

S. DE ANZA BOULEVARD

CONCEPTUAL PLAN

ORDINANCE NO. 1316

AN ORDINANCE OF THE CITY OF CUPERTINO AMENDING
SECTION 1 OF ORDINANCE NO. 2 BY REZONING ALL PROPERTIES
CURRENTLY ZONED CG TO P TO ENSURE CONSISTENT DESIGN
STANDARDS FOR SIMILARLY SITUATED PROPERTIES
AND APPROVING THE SOUTH DE ANZA BOULEVARD CONCEPTUAL PLAN

WHEREAS, on April 8, 1985, an application was filed by City of Cupertino (Application 8-Z-85) for the rezoning of all properties currently zoned CG (General Commercial) zone to P (Planned Development) zone and approving the South De Anza Boulevard Conceptual Plan; and

WHEREAS, the proposed zoning action also involves some properties already zoned Planned Development; and

WHEREAS, the purpose of adding these properties is to ensure consistent design standards for similarly situated properties; and

WHEREAS, the Planned Development zoning district provides additional design and land use flexibility for the City and property owners consistent with the General Plan; and

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

WHEREAS, the property to be rezoned is presently in a CG (General Commercial) zone; and

WHEREAS, a map of the subject property is attached hereto as a part of Exhibit "A" 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 property described in attached Exhibit "A" be and hereby is rezoned to a P (Planned Development) zone, subject to conditions listed in attached Exhibit "A"; and that the map attached hereto a part of Exhibit "A" is made part of the Master Zoning Map of the City of Cupertino; and that the South De Anza Boulevard Conceptual Plan be approved.

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 17 day of June, 1985 and ENACTED at a regular meeting of the City Council of the City of Cupertino this 1 day of July, 1985 by the following vote:

Vote Members of the City Council

AYES: Gatto, Plungy, Rogers, Sparks, Johnson

NOES: None.

ABSENT: None

ABSTAIN: None

APPROVED:

/s/Phil Johnson
Mayor, City of Cupertino

ATTEST:

/s/Dorothy Cornelius
City Clerk

Exhibit B of Planning Commission
Resolution No. 2641

City of Cupertino
Conceptual Zoning Plan
South De Anza Boulevard Planning Area

Purpose

The South De Anza Boulevard Conceptual Zoning Plan delineates guidelines for development, redevelopment, and change of use for properties and businesses located adjacent to South De Anza Boulevard between Stevens Creek Boulevard and Bollinger Road. Figure 1 describes the present Planning Area boundary. The objective of the plan is to coordinate development and use of property within said area. This plan sets forth conditions implementing all of the relevant policies of the Cupertino General Plan relating to strip development and establishes limits to ensure future development blends with and enhances the existing development pattern within the area.

Background, Problems and Opportunities

The South De Anza Boulevard Conceptual Zoning Plan sets policy for land uses and urban design for a section of De Anza Boulevard which forms a gateway into the central portion of the City.

The policies (Conditions) in this document are intended to balance the need to retain the commercial role of the land uses along the street against transportation objectives to increase the traffic carrying capacity of De Anza Boulevard and the objective of creating a landscape boulevard which leads a motorist into the center of the community. The policies are introduced to resolve a series of problems:

- A highly fragmented, small lot, ownership pattern.
- Aged building and site planning concepts which may be difficult to redevelop because of floor area ratio constraints.
- Commercial lots with a relatively narrow depth which makes it more difficult to design projects which comply with policies which protects residential properties.
- A heavily used commute corridor which necessitates traffic improvements which limit access to commercial properties.
- Strong demand for office space which places redevelopment pressure on existing commercial sites.

Relationship of South De Anza Boulevard Conceptual Plan to Existing Zoning Districts

Approved Planned Unit Development zoning applications and use permits will remain in force and effect unless a property owner/developer/applicant seeks approval of a major modification of approved uses or building and site design. If a major modification is sought, the resulting design must conform with this zoning plan.

The street standards embodied in this document shall take precedence over street standards required by previous use permit approvals.

The recognition of previous zoning and use permit conditions shall not apply to street improvements including the implementation of the new sidewalk standard.

CONDITIONS OF APPROVAL

1-15. STANDARD CONDITIONS

Standard Conditions to the extent that they do not conflict with the special conditions enumerated herein. In the event a conflict does exist, the special conditions as enumerated herein shall apply.

16. ZONING EXHIBIT

The zoning boundary includes properties identified on Figures 1 and 2.

17. PERMITTED LAND USE

- a. General Commercial and office land use activities are permitted in the zone. The preferred land use activity is commercial. The term "commercial" refers to all commercial uses and all uses permitted in a use permit which are identified in the City of Cupertino's General Commercial Ordinance. The term "office" refers to all office uses referenced in the City of Cupertino Administrative and Professional Office zone including research and development activities as defined in the General Plan.
- b. Residential uses may be permitted pursuant to use permit review and General Plan policy.

18. DEVELOPMENT INTENSITY

The building intensity of non-residential projects located in the zoning boundary are limited to a maximum of .25 F.A.R. for commercial and .33 F.A.R. for office. Except that General Plan policy which permits increases in floor area intensities under specific circumstances shall apply.

19. ARCHITECTURAL AND SITE PLANNING

- a. The building height shall be limited to one or two stories except that three stories may be permitted if a finding is made that the third story adds interest to a building and does not adversely impact surrounding properties, particularly in residential districts.
- b. The proximity of a commercial or office structure to a residential zone shall be governed by a ratio of 2 ft. of horizontal distance between the zone boundary and building for each 1 ft. of building height. This standard may be varied in the case of the expansion of existing structures which do not meet the standard and/or where the applicant can demonstrate that potential privacy impacts and excessive building mass (as viewed by a resident) is negligible.
- c. A 15-20 foot wide landscaped planter should be installed on the boundary line of a residential property unless the Commission determines that the distance is infeasible due to existing site and architectural constraints.

20. STREETSCAPE

- a. The setback distance measured between the street curb line and building shall be 35 feet for new construction unless unusual site or architectural problems make the setback infeasible.
- b. The landscaping/sidewalk section shall be consistent with the "long term sidewalk" design described on Figure 1 of this document.
- c. The following activities will trigger construction of the new sidewalk and landscaping based upon the standards:
 - Redevelopment involving the addition of additional floor area.
 - Change in use requiring a use permit.
 - Tentative Map including air space observance.
- d. The installation of the new sidewalk will require the recordation of pedestrian and public utility easements as illustrated by Figure 1.
- e. The street tree placement and type shall be approved in conformance with subsequent use permits.

- f. The landscaped parkway (areas on both sides of the sidewalk) shall be maintained by the adjoining property owner except that the City shall maintain landscaping for residential properties which have rear yards adjacent to the parkway.

21. SITE ACCESS

In order to preserve the traffic carrying capacity of De Anza Boulevard and maintain landscaping continuity, driveway access to De Anza Boulevard will be kept to an absolute minimum. The applicant will be required to link parking access via reciprocal access agreement and remove unnecessary access to De Anza Boulevard.

SOUTH DE ANZA BOULEVARD CONCEPTUAL PLAN

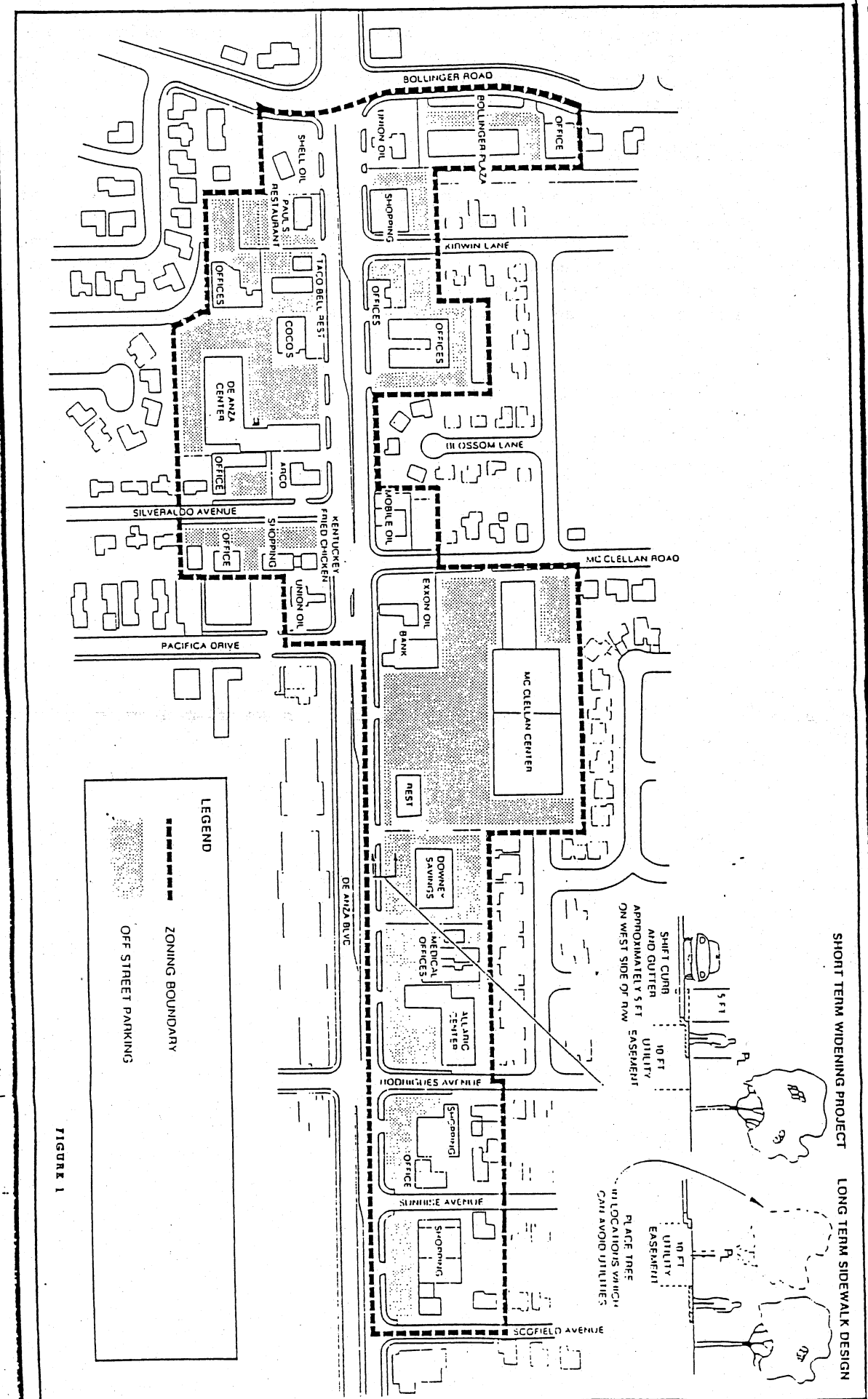


FIGURE 1

FIGURE 2

Properties rezoned from General Commercial and P (Planned Development) to P (Planned Development)

South De Anza Boulevard Plan

359-10-14	369-37-16
359-10-15	369-37-17
359-10-16	369-37-18*
359-10-43	369-37-19*
359-10-44	369-37-20*
359-10-47	
359-10-60	
359-17-01	369-39-01
359-17-02	369-39-15
359-17-03	369-39-16
359-17-04	369-39-17
359-17-05	
359-17-07	
359-17-19	
359-18-40	369-38-02
359-18-41	369-38-03*
359-18-42	369-38-04*
359-18-43*	369-38-35*
359-18-44	369-38-36*
359-18-45*	369-38-37*
359-23-17	
359-23-18	
359-23-33	

* Sites Currently Zoned PD

