

2. [22-930](#) Action on Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment and Rezone for the Property Located at 1601 Civic Center Drive

Recommendation: Alternatives: 1, 2 and 3

1. Adopt a resolution to recommend the City Council adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Civic Center Family Housing Project.
2. Adopt a resolution to recommend the City Council approve a General Plan Amendment from Community Commercial to High Density Residential.
3. Adopt a resolution to recommend City Council approve a Rezone from General Office (OG) to Planned Development (PD) to allow a five-story affordable housing development with 108 rental units, on-site parking and amenities, landscaping, and off-site improvements.

Associate Planner Debby Fernandez provided the staff presentation.

Commissioners asked clarifying questions as to whether or not other sites had been considered for the development, as well as what rent amounts would be, given Area Median Income (AMI) limits for the project.

Applicant Charities Housing, Joe Head and Hai Nguyen provided a presentation and clarified the property location was very important and also provided an overview of AMI limits.

Commissioners asked questions regarding the applicable state and federal laws for residents; whether or not there would be a right of refusal for residents; whether Section 8 housing be allowed; how rental amounts are set; whether there would be flexibility in the architectural design due to shadowing concerns; sufficiency of parking and methods for parking spot allocation; and methods for residents to communicate with the developer as problems arise, and how the developer will respond to such problems.

Vice Chair Herro expressed concerns that the original management of the site was lacking in response time and actions; other concerns included outreach provided to neighboring residents on the project to date.

Commissioners expressed the desire to have housing as well as acknowledged concerns presented to them by the public. **Vice Chair Herro** stated that oversight was needed by the Applicant for timely resolution to concerns brought up by nearby residents now, during the construction phase, and on an ongoing basis.

The Applicant agreed to having a meeting with nearby residents to

discuss concerns before the item is heard by Council.

Commissioner Biagini asked about ensuring that the developer comply with all mitigation measures, and more specifically that adequate dust control measures be in place. In response, **Environmental Consultant Shannon George/David J. Powers and Associates** introduced herself and explained that best management practices for dust control are included as a mitigation measure in the MMRP. She also explained that there would be a visible sign on the project site during all periods of construction with contact information for the on-site superintendent and the air district, in the event complaints arose concerning dust or other issues.

Public Speakers:

Ken Rosenbarg
Venee
Ssatpathi
Kalisha Webster
Maria
Corey Smith
Ingrid Granados
Brent Stryko
Jeff Houston
Kathryn Hedges
Lalo Mendez
Jean S.
Sunil B.
Ctalyze SV
Events SVH
Igor
Morteza Sahfiei
Pkliza
Keyhan Sinai
Anna
Jamie
Deepa
Braydon Qian
William Huang
Gregory Kepferle
Sytnti Stryko
Noah McDonald
Betsy Jegas
Suanya Tu
Congyao Tang

Meeting went into recess at 8:41 p.m. and reconvened at 8:51 p.m.

Staff read ecomments received between 5 p.m. and before the close of the public hearing. Ecomments received before 5 p.m. were sent to Commissioners before the meeting and are posted on the City's website as Post Meeting Material.

A motion was made by Commissioner Biagini, seconded by Commissioner Saleme to close public hearing.

Aye: 4 - Commissioner Biagini, Vice Chair Herro, Commissioner Huang, and Commissioner Saleme

Nay: 1 - Commissioner Patrick

Excused: 2 - Commissioner Bhatnagar, and Chair Cherukuru

A motion was made by Commissioner Biagini, seconded by Commissioner Huang to approve staff recommendation 1.

Aye: 5 - Commissioner Biagini, Vice Chair Herro, Commissioner Huang, Commissioner Saleme, and Commissioner Patrick

Excused: 2 - Commissioner Bhatnagar, and Chair Cherukuru

A motion was made by Commissioner Biagini, seconded by Commissioner Huang to approve staff recommendation 2.

Aye: 5 - Commissioner Biagini, Vice Chair Herro, Commissioner Huang, Commissioner Saleme, and Commissioner Patrick

Excused: 2 - Commissioner Bhatnagar, and Chair Cherukuru

A motion was made by Commissioner Biagini, seconded by Commissioner Huang to approve staff recommendation 3 with seven additional recommendations:

1. Charities Housing to include transit pass upon request for each tenant.
2. Continue community outreach with neighbors with oversight program provided by Applicant to the satisfaction of Director of Community Development.
3. Designate a ride share area within the Project Site to the satisfaction of Director of Community Development.
4. Include Venue for Display of Public Art with consideration towards Native American artists.
5. Give serious consideration to establishing a shared parking arrangement with commercial and City buildings in area.
6. Failure by developer or any contractor to comply with mitigation measures or other conditions (including, but not limited to, emissions, noise, street cleaning, and dust control) will subject the developer to code enforcement under the City Code.
7. Charities shall install a security system approved by the Director of Community Development, with security to be recorded and monitored with approximately 50 cameras. At the Director's discretion, monitoring may be required to be conducted in real-time by security personnel.

Aye: 4 - Commissioner Biagini, Vice Chair Herro, Commissioner Huang, and Commissioner Saleme

Nay: 1 - Commissioner Patrick

Excused: 2 - Commissioner Bhatnagar, and Chair Cherukuru