



DATE: April 4, 2017

CATEGORY: New Business

DEPT.: Community Development

TITLE: **East Whisman Precise Plan
Land Use Assumptions and
EIR Scope Amendment**

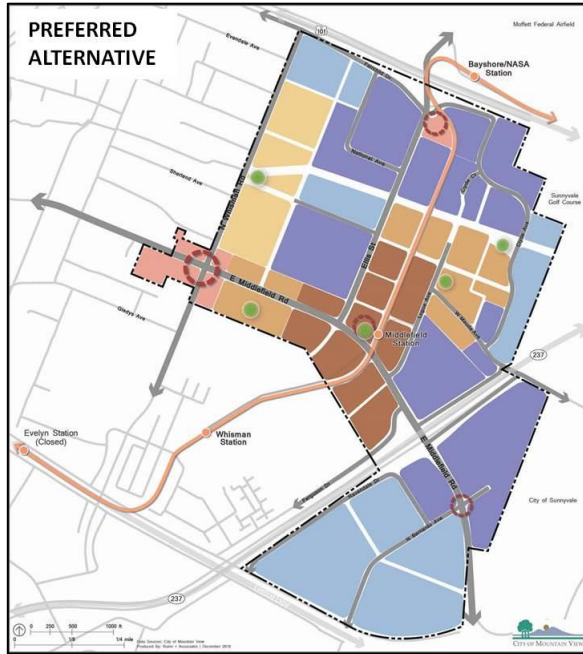
RECOMMENDATION

1. Endorse the East Whisman Precise Plan land use assumptions.
2. Transfer and appropriate \$228,900 from the Development Services Fund to the existing East Whisman Precise Plan, Environmental Impact Report (EIR), and Infrastructure capital improvement project (CIP No. 15-47) to fund amendments to the East Whisman Precise Plan EIR scope of work. (Five votes required)
3. Authorize the City Manager or designee to amend the existing \$649,846 contract with David J. Powers & Associates, an environmental consultant, for an increased amount not to exceed \$864,766 for a second land use alternative and additional transportation analysis supporting the East Whisman Precise Plan EIR.

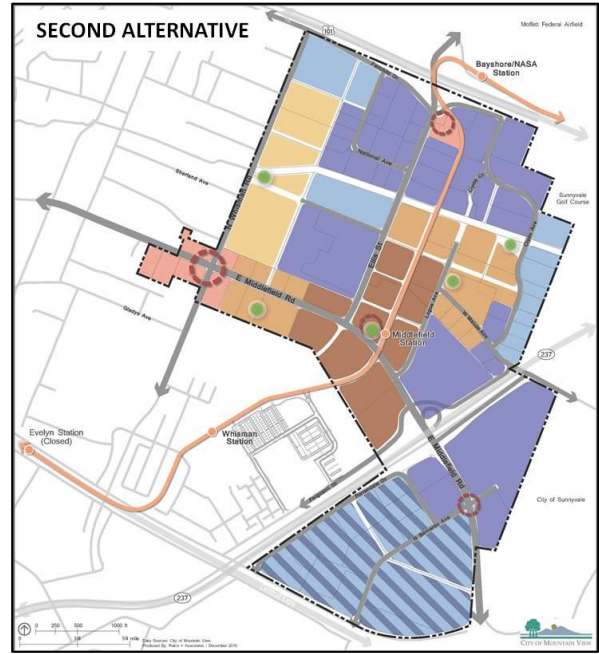
BACKGROUND AND ANALYSIS

February 14, 2017 – City Council Meeting

Following a Study Session and two community workshops, on February 14, 2017, the City Council endorsed a preferred land use alternative for the East Whisman Precise Plan to analyze in the Precise Plan EIR (see Attachment 1 – City Council Report Dated February 14, 2017). The preferred alternative included the maximum amount of residential study area covering up to approximately 124 acres of the plan area (see Preferred Alternative map on next page and Attachment 2). At this meeting, the City Council confirmed their interest for greater land use flexibility and mix of integrated uses (office, residential, and retail) in the area. Council also provided high-level direction on key questions regarding maximum building heights and intensities, the Middlefield Village Center area, housing target mix, and other plan components.



Up to 1.7 Million Square Feet Office



Up to 2.9 Million Square Feet Office

LEGEND

	Lower-Density Residential (up to 4 stories)		VTA Station
	Medium-Density Residential (5-6 stories)		VTA Light Rail Line
	Higher-Density Residential (7-8 stories)		Precise Plan Area
	Mixed-Use Village Center / Retail (1 to 3 stories)		Retail Location
	Lower-Intensity Office (up to 4 stories)		Conceptual Park Locations
	Medium-Intensity Office (4-5 stories)		
	Higher-Intensity Office (5-6 stories)		

At this Study Session, Council also requested studying a second land use alternative in the Precise Plan EIR which includes greater office intensity and allocation south of SR-237 (referred to as the South Plan Area—see Second Alternative map above and Attachment 3). Specifically, the direction included studying an increase in office intensity from 0.50 FAR up to 0.75 FAR, resulting in up to 1.2 million square feet of additional office growth in the South Plan Area beyond the 1.7 million square feet of office in the preferred land use alternative (totaling 2.9 million square feet of net new office). Increasing the office allocation by 1.2 million square feet is necessary to study additional office intensity (FAR) in the second land use alternative as 1.7 million square feet is not enough office allocation to spread to the South Plan Area without reducing office intensity in the North Plan Area (north of SR-237). Staff informed Council that an EIR scope and budget amendment would be brought back for authorization to study a second land use alternative.

Land Use Assumptions

Refining Residential Allocation

The preferred land use alternative endorsed by Council—previously referred to as the Combined Alternative—was presented with a maximum estimated residential build-out of 9,700 units. This estimate was provided as a maximum development envelope should all of the residential study area be redeveloped as residential uses, excluding the mixed-use Village Center (see adjacent map). It was provided as a reference point for Council consideration of various land use alternatives.

In evaluating the preferred alternative further based on Council and community input, staff believes a more realistic residential unit count to study for the Precise Plan EIR is 5,000 units based on the following factors:



- **Residential Vision**—Focus the greatest residential development intensity around Middlefield VTA Station, Maude Avenue, and Middlefield Road per the Precise Plan visioning process, in accordance with intensities shown in the preferred alternative. The greatest opportunity for residential development is in this core area, with fewer opportunities along Whisman Road;
- **Integrated Mix of Uses**—Per Council’s interest, allow an integrated mix of uses within the plan area, including within the identified residential study area. Introducing a mix of uses results in less of a single use being developed, in this case, reducing the amount of residential to be considered;
- **Property Owner Interest**—Consider the interests of property owners for residential uses, as shared through public comment at meetings, previous Gatekeeper requests, and correspondence with staff. Property owners’ preferences

for residential uses (e.g., December 2016 Gatekeeper Request by Google along Logue Avenue) or office uses (e.g., Symantec at 575 East Middlefield Road) were considered in accounting for the likelihood of residential development in particular areas;

- **Building Stock**—Account for current building stock and age. Focus on properties which may have a greater opportunity for redevelopment based on age of existing building(s); and
- **Current Development/Entitlements**—Review recent development or active entitlements on properties. Take into consideration those properties with more recent development (1990s or newer) and/or active entitlements, which have yet to be constructed, both of which may be less likely for redevelopment in the near future.

Studying 5,000 units in the Precise Plan EIR does not preclude future residential growth in the Plan Area above this amount, but rather sets an initial goal and vision for the Precise Plan. If this amount is reached at a future date, additional review and analysis can be done to determine if additional housing should be allowed.

Summary of Land Use Assumptions

Below is a summary of the maximum net new growth to be studied in the Precise Plan EIR. The two land use alternatives discussed in this report are noted in parentheses. The EIR will analyze the maximum development envelope as “the project” with potential lesser development envelopes as alternatives, as described below:

EIR Project Framework	Residential Units	Office Square Footage (net new)	Retail Square Footage (net new)
Proposed Project <i>(Second Alternative)</i>	5,000	2.9 million	100,000
Potential Alternatives			
No Project	0	Existing	Existing
Less Office Development Project <i>(Preferred Alternative)</i>	5,000	1.7 million	100,000
Reduced Project(s)	To Be Determined	To Be Determined	To Be Determined

The residential estimate is based on staff's refined housing count previously discussed. The office estimates are based on the allocations identified with the second land use alternative (up to 2.9 million square feet.) and the preferred alternative (up to 1.7 million square feet). The retail estimate is based on the maximum potential demand in the Precise Plan area, including demand from adjacent residential areas outside of the plan area and the Middlefield Village Center growth.

The reduced project envelope is not known at this time as it will be based on an alternative(s) that could lessen identified environmental impacts of the project, once they have been studied and identified.

Precise Plan EIR Scope Amendment

March 22, 2016 – City Council Meeting

On March 22, 2016, the City Council authorized the City Manager to enter into a contract with David J. Powers & Associates for environmental services to prepare the East Whisman Precise Plan EIR for \$649,846. The City Council staff report included a high-level overview of the Precise Plan scope of work and process, and the original EIR scope of work (see Attachment 4 – City Council Report Dated March 22, 2016).

EIR Scope Amendment

Attachment 5 to this report is a scope amendment from David J. Powers & Associates for additional work on the East Whisman Precise Plan EIR. The scope has two major tasks, described below.

Second Land Use Alternative Analysis

The scope amendment includes additional comprehensive analysis in transportation (traffic), utilities, water, greenhouse gas, air quality, and noise for a second land use alternative with up to 2.9 million square feet of net new office for the Precise Plan EIR, per Council's direction at the Study Session on February 14, 2017. This work also includes metric/measures to evaluate (or compare) the two land use alternatives.

Additional Transportation Analysis

The scope amendment also includes additional transportation analysis to aid in identifying and assessing priority transportation/circulation improvements for the Precise Plan. Staff recognizes the need for additional assistance in determining which priority improvements are needed to align with the Precise Plan goals and policies,

support multi-modal circulation, desired neighborhood and streetscape characteristics, and improved circulation overall for the plan area. This additional analysis would be completed once Council has endorsed a preliminary circulation network to study in the Precise Plan EIR and detailed traffic analysis has begun. Staff anticipates discussing circulation networks with Council at a Study Session in June 2017.

Along with identifying priority transportation improvements, the additional work includes updating the 2009 baseline data for the current Citywide Traffic Model to a 2017 baseline, including new traffic counts, confirmation on current land uses, and updated regional growth projections. By updating the baseline data of the Citywide Traffic Model, the Precise Plan EIR transportation analysis will be based on the most current available data.

Revised EIR Costs

The study of the second land use alternative in the Precise Plan EIR, including the additional transportation analysis described above, would cost a total of \$228,900 (inclusive of an administrative fee), or a total amended contract cost not to exceed \$864,766.

Timing of the Precise Plan and EIR

As Council is aware, Planning staff time and resources are limited due to a shortage in staff and increasing development activity. This current state, in addition to the time needed to prepare the Precise Plan EIR, is anticipated to extend the timeline of the East Whisman Precise Plan to the end of 2018 (approximately six months from original anticipated completion). Council authorization for any of the work described in this report could be accommodated within this extended timeline.

FISCAL IMPACT

The authorized scope amendment for environmental work prepared by David J. Powers & Associates for \$228,900 will be funded from the Development Services Fund. There are sufficient available funds in the Development Services Fund to fund the amended scope of work outlined in this report.

CONCLUSION/NEXT STEPS

Following Council direction on the land use assumptions and EIR Scope Amendment, staff will proceed with preparing a Notice of Preparation for the Precise Plan EIR and begin more detailed environmental analysis.

Staff anticipates returning to a City Council Study Session in June 2017 to discuss the policy framework (e.g., zoning structure, open space concepts, etc.) and preliminary circulation networks for the East Whisman Precise Plan.

SUMMARY

Per Council's endorsement of a preferred land use alternative in February 2017, staff has reviewed the alternative and summarized land use assumptions for consideration in the East Whisman Precise Plan EIR. If Council does not support the assumptions identified (particularly the residential or retail allocations), direction to staff should be provided at this meeting.

Additionally, staff is returning with a scope amendment for the East Whisman Precise Plan EIR, which includes two tasks: (1) additional analysis for a second land use alternative and metrics for comparing the preferred and second land use alternatives; and (2) additional transportation analysis to identify priority transportation improvements to aid in developing policies and standards for the Precise Plan.

If City Council wishes to study a second land use alternative with comparative metrics, then staff's recommendation should be selected. If Council does not wish to study a second land use alternative, then Council can select *Alternative 2*, which authorizes the additional transportation analysis and no second land use alternative to be analyzed in the EIR. If Council does not support any EIR scope amendment for additional transportation analysis or a second land use analysis, then Council can select *Alternative 3*.

ALTERNATIVES

Land Use Assumptions

1. Direct staff to include an alternative mix of residential and retail land use assumptions based on Council's vision for the East Whisman Precise Plan area.

EIR Scope of Work

2. Authorize an EIR Scope Amendment for the East Whisman Precise Plan EIR for the additional transportation analysis to identify priority transportation improvements for the Precise Plan and do not analyze a second land use alternative. This work would cost \$93,600, or a total amended contract cost not to exceed \$737,736.

3. Reject any EIR scope amendment and direct staff not to proceed with a second land use alternative or additional transportation analysis in the East Whisman Precise Plan EIR.

PUBLIC NOTICING

Agenda posting and posting on the City's project webpage. E-mail notification was provided through the *myMV* subscription for the East Whisman Precise Plan.

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LH-MA/7/CAM
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- Attachments:
1. [City Council Report Dated February 14, 2017 \(Item 3.1\)](#)
 2. Preferred Land Use Alternative Map
 3. Second Land Use Alternative Map
 4. [City Council Report Dated March 22, 2016 \(Item 7.2\)](#)
 5. David J. Powers & Associates Scope of Work Contract Amendment