



City of Santa Clara

Planning Commission

February 21, 2024

1957 Pruneridge Avenue

Item # 3

PLN22-00505



1957 Pruneridge Avenue

Request

- Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program (MMRP)
- Rezone from Public, Quasi-Public, and Public Park or Recreation (B) to Planned Development (PD) to construct 22 detached single-family residences and associated on- and off-site improvements
- Vesting Tentative Subdivision Map 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



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Existing Site

2.47 acre parcel

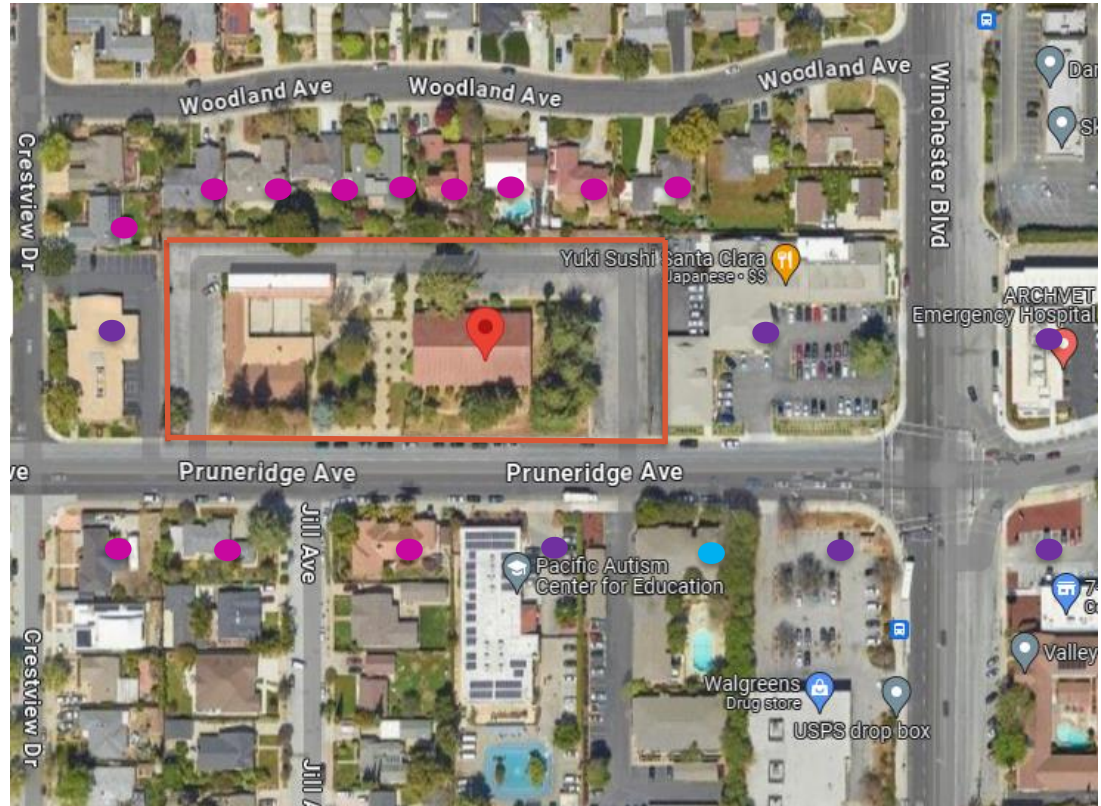
St. Mark's Church Complex:



*Assembly and education uses
3 vacant buildings*

Surrounding uses:

- *Single-family residential*
- *Multi-family residential*
- *Commercial*





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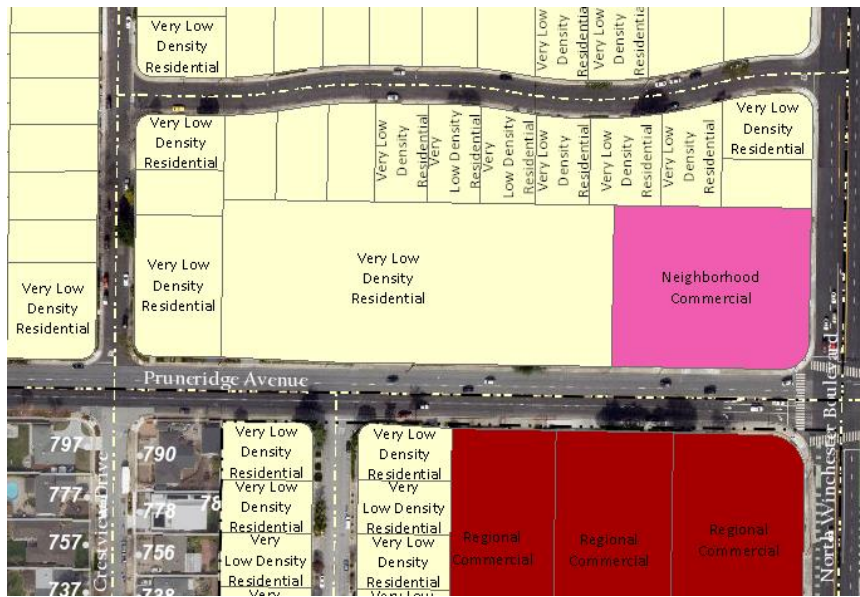
Existing Conditions





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General Plan and Zoning



Very Low Density Residential

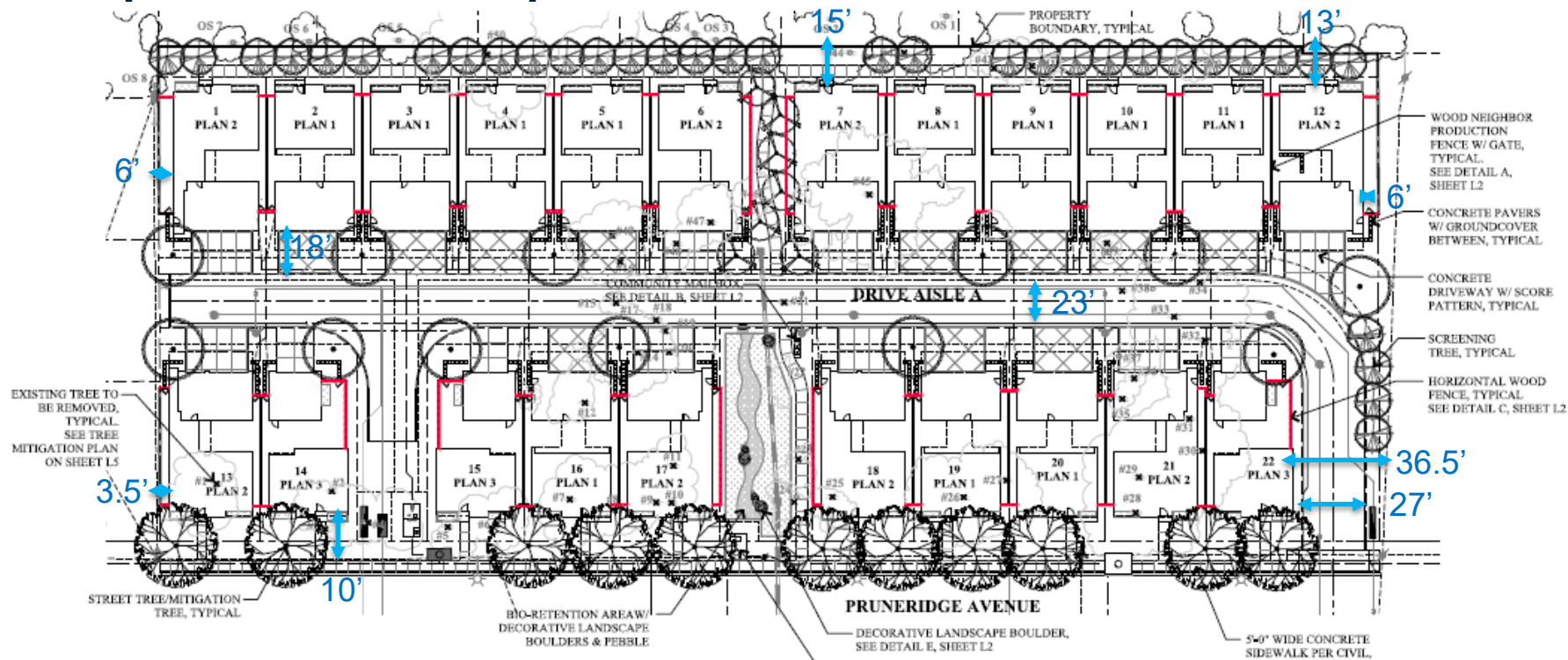


Public, Quasi-Public, and Public Park
or Recreation (B)



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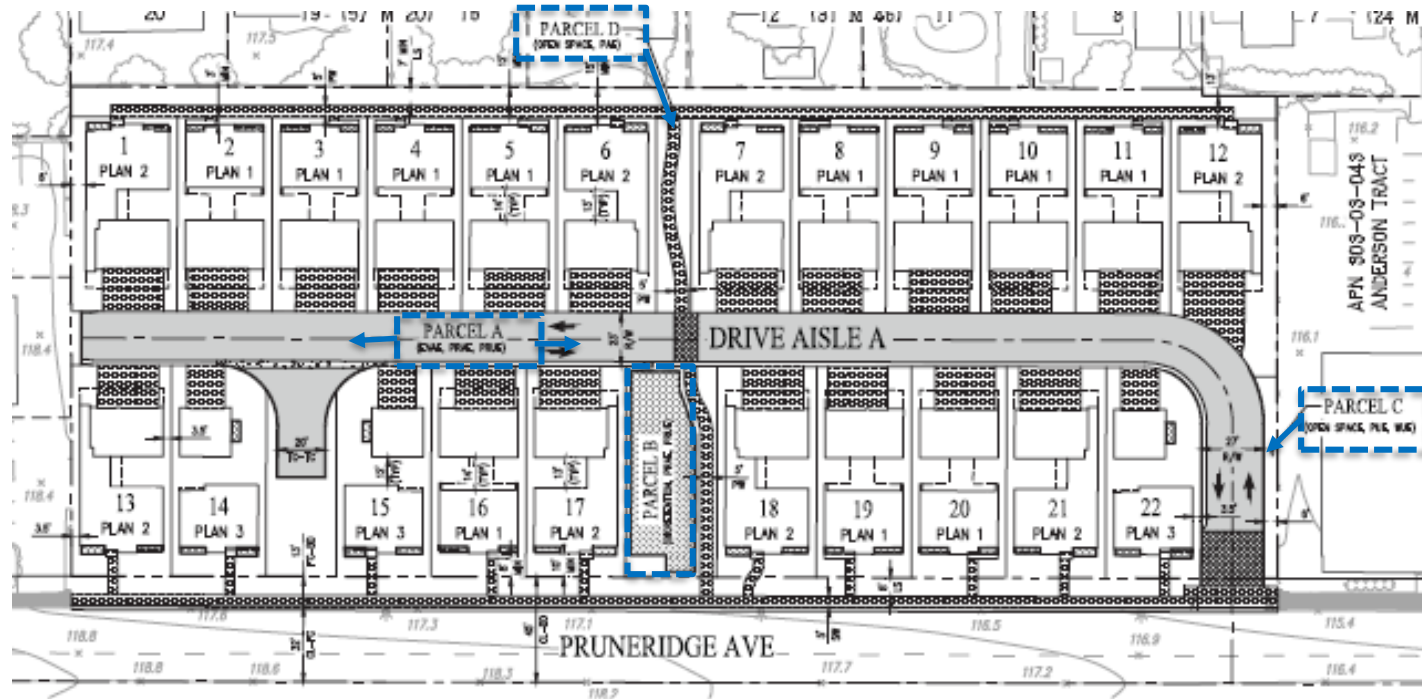
Proposed Site Development Plan





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Proposed Vesting Tentative Subdivision Map





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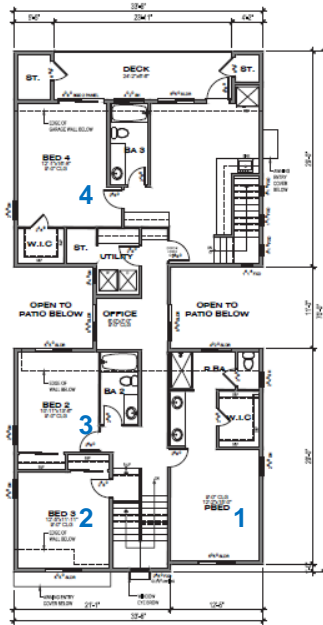
Floor Plans





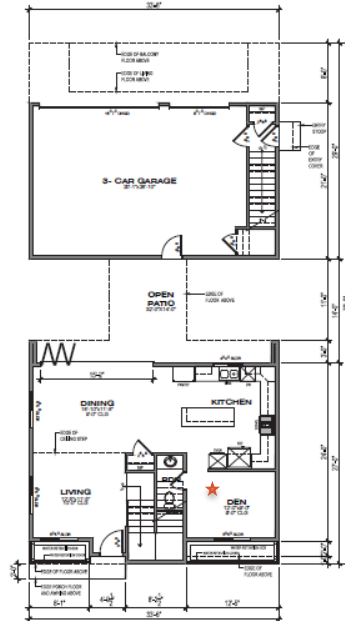
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Floor Plans

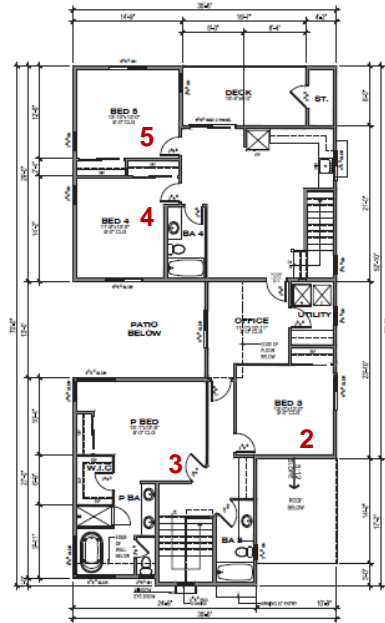


2ND FLOOR
1,777.52 SF

Plan 1

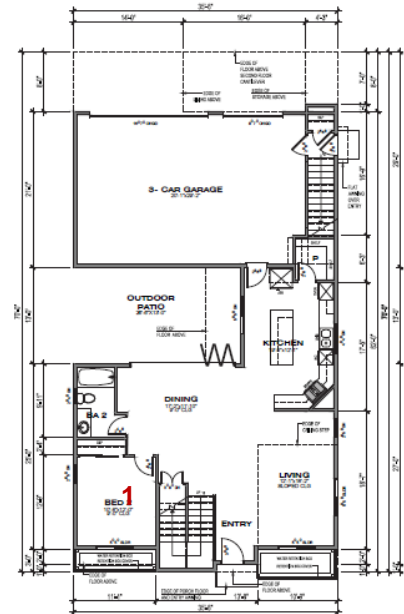


1ST FLOOR
838.21 SF



2ND FLOOR
1,804.82 SF

Plan 2



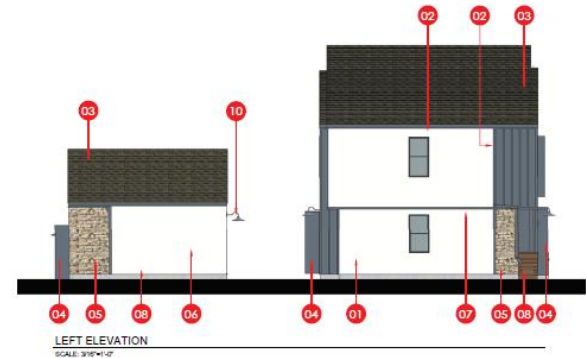
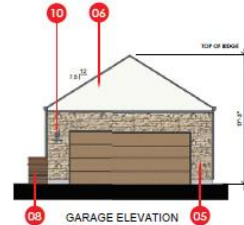
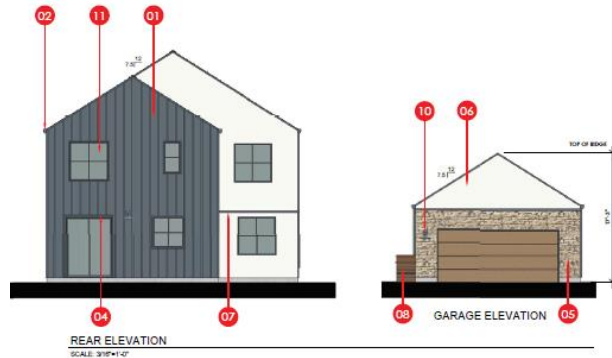
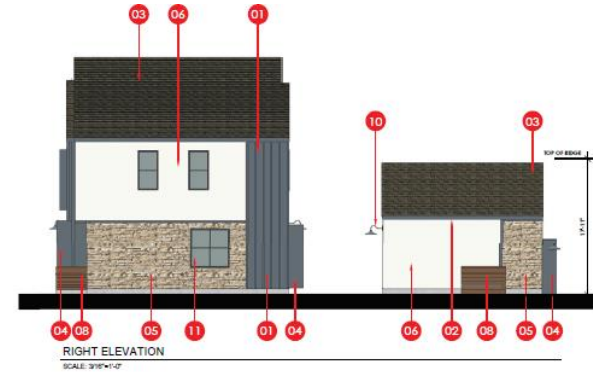
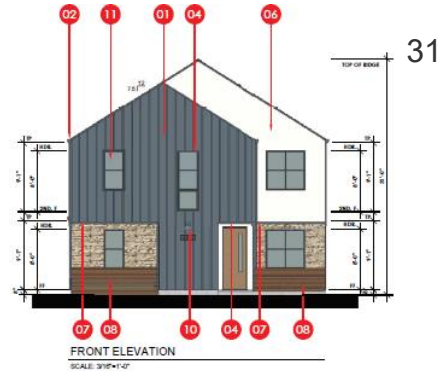
1ST FLOOR
1,120.43 SF



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BMR Elevations

KEYNOTES	
01	BATTEN BOARD
02	GUTTER
03	ASPHALT SHINGLES
04	METAL EYE BROW
05	STONE VENEER
06	STUCCO
07	WOOD TRIM
08	WATER RETENTION PLANTER
09	DECORATIVE WOOD RAIL
10	DECORATIVE LIGHT
11	TYP. RECESSED WINDOW
12	STANDING SEAM ROOF

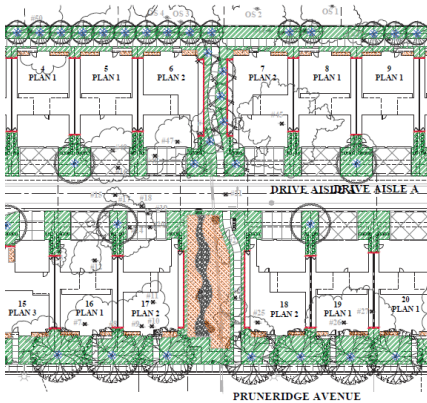




**City of
Santa Clara**
The Center of What's Possible

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Yard and Open Space Areas





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CEQA Review

- Draft Environmental Impact Report (DEIR) was prepared and a Notice of Availability was circulated for 45-day public and agency review from November 17, 2023 through January 2, 2024.
- DEIR identifies potential significant adverse biological, cultural resources, and geology and soils impacts that with implementation of mitigation measures would reduce most project impacts to less than significant.
- DEIR identifies significant project level and cumulative cultural resources impacts that would remain with demolition of the church.
- DEIR identifies the church eligible for listing as architecturally significant local structure.



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CEQA Review

- City did not receive any agency or public comments on the DEIR.
- Final EIR prepared and includes minor revisions to the Figures 2.2-1 and Figure 2.2-2 that do not change the conclusions nor require recirculation of the DEIR.
- Final EIR distributed for 10-day review from January 9, 2024 through January 19, 2024.
- Mitigation measures identified and to be incorporated to reduce impacts to less than significant levels and implemented through the Mitigation Monitoring and Reporting Program (MMRP) and project conditions of approval.
- Includes Findings and Fact and Statement of Overriding Considerations.



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Historical and Landmarks Commission (HLC)

- The HLC considered the project proposal and DEIR at a public noticed meeting on December 7, 2023 and did not recommend the church property for listing on the City's Historic Resource Inventory.
- The HLC recommended certification of the EIR to the Planning Commission and City Council with the following recommendations:
 - Developer to create a memorial to the church (using the Architect William May's 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.



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Public Participation

- Noticed Virtual Community Meetings
 - November 16, 2022
 - August 30, 2023
- Concerns / issues raised by residents:
 - Property maintenance
 - Construction activities
 - Site circulation and parking
 - Shade and shadow
 - Privacy



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Considerations

- Infill development with proximity to commercial uses and public transit
- Consistent with City's general land use, residential and transitional policies
- Site design and building architecture integrate into the community
- Provides on-site parking
- Contributes to City's housing supply and RHNA mandate
- Provides 15% percent affordable housing units
- Provides homeownership opportunities



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Recommendation

- Adopt a Resolution recommending the City Council certify the EIR and adopt CEQA Findings, Statement of Overriding Considerations, and the MMRP.
- Adopt a Resolution recommending the City Council approve a rezoning of the project site from B to 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.
- Adopt a Resolution to recommend City Council approve the Vesting Subdivision Map to subdivide the land into 22 individual lots and four common lots, landscape open space and bioretention areas to serve the development, subject to conditions of approval.



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Conditions of Approval

B8. This project is subject to the provisions of the City of Santa Clara 2022 Reach Code, effective January 2022 See Ordinance No. 2034 and/or Title 15 of the Santa Clara City Code.

- Chp. 15.36 – Energy Code for “all electric” provisions for new construction.
- Chp. 15.38 – Green Building Code for additional Electric Vehicle Charging requirements for new construction.

P5. Developer shall construct a complete street section along the project frontage of Pruneridge Avenue to include a 5-foot landscape strip with 4.5-feet of clear planting width and a 5-foot sidewalk behind the landscape strip. The landscape strip is to include trees (minimum 24-inch box) and drought tolerant plantings.



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Conditions of Approval: Reach Code

- California Restaurant Association v. Berkeley (9th Cir. Jan. 2, 2024): Reach Code preempted by Federal Law
 - Berkeley Reach Code banned natural gas infrastructure
 - Federal “Energy Policy & Conservation Act” regulates appliances
 - EPCA preempts local control of natural gas appliances, *and* regulations *concerning* such appliances
 - Because natural gas infrastructure “concerned” energy use of appliances, Berkeley’s Reach Code preempted



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Problems with Removing Reach Code Condition

- EIR assumed no natural gas usage:

Operational Impacts

The proposed project would construct a 22-unit residential development, replacing the church and office/school building which would increase energy consumption on-site. There would be no demand for natural gas on the project site because the development would be required to comply with the City's Reach Code which prohibits natural gas in new residential construction. The proposed project would be built according to California Building Code (CBC) and CALGreen Standards.



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Problems with Removing Reach Code Condition

- Addition of methane could affect project approvals:
 - EIR
 - Statement of Overriding Considerations
 - Justification for PD Rezoning
 - GP Consistency Finding for Subdivision Map



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New All-Electric Condition

- P23. This approval has been issued in reliance upon the developer's assurance that no natural gas infrastructure will be installed at any time, and is an express basis for granting the PD rezoning. No natural gas infrastructure shall be installed on the project site. If the developer seeks to install natural gas infrastructure in the future, the developer must first seek an amendment to the PD zoning.
- Developer has objected to this language.



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New All-Electric Language in Resolutions

- EIR Reso: LTS GHG impact because “the developer has voluntarily committed to construct All-Electric Buildings, regardless of whether the Reach Code is enforceable”
- Rezone Reso: Project promotes general welfare because “in furtherance of the City’s climate goals, the Owner has committed to constructing All-Electric Buildings”
- VTSM Reso: Project is consistent with GP because it “furthers of the City’s goal to reduce the use of methane gas citywide stated in [the] Climate Action Plan”



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Conditions of Approval: Complete Streets

- P5. Developer shall construct a complete street section along the project frontage of Pruneridge Avenue to include a 5-foot landscape strip with 4.5-feet of clear planting width and a 5-foot sidewalk behind the landscape strip. The landscape strip is to include trees (minimum 24-inch box) and drought tolerant plantings.
- Aug. 30, 2022: Pruneridge Ave Complete Streets Plan
 - Plan does not provide exception process
 - No basis for granting waiver



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Recommendation

- Adopt Conditions P5 and P23 as proposed by staff



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Planning Commission

July 13, 2023

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