



**SUPPLEMENTAL ADMINISTRATIVE ZONING MEMORANDUM
 Item No. 4.1**

DATE: May 10, 2023

TO: Rebecca Shapiro, Deputy Zoning Administrator

FROM: Diana Pancholi, Principal Planner

SUBJECT: Recommendation for Zoning Permit No. PL-2021-248 at North Bayshore Master Plan, generally located north of US 101 freeway bounded by Charleston Road to the north, Stevens Creek to the east, Space Park Way to the south and Huff Avenue to the west

PURPOSE

This memorandum supplements the Staff Memorandum originally posted on May 5, 2023, and serves as notification to the Zoning Administrator of changes to Item 4.1, specifically revisions to Draft Development Agreement

DISCUSSION

The Draft Development Agreement (DA) attachment is amended to provide further clarification on a few DA terms (see summary table below).

Table 1- Summary of revisions to the Draft Development Agreement

Revision Topic	DA Section	Page Number	Nature of Revision
Definition	1.3	9, 13,15,16	New text for clarification
Extension Term - Affordable Housing Sites	2.2.3.1	20	Text edits for clarification
Extension Term - Parkland and POPA Spaces	2.2.3.6	20	New text for clarification
Transportation Demand Management Plan	3.16	33	Text edits for clarification
Required Exactions -Parkland Obligations	5.1.2	37	Text edits for clarification
Additional Open Spaces; POPA Open Space Credit	5.1.2.3	39	Text edits for clarification

Revision Topic	DA Section	Page Number	Nature of Revision
Required Exactions – Security for Parkland Compliance	5.1.2.7	41	Text edits for clarification
Required Exactions -Letter of Credit Security for Temporary Land Dedication Shortfalls	5.1.3	41	New section /text for clarification
Community Benefits- Shorebird Yards Land Dedication	5.4.1	43	Text edits for clarification
Permitted Delays- Extension of term	8.2.1	49	Text edits for clarification
Project Compliance Plan	Exhibit E	NA	Text edits for clarification
Affordable Housing Delivery Schedule	Exhibit F	NA	Text edits for clarification
Parks Delivery Plan	Exhibit G	NA	Text edits for clarification
TDM Agreement Terms	Exhibit R	NA	Text added for clarification

These revisions revise the draft DA attachment to clarify the intent of the DA terms and to be considered by Council on June 13, 2023. They do not constitute any substantial change to the draft DA terms published on May 5, 2023.

Staff recommends the Zoning Administrator to recommend approval of the draft DA with the revisions attached to the report based on the findings, with modifications to Exhibit J (Ground Floor Activation Program) to the Development Agreement to include additional program details and specifics for City Council consideration.

Attachments: Revised pages of the Draft Development Agreement