



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

24-1629

Agenda Date: 2/21/2024

REPORT TO PLANNING COMMISSION

SUBJECT

PUBLIC HEARING: Action on an Environmental Impact Report and Mitigation Monitoring and Reporting Program, Rezone, and Vesting Tentative Subdivision Map for the Property Located at 1957 Pruneridge Avenue to Allow the Development of 22 Detached Single-Family Residences and Associated On- and Off-Site Improvements

REPORT IN BRIEF

Applicant /Owner: SCS Development

General Plan: Very Low Density Residential

Zoning: Public, Quasi-Public, and Public Park or Recreation (B)

Site Area: 2.47 acres

Existing Conditions: The site contains the St. Mark's Episcopal Church (now vacant), which includes a church building and a single-story parish hall and administration building connected to a two-story classroom building. Buildings are concentrated in the center of the site and are surrounded by a surface parking lot and perimeter landscaping to the north, west and east, and a landscape setback fronting Pruneridge Avenue to the south.

Surrounding Land Uses:

- North: Single-family detached residences
- South: Pruneridge Avenue and a mix of neighborhood commercial uses and detached single-family residences
- East: Neighborhood commercial uses
- West: Neighborhood commercial uses

Staff Recommendation: That the Planning Commission adopt resolutions recommending the City Council certify the Environmental Impact Report (EIR); adopt the California Environmental Quality Act (CEQA) Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; and approve the Rezone and Vesting Tentative Subdivision Map for the property located at 1957 Pruneridge Avenue.

BACKGROUND

SCS Development Company filed an application for the subject proposal on September 6, 2022 to construct a single-family residential development with 22 detached two-story homes, private street and associated on- and off site improvements on the 2.47-acre site. Implementation of the proposal requires a rezone of the property from Public, Quasi-Public, and Public Park or Recreation (B) to Planned Development (PD) to construct the residential development and a Vesting Tentative Subdivision Map (Chapter 17.05 of the City Code) to subdivide the property into individual for-sale lots and four common lots for use as a utility corridor, vehicle access, landscape open space and

bioretention areas. Fifteen percent of the total number of units (or 3.3 homes) are required to be provided as affordable housing units. Per the City's Affordable Housing Ordinance (SCCC § 17.04.080.B), any fractional unit requirement may be addressed by providing one additional affordable unit or by payment of an in-lieu fee. Redevelopment of the property as proposed includes the demolition of all existing structures and site improvements (surface parking lot and landscaping).

Project History and Previous Actions

The existing buildings are over 50 years in age and were evaluated for potential historical and architectural significance in accordance with CEQA. A California Department of Parks & Recreation Form 523 ("DPR") was prepared to record and evaluate the building complex, landscape features and historic context, followed by peer review of the analysis. In accordance with 18.106.060 of the City's Preservation Ordinance, the project was referred to the Historical and Landmarks Commission (HLC) for consideration of the Draft Environmental Impact Report (DEIR) for the proposed demolition of the existing structures and to determine whether the property is eligible for listing on the City's Historic Resource Inventory (HRI).

The DPR is incorporated as part of the EIR prepared for the project (Attachment 1) and along with an analysis, was included in the HLC staff report (Attachment 8). The EIR concludes that the church is eligible for listing as an historic resource on the City's HRI as a result of the building architecture. The project was reviewed by the HLC at a publicly noticed meeting on December 7, 2023. Following review of the documents and public testimony, the HLC recommended certification of the EIR to the Planning Commission and City Council with the recommendations listed below and did not recommend the property for listing on the City's HRI. The HLC meeting minutes are provided as Attachment 7.

- Developer to create a memorial to the church (using the Architect William Mays' name) utilizing materials from the church in the memorial if the church is not relocated.
- Developer to return to the HLC to present the memorial design.

Mitigation Measure CUL-1 of the EIR already requires the developer to prepare a Historic Resources Mitigation Action Plan, that includes steps like documentation, attempted relocation, and salvage of historic materials. The Commission or Council could give direction to include the HLC's recommended conditions as a part of that Action Plan.

DISCUSSION

Primary issues for the project include consistency with the City's General Plan, and conformance with the City Code for Planned Development Zoning and its subdivision.

General Plan Conformance

The existing General Plan designation for the project site is Very Low Density Residential. This designation is intended for residential densities of up to 10 dwelling units per acre (du/ac) and envisioned for single-family residential development in scale and character. Development in this classification maintains a feeling of suburban living with setbacks between structures, parking, large landscaped yards and tree lined streets.

The proposed project provides 8.9 du/ac and is consistent with the following General Plan Policies:

General Land Use Policies

- 5.3.1-P2: Encourage advance notification and neighborhood meetings to provide an opportunity for early community review of new development proposals.
- 5.3.1-P26: Support a community-initiated planning process so that existing neighborhoods can participate in developing more detailed plans for street, landscape and pedestrian facility improvements.

The applicant conducted public outreach through mailings and two community meetings to involve neighboring property owners in the design of the project. Notices were mailed to property owners within 1,000 feet of the project boundaries and interested parties.

- 5.3.1-P8: Work with property owners to improve or redevelop underutilized and vacant properties.
- 5.3.1-P9: Require that new development provide adequate public services and facilities, infrastructure, and amenities to serve the new employment or residential growth.

The project would redevelop an underutilized parcel for the construction of 22 for-sale single-family residences and public and private on- and off-site improvements, that include private street, utilities, and landscaping as part of the development.

- 5.3.1-P10: Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.

The proposed development plan includes landscaping of the site and the project street frontage with a variety of plant and tree species and would replace the trees removed with redevelopment of the property at a minimum 2:1 ratio.

- 5.3.1-P12: Encourage convenient pedestrian connections within new and existing developments.
- 5.3.1-P16: Consolidate curb cuts with new development on arterial roadways to minimize pedestrian/vehicle conflicts at driveway locations and improve traffic flow.

The project includes sidewalks to facilitate pedestrian access and link neighboring land uses. Two existing curb-cuts and a sidewalk along the project frontage would be removed and replaced with a single curb-cut along Pruneridge Avenue, separated sidewalk and landscape strip which would minimize vehicle interface with pedestrians and improve traffic flow.

- P.3.1-P29: Encourage design of new development to be compatible with, and sensitive to, nearby existing and planned development, consistent with other applicable General Plan policies.

The proposed project is the construction of 22 detached single-family homes with front yards along the street frontage and setback between buildings that reflect and would blend in with neighboring single-family homes and one- and two-story commercial development.

Transition Policies

- 5.5.2-P1: Require that new development incorporate building articulation and architectural features, including front doors, windows, stoops, porches or bay windows along street frontages, to integrate new development into the existing neighborhoods.

The project incorporates offsets along the building planes and a mixture of exterior materials and architectural features to create visual breaks and interest in the design for compatibility with the surrounding neighborhood. Residences along Pruneridge Avenue are designed to integrate into the surrounding neighborhood with the front doors, windows and outdoor patios oriented towards the public domain, Pruneridge Avenue. Pedestrian paths connect the residences facing Pruneridge Avenue to the public sidewalk fronting the site and neighboring properties.

- 5.5.2-P3: Implement site design solutions, such as landscaping and increased building setbacks, to provide buffers between nonresidential and residential uses.
- 5.5.2-P5: Require that new development provide an appropriate transition to surrounding neighborhoods.

The project includes landscaped building setbacks to transition two-story residential development on the site from adjacent commercial properties and abutting one- and two-story detached single-family homes.

Zoning Conformance

Filing of the rezone and vesting subdivision map applications occurred concurrently with the City's efforts to comprehensively update the Zoning Code. The project was deemed complete by the City's Project Clearance Committee (PCC) on June 13, 2023, prior to the adoption of the Zoning Code update. Under the updated Zoning Code, all planning permit applications that are active and that have been determined by the PCC to be complete before the effective date of the Zoning Code, February 8, 2024, shall be processed in compliance with the requirements in effect when the application was deemed complete. Therefore, the current B zoning designation for the site is in effect, as is the project's ability to utilize a rezone to the PD district.

Under existing conditions, the B zoning district assigned to the property is intended to provide for public, quasi-public and public park facilities and does not allow for residential development (per Chapter 18.52 of the City Code); thereby requiring a rezone of the property to PD to utilize flexible development standards to allow the construction of housing at a residential density consistent with the existing General Plan designation for the property.

Per Chapter 18.54 of the City Code, PD zoning districts are intended to allow for creative design solutions and land uses not otherwise allowed in standard zoning districts while maintaining compatibility with the existing community and allowing for greater community ownership. The proposed PD zoning establishes development standards in the density and site design compatible with existing and approved land uses surrounding the project site.

Affordable Housing

The proposed project is subject to the City's Inclusionary Housing Ordinance and would be required to designate 15 percent of the 22 homes (or 3.3 homes) for qualifying home buyers based on income

level at or below 100 percent Area Median Income, on average. Per Section 17.40.080.B of the City's Affordable Housing Ordinance, the fractional unit (0.3) requirement may be addressed by providing an additional affordable unit or payment of an in-lieu fee.

Site Design and Architecture

The proposal is a small lot residential development with individual lots ranging in size from 3,523 square feet (sf) to 4,356 sf, consisting of 22 two-story single-family residences with either an attached or detached garage. A row of detached homes will front Pruneridge Avenue (on the south side of the property) and a second row of detached homes (on the north side of the property) will front the driveway aisle / private street behind that separates and provides vehicle access to the homes and on-site parking.

Three types of floor plans range in size from 1,750 sf to 2,925 sf, inclusive of the garage. Plans 1A and B are four-bedroom and 3.5-bath homes with an attached three-car garage. Plan 2A and B are five-bedroom and four-bath homes with an attached three-car garage. Plan 3 is a four-bedroom and three-bath home with detached two-car garage. Each unit has an outdoor patio and private fenced in yard. Building coverage of the lots range from 37 to 53 percent with the remaining allocated to patio and yard area.

The proposed building architecture would be reflective of a modern interpretation of cottage farmhouse design. The design incorporates a mixture of materials that include stucco and batten board (horizontal and vertical) siding and stone veneer applied to the exterior elevations for texture and visual interest. The use of divided light windows and alternating use of architectural materials will provide a rhythmic cohesion and symmetry in the design. Offsets in the building elevations, recessed windows, and varied roof forms (e.g. shed and gable) will provide breaks in mass and scale of the buildings and roof structures. Roofs will be clad with asphalt shingles. Metal seam roofs will appear atop porches of the homes with extended covered front porches.

Circulation and Parking

Two existing curb-cuts and the sidewalk along the project frontage would be removed and replaced with a single curb-cut along Pruneridge Avenue for ingress and egress, at the southeast corner of the site, for vehicle access and a required separated sidewalk along the street frontage that includes a landscape strip next to the curb and sidewalk behind. The single driveway would serve the residences aligned along the drive aisle and provide a hammerhead near its terminus for use by emergency vehicles for back-out.

Because the project site is located within a half-mile of a major transit stop, the City cannot require the provision of any parking spaces under Assembly Bill 2097 (2022). Nevertheless, nineteen of the units will include three-car garages, while three units will include two-car garages, for a total of 63 covered spaces. While no designated visitor parking spaces are provided, driveways in front of the garages allow for additional uncovered parking. There are currently no parking restrictions along Pruneridge Avenue fronting the project site.

Landscaping and Open Space

The project includes a landscape plan for the site that incorporates a mixture of plant species and trees for planting within common areas and yards of the residences. Fifty existing on-site trees will be removed and as a condition of project approval, the project will replace the removed trees at a

minimum of 2:1 with 24-inch box species or equivalent. The proposed project would include the planting of approximately 79, 24- to 36- inch box trees throughout the site and would feature drought tolerant, low water use landscaping in the common areas and yards of the residential units. An additional 21 replacement trees would be provided off-site.

As a condition of project approval, a Home Owners Association will be established and Covenants, Conditions and Restrictions recorded to manage and maintain on- and off-site improvements (including buildings utilities, landscaping and fencing,) in good condition for the life of the project.

Subdivision

In accordance with Chapter 17.05 of the City Code, the project requires a tentative subdivision map. The application includes 22 for-sale lots and four common parcels (circulation, landscape open-space and bioretention areas). The Subdivision Committee reviewed and deemed the application complete, satisfying code requirements and including conditions of approval contained in Attachment 10.

ENVIRONMENTAL REVIEW

An Environmental Impact Report was prepared for the project by the environmental consultant firm David J. Powers & Associates, in accordance with the California Environmental Quality Act (CEQA). The Draft Environmental Impact Report (DEIR) and Notice of Availability were posted on the City's website at [Environmental Review/CEQA | City of Santa Clara \(santaclaraca.gov\)](https://www.santaclaraca.gov/our-city/departments-a-f/community-development/planning-division/environmental-review-ceqa) <<https://www.santaclaraca.gov/our-city/departments-a-f/community-development/planning-division/environmental-review-ceqa>> and available for public review for 45-days between November 17, 2023 and January 2, 2024, in accordance with CEQA requirements. No public or agency comments on the DEIR were submitted during the 45-day review period.

The DEIR examined potential environmental impacts associated with project development and identified significant impacts on biological, cultural resources, and geology and soils. Mitigation measures were identified for implementation that would reduce most of the significant project development impacts to less than significant levels. However, significant unavoidable project level and cumulative cultural resources impacts were identified to remain with demolition of the church, which is identified as being eligible for listing as an architecturally significant local structure, to redevelop the site. All other resource areas would experience a less than significant impact with project development

In considering a project, CEQA requires decision-makers to balance economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. To approve a project that has a significant unavoidable environmental impact, decision-makers must make findings, supported by substantial evidence, that the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable environmental effects. In accordance with CEQA Guidelines 15124 (b), the DEIR identifies project objectives for evaluation of the proposed project and the development of a range of alternatives for consideration in the findings or statement of overriding considerations.

The EIR determined that the project would have a less-than-significant impact in the resource areas of Energy and Greenhouse Gas Emissions. Part of the basis for these conclusions was that the project would be subject to the City's Reach Code, and one of the requirements of the Reach Code is

that the project construct All-Electric Buildings, with no installation of natural gas infrastructure. Recently, however, a court of appeal opinion, *California Restaurant Association v. City of Berkeley*, called into question the validity of the All-Electric requirements in the Reach Code. City planning and legal staff are currently evaluating the full nature and extent of this case's impact on the City's Reach Code requirements. If the All-Electric provisions in the Reach Code were ultimately determined to be invalid, then the project developer would potentially be able to install natural gas infrastructure and utilize methane, which is one of the most potent greenhouse gases. For this project, at the very least, this would require the City to re-examine the analysis and conclusions of the Energy and Greenhouse Gas chapters of the EIR. Consequently, the developer has made a commitment not to install any natural gas infrastructure, regardless of the legal status of the City's Reach Code. The description of the project in the PD zoning and the conditions of approval will specifically state that the project does not include any natural gas infrastructure, and that any future proposal to utilize methane would require an amendment to the PD zoning. As a result, the analysis in the EIR remains valid.

FISCAL IMPACT

There is no fiscal impact to the City for processing the requested application other than administrative time and expense typically covered by processing fees paid by the applicant.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

On February 8, 2024, the notice of public hearing for this item was mailed to property owners within 1,000 feet of the project side boundaries and interested parties. Newspaper notice of this item was published in *The Weekly*, a newspaper of general circulation, on February 7, 2024. At the time of this staff report, no comments have been received by the Planning Department in support or opposition to the project.

Community Meetings

Virtual public outreach meetings were conducted by the Property Owner/Applicant on November 16, 2022 and August 30, 2023 to engage the neighborhood community in the planning process. Notices of the meetings were mailed by the Property Owner/Applicant to properties within 1,000 feet of the project site boundaries and posted on the City's website. These meetings provided the community opportunities to review and comment on the proposal and revised changes made to the dwellings, site circulation and landscaping resulting from community input.

ALTERNATIVES

1. Adopt a resolution recommending the City Council certify the Environmental Impact Report and adopt the CEQA Findings, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program for the 1957 Pruneridge Avenue Residential Project.
2. Adopt a resolution recommending the City Council approve a rezoning of the project site from Public, Quasi-Public, and Public Park or Recreation (B) to Planned Development (PD) to allow construction of residential development consisting of 22 detached two-story residences with attached and detached garages, landscaping, and on- and off-site improvements, subject to conditions of approval.
3. Adopt a resolution recommending City Council approve a Vesting Tentative Subdivision Map to subdivide the land into 22 individual lots and four common lots as a utility corridor, vehicle

access, landscape open space and bioretention areas to serve the development, subject to conditions of approval.

4. Deny the rezoning from Public, Quasi-Public, and Public Park or Recreation (B) to Planned Development (PD) to allow construction of residential development consisting of 22 detached two-story residences with attached and detached garages, landscaping, and on- and off-site improvements.
5. Deny the Vesting Tentative Subdivision Map to subdivide the land into 22 individual lots and four common lots as a utility corridor, vehicle access, landscape open space and bioretention areas to serve the development.

RECOMMENDATION

Alternatives: 1, 2 and 3

1. Adopt a resolution recommending the City Council certify the Environmental Impact Report and adopt the CEQA Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the 1957 Pruneridge Avenue Residential Project.
2. Adopt a resolution recommending the City Council approve a rezoning of the project site from Public, Quasi-Public, and Public Park or Recreation (B) to Planned Development (PD) to allow construction of residential development consisting of 22 detached two-story residences with attached and detached garages, landscaping, and on- and off-site improvements, subject to conditions of approval.
3. Adopt a resolution recommending the City Council approve a Vesting Tentative Subdivision Map to subdivide the land into 22 individual lots and four common lots as a utility corridor, vehicle access, landscape open space and bioretention areas to serve the development, subject to conditions of approval.

Prepared by: Debby Fernandez, Associate Planner

Reviewed by, Sheldon S. Ah Sing, Development Review Officer

Reviewed by: Alexander Abbe, Assistant City Attorney

Approved by: Lesley Xavier, Planning Manager

ATTACHMENTS

1. Environmental Impact Report
2. Mitigation Monitoring and Reporting Program
3. Findings of Fact and Statement of Overriding Considerations
4. Resolution Recommending Council Certify Environmental Impact Report
5. Resolution Recommending Council Approve the Rezone
6. Resolution Recommending Council Approve the Vesting Tentative Subdivision Map
7. Draft Historical and Landmarks Commission meeting minutes of December 7, 2023
8. Historic and Landmarks Commission Staff Report December 7, 2023.
9. Conditions of Rezoning Approval
10. Conditions of Tentative Subdivision Map Approval
11. Development Plans
12. Vesting Tentative Subdivision Map