



Agenda Report

19-1199

Agenda Date: 12/10/2019

REPORT TO COUNCIL

SUBJECT

Action on Patrick Henry Drive Specific Plan, Draft Notice of Preparation

BACKGROUND

The City formally commenced the preparation of a Specific Plan for the Patrick Henry Drive (PHD) area with the City Council's approval of a contract on August 22, 2018 with planning consultants, MIG, Inc. (MIG). Preparation of the Specific Plan will identify new General Plan land use designations and associated policies for urban design, amenities, infrastructure and other land use elements to support the redevelopment of the PHD area from low-intensity office and industrial park use into high-density, mixed use neighborhoods. The Patrick Henry Drive Specific Plan area is designated as a Phase III Future Focus Area for high-density residential development in the City's 2010-2035 General Plan.

At the August 28, 2019 meeting, the City Council directed staff to return with a detailed project description prior to issuance of a Notice of Preparation (NOP) for the Environmental Impact Report (EIR) for the PHD Specific Plan.

DISCUSSION

The release of a NOP is the first public action in the EIR preparation process. The purpose of the NOP is to inform agencies and interested parties that an EIR will be prepared for a project and to describe the scope of the project that will be addressed in the EIR. NOPs include information about the project and its potential environmental impacts to allow agencies and interested parties the opportunity to provide feedback related to the scope and content of the EIR, including mitigation measures that should be considered and alternatives that should be addressed. NOPs include a detailed project description, a description of the required approvals, and a list of the impact areas that will be studied, including air quality, biological resources and noise. While the details of the Specific Plan will be further developed before release of the EIR and ultimately before preparation of the Specific Plan document for City Council consideration, reviewing the draft NOP provides the City Council with an early opportunity to review and provide feedback on the development of the Specific Plan.

The City Council previously provided direction to staff to take property owner stakeholder input into consideration and to provide flexibility in the allowed land uses for future potential developers within the Specific Plan area. The City has accordingly conducted a number of stakeholder meetings and interviews and used this input, along with the goal of flexibility, to formulate the initial project description. The development capacity upon which the project description reflects stakeholder input provided during the Stakeholder Steering Group meetings held in November 2018, January 2019, June 2019, and October 2019 and based on individual stakeholder meetings held in October of this

year. This input is summarized in Attachment 2.

Because the NOP generally describes the outer boundaries of what might be addressed within the project EIR, the proposed NOP also includes items which have not been proposed by a developer or property owner, such as a potential school site, but which the City might want to address within the EIR. The resulting draft NOP and project description for the PHD specific plan is attached.

The project description includes two scenarios that would both be analyzed in the EIR:

- Scenario A includes approximately 12,000 net new residential units and 310,000 net new square feet of non-residential uses, of which 200,000 square feet is net new retail or public facilities space for uses such as library and/or community room space. The remaining non-residential uses include 110,00 square feet for educational facility uses.
- Scenario B substitutes office for high-density residential in the “High Density Flex” zone along the eastern edge of the Plan Area, amounting in an approximate total of 10,300 net new residential units, 785,000 net new square feet of office, and 310,000 net new square feet of other non-residential uses (e.g., retail, community space, library, educational facility).

	Residential Units	Office	Other Non-Residential Uses
Scenario A	12,000	-	310,000 SF
Scenario B	10,300	785,000 SF	310,000 SF

Proposed Land Use Designations

Staff is proposing to use three residential land use designations and one flexible residential/commercial designation within the Specific Plan Area:

- Very High Density (65-100 du/ac);
- Urban Village Residential (100-150 du/ac)
- Urban Center Residential (120-250 du/ac); and
- High Density Flex designation (100-150 du/ac or up to a 2.0 floor area ratio of commercial development).

These densities correspond to building heights ranging from five stories at the lowest allowed density to 25 stories at the highest.

The Conceptual Land Use Diagram (Attachment 3), which will be included as an attachment to the draft NOP, identifies the locations of the proposed residential and flex land use designations within the Specific Plan area. The Conceptual Land Use Diagram also identifies the proposed location for public facilities such as parks, a community room and space for a public library. The lower density residential designation is proposed closer to Calabazas Creek and residential areas to the west in the City of Sunnyvale, with higher densities in the center of the plan area. The High-Density Flex designation is located on the Great America Parkway frontage, where either high-intensity office uses or high-density residential is appropriate. Ground floor retail square footage and public uses are distributed among several properties fronting onto Patrick Henry Drive to foster a new pedestrian-oriented street with active ground floor uses and amenities to support the development of a complete neighborhood.

Parkland and Open Space

As previously presented to the City Council, and following the precedent established in the adopted Tasman East Specific Plan, 22% of the Specific Plan area, approximately 11.4 acres, is proposed to be designated as public parkland or publicly accessible privately maintained open space. The proposed parkland includes a central park spine running north/south through the center of the new neighborhood and two smaller parks located at opposite edges of the Specific Plan area, adjacent to Calabazas Creek and Great America Parkway, respectively.

Circulation

The proposed land use plan makes use of the existing street right-of-way and identifies new vehicular and multimodal circulation roads and/or paseos throughout the plan area to promote pedestrian and bicycle use and break up the existing superblocks to support intensified land use. The new roads are intended to be low-speed, with shared facilities where pedestrians, bicycles and cars all have an equal ability to use the right-of-way. At least one roadway connection point to Mission College Boulevard is proposed, with two potential locations shown on the concept diagram. A new greenway is proposed along Patrick Henry Drive to best utilize an existing gas line easement that does not allow structures. New greenway connections are also proposed in the interior of the central block to promote pedestrian and bicycle circulation and break up the massing of future development.

Alignment with Stakeholder Input

As discussed above, the draft NOP directly incorporates input from property owner stakeholders. The NOP also addresses the goals of the City as established in the City's General Plan and provided through discussion at recent City Council meetings. It should be noted that in some ways the proposed land use plan does not fully align with stakeholder input. Specifically, one property owner, Z&L properties, indicated a desire to develop 1600 units on their property corresponding to a density of approximately 420 dwelling units per acre, while the highest density proposed by staff is 250 dwelling units per acre. Z&L has expressed that they would like considerations for this amount of additional density as they are providing multiple amenities including parkland dedication, interior space for a public use such as a library, retail, and new circulation areas. The Urban Center Residential designation could be modified to allow densities of up to 420 dwelling units per acre or a unique higher density designation could be applied to this site to accommodate this request if the City Council considers that this high of a density is appropriate at this site.

Most of the stakeholders have requested that the amount of parkland, new street, and/or retail or public facility space shown on their property be reduced if possible. The proposed land use plan, however, maintains these uses as they are critical to the successful development of a complete neighborhood. As part of the Specific Plan process, the City will explore a mechanism for distributing the costs of new development across all sites on a per unit basis.

Next Steps

Following City Council direction, staff would proceed with the public release of the NOP and the City will host a scoping meeting where the public, interested parties, and public agencies have the opportunity to offer comments on what environmental topics should be covered in the forthcoming EIR. The City's consultant would then begin the analysis of the potential environmental impacts of the project as described in the Notice of Preparation. Preparation of the draft EIR is scheduled to require approximately eight months with anticipated release for public review in late summer 2020. Responses to EIR comments would be drafted in Fall 2020, and the Specific Plan and EIR would tentatively be scheduled for adoption in early of 2021.

ENVIRONMENTAL REVIEW

The action being considered is simply to accept a report on the Specific Plan process, and as such does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5), in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment. For the underlying project, the Patrick Henry Drive Specific Plan, the City will prepare an Environmental Impact Report (EIR), and the first step of the EIR process is the release of the proposed NOP.

FISCAL IMPACT

The City’s consultant costs for preparation of the Patrick Henry Drive Specific Plan, as well as the City North Framework, will be covered through funding agreements with affected property owners.

The proposed change in land uses would significantly increase land values as well as demand for services, having both positive and negative fiscal impacts upon the City. While the City has not conducted a fiscal analysis for the Specific Plans, it is understood that residential land uses generally have a net negative fiscal impact (as increased land value revenue does not completely offset increased costs for service), but infill development and higher density development, particularly utilizing Type I or Type III construction, can provide for more efficient delivery of services and support more tax revenue generating activity, potentially resulting in net neutral or positive fiscal implications. Consistent with the General Plan, the addition of new residentially designated land helps the City to achieve its Regional Housing Needs Assessment (RHNA) goals for housing production.

COORDINATION

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

PUBLIC CONTACT

The City held a community meeting on the North Santa Clara area including the Patrick Henry Drive plan on February 25, 2019. Approximately 28 members of the public attended the meeting.

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.

ALTERNATIVES

1. Accept the report on the Patrick Henry Drive Specific Plan Notice of Preparation as presented by staff.
2. Do not accept the report on the Patrick Henry Drive Specific Plan Notice of Preparation as presented by staff and provide alternative direction.

RECOMMENDATION

Alternative 1:

Accept the report on the Patrick Henry Drive Specific Plan Notice of Preparation as presented by staff.

Reviewed by: Andrew Crabtree, Director of Community Development
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Draft Notice of Preparation
2. Summary Table of Stakeholder Input
3. Draft Conceptual Land Use Diagram
4. EIR Milestone Schedule