



Agenda Report

18-432

Agenda Date: 5/29/2018

REPORT TO COUNCIL

SUBJECT

Public Hearing: Action on 3402 El Camino Real Mixed Use Project The Deck

BACKGROUND

The subject application would allow rezoning of a 2.27 acre site located at 3402 El Camino Real from Thoroughfare Commercial (CT) to Planned Development (PD) to allow the development of a residential mixed-use project (PLN2017-12578). The proposed development would replace a 21,600 square foot commercial building that was damaged by fire and the existing 2,450 square foot stand-alone restaurant, "Ju Ju Bee." The proposed development would consist of a four-story mixed-use building supporting 9,919 square feet of commercial floor area, 66 apartment units, 15,392 square feet of private amenities, 58 surface parking spaces and 130 garage parking spaces.

The Planning Commission considered the project on April 11, 2018 and forwarded a recommendation to the City Council to approve the requested rezoning subject to Conditions of Approval as described below. The staff report with previous attachments and excerpt minutes from the Planning Commission meeting of April 11, 2018 are included in this report.

DISCUSSION

Four members of the public spoke at the Planning Commission hearing, expressing concerns with the project. Similar comments were also submitted in correspondence. These concerns include:

- Insufficient commercial space, particularly given that the site previously housed 23,450 square feet of commercial uses
- Operation of and access to the proposed event area
- The amount of the site used for parking in excess of the Code requirements
- Safety of down ramp from upper floor
- Lack of affordable housing
- Need a wider sidewalks
- Request for larger canopy trees on El Camino Real
- Traffic related to a high density project

The proposed amount of commercial space would conform with the General Plan minimum requirement of a 0.10 commercial floor area ratio (FAR). In response to community concerns, within the project review process, staff recommended to the applicant that the project include additional commercial space, such as deeper ground level retail space or second floor office use in place of the second floor parking proposed for the project's El Camino Real frontage, and the Planning Commission discussed a possible requirement of 0.15 commercial FAR. Converting the second floor parking area to office would also improve the project's appearance fronting on El Camino Real. The applicant however declined to add commercial space citing market conditions and a desire to maintain the proposed parking configuration.

The project includes six more parking spaces than required by the Zoning Code and does not propose to use any of the typical reductions for mixed-use or transit oriented projects. Additionally the proposed parking spaces are larger than the City's standard dimensions. The applicant has indicated that he wants to insure that the parking is convenient for future residents and commercial patrons and that adequate parking is provided to prevent parking spillover onto adjacent public streets.

Following the public testimony, the Planning Commission discussion focused on the concerns raised by the public. Based on this discussion, the Planning Commission recommended that the City Council approve the requested rezoning from CT to PD, subject to the Conditions of Approval (COA) recommended by staff and with the following four additional conditions:

1. Provide six percent of parking spaces to be installed with electrical chargers and nine percent to be prewired for future connection to electrical chargers.
2. Work with the City Arborist on selecting appropriate trees with larger canopies along El Camino Real.
3. Revise condition E.27 to require 46 bicycle parking spaces as depicted on the development plan.
4. Provide screening for the entire second floor parking area along El Camino Real.

The applicant agreed at the Planning Commission hearing to accept these additional conditions of approval with the exception of the screening of the second floor parking. The first three new conditions above have been added as C22-C24 in the attached COAs.

Approval of the project would provide an opportunity to locate a four-story mixed use development with 66 apartment units and 9,919 square feet of commercial space in a designated Priority Development Area (PDA) in Santa Clara. The project would improve a currently vacant lot on El Camino Real. The rezoning to PD would allow development of a project consistent with the vision established within the General Plan and with the Community Mixed Use designation and El Camino Real Focus Area goals and policies as further discussed in the attached Planning Commission report.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) was prepared and a Notice of Availability was circulated for a 30-day period from March 5, 2018 to April 5, 2018 in accordance with California Environmental Quality Act (CEQA) requirements. A detailed discussion of the potential impacts and mitigation measures to be applied to the project are specified in the MND and would be implemented through project conditions of approval and the Mitigation Monitoring and Reporting Program (MMRP) for the proposed project. A corresponding letter was prepared in response to the four comment letters received from Santa Clara Valley Water District, California Department of Transportation, County of Santa Clara, Roads and Airports, and Santa Clara Valley Transportation Authority. The MND, MMRP, and response to comment letter is included in the April 11, 2018 Planning Commission report.

COORDINATION

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

PUBLIC CONTACT

Public contact was made by posting the Council 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.

On May 4, 2018, a notice of public hearing of this item was posted in at least three conspicuous locations within 1,000 feet of the project site and mailed to property owners within 1,000 feet and additional residential properties beyond 1,000 feet of the project site. Comments received after May 10, 2018 will be provided at the City Council meeting of May 15, 2018 for consideration.

The applicant conducted an outreach meeting on August 22, 2017 at the Santa Clara Central Park Library (summarized in the attached Report to Planning Commission).

ALTERNATIVES

1. Adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the 3402 El Camino Real Mixed Use (The Deck) Project;
2. Approve a rezone from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a mixed-use development of 66 apartment units over 9,900 square feet of commercial space
3. Deny the proposed rezoning, maintain a commercial designation for the site; or
4. Approve a rezone from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a mixed-use development of with 66 units, additional open space and an amount of commercial space greater than 0.10 FAR

RECOMMENDATION

1. Adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the 3402 El Camino Real Mixed Use (The Deck) Project; and
2. Approve a rezone from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a mixed-use development of 66 apartment units over 9,900 square feet of commercial space.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. April 11, 2018 Planning Commission Report
2. Excerpt Minutes for the Planning Commission Meeting of April 11, 2018
3. Resolution to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
4. Resolution to approve the Rezoning
5. Conditions of Approval for Rezoning
6. Development Plans