



DATE: June 9, 2015

CATEGORY: Public Hearing

DEPT.: Community Development

TITLE: **277 Fairchild Drive Project**

RECOMMENDATION

1. Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the 277 Fairchild Drive residential project (Attachment 1 to the Council report).
2. Adopt a Resolution Conditionally Approving a Planned Community Permit to Construct a 26-Unit Rowhouse Development Project and a Heritage Tree Removal Permit to Remove Nine Heritage Trees at 277 Fairchild Drive, to be read in title only, further reading waived (Attachment 2 to the Council report).
3. Adopt a Resolution Conditionally Approving a Vesting Tentative Map to Create 4 Lots for Detached Units, 22 Condominium Lots and 4 Common Lots for Attached Units, and 2 Common Lots for Internal Streets and Open Areas on a 1.47-Acre Lot at 277 Fairchild Drive, to be read in title only, further reading waived (Attachment 3 to the Council report).

BACKGROUND

Site Location and Characteristics

The project site is located between Evandale Avenue and Fairchild Drive, with frontage on both streets, just west of North Whisman Road (see Aerial Map). The neighborhood contains a diverse mix of housing types, including rowhouses, apartments, and single-family homes.

Adjacent properties on the east side of the project include a 2-story office building, several 1-story apartments, and a 2-story, five-unit apartment building. On the west side, there is a 2-story apartment building and several 2-story, small-lot, single-family homes on a private street (Pepperwood Court). A 2-story apartment complex and two

1-story single-family homes are across Evandale Avenue to the south. North of the site, across Fairchild Drive, a large sound wall separates the neighborhood from Highway 101 (U.S. 101). Moffett Field is on the other side of U.S. 101.

Existing buildings at the site include a 1-story 25-room motel, a small convenience store, and two 1-story single-family homes. Most of the site is paved for the motel parking lot. Though there are nine Heritage trees on the site, there is very little tree canopy. Notable large trees include two Canary Island palms, a Mexican fan palm, a redwood of moderate health, and a cedar of moderate to poor health (as determined by the Arborist Report by HortScience, dated March 2015).

Aerial Map



Staff is aware that some of the motel rooms are occupied by long-term residents. However, the City's tenant relocation ordinance specifically exempts motels and hotels from its requirements. The single-family homes also do not apply since the ordinance exempts parcels with fewer than four units.

The project site is located in the western portion of the Middlefield-Ellis-Whisman (MEW) Superfund Area, where industrial contaminants in the groundwater necessitate special considerations for development. More information is provided later in this report.

Area Amenities

The Wagon Wheel/North Whisman neighborhood has several parks, including Devonshire Park (a mini-park less than one-quarter mile away) and Whisman School Park (a school district park about one-half mile away). A new mini-park is proposed within the 133 Fairchild Drive project, located only 800' west of this project site.

This neighborhood does not currently have a nearby public school. The children here must travel to Huff Elementary School, which is south of El Camino Real over 2 miles away, or Crittenden Middle School, located west of Highway 85, about 1.5 miles away.

However, the school district is currently studying the enrollment boundaries for this area.

A small shopping area at the corner of East Middlefield Road and North Whisman Road is approximately one-half mile away. This area includes some restaurants, a gas station, and a dollar store. The nearest full-service grocery store is located on Shoreline Boulevard, over one mile away.

ANALYSIS

Project Description

The applicant, Warmington Residential California, Inc., is requesting approval to demolish the motel, single-family homes, and convenience store; remove all the Heritage trees on the site; and construct 26 rowhouses. The proposal includes 4 two-story, detached units on Evandale Avenue; 22 three-story attached rowhouses, a 10,000 square foot common open area; and vehicle access driveways. The mix of unit sizes is provided in Table 1.

Table 1: Proposed Unit Mix

Type	Bedrooms	Square Footage	Count
#1 (tandem garage)	2	1,759	5 (19% of units)
#2	4	2,205	11
#3	4	2,367	6
#4 (detached)	4	2,417	4

General Plan and Zoning

General Plan

The site's General Plan Designation is Medium-High Density Residential (up to 35 dwelling units per acre), allowing up to 51 dwelling units on this site. In addition, the Housing Element identified this site as a housing inventory site, where land is available to meet the City's future housing needs.

The following General Plan policies are consistent with the project:

- ***LUD 6.1: Neighborhood Character.*** *Ensure that new development in or near residential neighborhoods is compatible with neighborhood character.*

The units facing Evandale Avenue are 2-story detached units, which are more similar to the surrounding neighborhood character than the 3-story attached units elsewhere in the project site.

- **LUD 6.3: Street Presence.** *Encourage building facades and frontages that create a presence at the street and along interior pedestrian paseos and pathways.*

The facades along public streets, the internal open area, and other major pedestrian routes are varied and interesting. One- (1) and 2-story porches and projections help create street presence on these facades.

Zoning

The site is in the Evandale Precise Plan, Area B, which has the following development objectives:

- Strengthen the neighborhood and integrate development into the larger Whisman residential community.
- Encourage residential development of the nonresidential sites.
- Ensure that new residential development is protected from freeway noise.

Table 2: Rowhouse Development Standards

Standard	Requirement or Maximum Allowed	Proposed
Maximum Units	37	26
Floor Area Ratio	0.9	0.89
Front Setback	15' (not including porches)	15' Small principle-structure projections on Evandale (see next section)
Side Setbacks	10' for 1st and 2nd floor 15' for 3rd floor	10' for 2-story units 15' to 27' for 3-story units 9'3" at northeast 3-story unit (see next section)
Building Coverage	35%	35%
Height	45'	Attached units: 39'7" Detached units: 26'11"
Open Area	35% 100 sf per unit private 100 sf per unit common	37% 136 sf per unit (avg) private 392 sf per unit common
Minimum Parking	2-car garages + 9 additional	2-car garages + 9 additional

The Plan allows the development of up to 37 dwelling units on this site consistent with the R-3 District, which allows rowhouses. Rowhouse developments have their own development standards, which are compared to the project in Table 2. The applicant is requesting two minor setback exceptions which are further detailed later in the report. The project is also consistent with the *Rowhouse Guidelines* adopted by the City, except as identified later in this report.

In addition to these standards, the project complies with additional requirements included in the Precise Plan:

- Units must be attached on the Fairchild Drive half-block.
- A children's play apparatus area is required.
- Other freeway-buffering and mitigating features are required.
- Unit design shall have a "positive and open relationship" to the Whisman neighborhood.

The Project Plans are included as Attachment 4 to the Council report. Site calculations are shown on Pages A1 and C2.0 of the plans.

Project Design

Building Layout

The project has four 3-story buildings containing 22 attached rowhouse units (Buildings C, D, E, and F on the site plan) and four 2-story detached units facing Evandale Avenue. Front doors face pedestrian routes (highlighted in blue on the site plan), which connect all the units to each other, the public sidewalks, and the common open area.



The detached units are 10' from the side property lines, consistent with the rowhouse development standards and side setbacks of existing buildings on adjacent properties. Building C is 27' from the west property line, a large buffer supporting privacy, transition, and light preservation between the 3-story building and the adjacent 2-story single-family home on Pepperwood Court (this unit has solar panels and the owner has expressed concern about loss of their efficacy). Building E is 15' from the west side property line, which is also consistent with the rowhouse standards and the adjacent apartment building's setback.

Setback Exceptions

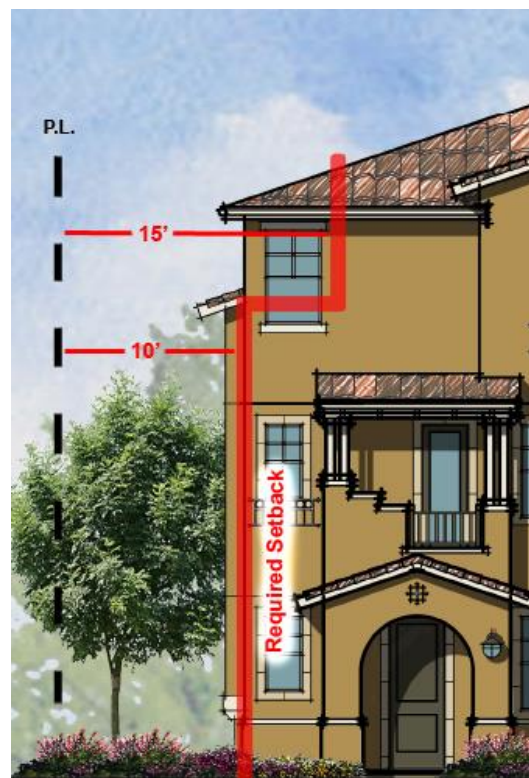
The applicant is requesting a side setback exception for Building F on the northeast corner of the site. The required third-story setback is 15', but the project is only providing 10'. Also, architectural projections encroach 9" into the required first- and second-story setback of 10'. The adjacent building is an office building zoned for office and R&D uses, with a setback of 10' and no windows on the adjacent wall. The smaller setback supports space for trees and comfortable pedestrian access adjacent to the driveway on the northwest side of the site. It also adds a small amount of additional screening between the freeway and the remainder of the neighborhood. Because of this context, staff supports the proposed setback exception.

The applicant is also requesting a minor front yard setback exception for foyers in the detached units facing Evandale Avenue. These encroachments are fully hidden within the porches, and will not impact the neighborhood character. For this reason, staff supports the proposed front setback exceptions.

Circulation and Parking

The site's driveways connect internally to both Fairchild Drive and Evandale Avenue to support emergency and trash vehicle access. However, the driveways are designed circuitously, which limits the appeal of cut-through traffic and results in less visible

Building F Setback Exception



paving. Nine guest parking stalls are provided in the project, including eight parallel stalls along the east edge of the site and one ADA stall on the west side near the common open area and Building C. Five of the units (less than 20 percent) have tandem garages. The project is providing an additional uncovered parking stall to help support these tandem units.

The applicant is requesting an exception for the maximum driveway apron of 4' for several of the units. With slightly larger driveway aprons in some locations, the buildings have more variation and architectural interest, and there is greater clearance for vehicles around some corners.

In most rowhouse projects, views of garages from the public street are discouraged. This project includes a conspicuous view of a garage from Fairchild Drive. In this case, the building configuration supports additional screening between the open area and U.S. 101. In addition, the garage view will have limited impact since there is no neighborhood across Fairchild Drive.

Open Area and Trees

The project contains about 10,000 square feet of common open area in the middle of the site. The common open area includes amenities such as tables and barbecues, and a children's play area (a description is on Page L-11 of the project plans).

Providing 100 square feet of private open area per unit is a guideline. While the units facing Evandale Avenue and Fairchild Drive have significantly more than this amount, some of the units facing the common open area have less. For example, the tandem units have approximately 60 square feet of private open area each. Since these units have such good access to the common open area, staff considers this an acceptable exception.

The project's landscaping includes many trees to buffer the site from its neighbors and U.S. 101. These 28 new large trees alone will replace the lost Heritage trees at greater than two-to-one ratio. In addition, dozens of new trees will also provide canopy along pedestrian access routes and softening and visual interest in important views. The existing tree canopy is only 15 percent of the site area due to the preponderance of Italian cypress and palm trees. Canopy in 10 years will reach 35 percent.

Building Elevations

All the buildings include porches, high-quality finishes and trim, variations in roof forms, and highly visible front doors. Units are differentiated through massing, roof

forms, porch elements, and color. The buildings have projecting elements providing variation and visual interest on all highly visible facades, including the rear.

The Evandale Avenue facades include 2-story, detached units, with prominent porches and landscaped front yards. Side elevations of these units support privacy with few, small windows. In addition, the Evandale Avenue view will include a driveway that terminates into the side of one of the units. This facade has special treatment, including 1- and 2-story elements, a monument feature, and additional landscaping (see 3-Story Side Elevation, next page).

2-Story Front Elevation



The Fairchild facade includes seven attached 3-story units with 2-story projecting porch elements and front yard landscaping that screens from the freeway. The side facade next to the driveway and pedestrian walkway has similar 1- and 2-story projecting elements as the side facade facing Evandale Avenue.

3-Story Side Elevation



This project proposes a garage in Building E visible from Fairchild Drive. Generally, the City has not supported garages visible from the public street in rowhouse projects. However, this view is not oriented toward the neighborhood and the unit helps to buffer the common open area from freeway noise and air-quality impacts. For these reasons, staff supports the garage facing Fairchild Drive.

Tentative Map

This project contains ownership (for-sale) units, so in addition to the project, a Vesting Tentative Map must be approved to subdivide the existing lots. The subdivision is a combination of 4 detached units on their own lots and 22 attached condominium units on common lots under each of the four multi-unit buildings. In addition, two other common lots provide shared spaces for the alleys and shared open space.

Previous Meetings and Public Comment

The applicant originally proposed a 30-unit project including six 3-story attached units along Evandale Avenue. However, based on public comment and compliance with zoning regulations related to widening Fairchild Drive, these units were changed to the current proposal of four 2-story detached units.

Neighborhood Meetings

The applicant held three neighborhood meetings which were each attended by 5 to 10 people, mostly immediate neighbors. At the first and second meetings, the applicant presented variations on the 30-unit project, which included 3-story attached units along Evandale Avenue. Neighbors expressed the following concerns:

- The 3-story units would have a negative effect on the character of Evandale Avenue, which is primarily 1- and 2-story. They would also impact views and access to light for neighboring properties.
- The neighborhood expressed a preference for the detached rowhouse units built about 300' to the west.
- There would be more demand for street parking, which is already limited.
- Evandale Avenue would see increased traffic.

The applicant revised the project with the detached, 2-story units on Evandale Avenue and held a third neighborhood meeting. The neighbors in attendance responded positively to the revision.

Other Public Comment

One public comment expresses concern about the potential health and safety impacts of construction, given the contaminated groundwater. More information about this issue is discussed later in the report under "Environmental Review." This commenter also expressed concern about the potential displacement of feral cats on the site (Attachment 5—Public Comment).

In addition, staff has met with one of the long-term motel guests, who expressed concern about being displaced without assistance.

Lastly, one of the project neighbors has worked with the applicant to ensure the property line trees will not affect his solar panels.

Development Review Committee

The project was reviewed by the Development Review Committee (DRC) on December 17, 2014 and February 18, 2015. Both meetings were attended by project neighbors and their comments were similar to those provided at the neighborhood meetings. At the latter date, after the project had been revised with the 2-story detached units on Evandale Avenue, the DRC made a recommendation for project design approval.

Many of the key design elements previously discussed were recommended by the DRC, including height reduction along Evandale Avenue, reduction of long roofs, and 1- and 2-story projecting features on visible side facades.

Zoning Administrator/Subdivision Committee

The project was reviewed by the Zoning Administrator and Subdivision Committee on May 13, 2015, where it was recommended for approval. Public comment included the following:

- A neighbor was very concerned about the release of contaminated vapor during construction, since this site has such high concentrations of trichloroethylene (TCE). She was also concerned about the health effects of vented TCE vapor after the units are built.
- A representative from the Wagon Wheel neighborhood expressed support for the project design, but wanted to continue to work with the developer to address concerns about contamination.
- The site owner explained that he had not experienced health problems from contamination.
- A long-term resident at the motel expressed the challenges in finding another place to live and wanted clarification on her move-out date.

Environmental Review

Initial Study and Mitigated Negative Declaration

Consistent with the California Environmental Quality Act, an Initial Study and Mitigated Negative Declaration has been completed and circulated (see Attachment 6 – Initial Study). The project studied in the document was 27 units and included an additional tandem unit in Building C. Staff has reviewed the Initial Study and Mitigated Negative Declaration, and determined that the proposed 26-unit project ultimately requested by the applicant would not change the analysis or mitigations in the document.

The Initial Study identified potential impacts to the following factors.

- *Air quality* for surrounding residents may be impacted by construction vehicles and air quality of future project residents may be impacted by traffic on U.S. 101. Special construction precautions and techniques will mitigate the air quality risk from construction. Special filters and construction techniques will mitigate the air quality impacts from the freeway traffic. A summary of these impacts and mitigation measures are on Page 37 of the Initial Study.
- *Cultural resources* may be impacted based on the presence of known archeological sites in the area, though none are known on this site. This potential impact may be mitigated with archaeologist oversight during construction. A summary of these impacts and mitigation measures are on Page 47 of the Initial Study.
- *Hazards and hazardous materials* may cause impacts based on the presence of contaminated groundwater, potentially hazardous building materials in the existing structures, and use of household materials. The contaminated groundwater issue is discussed under “Middlefield-Ellis-Whisman Superfund Study Area” below. The potentially hazardous building materials may be mitigated by analyzing the structures and disposing of the materials in accordance with applicable laws and regulations. The impact of hazardous household materials may be mitigated by alerting buyers of the proper disposal methods. A summary of these impacts and mitigation measures begin on Page 74 of the Initial Study.
- *Hydrology* may be impacted due to the presence of groundwater monitoring and extraction wells that may need to be relocated. If these wells are not properly relocated, they may provide a conduit for the spread of contamination in the site. This potential impact may be mitigated by retaining a licensed well-driller to

conduct and document the work. A summary of these impacts and mitigation measures are on Page 86 of the Initial Study.

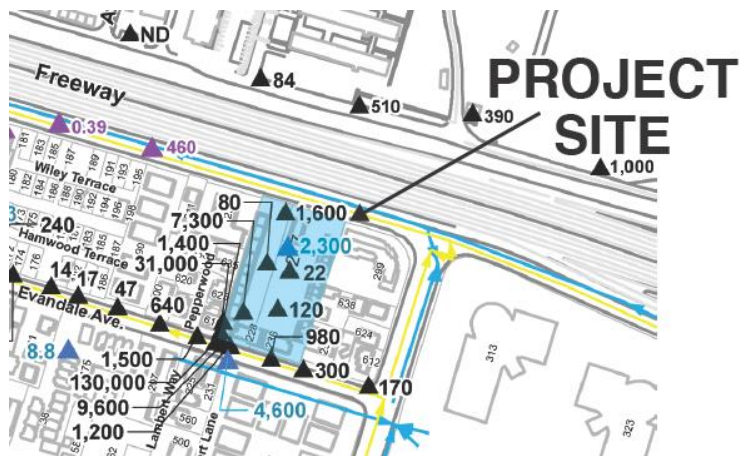
- *Noise* from U.S. 101 may affect some of the project's units, and construction noise from the project may impact surrounding properties. Special windows and construction techniques will mitigate the noise effects from U.S. 101, and special construction techniques will mitigate the impacts on neighbors. A summary of these impacts and mitigation measures are on Page 98 of the Initial Study.

The mitigation measures have been incorporated into the conditions of approval for the project. A Mitigation Monitoring and Reporting Program has been created to ensure compliance with conditions of project approval during project implementation (see Attachment 1—Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program).

Middlefield-Ellis-Whisman Superfund Study Area

The project site is located in the western portion of the Middlefield-Ellis-Whisman (MEW) Superfund Study Area. This area is comprised of three EPA "Superfund" sites, and contains a groundwater contamination plume of primarily TCE, an industrial solvent, stretching from south of East Middlefield Road north into Moffett Field. An identified health risk of TCE is from inhalation of groundwater vapors that accumulate in indoor spaces.

The project is located on a TCE "hot spot," where the concentrations are between 10 and 1,000 times higher than other surrounding properties. The highest concentrations are around the southwest corner of the project site (see map—concentrations are shown in parts per billion to 40' below ground surface; full-size map is on Page 64 of the Initial Study). Due to the hot spot, there are several groundwater monitoring wells and one groundwater extraction pump, which pumps the water to a treatment facility on the other side of Whisman Road. The proposal will maintain the existing pumping well, but will relocate the monitoring wells. A benefit of the project is that construction at the site may facilitate the installation of additional monitoring and extraction infrastructure.



The Initial Study identifies several mitigation measures dealing with groundwater contamination safety, both during construction and throughout the use of the buildings as residences. A Site Management Plan will support safe construction activity, including active soil and air monitoring, and proper disposal of contaminated soils, if discovered. The buildings will contain both passive and active soil vapor protections, including a vapor barrier beneath the units (passive) and sub-slab vapor control systems, which will ventilate beneath the foundation (active). In addition, long-term operations programs and financial assistance will be available to ensure these systems remain functional.

FISCAL IMPACT

The subject site has a total assessed value of approximately \$1.3 million. The City's share is approximately \$2,100 per year. If the site were developed, the City would receive approximately \$51,565 per year.

The project is subject to the City's Below-Market-Rate (BMR) Ordinance, which requires 10 percent affordable units. The City Council's standard practice has been to accept in-lieu payment (3 percent of sale price) when units are priced above a threshold set by the BMR Program Administrative Guidelines. This threshold is currently approximately \$670,000, less than the expected sale price of \$1,290,000. Therefore, the estimated BMR in-lieu payment to the City for this project is \$1,006,200.

The estimated Park Land Dedication In-Lieu Fee will be approximately \$532,800 (or \$22,200 per net new unit) in accordance with Chapter 41 of the City Code, to be paid prior to the issuance of building permits. Because the project is less than 50 units, park land dedication cannot be required.

CONCLUSION

The Zoning Administrator recommends approval of the proposed 26 rowhouses at 277 Fairchild Drive. The project supports General Plan policies for neighborhood character and street presence, and is consistent with the land use and development direction in the General Plan and Evandale Precise Plan. In addition, the project's potential impacts can be mitigated; its Evandale Avenue frontage is compatible with the surrounding neighborhood, it will help buffer the neighborhood from U.S. 101, and its design and open area will create an environment of lasting value.

ALTERNATIVES

1. Approve the project with modified conditions.
2. Refer the project back to the DRC for additional consideration.
3. Deny the project, and/or deny the map.

PUBLIC NOTICING

The Council's agenda is advertised on Channel 26, and the agenda and this report appear on the City's website. All property owners within a 300' radius and other interested stakeholders were notified of this meeting.

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EA-GB/3/CAM
899-06-09-15CR-E

- Attachments:
1. Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
 2. Resolution – Project
 3. Resolution – Tentative Map
 4. Project Plans
 5. Public Comment
 6. Initial Study