-094, 316-20-099,
316-20-100, 316-20-095

SECTION II: RECITALS

WHEREAS, the Housing Element of the Cupertino General Plan identifies the Vallco
Town Center Special Area as being appropriate to accommodate at least 389 dwelling
units to be developed pursuant to a specific plan for the Vallco Town Center; and

WHEREAS, the Vallco Town Center Specific Plan has been developed pursuant to City
Council direction to initiate a project to prepare a specific plan for the Vallco Town Center
Special Area, including any required changes to the adopted goals and objectives for the
Special Area, in order to implement the Housing Element of the Cupertino General Plan
and to plan for anticipated future development activity; and

WHEREAS, pursuant to the City Council direction to conduct extensive public outreach
the City conducted multiple forms of public outreach including two multi-day charrettes,
online civic engagement, open houses and brown bag presentations, comment meetings
etc.; and

WHEREAS, the General Plan Amendment to Development Allocations, the General Plan
Land Use Map and development standards related to the Vallco Town Center Special
Area (the "General Plan Amendment") is part of the Vallco Town Center Specific Plan,
all as fully described and analyzed in the May 2018 Vallco Special Area Specific Plan
Environmental Impact Report ("Draft EIR") (State Clearinghouse No. 2018022021), as
amended by the July 2018 Vallco Special Area Specific Plan Environmental Impact Report
Amendment ("EIR Amendment") and by text revisions in the August 2018 Vallco Special
Area Specific Plan Final EIR document which contains Response to Comments to the
Draft EIR and the EIR Amendment, and the August 30, 2018, September 11, 2018, and
September 13, 2018 Supplemental Text Revisions to the Vallco Special Area Specific Plan Final Environmental Impact Report; (together, the “Final EIR”);

WHEREAS, the Final EIR was presented to the Environmental Review Committee ("ERC") for review and recommendation on August 31, 2018, and after considering the Final EIR, and Staff’s presentation, the ERC recommended on a 5-0 vote that the City Council certify the EIR; 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 September 4, 2018 to consider the General Plan Amendment; and

WHEREAS, based on substantial evidence in the administrative record, on September 4, 2018 the Planning Commission recommended on a 5-0 vote that the City Council certify that the Final EIR has been completed in compliance with the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and reflects the independent judgment and analysis of the City, adopt the Findings and Statement of Overriding Considerations, and implement all of the mitigation measures for the Project that are within the responsibility and jurisdiction of the City that are identified in Findings, in substantially similar form to the Resolution presented (Resolution No. 6860); and

WHEREAS, on September 4, 2018, the Planning Commission recommended on a 4-1 vote (Liu: no) that the City Council adopt the General Plan Amendment (GPA-2018-05), in substantially similar form to the Resolution presented (Resolution no. 6861) with additional recommendations to amend Strategy LU-19.1.2, correct Table LU-1, and consider a middle tier Development Allocation for the Vallco Town Center Special Area as more particularly described in Resolution no. 6861; and

WHEREAS, on September 19, 2018 (continued from September 18, 2018), upon due notice, the City Council has held at least one 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; and

WHEREAS, after consideration of evidence contained in the entire administrative record, at the public hearing on September 19, 2018 (continued from September 18, 2018), the City Council adopted Resolution No. 18-084 certifying the Final EIR, adopting Findings and a Statement of Overriding Considerations, adopting Mitigation Measures, and adopting a Mitigation Monitoring and Reporting Program; and

WHEREAS, prior to taking action on this Resolution, the City Council has exercised its independent judgment in carefully considering the information in the Final EIR and finds that the scope of this Resolution falls within the certified Final EIR, in that the aspects of
the General Plan Amendment proposed in this Resolution that have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment have been examined in the Final EIR and therefore, no recirculation of the Final EIR is required.

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-2018-05) 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
2. Changes to the Land Use Map as shown in Exhibit GPA-2.

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 EIR 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 19th day of September 2018 (continued from September 18, 2018), at a Special Meeting of the City Council of the City of Cupertino by the following roll call vote:

AYES: Sinks, Chang, Vaidhyanathan
NOES: Paul, Scharf
ABSTAIN: None
ABSENT: None

ATTEST:  
Grace Schmidt, City Clerk  
APPROVED:  
Darcy Paul, Mayor, City of Cupertino

THIS IS TO CERTIFY THAT THE WITHIN INSTRUMENT IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE  
ATTEST:  
OCTOBER 2, 2018  
CITY CLERK OF THE CITY OF CUPERTINO  
BY:  
CITY CLERK
The City Center subarea is located south of the Central Stevens Creek Boulevard subarea, between De Anza and Torre Avenue/Regnart Creek. The primary use for this area is office/residential/hotel/public facilities/commercial retail/mixed-uses. This subarea is further defined into the City Center Node and Civic Center Node. The City Center Node includes Cali Plaza. The Civic Center Node includes City Hall, Cupertino Community Hall, Cupertino Public Library, as well as the Library Plaza and Library Field.

The East Stevens Creek Boulevard subarea is located at the east end of the Heart of the City Specific Plan area and extends from Portal Avenue to the eastern city limit. The area is largely defined by the South Vallco Park Gateway immediately east of the Vallco Town Center Shopping District Special Area, which includes Nineteen 800 (formerly known as Rosebowl), The Metropolitan and Main Street developments. This area is intended as a regional commercial district with retail/commercial/office as the primary uses. Office above ground level retail is allowed as a secondary use, with residential/residential mixed-use as a supporting use per the Housing Element.

VISION

The Heart of the City area will continue being a focus of commerce, community identity, social gathering and pride for Cupertino. The area is envisioned as a tree-lined boulevard that forms a major route for automobiles, but also supports walking, biking and transit. Each of its five subareas will contribute their distinctive and unique character, and will provide pedestrian and bicycle links to adjacent neighborhoods through side street access, bikeways and pathways. While portions of the area is designated as a Priority Development Area (PDA), which allows some higher intensity near gateways and nodes, development will continue to support the small town ambiance of the community. The Stevens Creek Boulevard corridor will continue to function as Cupertino’s main mixed-use, commercial and retail corridor. Residential uses, as allowed per the Housing Element, should be developed in the “mixed-use village” format described later in the Land Use and Community Design Element.
VALLCO TOWN CENTER SHOPPING DISTRICT

CONTEXT

The Vallco Town Center Shopping District Special Area encompasses Cupertino’s most significant commercial center, formerly known as the Vallco Fashion Park. This Special Area is located between Interstate 280 and Stevens Creek Boulevard in the eastern part of the city. The North Blaney neighborhood, an established single-family area, is adjacent on the west side of the Vallco Town Center Shopping District. Wolfe Road bisects the area in a north-south direction, and divides Vallco Shopping District into distinct subareas: Vallco Shopping District Gateway West and Vallco Shopping District Gateway East. In recent years there has been some façade improvement to the Vallco Fashion Mall; however, there has been no major reinvestment in the mall for decades. Reinvestment is needed to upgrade or replace older buildings and make other improvements to that this commercial center is more competitive and better serves the community. Currently, the major tenants of the mall include a movie theater, and a bowling alley and three national retailers. The Vallco Town Center Shopping District is identified as a separate Special Area given its prominence as a regional commercial destination and its importance to future planning/redevelopment efforts expected over Vallco.

VISION

The Vallco Town Center Shopping District will continue to function as a major regional and community destination. The City envisions this area as a new mixed-use “town center” and gateway for Cupertino. It will include an interconnected street grid network of bicycle and pedestrian-friendly streets, more pedestrian-oriented buildings with active uses lining Stevens Creek Boulevard and Wolfe Road, and publicly-accessible parks and plazas that support the pedestrian-oriented feel of the revitalized area. New development in the Vallco Town Center Shopping District should be required to provide buffers between adjacent single-family neighborhoods in the form of boundary walls, setbacks, landscaping or building transitions.

VALLCO TOWN CENTER SHOPPING DISTRICT SPECIAL AREA DIAGRAM

LEGEND
- Commercial/Office/Residential
- Transit Route
NORTH BLANEY

CONTEXT

The North Blaney neighborhood is located in the eastern portion of Cupertino, north of Stevens Creek Boulevard and east of De Anza Boulevard. This area, predominantly defined by single-family residential homes, is on the valley floor with minimal grade changes. Bounded generally by De Anza Boulevard, Highway 280, Stevens Creek Boulevard, and Perimeter Road, this area is served by amenities including Portal Park, which includes a number of recreational amenities such as a tot lot and a recreation building. The Junipero Serra drainage channel runs along the northern edge of the neighborhood along Interstate 280. North Blaney is a major north-south corridor through the area. The Portal Plaza Shopping Center, located in the Heart of the City Special Area, includes grocery facilities and a variety of neighborhood serving uses. Proximity to the Vallco Shopping Mall Special Area in the Heart of the City Special Area provides opportunities for shopping for this neighborhood within close walking distance. Housing types located in this neighborhood include duplexes, townhomes and apartments closer to the freeway. The North Blaney Neighborhood includes Collins Elementary School and Lawson Middle School.

VISION

The North Blaney neighborhood will continue to be mainly a residential area. It is anticipated that there may be limited residential growth in this area on sites that may be subdivided or redeveloped. No other land use changes are anticipated in this area. Bicycle and pedestrian enhancements to North Blaney Avenue will improve the north-south connection through the city. There is also a potential to improve the east-west pedestrian and bicycle connection along the Junipero Serra channel along Interstate 280.
LU-1.2.3: Unused Development Allocation.
Unused development allocations may be re-assigned to the citywide allocation table per Planning Area, when development agreements and development permits expire.

LU-1.2.4: Neighborhood Allocation.
Allocate residential units in neighborhoods through the building permit process unless subdivision or development applications are required.

POLICY LU-1.3: LAND USE IN ALL CITYWIDE MIXED-USE DISTRICTS
Encourage land uses that support the activity and character of mixed-use districts and economic goals.

STRATEGIES:
LU-1.3.1: Commercial and Residential Uses.
Review the placement of commercial and residential uses based on the following criteria:

1. All mixed-use areas with commercial zoning will require retail as a substantial component. The North De Anza Special Area is an exception.
2. All mixed-use residential projects should be designed on the “mixed-use village” concept discussed earlier in this Element.
3. On sites with a mixed-use residential designation, residential is a permitted use only on Housing Element sites and in the Monta Vista Village Special Area.
4. Conditional use permits will be required on mixed-use Housing Element sites that propose units above the allocation in the Housing Element, and on non-Housing Element mixed-use sites, unless otherwise allowed in a Specific Plan.

LU-1.3.2: Public and Quasi-Public Uses.
Review the placement of public and quasi-public activities in limited areas in mixed-use commercial and office zones when the following criteria are met:

1. The proposed use is generally in keeping with the goals for the Planning Area, has similar patterns of traffic, population or circulation of uses with the area and does not disrupt the operations of existing uses.
2. The building form is similar to buildings in the area (commercial or office forms). In commercial areas, the building should maintain a commercial interface by providing retail activity, storefront appearance or other design considerations in keeping with the goals of the Planning Area.
### 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

<table>
<thead>
<tr>
<th></th>
<th>commercial (s.f.)</th>
<th>office (s.f.)</th>
<th>hotel (rooms)</th>
<th>residential (units)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>current built</td>
<td>buildup</td>
<td>available</td>
<td>current built</td>
</tr>
<tr>
<td>Heart of the City</td>
<td>1,351,730</td>
<td>214,500</td>
<td>793,270</td>
<td>2,447,500</td>
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<tr>
<td>Tyne Shopping</td>
<td>1,207,774</td>
<td>600,000</td>
<td>-</td>
<td>1,207,774</td>
</tr>
<tr>
<td>Homestead</td>
<td>291,408</td>
<td>214,500</td>
<td>-</td>
<td>69,550</td>
</tr>
<tr>
<td>N. De Anza</td>
<td>56,708</td>
<td>56,708</td>
<td>-</td>
<td>2,081,021</td>
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<tr>
<td>N. Vallejo</td>
<td>133,147</td>
<td>133,147</td>
<td>-</td>
<td>3,069,676</td>
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<tr>
<td>S. De Anza</td>
<td>352,283</td>
<td>352,283</td>
<td>-</td>
<td>130,708</td>
</tr>
<tr>
<td>Bubb</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>444,753</td>
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<tr>
<td>Monta Vista Village</td>
<td>94,051</td>
<td>99,698</td>
<td>5,647</td>
<td>443,140</td>
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<tr>
<td>Other</td>
<td>144,964</td>
<td>144,964</td>
<td>-</td>
<td>119,896</td>
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<tr>
<td>Major Employers</td>
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<td>-</td>
<td>-</td>
<td>109,935</td>
</tr>
<tr>
<td>Ch Vallejo Centre</td>
<td>3,632,065</td>
<td>3,823,208</td>
<td>-</td>
<td>10,770,005</td>
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<tr>
<td>Ch Vallejo Centre</td>
<td>3,632,065</td>
<td>4,430,982</td>
<td>798,917</td>
<td>11,470,005</td>
</tr>
</tbody>
</table>

**Note:** Table data may vary and is subject to change based on future updates to the plan.

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**Data Source:**
- The data presented in the table is based on the specific allocation guidelines outlined in Policy LU-1 for the year 2014-2040.
- The allocation includes both current and projected data, with specific emphasis on the Heart of the City and Tyne Shopping Districts.
- The table reflects a balanced approach to land use, focusing on commercial, office, hotel, and residential units across various city areas.
- The data is presented in a clear, tabular format to facilitate easy understanding and analysis.

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**Additional Notes:**
- The allocation of development is intended to support the community's needs and aspirations as outlined in the general plan.
- The data reflects a strategic approach to balancing jobs and housing units, ensuring a sustainable urban environment.
- The table highlights the importance of maintaining a balanced development pattern across the city.

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**References:**
- The data is sourced from the City's Comprehensive Plan, which outlines key policy initiatives and development priorities.
- The allocation guidelines are subject to periodic review and update based on community feedback and changing urban dynamics.

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**Contact:**
For more information, contact the City's Planning Department at 555-1234 or visit the City's website at www.citywebsite.com.
GOAL LU-19
Create a distinct and memorable mixed-use “town center” that is a regional destination and a focal point for the community.

VALLCO TOWN CENTER SHOPPING DISTRICT SPECIAL AREA

The City envisions a complete redevelopment of the existing Vallco Fashion Mall into a vibrant mixed-use “town center” that is a focal point for regional visitors and the community. This new Vallco Town Center Shopping District will become a destination for shopping, dining and entertainment in the Santa Clara Valley.

POLICY LU-19.1: SPECIFIC PLAN
Implement the Vallco Town Center Specific Plan and apply the adopted vision, policies or development standards in the review of any development on the site including the street layout, land uses, design standards and guidelines, and infrastructure improvements required. The Vallco Town Center Specific Plan will be based on the following strategies:

STRATEGIES:
LU-19.1.1: Master Developer.
Redevelopment will require a master developer in order to remove the obstacles to the development of a cohesive district with the highest levels of urban design.

LU-19.1.2: Parcel Assembly.
Parcel assembly and a master site development plan for complete redevelopment of the site is required prior to issuance of other implementing permits adding residential and office uses. Parcelization is highly discouraged in order to preserve the site for redevelopment in the future. Accommodate parcelization needs of certain development types, such as senior housing or affordable housing, or if demonstrated to be necessary for financing reasons.

LU-19.1.3: Complete Redevelopment. The “town center” Any site development plans should be based on complete redevelopment of the site in order to ensure that the site can be planned to carry out the community vision in the specific plan.

LU-19.1.4: Land Use.
The following uses are allowed on the site (see Figure LU-2 for residential densities and criteria).
Uses allowed on the site shall be as shown in the Vallco Town Center Specific Plan and generally include residential, office, commercial (including retail, restaurant, entertainment, and
Table LU-1 identifies the development potential on the site in two levels: Tier 1 and Tier 2. Tier 1 identifies the maximum development potential for the site under the base density as defined in Figure LU-2 and the Vallco Town Center Specific Plan. Tier 2 identifies the maximum development potential for the site for projects that have applied for and received a community benefits density bonus, as an alternative to the state Density Bonus law, which is further defined in the Vallco Town Center Specific Plan and which requires certain community benefits to be incorporated into the project.

1. Retail: **Commercial**: Include high-performing retail, restaurant and entertainment uses. Maintain a minimum of 600,000 square feet of retail that provide a good source of sales tax for the City. Entertainment uses may be included but shall consist of no more than 30 percent of retail uses.

2. Hotel: Encourage a business-class hotel with conference center and active uses such as including main entrances, lobbies, retail and restaurants, at key locations, on the ground floor.

3. Residential: Allow residential on upper floors with retail and active uses on the ground floor per the Vallco Town Center Specific Plan. Encourage a mix of units for young professionals, couples and/or active seniors who like to live in an active "town center" environment.

4. Office: Encourage high-quality office space arranged in a pedestrian-oriented street grid with active uses, such as lobbies, cafes, break rooms, active office amenities, on the ground floor in key locations. Encourage access to publicly accessible street and that front plazas/green space.

**LU-9.1.5: “Town Center Layout”** Create streets and blocks laid out using "transect planning" (appropriate street and building types for each area), which includes a discernible center and edges, public space at center, high quality public realm, and land uses appropriate to the street and building typology.

**LU-19.1.6: Connectivity.** Provide a newly configured complete street grid hierarchy of streets, boulevards and alleys that is pedestrian-oriented, connects to existing streets, and creates walkable urban blocks for buildings and open space. It should also incorporate transit facilities, provide connections to other transit nodes and coordinate with the potential expansion of Wolfe Road bridge over Interstate 280 to continue the walkable, bikeable boulevard concept along Wolfe Road. The project should also contribute towards a study and improvements to a potential Interstate 280 trail along the drainage channel south of the freeway and provide pedestrian and bicycle connections from the project sites to the trail.

**LU-19.1.7: Existing Streets.** Improve Stevens Creek Boulevard and Wolfe Road to become more bike and pedestrian-friendly with bike lanes, wide sidewalks, street trees, improved pedestrian intersections to accommodate the connections to Rose Bowl Nineteen80 and Main Street and in the vicinity.