



# City of Santa Clara

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## Agenda Report

19-331

Agenda Date: 5/22/2019

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### REPORT TO PLANNING COMMISSION

#### SUBJECT

Action on Vesting Tentative Subdivision Map for 2780 El Camino Real

#### BACKGROUND

The applicant, KB Home South Bay Inc, is requesting approval of a Vesting Tentative Subdivision Map (PLN2028-13662) to subdivide an existing 2.88-acre parcel into seven condominium lots and 13 common lots at 2780 El Camino Real for the development of 58 condominium units. The project site is bounded by the Moonlite Shopping Center to the north; single family residences to the west across Kiely Boulevard; single family residences to the south; and a residential condominium complex to the east.

The project was approved by the City Council on May 22, 2018, to allow redevelopment of the project site from a commercial use (former bowling alley) to a 58-unit residential development. The prior approval includes a General Plan Amendment from Regional Commercial to Medium Density Residential (PLN2017-12669); Rezone from Community Commercial (CC) to Planned Development (PD) (PLN2017-12712); and Vesting Tentative Subdivision Map to create 58 for-sale residential lots and 13 common lots to serve the development (PLN2017-12713).

#### DISCUSSION

The application is a new Vesting Tentative Subdivision Map to modify the previously approved Vesting Tentative Subdivision Map to change the lots from 58 fee simple townhome lots to seven condominium lots with 58 condominium units and 13 common lots to serve the development. The seven condominium lots are identified on the proposed Vesting Subdivision Tentative Map (Attachment 4) as Lots 1 - 7 and the 13-common area lots are shown as Lots A - M. The common lots encompass the private street, drive aisles to the units, easements and open landscape areas on-site.

The proposed Vesting Tentative Subdivision Map application is the result of recent changes in PG&E design standards for the conveyance of service to new townhome and townhome-style-condominium developments. Effective October 15, 2018, PG&E no longer allows gas and electric meters for shared lot-line townhome projects (fee-simple townhomes) to be centralized in a common area and privately-owned services, and then distributed to each unit. PG&E now requires each unit have a gas and electric meter. In order to meet PG&E requirements, the proposal is to remove lot lines from the Final Map and change the building design to R-2 occupancy condominiums.

Vesting Tentative Subdivision Map applications are reviewed for General Plan and Zoning Code consistency and conformance with the Subdivision Map Act. The proposed subdivision is consistent with the approved site plan and improvements on the project site for the development of 58 residential units in a clustered townhouse arrangement consistent with the plans approved by the

City Council, private street, surface parking, landscape open space areas, and associated utilities. The proposed Vesting Tentative Subdivision Map was reviewed by the City's Subdivision Clearance Committee and determined complete on April 2, 2019. Staff has confirmed that the proposed subdivision will not result in any inconsistencies with the General Plan and zoning designations for the property, Building Code, or other applicable requirements. Conditions of Approval have been prepared and are provided as Attachment 3. The conditions include a requirement for recordation of Covenants, Conditions and Restrictions (CC&R's) governing the shared use and maintenance of building structures and private on-site improvements (e.g. private street, surface parking, utilities, landscaping, fencing) as well public right-of-way improvements (complete street landscaping).

### **ENVIRONMENTAL REVIEW**

A Mitigated Negative Declaration (MND) was prepared by the environmental consultant firm Circle Point, in accordance with the California Environmental Quality Act (CEQA), for the previously approved 58-unit townhome development. The MND and Mitigation Monitoring and Reporting Program (CEQ2017-01037) were approved by the City Council on May 22, 2018 at a public noticed meeting. The proposed Vesting Tentative Subdivision Map is consistent with the approved project and would not result in a new impact on the environment or significantly increase the severity of any previously identified impact.

### **FISCAL IMPACT**

There is no cost to the City other than administrative staff time and expense for the processing of this application.

### **COORDINATION**

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

### **PUBLIC CONTACT**

On May 8, 2019, a notice of public hearing was published in *The Weekly* (formerly the *Santa Clara Weekly*), a newspaper of general circulation, and on May 10, 2019 notice of this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 1,000 feet of the project site. At the time of this report, Planning staff has not received public comments regarding the proposed project.

Public contact was also made by posting the Commission agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) or at the public information desk at any City of Santa Clara public library.

**RECOMMENDATION**

Adopt a resolution to recommend the City Council approve the Vesting Tentative Subdivision Map to subdivide the existing parcel into seven condominium lots and 13 common lots at the property located at 2780 El Camino Real.

Reviewed by: Andrew Crabtree, Director of community Development

Approved by: Deana J. Santana, City Manager

**ATTACHMENTS**

1. Project Data Sheet
2. Resolution Recommending Council Approval of the Vesting Tentative Subdivision Map
3. Conditions of Vesting Tentative Subdivision Map Approval
4. Vesting Tentative Subdivision Map