

CITY ATTORNEY'S BALLOT TITLE AND SUMMARY FOR PROPOSED  
INITIATIVE SUBMITTED ON APRIL 6, 2016

**TITLE:** Initiative (1) amending Cupertino's General Plan requirements for the North De Anza Gateway to increase the existing allocations by 35,000 commercial square feet and 156 hotel rooms, increase the maximum building height from 45 to 58 feet, and remove some development standards; (2) establishing a new "Gateway Zoning District" to allow greater building heights and new permitted uses in certain areas and applying this zoning to the North De Anza Gateway; and (3) requiring conditions of approval for the North De Anza Gateway to include certain community benefits, and setting parking limits.

**SUMMARY:** The Initiative involves the property designated in Cupertino's General Plan (Community Vision 2015 – 2040) as the North De Anza Gateway ("Property"), located in the Homestead Special Area at the corner of Homestead Road and De Anza Boulevard, off of Highway 280. The Property currently contains the 126-room Cupertino Inn and Goodyear Tire.

The proposed Initiative:

1. Amends the City's General Plan requirements for the Property to:
  - a. increase the existing commercial allocation by 35,000 square feet and designate this additional allocation specifically for the Property;
  - b. increase the existing hotel allocation by 156 rooms and designate this additional allocation specifically for the Property;
  - c. increase the maximum building height from 45 feet to 58 feet; and
  - d. remove "Building Plane and site line requirements";
2. Amends the City's Zoning Code to:
  - a. establish a new Gateway Zoning District (G) for areas designated as gateways or important roadway intersections, which district:
    - i. allows the same permitted, conditional, and excluded uses as for General Commercial Zoning Districts, except that it additionally permits specialty food stores, eating establishments, hotels, and conference centers;
    - ii. provides that development standards shall be determined "in accordance with the specific requirements of each gateway project," but allows a maximum building height of 58 feet, unless greater



heights are permitted by the General Plan or an applicable Specific Plan; and

- iii. includes a parking requirement of one space per unit and employee and a bicycle parking requirement of 5% more than auto parking;
  - b. change the zoning for the Property to G (Gateway);
3. States that, in exchange for various development allocations provided by the Initiative, and maximum building heights of 58 feet, the conditions of approval for the Property shall include the following:
- a. 12 reserved days per year for free use of the conference center for school related events for the identified Cupertino Related School Districts;
  - b. 24 free hotel rooms per year for reservation by Cupertino Union School District and Fremont High School District for educational purposes;
  - c. for any hotel in excess of 48-feet, subsurface parking for at least 75% of required parking spaces, with a set maximum of 165 spaces (for all uses associated with a 156-room hotel and conference center), and no more than 180 parking spaces, in any event.
4. Makes associated findings;
5. States that it is consistent with the Cupertino Citizen's Sensible Growth Initiative and other initiatives on the November 2016 ballot, or a valid modification thereof; and
6. States that its provisions may only be amended or repealed by the voters.