

4TH AND MORTIMER MIXED-USED DEVELOPMENT

Applications: 1) Appeal Application No. 2020-02
2) Addendum to Transit Zoning Code EIR
3) Amendment Application No. 2020-04 for
Specific Development No. 84 (SD-84)

Project Address: 409 and 509 East Fourth Street

BACKGROUND

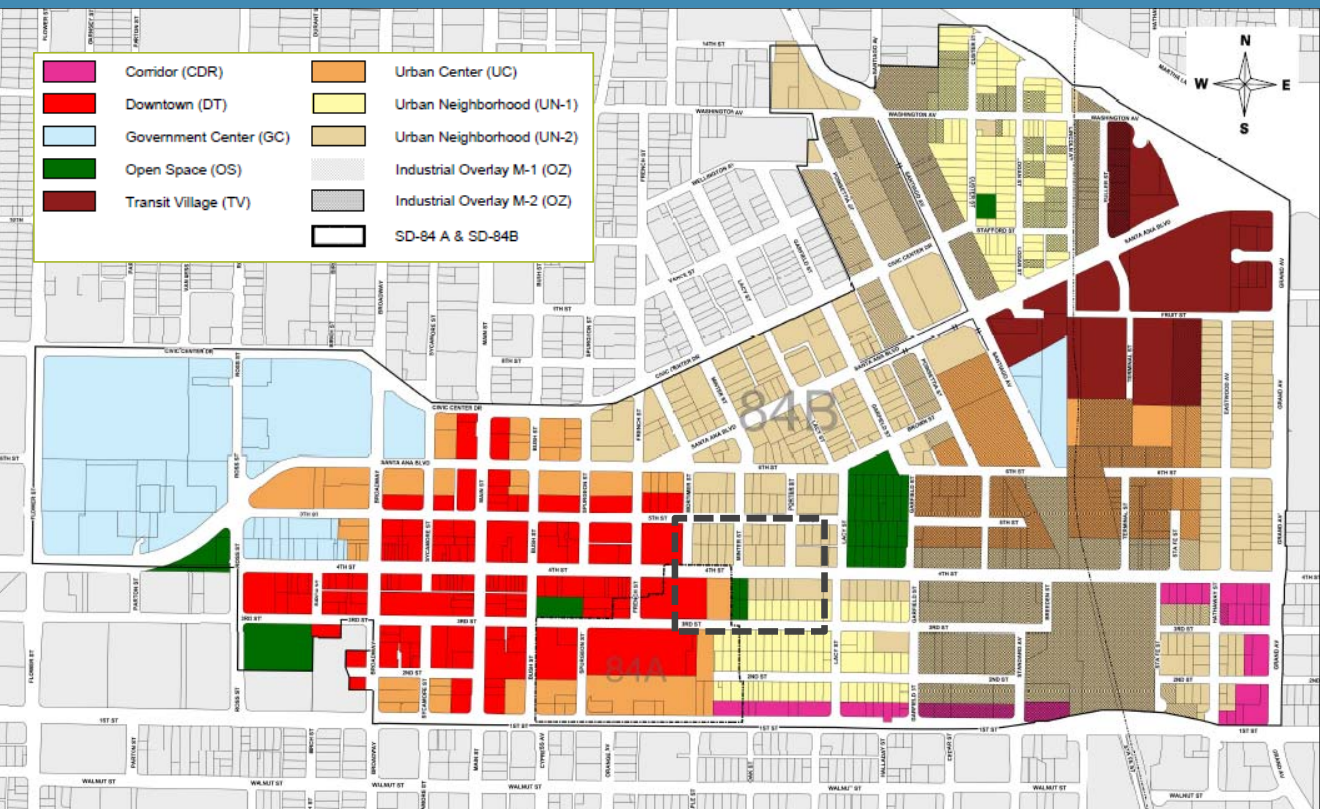
- On October 12, 2020, the Planning Commission voted unanimously (7:0) to adopt a resolution approving an Addendum to the EIR for the Transit Zoning Code (TZC), Site Plan Review No. 2020-03, and Variance No. 2020-06
- Planning Commission also recommended that the City Council adopt a resolution approving an Addendum to the EIR for the TZC and an ordinance approving Amendment Application No. 2020-04
- On October 22, 2020, Lozeau Drury, LLP, submitted an appeal appealing the Planning Commission's approval on behalf of the Supporters Alliance for Environmental Responsibility (SAFER)

PROJECT LOCATION & LAND USE

- General Plan (No Amendment Proposed):
 - ☐ Site A – District Center (DC)
 - ☐ Site B – Urban Neighborhood (UN)
- Zoning: Transit Zoning Code (SD-84)
 - ☐ Site A – Downtown (DT) zone
 - ☐ Site B – Urban Neighborhood (UN-2) zone; Urban Center (UC) proposed
- Surrounded by commercial and single/multi-family residential to the north, south and east, and commercial and City parking structure to the west

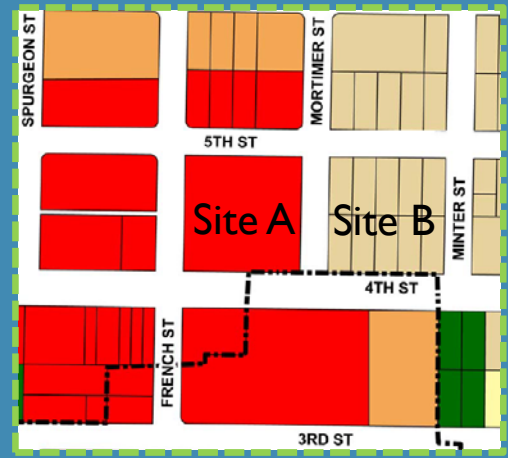
ITEM NO. 75C



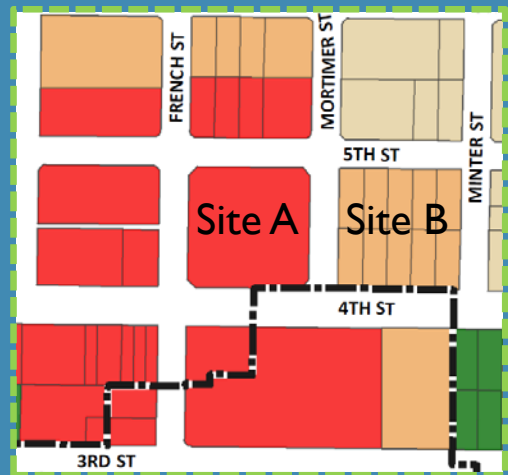


Transit Zoning Code Map

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Existing Zoning (No change in General Plan designation – remains DC)



Proposed Zoning (No change in General Plan designation – remains UN)

Site Photos



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Site Photos



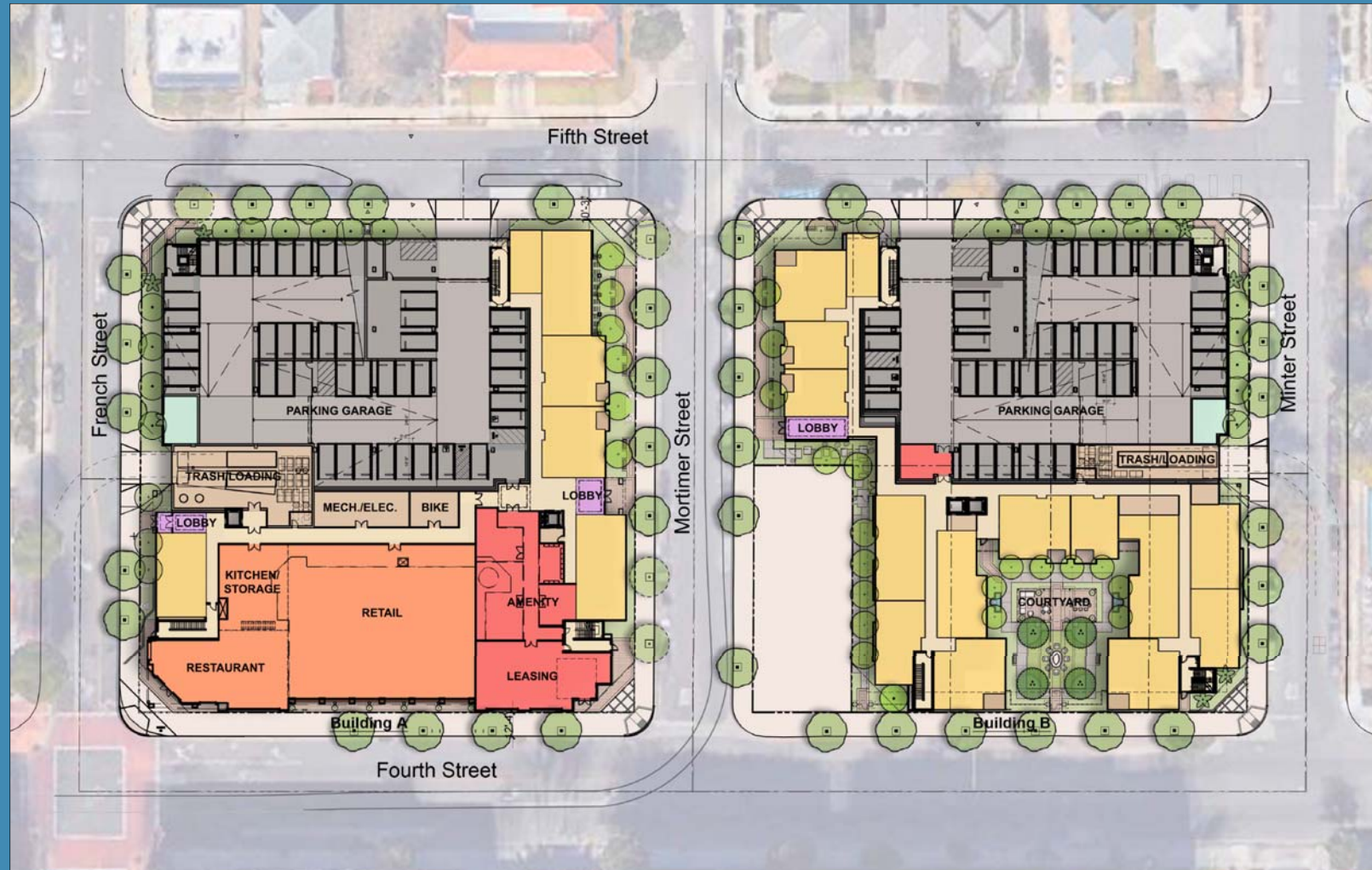
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PROJECT DESCRIPTION

- Demolish existing grocery market and surface parking lot at Site A and existing automobile service building and ancillary structures at Site B
- Construct new mixed-used community on two blocks consisting of 169 residential units (99 on Site A; 70 on Site B)
 - 21 studios (12.5%)
 - 38 one-bedroom (22.5%)
 - 66 two-bedroom (39%)
 - 9 three-bedroom (5%)
 - 35 four-bedroom units (21%)
- Provide 11,361 sq. ft. of commercial/retail space, onsite amenities (roof deck, courtyard, pool, landscaping, etc.)
- Provide 422 parking spaces (2.3 spaces per unit)

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Site Plan



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Renderings



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Renderings



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APPEAL APPLICATION

- Application submitted appealing the Planning Commission's approval of the addendum to the TZC EIR in connection with the approval of the Site Plan Review (SPR) and Variance (VAR) based on three main assertions:
 - Assertion 1: A new EIR is required; and
 - Assertion 2: Project did not comply with Housing Opportunity Ordinance (HOO); and
 - Assertion 3: Planning Commission failed to consider public comment letter received
- Only action taken by the Planning Commission was the action to adopt a resolution approving the addendum to the EIR for the TZC

CITY REVIEW AND RESPONSE

- Response to Assertion 1: Addendum is the appropriate CEQA document; No substantial evidence that the project will have new environmental impacts not analyzed in the 2010 EIR related to indoor air quality impacts, air quality and greenhouse gas impacts, or cultural resources
- Response to Assertion 2: HOO does not apply to the project because the project does not exceed the residential density permitted in the general plan
- Response to Assertion 3: All written and verbal comments were presented to the Planning Commission at the public hearing and were considered prior to their decision. The applicant did not provide any evidence substantiating this assertion. Further, consideration of a public comment letter received does not constitute decision or requirement taken by the Planning Commission

FISCAL AND ECONOMIC IMPACT ANALYSIS

- Applicant prepared a fiscal and economic impact analysis for the project
- Analysis concludes that the project will result in net positive fiscal impacts to the City, the Business Improvement District (BID), and will create new and temporary jobs
 - 806 direct, indirect, or induced new jobs, of which 35 would be permanent
- Fiscal impacts include:
 - \$7.8 million in gross positive revenues to the City, including \$2.9 million in property tax revenues over a 25-year period, and \$2.4 million in expenditures/costs to the City over the same period
 - \$5.4 million in net new positive general fund revenues over 25-year period

STAFF RECOMMENDATION

1. Adopt a resolution denying Appeal Application No. 2020-02 and upholding the Planning Commission's approval of a resolution adopting an Addendum to the Environmental Impact Report for the Transit Zoning Code Project and adoption of a mitigation monitoring and reporting program for Site Plan Review No. 2020-03 and Variance No. 2020-06.
2. Adopt a resolution approving an Addendum to the Environmental Impact Report for the Transit Zoning Code Project and adoption of a mitigation monitoring and reporting program for Amendment Application No. 2020-04.
3. Adopt an ordinance approving Amendment Application No. 2020-04 for Specific Development No. 84 (SD84).





Renderings



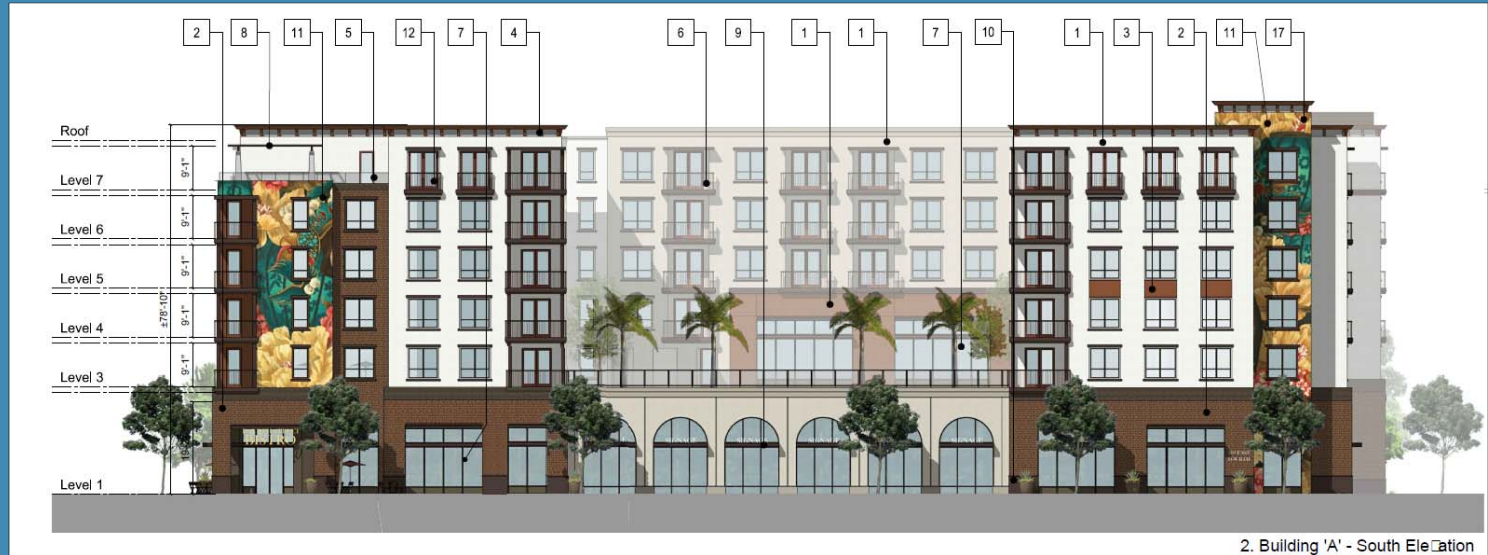
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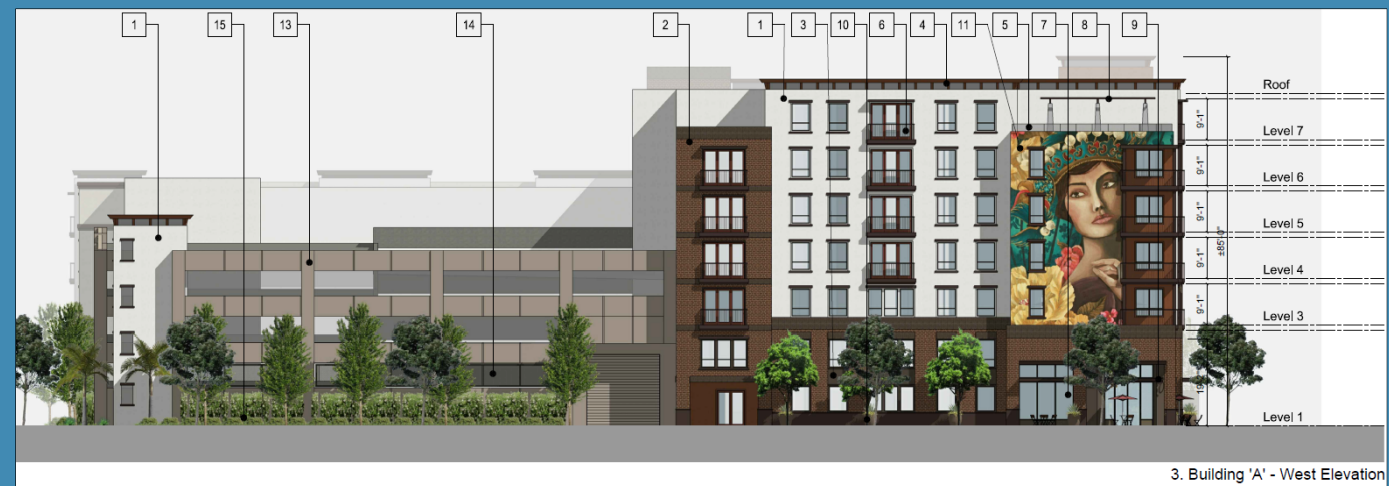
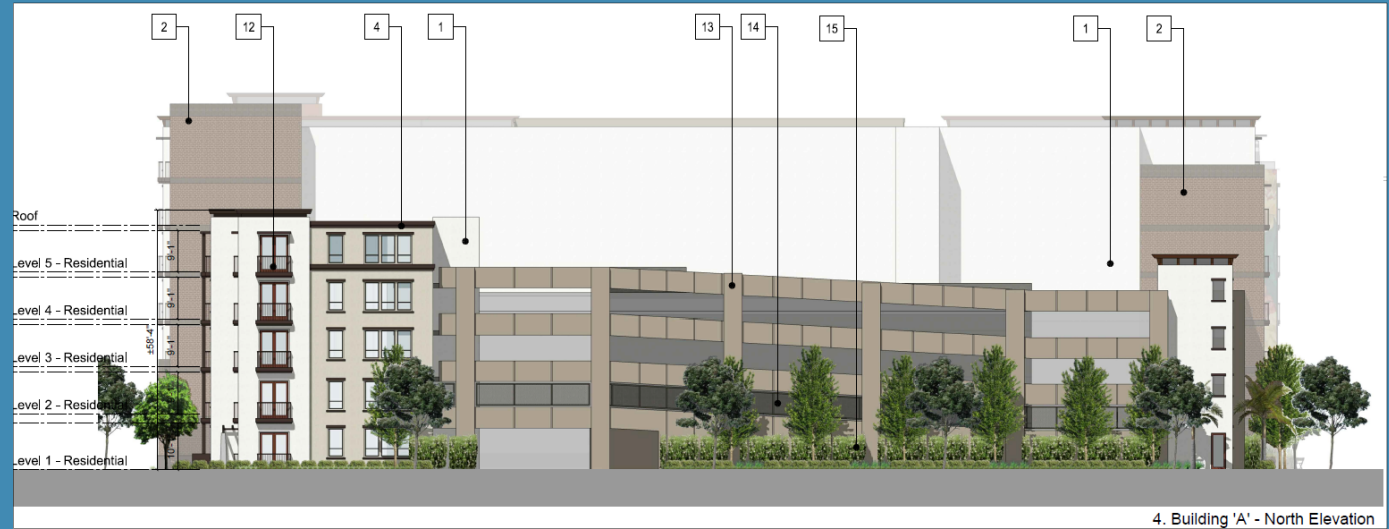
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Site A Elevations

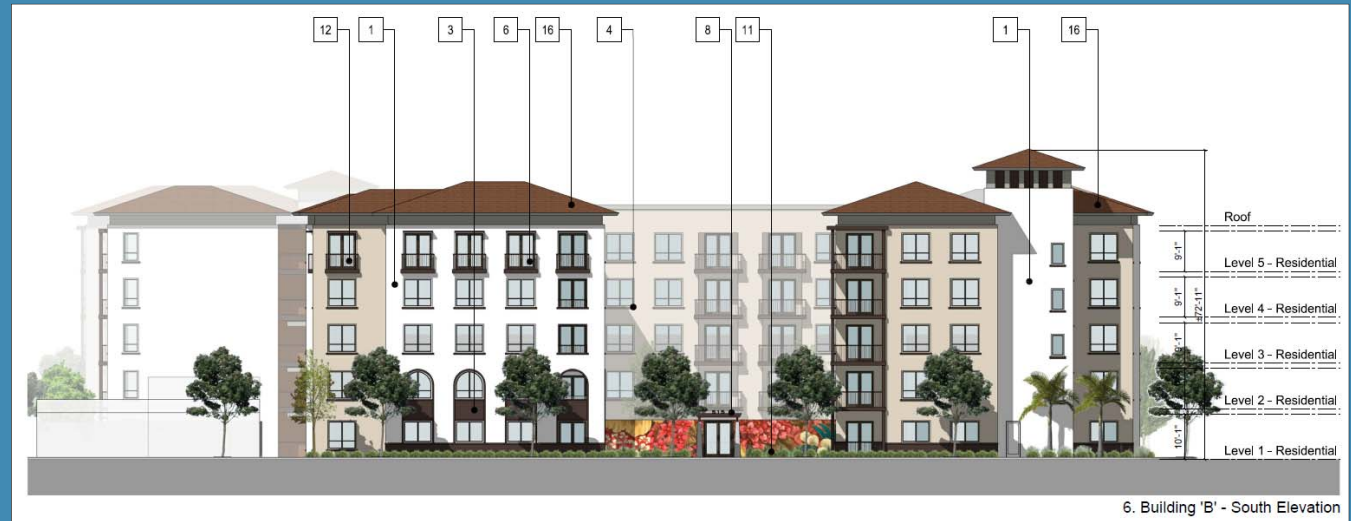


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Site A Elevations

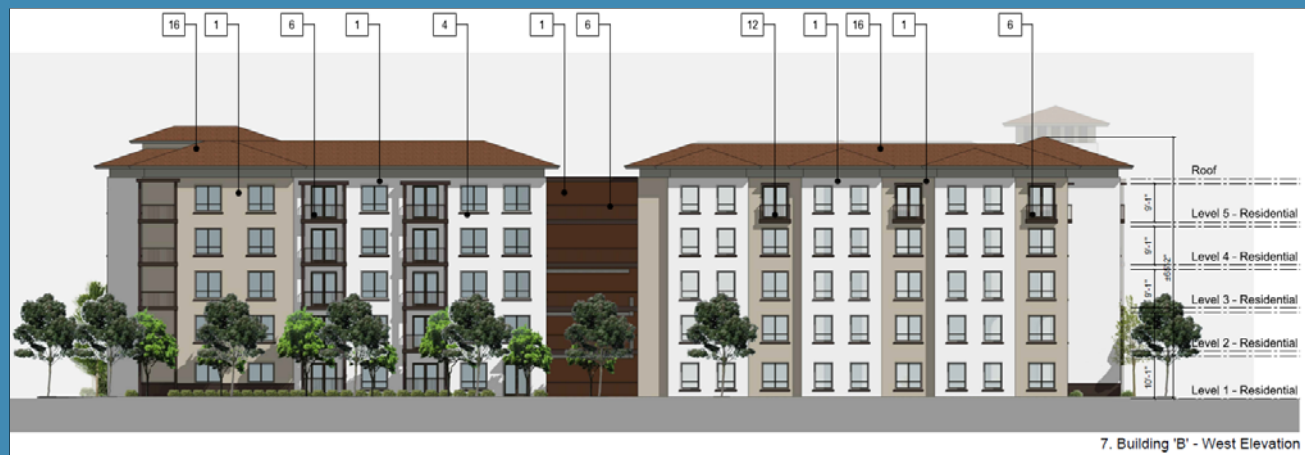


Site B Elevations



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Site B Elevations



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ADDENDUM TO TRANSIT ZONING CODE EIR

- 2010 Transit Zoning Code EIR analyzed: 4,075 residential units, 387,000 SF of commercial, and 15.5 acres of open space
 - Approximately 256 residential units and 19,788 square feet of retail development constructed since 2010
- Studies Prepared: Shade and shadow, air quality and GHG emissions, traffic, noise, Phase I, hydrology, preliminary water quality management plan, and sewer capacity analysis
- SB 743: aesthetic and parking impacts are not considered a significant impact within a Transit Priority Area
- Addendum concludes no new or substantially greater impacts would occur with the proposed development when compared to the 2010 EIR

AMENDMENT APPLICATION – SITE B

- Project includes construction of two new Lined Block buildings
- Urban Neighborhood-2 (UN-2) subzone designation for Site B does not permit Lined Block building types. The project requires an amendment application for a zone change on from UN-2 to Urban Center (UC) subzone.
- UC subzone selected to maintain aesthetic consistency with the proposed building on Site A and to provide for a more harmonious design on both sites as they are being developed and managed together as one project.
 - UC subzone also ensures an appropriate “scaling down” between Downtown and the surrounding residential neighborhoods
- Under the current UN-2 subzone, residential buildings with densities of up to 50 dwelling units per acre (DU/acre) are permitted.