



## Agenda Report

19-676

Agenda Date: 6/25/2019

### REPORT TO COUNCIL

#### **SUBJECT**

Public Hearing: Action on Catalina II Residential Development Project located at 1433-1493 El Camino Real (Not to be Heard prior to 7:00 PM)

#### **BACKGROUND**

The applicant, SCS Development, is proposing to construct a 39-unit residential development with seven live/work units on three contiguous parcels totaling 1.70 acres. The project site is located on the north side of El Camino Real between Lincoln Street and Monroe Street and is within the El Camino Real Focus Area, a local and regional commercial and transportation corridor envisioned for a mix of high intensity commercial and residential development in the City's 2010-2030 General Plan. The site is currently occupied with a vacant single-family residence and two vacant commercial buildings previously used for auto-oriented businesses. Surrounding land uses include the City Hall campus and residential development to the north across Civic Center Drive, residential development currently under construction to the east (Catalina I townhomes), residential and commercial uses to the south across El Camino Real and Civic Center Park to the west.

The proposal consists of for-sale condominium units with attached two-car garage distributed among five three-story buildings; a private street and eight visitor parking spaces with access from Civic Center Drive; and common landscaped open space and 3,048 square foot on-site private recreation area. The project also includes future private maintenance provisions with the establishment of a Homeowners Association and Covenants, Conditions and Restrictions. Four of the total number of units (10 percent) are to be provided as affordable housing units.

The proposed project includes a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP); a Rezone from Thoroughfare Commercial (CT) and General Office (OG) to Planned Development (PD); and a Vesting Tentative Subdivision Map (CEQ2018-01065, PLN2018-13609 and PLN2018-13610). These entitlements together would allow development of a 39-unit condominium development, inclusive of seven live/work units. A rezoning is required to convert use of the site from commercial and residential uses to a residential development with for-sale condominium units. The applicant has proposed a Planned Development (PD) zoning in order to establish unique development standards for the project and subdivision map to create for-sale housing units and common lots to serve the development.

The Planning Commission considered the proposed project on May 22, 2019 at a public noticed meeting and forwarded a recommendation to the City Council to adopt the MND and MMRP; approve a rezone of the project site from CT and OG to PD as presented in the Development Plans (Attachment 10); and approve the Vesting Tentative Subdivision Map (Attachment 11). The Planning Commission staff report and excerpt meeting minutes are provided as Attachment 1 and Attachment 2 to this Council agenda report.

**DISCUSSION**

At the Planning Commission meeting on May 22, 2019, staff provided a presentation of the proposed project followed by a presentation from the applicant. The presentation included a request to modify Rezoning Conditions of Approval C8 and C28 with alternate language to address their concerns with the staff proposed construction hour restrictions and complaint based dust and noise abatement measures that may be applied to construction activities throughout project development.

The Planning Commission discussed concerns with potential spill over resident, guest and live/work parking onto El Camino Real and Civic Center Drive; provisions for wayfinding by visitors to the guest parking spaces on-site; and the trip reduction measures/incentives to be employed with implementation of the required vehicle miles traveled (VMT) reduction plan for the project. Chairman Jain expressed a preference for the reservation of bike lanes along El Camino Real fronting the project site in place of parking. Jim Sullivan of SCS Development confirmed that the VMT plan will be prepared by Hexagon Transportation Consultants, Inc. and include a menu of implementation measure options for the Homeowners Association to offer the residents, that may include transit passes and support for rideshare/Zipcar. It was noted that signage will be posted to restrict use of on-site guest parking as reflected in Condition 20 and that parking along El Camio Real is currently being examined as part the El Camino Real Specific Plan process.

Commissioner Biagini requested that an archeological survey be conducted of the site prior to construction. The applicant expressed agreement to conduct an archeological survey prior to grading of the site.

In response to a letter received by a resident over concerns regarding the roof color, the applicant stated their willingness to employ a lighter color and explore cool roof technology in the design.

The discussion concluded with the Planning Commission rejecting the applicant's request to modify Condition C8 and with a recommendation to incorporate a revised version of Condition C28 as drafted by the Director of Community Development as follows:

~~Additional dust and noise abatement measures may be required for implementation with demolition and construction on the project site at the discretion of the Community Development Director. This may include additional noise monitoring, and if additional measures are subsequently determined to be necessary, the applicant will be required to erect barriers to provide additional sound attenuation and fugitive dust abatement as described in the project Mitigation Monitoring and Reporting Program. This may include additional noise monitoring and installation of a temporary noise control blanket barrier, if necessary, along building facades facing construction sites if conflicts occurred which are irresolvable by proper scheduling.~~

To address the concern expressed by Commissioner Biagini, Condition 30 has been added to the Conditions of Rezoning Approval and agreed to by the applicant to require an archeological survey of the site as follows:

Prior to conducting grading, applicant shall contract with a qualified archeologist acceptable to the Community Development Director and conduct an archeological survey of the site.

**ENVIRONMENTAL REVIEW**

A Mitigated Negative Declaration (MND) was prepared for the project by the environmental

consultant firm David Powers J. & Associates, Inc., in accordance with the California Environmental Quality Act (CEQA). The MND and Notice of Availability were posted on the City's website at [www.santaclaraca.gov/ceqa](http://www.santaclaraca.gov/ceqa) and circulated for 30-day review on March 27, 2019 and closed on April 26, 2019, in accordance with CEQA requirements. The Planning Department received agency comments in response to the MND from the California Department of Transportation (Caltrans), Native American Heritage Commission, Santa Clara Valley Transportation Authority, and Santa Clara Valley Water District (Valley Water). Responses to comments received on the MND were prepared and are attached along with agency comment letters as Attachment #4. There were no public comments received by staff on the MND.

The MND examined environmental impacts associated with project development and identified potential air quality, biological, cultural resources, geology and soils, hazardous materials, and noise impacts that with incorporation of mitigation measures into the project would reduce all potential impacts to less than significant. 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.

At the May 22, 2019 Planning Commission meeting, the Commission voted to recommend that the City Council adopt the MND and MMRP.

### **FISCAL IMPACT**

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

### **COORDINATION**

This report has been coordinated with the Finance Department and 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) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

#### ***Public Notices and Comments:***

On June 14, 2019, the notice of public hearing for this item was posted in three conspicuous locations within 300 feet of the site and was mailed to property owners within 1,000 feet of the project site. In addition, a Notice of Hearing for the project applications was published in *The Weekly*, a newspaper of general circulation for the City, on May 8, 2019 for the Council meeting of June 25, 2019. Comments received outside of the CEQA process are attached to this staff report. At the time of this staff report, one public comment unrelated to the MND has been received and is attached to this staff report for review.

#### ***Public Outreach Meetings***

A neighborhood community meeting was conducted to engage neighbors in the planning process of the proposed 39-unit residential development, including seven live/work units. The public outreach meeting was held on February 20, 2019 from 6:30 to 7:30 p.m. at the Santa Clara Senior Center, located at 1303 Fremont Street and was attended by three residents. Notices of the meeting were mailed by the applicant to property owners within 1,000 feet of the project boundaries and

interested parties and was also posted on the City's website.

### **ALTERNATIVES**

1. Adopt a resolution to approve the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Catalina II Residential Development Project.
2. Adopt a resolution to approve a rezoning from Thoroughfare Commercial (CT) and General Office (OG) to Planned Development (PD) to allow development of 39 condominium townhome units, private street, landscaped open space, surface parking and site improvements.
3. Adopt a resolution to approve the Vesting Tentative Subdivision Map to create five condominium lots with 39 condominium units and four common interest lots to serve the development.
4. Adopt a resolution denying the rezoning from Thoroughfare Commercial (CT) and General Office (OG) to Planned Development (PD) to allow development of 39 condominium townhome units, private street, landscaped open space, surface parking and site improvements.
5. Adopt a resolution denying the Vesting Tentative Subdivision Map to create five condominium lots with 39 condominium units and four common interest lots to serve the development.

### **RECOMMENDATION**

Alternatives 1, 2, and 3:

1. Adopt a resolution to approve the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Catalina II Residential Development Project.
2. Adopt a resolution to approve a rezoning from Thoroughfare Commercial (CT) and General Office (OG) to Planned Development (PD) to allow development of 39 condominium townhome units, private street, landscaped open space, surface parking and site improvements.
3. Adopt a resolution to approve the Vesting Tentative Subdivision Map to create five condominium lots with 39 condominium units and four common interest lots to serve the development.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Planning Commission Report for May 22, 2019
2. Planning Commission Excerpt Meeting Minutes of May 22, 2019
3. Project Data
4. Web Link to Catalina II Residential MND and MMRP
5. Responses to Comments Received on the Mitigated Negative Declaration
6. Resolution to Adopt the MND and MMRP
7. Resolution to Approve the Rezoning
8. Resolution to Approve the Vesting Tentative Subdivision Map
9. Conditions of Rezoning Approval
10. Conditions of Vesting Tentative Subdivision Map Approval
11. Correspondence
12. Development Plans
13. Vesting Tentative Subdivision Map