



Agenda Report

19-916

Agenda Date: 8/27/2019

REPORT TO COUNCIL

SUBJECT

Action on Adoption of Ordinance No. 2003 Approving a Development Agreement between the City of Santa Clara and TOD Brokaw, LLC for the Property Located at 1205 Coleman Avenue and Ordinance No. 2004 Amending Chapter 18.22, "Regulations for Various Mixed Use Combining Zoning Districts" of Title 18, "Zoning" of "The Code of the City of Santa Clara, California" to add a New Article III, "Regulations for VHDMU - Very High Density Mixed Use Zoning Districts" and Approving a Rezoning of the 21.4 Acre Project Site Located at 1205 Coleman Avenue, Santa Clara, to the New VHDMU Zoning District

BACKGROUND

At the July 9, 2019 Council meeting, proposed Ordinances No. 2003 and No. 2004 were introduced and passed for the purpose of publication. Pursuant to City Charter Sections 808 and 812, summaries of proposed Ordinances No. 2003 and No. 2004 were published on August 14, 2019, and copies were posted in three public places. The Ordinances now come to Council for final adoption.

DISCUSSION

The action before the Council is the final step in the approval of the Gateway Crossings project proposed for 1205 Coleman Avenue: the adoption of two ordinances that were introduced on July 9, 2019.

Ordinance No. 2003 would approve a development agreement between the City of Santa Clara and TOD Brokaw, LLC, for the construction of a residential/commercial mixed-use project with 1,565 dwelling units, a 225-room hotel, and 45,000 square feet of ground floor retail, of which 7,500 square feet will be leased to the Santa Clara Police Activities League. The maximum allowable height of the development is 150 feet. The term of the proposed Agreement is five years, with the potential for a five-year extension if a portion of the development is completed within the first five years. The Agreement commits the developer to providing 10% of the dwelling units at affordable rents, payment of local and regional traffic fees, dedication of 2.6 acres of parkland, and construction of or payment for bicycle, pedestrian, and roadway improvements.

Ordinance No. 2004 would create a new "Very High Density Mixed Use" (VHDMU) zoning district that would allow for a combination of very high density residential and horizontal and vertical commercial uses. The new VHDMU district would provide for transit- and pedestrian-oriented mixed-use development comprised of very high density housing over 50 dwelling units per acre and up to and including 120 dwelling units per acre, in conjunction with local and regional serving commercial uses that link with existing and planned transit facilities to support and maximize transit use. The ordinance would also rezone the property located at 1205 Coleman Avenue to the new zoning designation.

ENVIRONMENTAL REVIEW

On July 9, 2019, the City Council adopted and certified an Environmental Impact Report (EIR) for the Project. The EIR was previously circulated for public and agency review in accordance with California Environmental Quality Act (CEQA) requirements, and responses to all comments received were prepared and incorporated into the Final EIR. The Final EIR also incorporated an analysis of additional revisions to the project that were proposed after the initial circulation period, which concluded that the revised project would not result in new or substantially more significant impacts than disclosed previously. The City filed a Notice of Determination (NOD) of the certification of the EIR with the Santa Clara County Clerk-Recorder on July 10, 2019. The thirty-day period to file a legal challenge to the environmental document has expired.

FISCAL IMPACT

There is no cost to the City for processing of the proposed entitlement actions other than administrative staff time and expense which are offset by permit application fees.

COORDINATION

This report has been coordinated with the Community Development Department and the Finance Department.

PUBLIC CONTACT

Summaries of proposed Ordinance No. 2003 and Ordinance No. 2004 were published in the Santa Clara Weekly, a newspaper of general circulation, on August 14, 2019, and copies were posted in three public places.

Public contact was also 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 or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

1. Adopt Ordinance No. 2003 approving a Development Agreement between the City of Santa Clara and TOD Brokaw, LLC for the Property Located at 1205 Coleman Avenue; and
2. Adopt Ordinance No. 2004 amending Chapter 18.22, "Regulations for Various Mixed Use Combining Zoning Districts" of Title 18, "Zoning" of "The Code of the City of Santa Clara, California" to add a New Article III, "Regulations for VHDMU - Very High Density Mixed Use Zoning Districts" and approving a rezoning of the 21.4 acre project site located at 1205 Coleman Avenue, Santa Clara, to the new VHDMU zoning district.

Reviewed by: Brian Doyle, City Attorney

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Ordinance No. 2003
2. Ordinance No. 2004