

**CITY OF CUPERTINO
CONCEPTUAL ZONING PLAN**

**South Saratoga Sunnyvale Road
Planning Area**

ADOPTED BY THE
CUPERTINO PLANNING COMMISSION
NOVEMBER 23, 1981

ADOPTED BY THE
CUPERTINO CITY COUNCIL
DECEMBER 21, 1981

ORDINANCE NO. 1154

AN ORDINANCE OF THE CITY OF CUPERTINO AMENDING SECTION 1 OF ORDINANCE NO. 2 BY REZONING APPROXIMATELY 20 GROSS ACRES FROM VARIOUS SAN JOSE ZONING DISTRICTS TO THE CITY OF CUPERTINO P ZONE; GENERALLY LOCATED ON THE WEST SIDE OF SARATOGA-SUNNYVALE ROAD BETWEEN RAINBOW DRIVE AND PROSPECT ROAD

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

WHEREAS, on September 17, 1981, an application was filed by City of Cupertino (Application 26-Z-81) for the rezoning of property from various San Jose zoning districts (noted on table below) to the City of Cupertino P (Planned Development with commercial and/or residential 5-15 dwelling units per gross acre intent) zone;

Existing San Jose Zones and Locations

<u>Existing Zoning</u>	<u>Locations</u>	<u>Gross Acres</u>
C1 (Commercial District)	Northwest Quadrant of Saratoga-Sunnyvale Road and Prospect Road	3.5
R2 (Two family Residence District)	West of Saratoga-Sunnyvale Road beginning approximately 300 ft. north of Prospect Road to a point approximately 1,000 ft. north of Prospect Road (between the Coach House Shopping Center and Minton Lumber).	6.0
C1 (Commercial District)	West side of Saratoga-Sunnyvale Road from approximately 500 ft. north of Wildflower Way to 750 ft. south of Wildflower Way.	10.0
R1 (Single-family Residence)	South side of Wildflower Way approximately 250 ft. easterly of Poppy Way.	.5

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 various San Jose zoning districts (noted on table above); and

WHEREAS, a map of the subject property is attached hereto as Exhibit "B" 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 is hereby rezoned to a P (Planned Development with commercial, office, and/or residential land uses. The office land use category may permit industrial administrative office space. Residential uses are limited to the density range of 5-15 dwelling units per gross acre intent) zone, subject to the document entitled "City of Cupertino Conceptual Zoning Plan South Saratoga Sunnyvale Road Planning Area"; and that Exhibit "B" attached hereto is made part of the Master Zoning Map of the City of Cupertino.

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 21st day of December, 1981 and ENACTED at a regular meeting of the City Council of the City of Cupertino this 4th day of January, 1982 by the following vote:

<u>Vote</u>	<u>Members of the City Council</u>
AYES:	Gatto, Johnson, Plungy, Rogers, Sparks
NOES:	None
ABSENT:	None
ABSTAIN:	None

ATTEST:

APPROVED:

/s/ Dorothy Cornelius
City Clerk

/s/ Reed Sparks
Mayor, City of Cupertino

LEGAL DESCRIPTION

All of that certain real property identified as Santa Clara County Assessor's Parcel Numbers 366-10-50, 51, 54, 57, 58, 59, 60, 61, 120, 121, 122, 126 and 366-19-27, 32, 36, 44, 47, 53, 54, 55.

“EXHIBIT A”

REZONING EXHIBIT
CITY OF CUPERTINO

PLANNING COMMISSION
 CITY OF CUPERTINO

APPLICATION NO. 26-2-81

EXHIBIT A

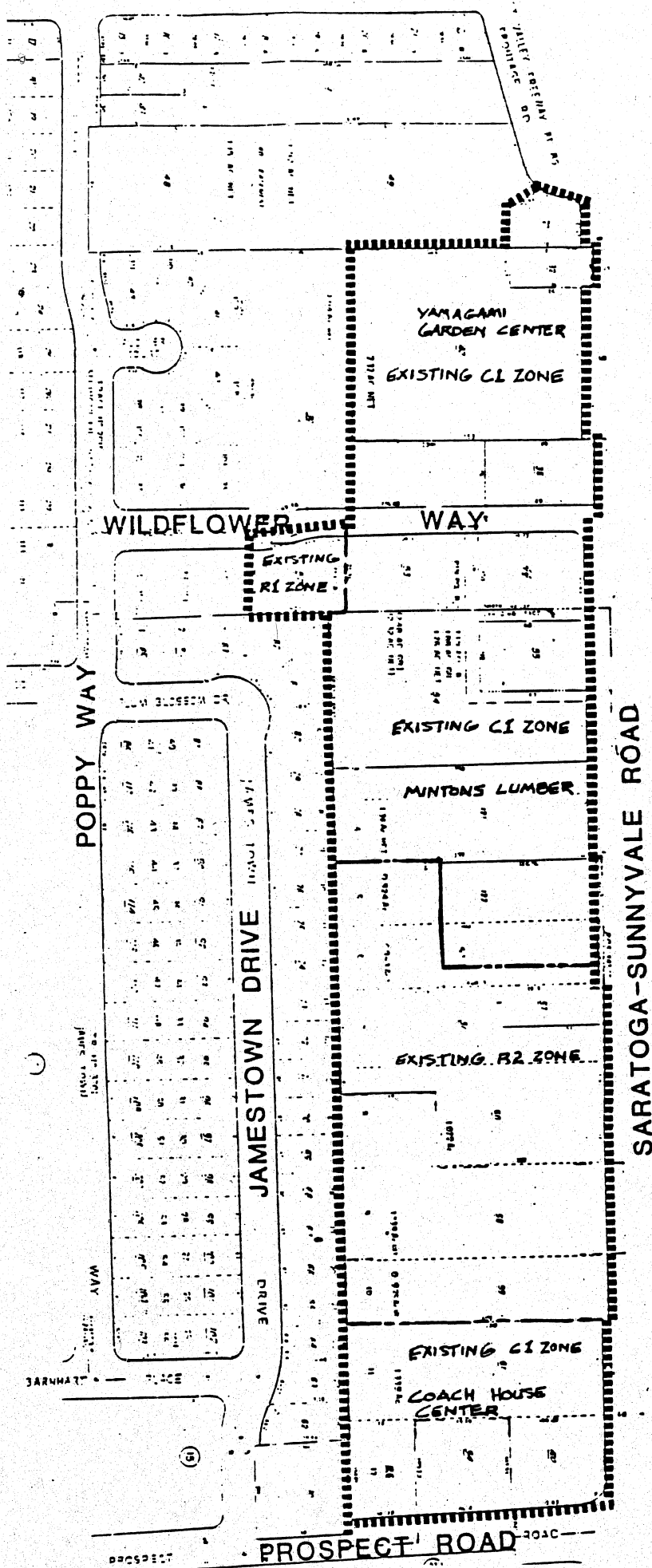
P/C RESOLUTION NO. _____

DATE: 9/17/81

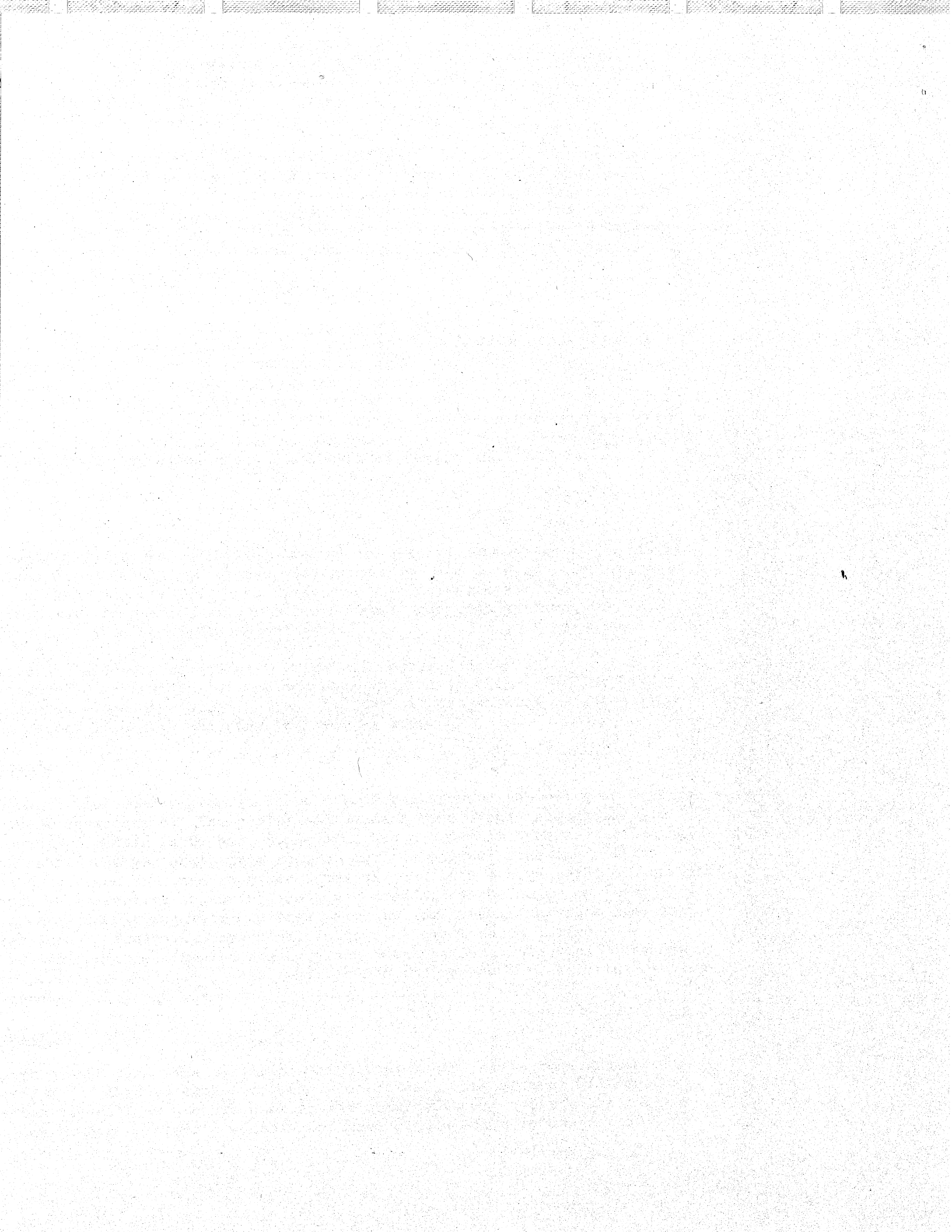
LOCATION:
 WEST SIDE OF SOUTH SARATOGA-
 SUNNYVALE ROAD, BETWEEN
 RAINBOW DRIVE AND PROSPECT ROAD

REZONE:
 APPROXIMATELY 20 GROSS ACRES
 FROM EXISTING SAN JOSE R1, R2, AND
 C1 ZONING DISTRICTS

TO: CUPERTINO P (PLANNED DEVELOPMENT
 WITH COMMERCIAL AND RESIDENTIAL 5-15
 DWELLING UNITS PER GROSS ACRE INTENT)
 ZONING DISTRICT



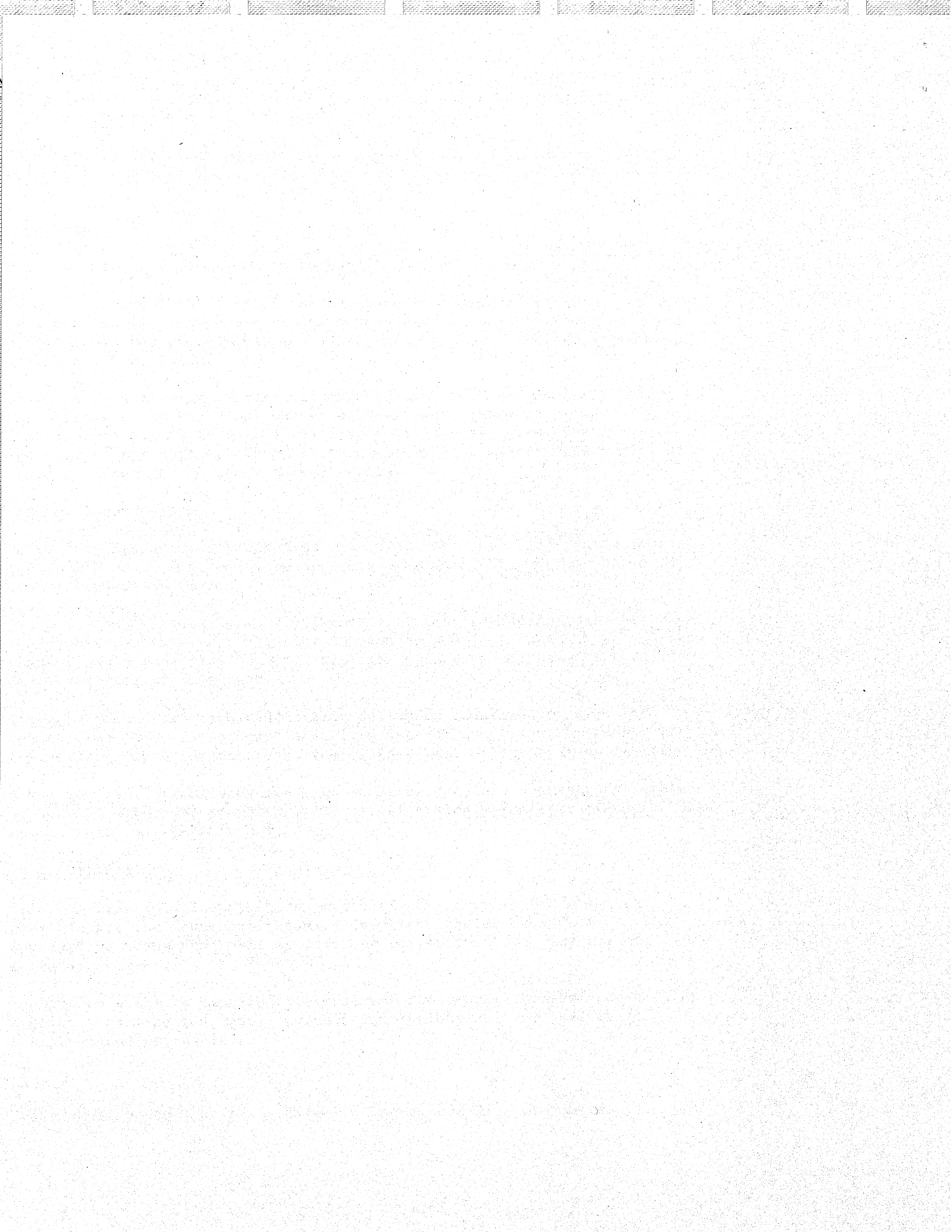
"EXHIBIT B"



CITY OF CUPERTINO
CONCEPTUAL ZONING PLAN
SOUTH SARATOGA-SUNNYVALE ROAD
PLANNING AREA

Adopted by the
Cupertino Planning Commission
November 23, 1981

Adopted by the
Cupertino City Council
December 21, 1981



City of Cupertino
Conceptual Zoning Plan
South Saratoga/Sunnyvale Planning Area

Purpose

The following Conceptual Zoning Plan delineates guidelines for development, redevelopment, and change of use for properties and businesses within the South Saratoga/Sunnyvale Road Planning Area. 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

The South Saratoga/Sunnyvale Road Planning Area consists of approximately 20 acres located on the west side of South Saratoga/Sunnyvale Road, north of Prospect Road and South of Rainbow Drive. The area was annexed into the City of Cupertino in July of 1979 as a part of the 1.34 square mile realignment of boundaries between the City of Cupertino and the City of San Jose. Most of the development within the area was constructed during the 1950's and 1960's. Several recent developments have been constructed without the unifying benefit of common site design and functional objectives for the area.

The Problem

The South Saratoga/Sunnyvale Road Planning Area is of special concern as it consists of a fragmentation of developed and undeveloped properties and a fragmented ownership pattern. Left to their own devices, each individual property owner would select the optimum marketable use without regard for a coordinated landscaping theme, land use concepts, or site and building design objectives.

This Conceptual Plan incorporates features which will ensure compatibility between the existing single-family residential and new uses located within the planning area. These features include landscape setbacks, and limitations on building height adjacent to the common property line with existing residential uses.

Public Improvements

A coordinated public improvement program is very important toward achieving an attractive shopping and living environment. The public improvement conditions include the provision for a landscape median on De Anza Boulevard, and a sidewalk standard utilizing a 10-15 ft. landscaped parkway strip from face of curb to edge of sidewalk. This boulevard concept has been utilized in other areas of town with a high level of success in achieving both an attractive appearing landscape area along the major boulevard and a well delineated pedestrian walk-way area which is comfortably set back from the vehicular travel lanes. Presently, monolithic sidewalks are located in front of approximately one-half of the lineal distance along Saratoga/Sunnyvale Road. The new sidewalk standard will be required on new developments and phased into existing developments as they remodel or change use.

Vehicular Circulation

An essential part of the plan is a condition which implements inter-coordination of vehicular driveways and ingress/egress between properties. This element will ensure that motorists can travel from one business to the other without entering the public street and provide access to traffic signals for more convenient northbound access on

Saratoga-Sunnyvale Road. The interconnection will also reduce the need for cutting through the adjoining residential neighborhood to gain access to these traffic signals. The plan provides for the elimination of curb cuts, where practical, to minimize the interruption of traffic flow on the major boulevard and to complement the reciprocal ingress/egress system.

Land Use

Finally, probably the most important aspect of the plan involves its delineation of appropriate land uses. In recognition of the predominance of lower intensity suburban uses, the plan limits uses to commercial, office and low to moderate density residential. The height of buildings is limited to three stories, not to exceed forty (40) ft. in keeping with the suburban design of the area.

Conditions of Approval

The following enumerates the conditions of approval established for the South Saratoga-Sunnyvale Road Planning Area. The City Council shall have the ability to vary from these conditions when it can be shown that said variations will result in a more attractive development pattern which more closely meets the public objectives for this area. However, significant variations will require an amendment to the zoning plan.

CONDITIONS OF APPROVAL:

- 1-14. 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 enumerated herein shall apply.
15. The approval is based upon Exhibit A and A-1 of Application 26-Z-81 of the City of Cupertino as may be amended by the following special conditions contained herein.
16. Permitted Land Uses
 - a. The planned development zoning category shall permit commercial, office, and/or residential land uses. The office land use category may permit industrial administrative office space. Residential uses are limited to the density range of 5-15 dwelling units per gross acre.
 - b. All new uses or changes in use shall require use permit approval. Change in use shall be interpreted to include an alteration of the existing use on the site. Changes in the ownership or operator of an existing use shall not require use permit review.

New construction or redevelopment shall also require use permit approval. The definition of redevelopment includes remodeling projects involving any exterior modifications or expansion of building area.

17. Site and Building Design

- a. Buildings shall be located adjacent to the frontage landscape area along Saratoga/Sunnyvale Road. Buildings along the westerly property line adjacent to existing residential uses shall be placed contiguous to the 15-20 ft. landscape buffer area, whenever possible.

If parking lots are contiguous to the westerly property line, they shall be buffered with a minimum 20 ft. landscape setback area.

New developments and redevelopments shall be designed to minimize privacy intrusion into the rear yards of the adjoining single-family residential homes.

18. Building Height

- a. Three stories not to exceed forty feet from top of curb.
- b. In recognition of the predominant suburban character of the area, project designers shall incorporate design elements to reduce the apparent height of buildings and provide variety in the height, scale, and architectural detailing of buildings.
- c. Elements of buildings located adjacent to the 15-20 ft. westerly landscape buffer strip shall not exceed one-story or 15 ft. in height. Second story elements must be set back a minimum of thirty feet from the westerly property line. Three-story elements must be set back a minimum of 50 ft. from the westerly property line.

19. Landscaping Requirements

- a. Fifty foot landscape setback area (measured from curb line) on Saratoga/Sunnyvale Road. The landscape area may average 50 ft. but may be no less than a minimum of 35 ft.
- b. In instances of redevelopment, if the fifty foot landscape area cannot be reasonably provided, the Planning Commission and City Council may approve reductions in landscape area to equal an average of approximately thirty-five feet from face-of-curb.
- c. Property owners are required to provide, where feasible, no less than twenty-five feet of landscape area from face-of-curb along secondary streets (Wildflower Way, Prospect Road, the planned West Valley Freeway frontage road).
- d. A minimum 15-20 foot landscape area shall be provided between new developments or redeveloped properties and existing single-family residential uses to the west (see Exhibit A-1).

Vehicular Circulation

- a. Existing private driveways/curb cuts shall be consolidated whenever possible per the Conceptual Development Plan labeled Exhibit A-1. The appropriate easements shall be recorded to implement the sharing of driveway access.
- b. Applicants shall be required to implement reciprocal ingress/egress easements to link individual parcels per Exhibit A-1 whenever it is practical and desirable.

21. Signage

- a. Signs shall conform with the City of Cupertino's Sign Ordinance.

- b. Sign programs shall be required, per the Sign Ordinance, for commercial or office centers or buildings of two or more tenants/businesses.

22. Tree Protection

- a. Specimen trees shall be preserved whenever possible per the requirements of the Cupertino Tree Ordinance.
- b. Trees removed on the undeveloped five-acre site north of the "Coach House Shops" (Pollack site) shall be replaced upon development per the agreement dated February 13, 1981. In accordance with this agreement, the replacement trees shall be in excess of normal landscaping required by conditions contained herein.

23. Noise Attenuation

Sound attenuation walls are required between commercial/office uses and existing residential uses.

24. Public Improvements

- a. Landscape medians will be provided on South Saratoga/Sunnyvale Road. New developments, redevelopments, or changes in use shall be required to participate in the installation of landscaped medians along Saratoga/Sunnyvale Road. The degree of participation of each individual property owner shall be based upon a combination of lot area and lot frontage, and other relevant factors, and shall be based upon the extent that benefit can be shown to each individual parcel. Additionally, new developments, redevelopments, and changes in use shall be required to participate in a landscape maintenance district for maintenance of the South Saratoga/Sunnyvale Road median and the thirty-five to fifty-foot landscape setback area. The degree of participation in the maintenance district shall also be based upon a combination of lot area, lot frontage, and other factors, to the extent that benefit can be shown.
- b. All utilities shall be undergrounded.
- c. Sidewalk Standards
 - A five foot sidewalk shall be constructed behind a minimum 10-15 foot landscape parkway strip on Saratoga/Sunnyvale Road, within the required landscaped setback area required in Condition No. 19.
 - The property owner(s) shall record an appropriate easement incorporating the five-foot sidewalk on each individual property as a condition on use permits for new developments, redevelopments, or changes in use.
 - A five foot monolithic sidewalk shall be provided on all secondary streets:
 - Wildflower Way
 - West Valley Freeway Frontage Road
 - Prospect Road
- d. Residential gateway treatment installed on Wildflower Way shall be continuously maintained in accordance with the approvals granted to

the thirteen unit residential development located on the north side of Wildflower Way.

- e. It shall be the responsibility of property owners/developers of new developments, redevelopments or changes in use to participate in street improvements including the median improvements on Saratoga/Sunnyvale Road as delineated above.

REZONING EXHIBIT CITY OF CUPERTINO

**PLANNING COMMISSION
CITY OF CUPERTINO**

APPLICATION NO. 26-2-81

EXHIBIT A

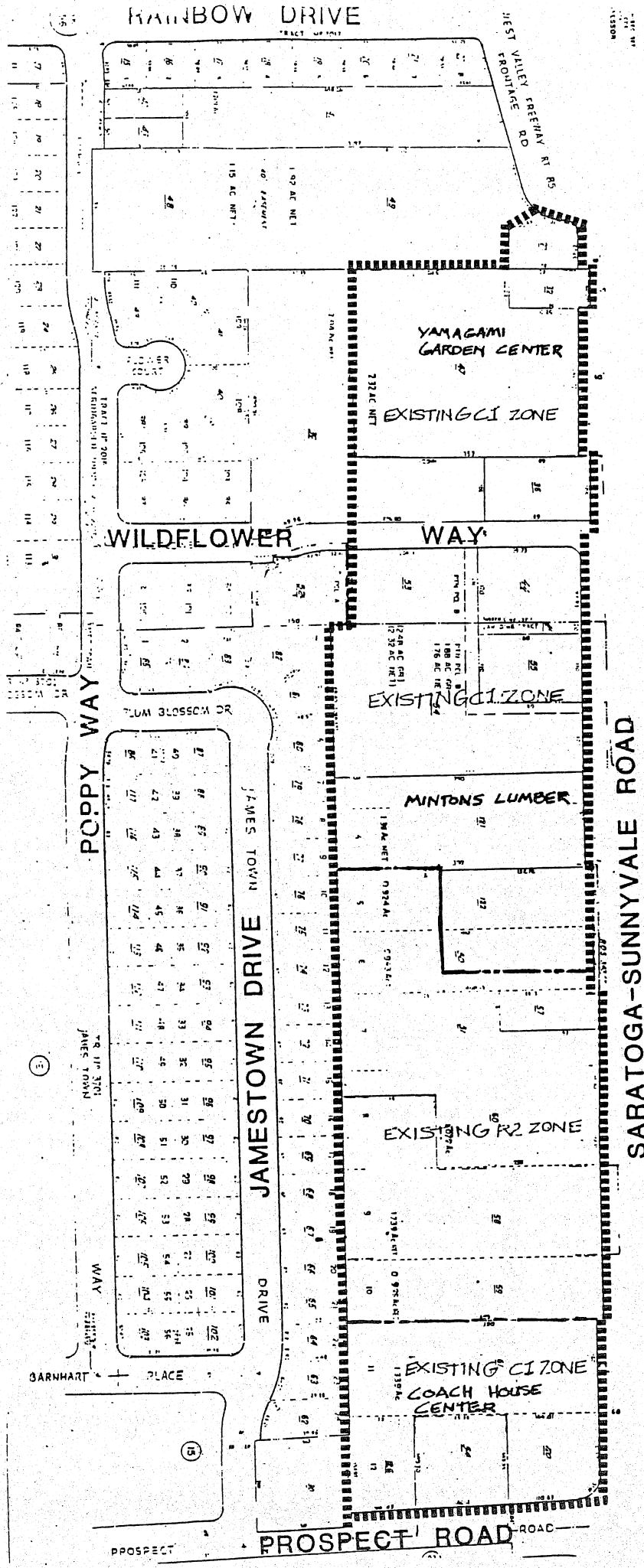
PIC RESOLUTION NO. _____

DATE 11/9/81

LOCATION:
WEST SIDE OF SOUTH SARATOGA-
SUNNYVALE ROAD, BETWEEN
RAINBOW DRIVE AND PROSPECT ROAD

REZONE:
APPROXIMATELY 20 GROSS ACRES
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TO: CUPERTINO P (PLANNED DEVELOPMENT
WITH COMMERCIAL, RESIDENTIAL 5-15
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CONCEPTUAL DEVELOPMENT PLAN SOUTH SARATOGA-SUNNYVALE ROAD

