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Title: Action on a new 89-unit multi-family residential project located at 2354 Calle Del Mundo (Continued from the March 17, 2021 and April 21, 2021 Development Review Hearings)

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Attachments: 1. Development Plans, 2. Conditions of Approval, 3. Addendum to the TESP EIR, 4. Geotechnical Memoranda, 5. PMM - Patrick Complaint to Quiet Title April 9, 2021, 6. PMM - Patrick Complaint to Quiet Title May 6, 2021, 7. PMM Correspondence - Patrick, 8. PMM Correspondence - Petrilli Response Letter, 9. PMM Correspondence - Petrilli Supplemental Response

Date	Ver.	Action By	Action	Result
5/12/2021	1		Development Review Hearing	

REPORT TO DEVELOPMENT REVIEW HEARING

SUBJECT

Action on a new 89-unit multi-family residential project located at 2354 Calle Del Mundo (Continued from the March 17, 2021 and April 21, 2021 Development Review Hearings)

BACKGROUND

The subject project was originally heard at the March 17, 2021 Development Review Hearing (DRH). Following presentations by staff and the applicant, two members of the public representing the adjacent property at 5191 Lafayette Street spoke during the public hearing. The adjacent property was constructed at the same time as the subject building that is proposed for demolition and the two buildings are within four inches of one another. The public speakers expressed concern that the proposed construction activities may compromise the building at 5191 Lafayette Street as it is unknown if the two buildings share foundation footings or other substructures.

Following the public hearing, the hearing officer continued the item to the April 21, 2021 DRH meeting to allow staff to review the building permit histories and to develop additional project conditions to ensure the protection of the adjacent building during construction activities. The item was further continued to the May 12, 2021 hearing.

DISCUSSION

Following the initial hearing in March, the applicant provided a preliminary review memo of the geotechnical and structural site conditions prepared by a structural engineer.

Based on the recommendations of that report, staff has developed additional conditions of approval for the project:

1. Prior to issuance of a Demolition Permit, the applicant shall excavate test pits along the western property line to confirm the type, dimension, and depth of the neighboring foundation. Based on the test pit findings and the proposed excavation depths along the western property line, the applicant shall develop a demolition and construction plan including augmentation to the adjacent foundation if deemed necessary to protect the neighboring building and its foundation during construction to the satisfaction of the Director of Community Development.
2. Prior to issuance of a Demolition Permit, the applicant shall prepare and submit a final geotechnical investigation that includes drilling additional borings and/or cone penetration tests to supplement existing subsurface information and provide final geotechnical conclusions and recommendations regarding geotechnical aspects of the project, including appropriate foundation type(s) and design capacities, ground settlement(s) from weight of proposed building and seismic events, site grading and fill placement, and excavation support, to the satisfaction of the Director of Community Development. The applicant shall incorporate all necessary measures to ensure the protection of the adjacent property (5191 Lafayette Street) as determined by the Director of Community Development. Adjustments to these measures can be made during construction if it is deemed necessary or if unforeseen conditions arise after construction begins as determined by the Director of Community Development.

The inclusion of these added conditions will ensure that the adjacent building at 5191 Lafayette Street will not be damaged or compromised structural during demolition or construction activities.

ENVIRONMENTAL REVIEW

An Addendum was prepared for the project in accordance with the California Environmental Quality Act (CEQA). CEQA Guidelines Section 15162 states that when an Environmental Impact Report (EIR) has been certified or a Negative Declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the Lead Agency determines on the basis of substantial evidence in light of the whole record that substantial changes or new information of substantial importance has been identified. The City of Santa Clara certified the Tasman East Specific Plan (TESP) EIR (SCH#2016122027, File Nos. CEQ2016-01026, PLN2016-12400). Based on the proposed project description and knowledge of the project site (based on the environmental review prepared for the TESP FEIR), the City has concluded that the proposed project would not result in any new impacts not previously disclosed in the TESP FEIR and would not result in a substantial increase in the magnitude of any significant environmental impacts previously identified in the FEIR. For these reasons, an addendum to the TESP FEIR has been prepared for the proposed project. An addendum is not required to circulate for public review, but will be attached to the TESP FEIR, pursuant to CEQA Guidelines Section 15164(c).

PUBLIC CONTACT

On March 5, 2021, a notice of public hearing of this item was mailed 1,000 feet of the project site and posted within 300 feet of the project site. The meeting continuance was announced at the March 17, 2021 meeting. Planning Staff has received public comments for this application as discussed above.

Public contact was made by posting the hearing 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

Approve, subject to revised conditions of approval, the Architectural Review of an 89-unit multi-family residential project located at 2354 Calle Del Mundo.

Prepared by: Rebecca Bustos, Senior Planner, Community Development Department

Approved by: Gloria Sciara, Development Review Officer, Community Development Department

ATTACHMENTS

1. Development Plans
2. Conditions of Approval
3. Addendum to the TESP EIR
4. Geotechnical Memoranda