

**N. DE ANZA BOULEVARD
CONCEPTUAL PLAN**



CITY OF CUPERTINO CONCEPTUAL ZONING PLAN
FOR
NORTH DE ANZA BOULEVARD

CUPERTINO CITY COUNCIL

MAYOR - James E. Jackson

Donald A. Frolich
Robert W. Meyers

Kathy E. Nellis
Reed Sparks

CUPERTINO PLANNING COMMISSION

CHAIRMAN - John M. Gatto

Victor J. Adams
Judith A. Cooper

Daniel P. O'Keefe
J. Donald Woodward

CITY MANAGER - Robert W. Quinlan

DEPARTMENT OF PLANNING AND DEVELOPMENT

Director - James H. Sisk
Assistant Director - Robert S. Cowan (Project Director)
Assistant Planner - Toby Kramer (Project Staff - Resigned)
Assistant Planner - Steve Piasecki
Senior Planning Technician - Mark Caughey
Draftsman Illustrator - Tom Gilbertson (Project Illustrator)

DEPARTMENT OF PUBLIC WORKS

Director - Bert Viskovich
Assistant Director - Travice Whitten

DESIGN CONSULTANT

James H. Coleman & Associates

TABLE OF CONTENTS

Table of Contents.....	iii
Ordinance 723.....	iv
Ordinance 767.....	vi
Trip End Performance Standard.....	3
Agglomeration: Interim and Long-Range Solutions.....	4
Public Road System.....	9
General and Special Design Standards.....	10
50-ft. Landscaping Setback.....	10
Relationship of North De Anza Boulevard Conceptual Plan to Existing Zoning Districts.....	11
Conditions of Approval.....	13
Description of Zoning Change for Individual Properties.....	18
 Appendix A - Trip End Performance Standard	
 Appendix B - Landscaping Guidelines	

ORDINANCE NO. 723

AN ORDINANCE OF THE CITY OF CUPERTINO AMENDING SECTION 1 OF ORDINANCE NO. 2 BY REZONING APPROXIMATELY 75 ACRES FROM VARIOUS ZONING DISTRICTS TO P (PLANNED DEVELOPMENT WITH INDUSTRIAL, COMMERCIAL, AND RESIDENTIAL 4-10 DWELLING UNITS PER GROSS ACRE) ZONE; LOCATED SOUTHERLY OF ROUTE 280 FREEWAY, WESTERLY OF DE ANZA BOULEVARD, NORTHERLY OF ALVES DRIVE, AND EASTERLY OF GARDEN GATE SUBDIVISION AND BEARDON AVENUE

THE CITY COUNCIL OF THE CITY OF CUPERTINO DOES ORDAIN AS FOLLOWS:

WHEREAS, on November 10, 1975, an application was filed by the City of Cupertino (Application 3-Z-75) for the rezoning of property from PD (CG Intent) Zone, PD (ML Intent) Zone, PD (CG and ML Intent) Zone, R1-10 (Residential, single-family, 10,000 sq. ft. per dwelling unit) Zone, ML (Light Industrial) Zone, R3-2.2 (Residential, multiple, 2,200 sq. ft. per dwelling unit) Zone, and CG (General Commercial) Zone to PD (Planned Development with CG, ML, R(4-10) Intent) Zone; and

WHEREAS, upon due notice and after one public hearing the Planning Commission recommended to the City Council that the rezoning be granted; and

WHEREAS the property to be rezoned is presently in a PD (CG Intent) Zone, PD (ML Intent) Zone, PD (CG and ML Intent) Zone, R1-10 (Residential, single-family, 10,000 sq. ft. per dwelling unit) Zone, ML (Light Industrial) Zone, R3-2.2 (Residential, multiple, 2,200 sq. ft. per dwelling unit) Zone and CG (General Commercial) Zone; and

WHEREAS, a map of the subject property is contained within Exhibit "A", attached hereto, as a proposed amendment to the Master Zoning Map of the City of Cupertino;

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1. That the following described property be and hereby is rezoned to a P (Planned Development with CG, ML, R(4-10) Intent) Zone, subject to the document entitled "City of Cupertino Conceptual Zoning Plan for North De Anza Boulevard" as recommended by Planning Commission Resolution 1485, attached hereto as Exhibit "B", and that Exhibit "A", attached hereto, is made a part of the Master Zoning Map of the City of Cupertino:

All that certain real property situate in the City of Cupertino, County of Santa Clara, State of California; approximately 75 acres, located southerly of Route 280 Freeway, westerly of De Anza Boulevard, northerly of Alves Drive, and easterly of Garden Gate Subdivision and Beardon Avenue, more fully described in attached Exhibit "A" and Exhibit "B".

Section 2. This ordinance shall take effect and be in force thirty (30) days after its passage.

INTRODUCED at a regular meeting of the City Council of the City of Cupertino this 20th day of January, 1976, and ENACTED at a regular meeting of the City Council of the City of Cupertino this 2nd day of February, 1976, by the following vote:

<u>Vote</u>	<u>Members of the City Council</u>
AYES:	Frolich, Meyers, Nellis, Sparks, Jackson
NOES:	None
ABSENT:	None
ABSTAIN:	None

APPROVED:

/s/ James E. Jackson
Mayor, City of Cupertino

ATTEST:

/s/ Wm. E. Ryder
City Clerk

ORDINANCE NO. 767

AN ORDINANCE OF THE CITY OF CUPERTINO
AMENDING ORDINANCE NO. 723 TO REVISE EXHIBIT A
OF SAID ORDINANCE AND APPENDIX ATTACHED THERETO

The City Council of the City of Cupertino does ordain as follows:

Section 1: Amendment

Section 1.1: Ordinance No. 723 is hereby amended as set forth in this Ordinance No. 767.

Section 2: Repealing Clause

Section 2.1: The following sections of Exhibit A of Ordinance No. 723 are hereby repealed and re-enacted as follows:

1. Condition 2 is reworded to delete the reference to 2-Z-75.

"The conditions of approval for zoning applications 2-Z-74 and 38-Z-74 shall remain in force unless there is a conflict with the conditions contained herein. In the event of a conflict, the conditions contained herein shall take precedent. The land use type and site planning concept approved in conjunction with said zoning approvals shall remain in force and shall take precedence over the land use and site planning concepts contained herein."

2. The second to last paragraph on page 11 is reworded, as follows:

"The conditions of approval for the rezoning applications 2-Z-74 and 38-Z-74 shall remain in force. Since development has not been initiated within the zoning district boundary of application 2-Z-75, said zoning district is totally rescinded by the De Anza Boulevard Plan."

3. Condition 9 is reworded as follows:

"All future development located between Bandle Drive and North De Anza Blvd. south of Valley Green Drive and north of Alves Drive shall be required to develop an integrated circulation pattern with a mutual access drive as designated on Exhibit B, 1st Revision.

The private drive shall have a minimum width of 30 feet. Ten feet of said width shall be located on and parallel to the rear lot lines of the generally smaller properties that front on De Anza Boulevard. The remaining 20 feet of width shall be located on the generally larger properties that are located to the west of said generally smaller properties. The final driveway design configuration shall be determined in conjunction with the initial use permit application involving a property contiguous to said private drive. On an interim basis, development fronting on De Anza Blvd. shall be allowed access directly from North De Anza Blvd. when no other access is available, provided that the property owner agrees to enter into agreements to improve the rear access drive as specified on Exhibit B, 1st Revision, in proportion to the rear frontage on said drive. At such time as the

rear access drive is completed, the property owner shall agree to eliminate all access and improvements to North De Anza Blvd. and develop that portion of the property in conformance with the approved conceptual zoning plan. The implementation of this policy will require developers to submit plans describing how the interim plan can be modified to permit linkage to surrounding developments."

4. The following text shall be added to the plan after the "Public Road System" paragraph on page 9.

"Pedestrian Access between Garden Gate Subdivision and the De Anza Boulevard Planning Area"

The mixed land use concept adds complexity to the planning problem for De Anza Boulevard area in terms of designing a pedestrian and bicycle interface between the Garden Gate neighborhood and De Anza Boulevard. The De Anza Boulevard Plan limits vehicular interface so as to discourage commute traffic between the two neighborhoods. Pedestrian and bicycle access is important because of the need for school access for Collins Junior High School and access to future bus stops on De Anza Boulevard. Currently, there are two access points from Garden Gate to De Anza Boulevard via Alves Drive and Valley Green Drive. A pedestrian and bicycle access route shall be developed extending from Greenleaf Drive to Bandley Drive. The access will provide a safe and more convenient access to the intersection of Mariani Avenue which is the major western access to Collins Junior High School and a future focal point for bus transit.

5. The physical plan map labeled Exhibit B, 1st Revision, shall be amended to designate public accessway for pedestrians and bicyclists extending from the eastern terminus of Greenleaf Drive to Bandley Drive.
6. Section 2.7.2 of Appendix B should be reworded as follows:

"Auxiliary streets (Torre Avenue, Bandley, Valley Green, Lazaneo, Alves and Mariani Drives): The landscape setback for the above listed streets shall contain a minimum land area equal to 25 feet times the lineal street frontage measured from face of curb. The intent of this requirement is to create a broad landscaped setback; however, the setback need not be consistently maintained at 25 feet in depth. A development plan can incorporate a lessened landscaped width as long as a 15 ft. minimum width is maintained and the average setback area figure is maintained. When computing the average setback area, landscaping area located beyond 35 ft. measured from face of curb shall not be computed unless said area incorporates significant topographical features or native trees."

INTRODUCED at a regular meeting of the City Council of the City of Cupertino this 1st day of November, 1976, and ENACTED at a regular meeting of the City Council of the City of Cupertino this 16th day of November, 1976, by the following vote:

<u>Vote</u>	<u>Members of the City Council</u>
AYES:	Frolich, Jackson, Nellis, O'Keefe, Meyers
NOES:	None
ABSENT:	None
ABSTAIN:	None

APPROVED:

/s/ Robert W. Meyers

Mayor, City of Cupertino

ATTEST:

/s/ Wm. E. Ryder
City Clerk

CITY OF CUPERTINO CONCEPTUAL ZONING PLAN

FOR NORTH DE ANZA BOULEVARD

The purpose of this document is to delineate policies for the development of properties located within the General Plan study area known as "North De Anza Blvd." (formerly called Old Highway 9). North De Anza Blvd. encompasses approximately 150 acres generally bordered by Junipero Serra Freeway (Route 280) to the north, by the Garden Gate subdivision to the west, by Alves Drive and St. Joseph's Church to the south and by Collins Junior High School and residential properties on Larry Way to the east. De Anza Blvd. bisects the study area in a north/south direction.

The properties directly affected by this zoning document are located on the west side of North De Anza Blvd. The properties to the east of North De Anza Blvd. will be rezoned by a separate application. Exhibit A 1st Revision describes the zoning boundary in detail.

The Core Area General Plan stresses the need for a joint planning approach in the North De Anza Blvd. study area. In order to implement a joint planning approach for areas such as North De Anza Blvd., the City amended its Planned Development Zoning Ordinance to authorize the Planning Commission and City Council to initiate a Planned Development zone. Section 5.2 of the Planned Development Zoning Ordinance states as follows:

"Section 5.2: Initiation by the City of Cupertino

The City Council or the City Planning Commission may apply for Planned Development zoning or rezoning of property or properties either within the City of Cupertino, or within the City's "sphere of influence", as adopted by the Santa Clara County Local Agency Formation Commission. However, rezoning to Planned Development zoning at the request of the City Council or Planning Commission should only be done when such action is necessary due to the need to coordinate overall conceptual planning on two or more separate parcels. Any conceptual plan prepared by the City need not contain all items described in Section 4A 1-5* but shall contain sufficient

*Section 4A describes content requirements for conceptual plan.

information as to land use categories and intensities, street systems, and community design objectives to enable the property owner or owners to either prepare a supplementary conceptual development plan or a definitive development plan."

This document represents the initial step in the approval process for subsequent development for individual properties located within the zoning boundary. The document contains a physical development plan and development policies which will have the same legal effect as plans and conditions of approval of a privately submitted Planned Development zoning application.

The plan is an elaboration of the Core Area Land Use Element of the General Plan which was adopted in December of 1973. The Core Area Plan designated the lands involved within the zoning application boundary for a mixture of land uses. More specifically, the land area west of North De Anza Boulevard is master-planned for a mixture of residential, industrial and commercial uses. Each individual property can be developed with one of the permitted uses or a combination of all allowed uses. In the context of the North De Anza Boulevard Conceptual Plan, the term "industrial" refers to uses referenced in the City's existing light industrial and planned manufacturing zoning ordinances. The term "commercial land use" refers to all permitted commercial uses and all uses permitted subject to a use permit that are referenced in the City's commercial zoning ordinance. The term "residential" in the context of this Conceptual Plan refers to any rental or owner-occupied residential development that complies with the residential density range of between 4 to 10 dwelling units per acre. Residential development within the zoning boundary may exceed the density described in the Core Plan if such development meets a special community-wide social goal such as increased housing opportunity for the elderly or low or moderate income families. The dwelling unit intensity for a particular project will not automatically reflect the highest density within the described 4 to 10 unit per acre range. The specific number of units will be determined based upon the design merits of each project.

The designated land uses for the "North De Anza Blvd." area of the Core Plan are further regulated by three general development standards.

- 1) A traffic intensity performance standard.
- 2) A performance standard to integrate individual development of parcels.
- 3) A uniform aesthetic treatment performance standard.

Trip End Performance Standard

Traffic studies conducted in conjunction with a review of the Core Area Plan revealed that final development of the City based upon the existing zoning within the community would require extensive widening of Stevens Creek Blvd. and North De Anza Blvd. Inasmuch as the City does not have extraterritorial jurisdiction to effect street widening in areas outside the City limits nor does the City have land use control to regulate the generation of traffic outside its City limits, the City Council determined that the land use intensity for undeveloped properties on North De Anza Boulevard and Stevens Creek Blvd. must be reduced to a level of intensity which will result in widening of De Anza Blvd. and Stevens Creek Blvd. not to exceed four lanes in each travel direction. In order to ensure that the land uses on De Anza Blvd. and Stevens Creek Blvd. would result in a lane demand of no greater than four traffic lanes per each direction, a traffic performance standard was developed which limits development to a land use that will not generate more than 16 one-way trips per acre during the peak traffic hour on North De Anza Blvd. as defined by the City of Cupertino. Appendix A of this document describes the traffic intensity standard in detail, including a general description of the methodology utilized to derive the standard, as well as how the standard is to be applied.

In the event a particular development will not utilize the full 16 trips per acre allotment, the owner of record of an individual property shall have the ability to either retain, sell or transfer trips to other property owners within the "North De Anza Blvd.", formerly Old Highway 9 study area, as defined by this

document. All sales or transfers of trips shall be filed with the Planning Director and City Clerk. No sale or transfer shall be finally consummated until a use permit has been approved for the property to which the trips are to be applied. The trip status for each property is to be administered by the City by virtue of a condition of approval requiring that a covenant be recorded on the deed of each property at such time as the property receives use permit approval during the Planned Development review process. The covenant will describe the trip-per-acre constraint and the total number of trips allotted to each individual property at the time of development approval. The trip status of each property will then come to light during a routine title search of the property. The covenant will be worded in a manner to suggest that the future purchaser of properties consult the North De Anza Blvd. conceptual zoning file and individual use permit files to gain an up-to-date status report of the total number of trips allocated to a particular property.

The traffic constraint performance standard as applied to industrial land uses assumes that employment shifts are staggered or hours of operation are so arranged as to result in 50% of the total employees in the area leaving the area before or after the peak hour. A condition of approval is contained within this document to ensure that all future owners, lessors and lessees, owning and utilizing industrial properties are aware of the staggering requirement and will be prepared to stagger employment shifts or arrange employment hours should it become necessary as the total zoning area reaches full development. The condition also describes additional traffic reduction measures that may be required in the future if warranted by traffic conditions.

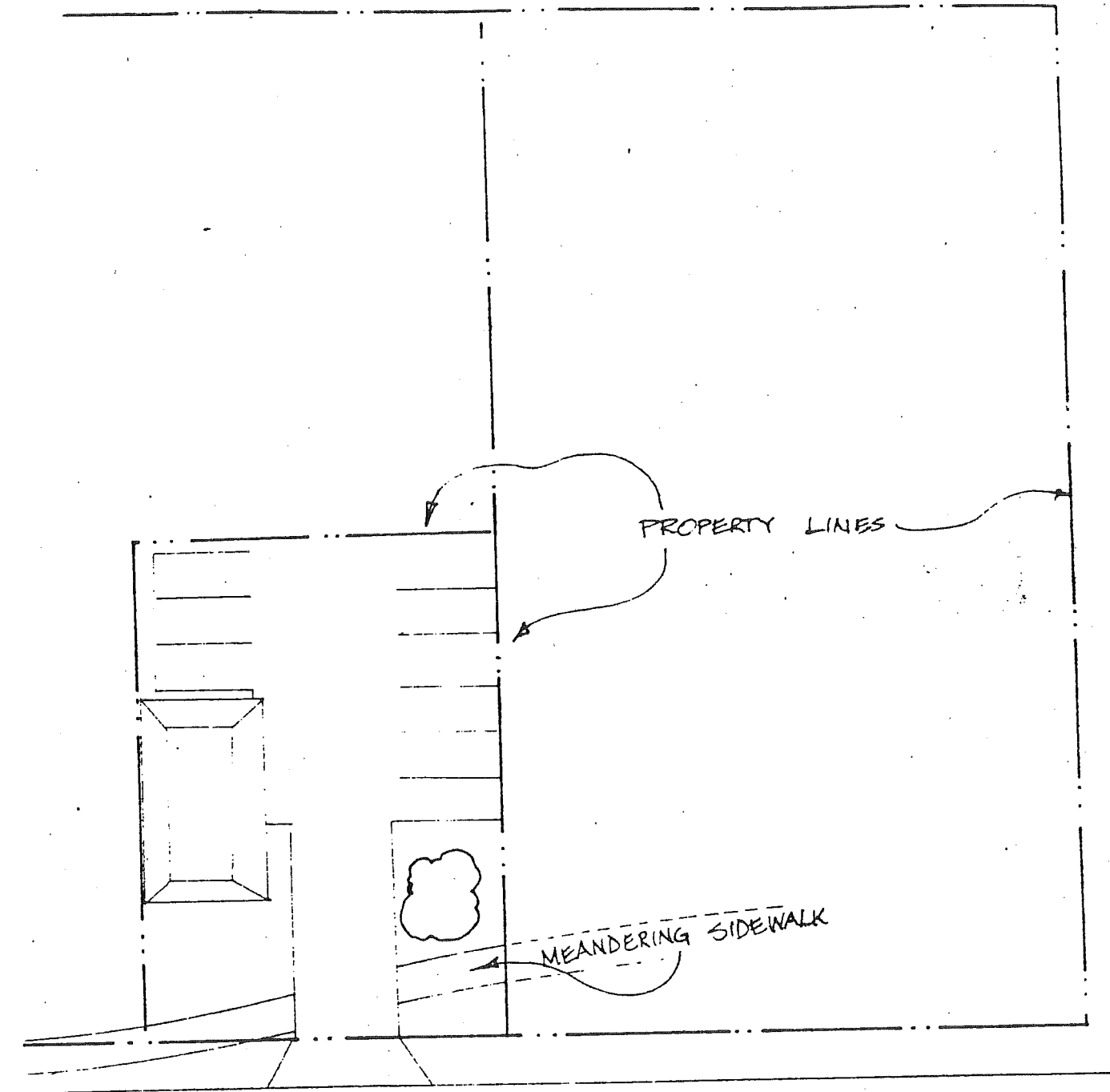
Agglomeration: Interim and Long-Range Solutions

During the course of the Core Area General Plan hearings, the Council and Commission determined that North De Anza Blvd. serves as a major focal point for individuals entering the City from the north. The Commission and Council

determined that future development of properties on North De Anza Blvd. will thus project an image of the City for residents and non-resident alike. This image will enhance the overall appearance and thus result in upgrading the property values of the entire area. The Core Area Plan emphasizes the need for a uniform aesthetic treatment performance standard to guarantee the development of North De Anza Blvd. area in mixed uses under separate ownership will not interfere with the community's desire to have uniform and high quality aesthetic treatment to both sides of North De Anza Blvd. A uniform high quality aesthetic treatment can be achieved for North De Anza Blvd. through the development of design performance standards and via the development of policy that will allow property owners to develop individually on a short-term basis and yet provide a technique whereby owners of individual small properties can be linked together in the future by common design features and a common circulation system.

The concept of a short-term/long-term design solution is extremely important because it recognizes the existing ownership and development pattern which exists within the zoning boundary. The attached plan, labeled Exhibit B, 1st Revision, represents the long-term conceptual development plan for North De Anza Blvd. The plan focuses on the land area west of North De Anza Blvd. between Valley Green Drive and Alves Drive and easterly of Bandlely Drive. The remaining properties within the North De Anza Blvd. study area are either developed or are large enough to support individual development plans that will be consistent with the overall design policies of the Core Plan. The smaller properties between Bandlely Drive and North De Anza Blvd. cannot be developed individually and still meet the design performance standard embodied in the Core Plan and within this zoning plan.

The physical plan is designed to reflect long-range goals for the study area



DE ANZA BOULEVARD

HYPOTHETICAL DEVELOPMENT

INTERIM DESIGN SOLUTION

7000[±] LOT 1750[±] BUILDING

COMMERCIAL LAND USE