

# City Council Hearing

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September 14, 2021



*Planning, Building and  
Code Enforcement*

# Item 10.2

**SP20-005 & T21-015-Special Use Permit & Vesting Tentative Map for the Site at the Northwest Corner of South Almaden Blvd and Woz Way**

Presenter: Chris Burton, Director, PBCE

# Project Description (SP20-005 & T21-015)



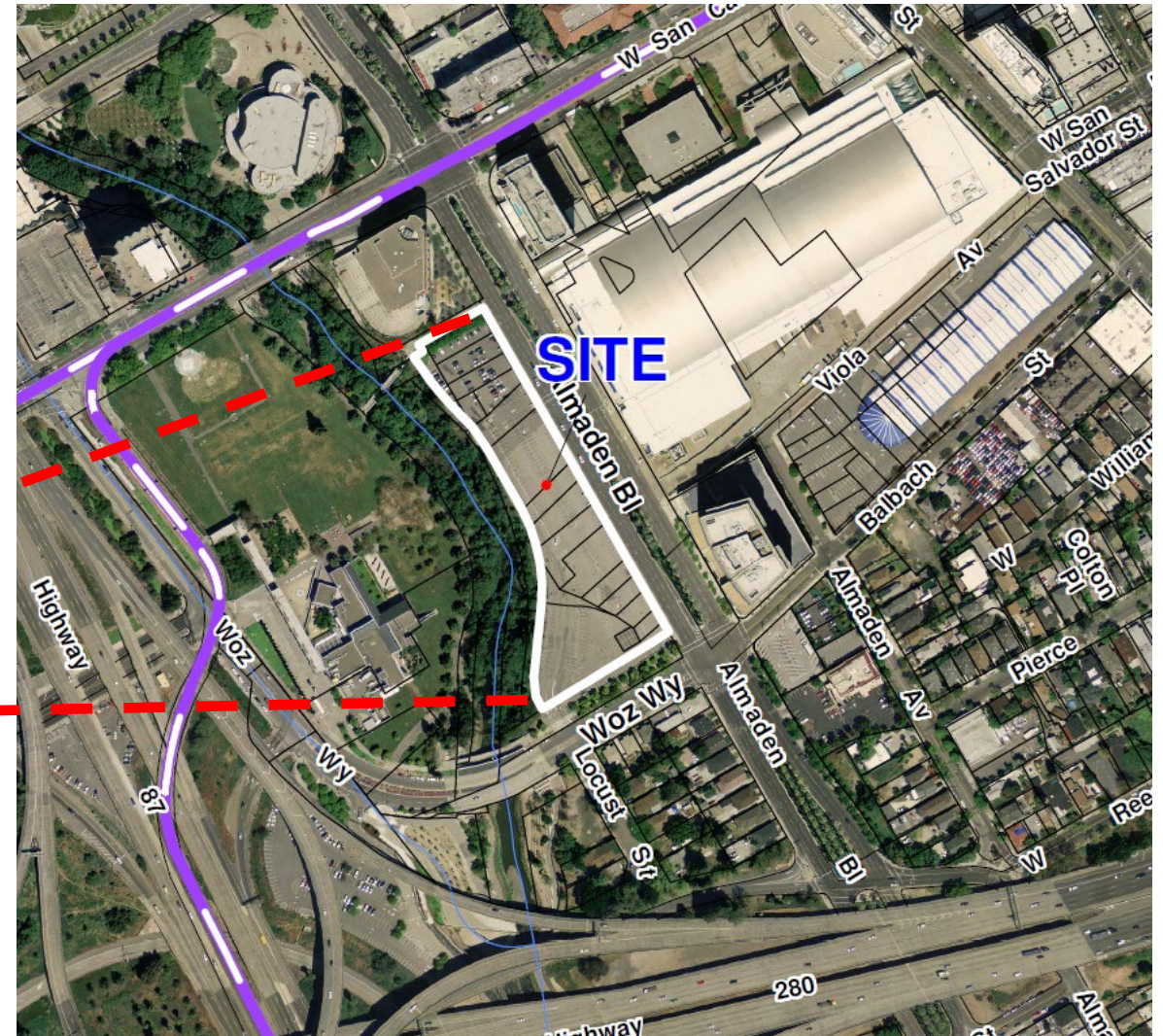
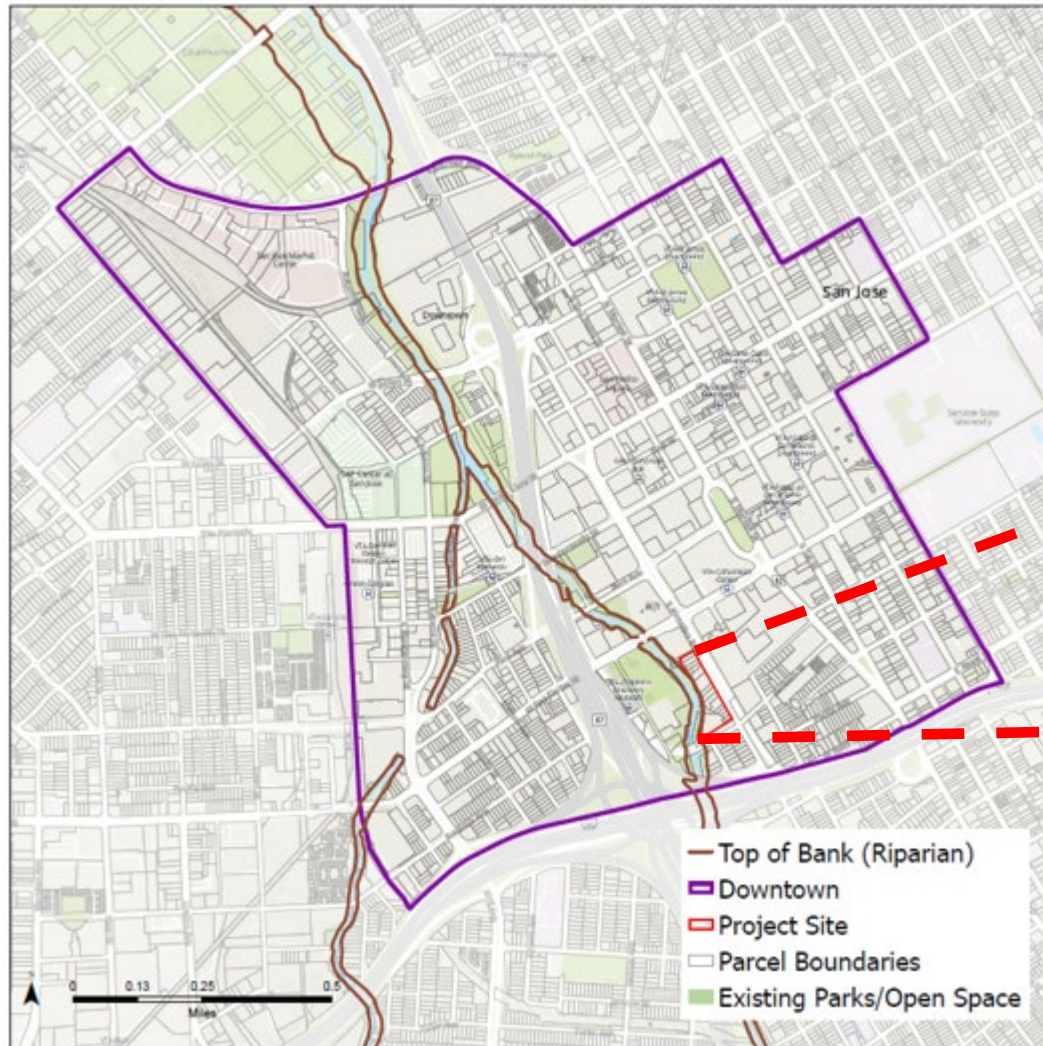
## **Special Use Permit (SP20-005):**

- A 16-story, 2.05-million sf office building with two towers and 37k sf ground floor amenity and retail space.
- Alternative parking design including stackers, tandem and valet parking
- Commercial condominium units
- Extended construction hours to include Saturday work from 7:00 AM to 7:00 PM and 24-hour concrete pours for up to 12 days per year over the course of construction (51 months)

**Vesting Tentative map (T21-015):** Merge all lots to one lot and for up to 15 commercial condominium units purpose.



# Project Site (SP20-005 & T21-015)





# Site Condition (SP20-005 & T21-015)



**General Plan Land Use Designation:** Downtown

**Zoning:** Downtown Primary Commercial

**Existing Site Condition:**

- Paved parking lot
- Guadalupe River Trail is immediately adjacent to the site
- Riparian tree canopies encroach into the parking lot

# Public Outreach

- **Two Community Meetings:**
  - June 2019: Joint Community & Environmental Scoping Meeting
  - June 2021: Project Updates
- **Three development signs posted since April, 2019**
- **Public hearing notice sent to owners/tenants of properties within 1,000 feet of the project site & interested individuals/parties**
- **Major concern: Riparian Impact**

# Review of Riparian Effects

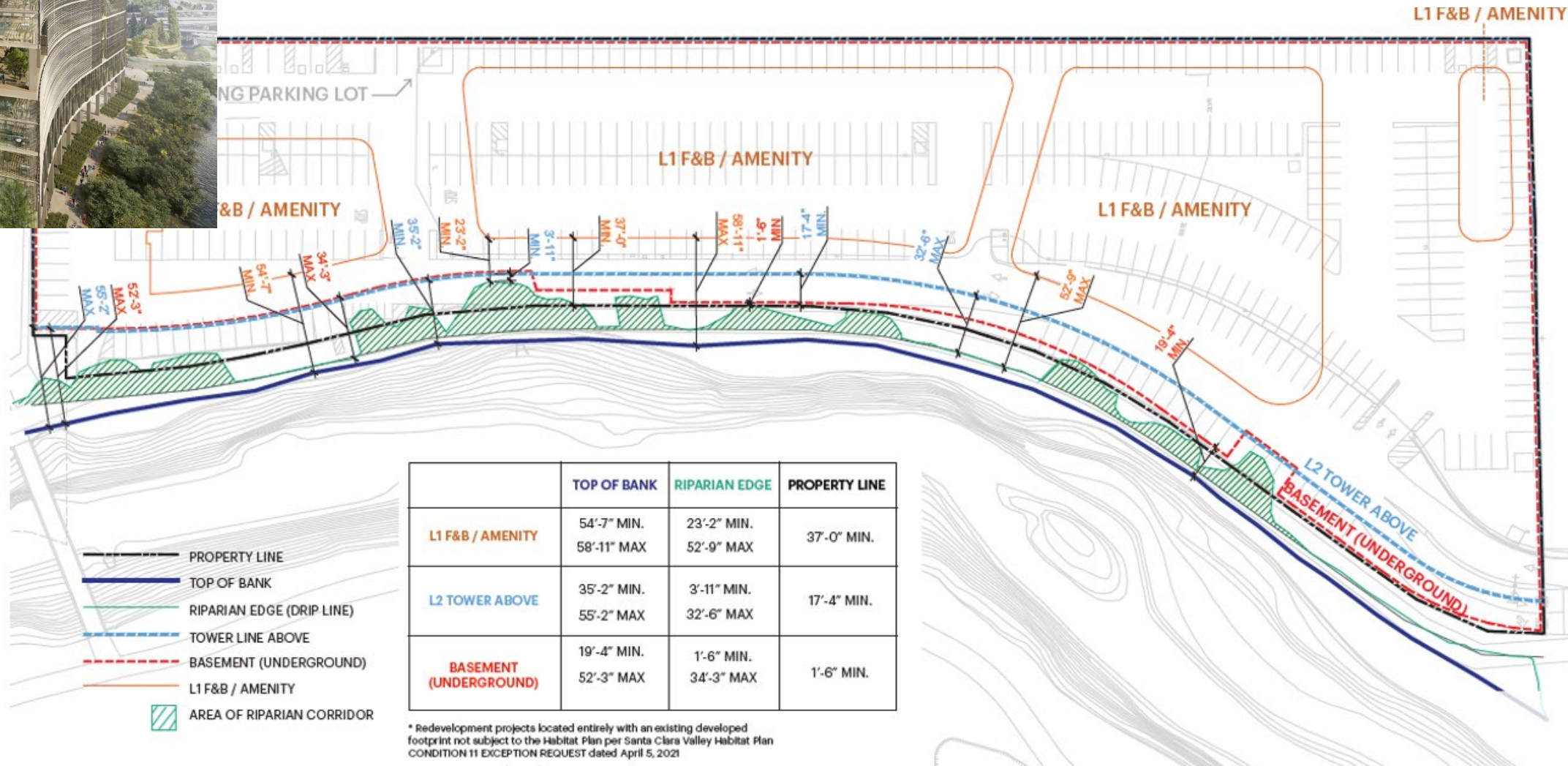
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1. Riparian Corridor Protection and Bird-Safe Design Policy (City Council Policy 6-34), adopted August 23, 2016
2. California Environmental Quality Act (CEQA)
3. Santa Clara Valley Habitat Conservation Plan, adopted 2013





# Riparian Setback Diagram





# Riparian Policy (City Council Policy 6-34)



- The policy requires a minimum 100-foot setback from a riparian corridor's top of bank or a vegetative edge, whichever is closest.
- The policy allows reduced setbacks under limited circumstances such as:
  - Developments in Downtown
  - The existence of legal uses within the minimum setback.
  - Sites with unique geometric characteristics and / or disproportionately long riparian frontages in relation to the width of the minimum Riparian Corridor setback.
  - Sites that are being redeveloped with uses that are similar to the existing uses or are more compatible with the Riparian Corridor than the existing use, and where the intensity of the new development will have significantly less environmental impacts on the Riparian Corridor than the existing development.
  - Instances where implementation of the project includes measures that can protect and enhance the riparian value more than the minimum setback.
  - Demonstrable hardship (i.e. denies an owner any economically viable use of the land or adversely affects recognized real property interest).

# Environmental Review Process

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- The Draft SEIR was circulated for public comment between July 31, 2020 and September 21, 2020
- 12 comment letters were received during this time
- Comments mostly focused on traffic impacts, storm drain alignment, riparian setbacks and habitat restoration, riparian and public park shading, bird safety, and Santa Clara Valley Habitat Plan requirements.
- The City has prepared a First Amendment draft to respond to all comments received.



# Environmental Impacts

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- **Significant and Unavoidable Impacts**
  - Air Quality (Construction, Operational, and Cumulative)
  - Biological Resources (Cumulative)
  - Noise and Vibration (Cumulative)
- **Less Than Significant with Mitigation**
  - Hazards and Hazardous Materials, Operational Biological Resources, and Construction Noise and Vibration
- **Santa Clara Valley Habitat Plan Conformance**
  - Project is not subject to Condition 11 of the Plan.

# Summary & Recommendation

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## **The project is consistent with:**

- General Plan & its policies
- Zoning Code development standards
- City Council Policies including Riparian Policy
- 2004 Downtown Design Guidelines

## **Planning Commission recommends the City Council to:**

- Adopt a Resolution certifying the SEIR, making certain findings for a Statement of Overriding Considerations, and adopting a related Mitigation Monitoring and Reporting Plan.
- Adopt a Resolution approving this Vesting Tentative Map.
- Adopt a Resolution approving this Special Use Permit.



# End

Presenter: Chris Burton, Director, PBCE