

**DATE:** September 23, 2014

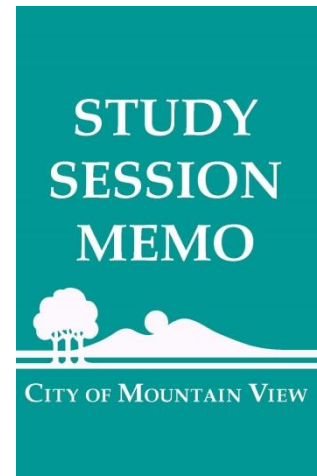
**TO:** Honorable Mayor and City Council

**FROM:** Eric Anderson, Associate Planner  
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Director

**VIA:** Daniel H. Rich, City Manager

**TITLE:** **El Camino Real Precise Plan Public Draft**

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## **PURPOSE**

The purpose of the Study Session is for the City Council to review and comment on the Public Draft of the El Camino Real Precise Plan. This Study Session also provides the public an opportunity to comment on the Draft Plan and Environmental Impact Report (EIR).

## **BACKGROUND**

The community has provided input on the Plan through 18 meetings and workshops, including the Corridor Advisory Group (CAG), City Council meetings, and Environmental Planning Commission (EPC) meetings. A summary of those meetings is in Attachment 1 – Summary of Precise Plan Meetings.

The Public Draft of the Precise Plan (Attachment 2) and EIR (Attachment 3) were released on August 15, 2014. The City is taking public comment on the EIR through September 29, 2014.

On August 28, the EPC reviewed the Public Draft. A summary of public and EPC comments at the meeting is provided (Attachment 4). On September 4, the CAG reviewed the draft (Attachment 5). Comments from the EPC and CAG are provided throughout this memo.

## **DISCUSSION**

The Plan implements the General Plan's vision for the El Camino Real corridor. It includes detailed direction on the design, location, and character of buildings and

public improvements. The refined vision is described on Page 3 of the Draft Plan. The major features of this vision include:

- Reinvestment in the corridor.
- Variation along the corridor with focused locations of commercial and pedestrian activity, higher intensity, and public improvements.
- Improved landscaping, open areas, and places for gathering.
- New housing for a range of incomes and life stages.
- Sensitive transitions and buffers to adjacent neighborhoods to help maintain their character.
- More comfortable and accessible travel experience for pedestrians, bicyclists, and transit riders.
- Community benefits provided by larger developments.

### Plan Organization

The Plan is divided into four chapters: Plan Context and Structure, Development Standards and Guidelines, Mobility and Streetscapes, and Implementation.

The **Plan Context and Structure** chapter includes the “big-picture” direction of the Plan, background information on El Camino Real and how to interpret the Plan.

The **Development Standards and Guidelines** chapter contains standards and guidelines that apply to new uses, additions, and new buildings. *Ground Floor Commercial Areas* (Page 14) and *Height and Intensity Zones* (Page 16) have special standard and characteristics, consistent with the Focused Strategy, and previously supported by the City Council and EPC. Minimum ground floor commercial requirements are provided on Page 14 and development standards for each of the Height and Intensity Zones are on Pages 16 to 27. This chapter also includes standards and guidelines for design and character in all areas.

The **Mobility and Streetscapes** chapter covers multi-modal networks and the design of street improvements around and within the corridor. It contains sections with guidance for vehicle, pedestrian, transit, and bicycle network improvements. Following those

sections are design guidelines for specific improvements, such as sidewalks, crossings, and bicycle facilities.

The **Implementation** chapter contains the administrative process for reviewing new development, City implementation actions, and the community benefits process and requirements.

### Land Uses

The Plan includes a list of permitted uses appropriate in all locations without special City review, and provisional uses requiring City review and potential conditions on their operation. In general, the list of uses is very broad, reflecting El Camino Real's role as a mixed-use corridor. Most uses are the same as existing zoning, except residential uses are now permitted rather than provisional uses, liquor stores are provisional rather than permitted uses, and churches are provisional rather than permitted uses.

Uses allowed in ground floor commercial spaces in Village Centers and Neighborhood Corners (the second column of the Land Use table on Page 10) support the pedestrian environment and neighborhood access to goods and services. There are minimum square footage requirements and design guidelines for commercial spaces in each of these areas (see Page 14). At the last Study Session, staff proposed that Village Centers devote 15 percent of their land area to commercial space. Based on City Council direction, this has been changed to 100 percent of the project's ground floor building space.

**EPC Direction:** The EPC did not comment on this topic.

**CAG Comments:** The Plan's emphasis on residential uses will result in more traffic, since residents will not use transit as much as office workers. New housing will also have school impacts.

Requiring 100 percent ground floor commercial in Village Centers could lead to oversupply of space and vacancies.

**Key Question:** Does the City Council support the Draft Plan's Ground Floor Commercial direction?

Heights and Floor Area Ratio (FAR)

The Plan area is divided into areas of different heights and intensities, levels of review, and, in some cases, required community benefits. These requirements are shown in Table 1 below. The “Base” column is consistent with existing zoning. Table 2 describes the development tiers and the development review process. These tables are consistent with what was shown to the City Council in May.

*Table 1: Maximum FAR and Building Heights*

<b>Height and Intensity Zone</b>	<b>Base</b>	<b>Tier 1</b>	<b>Tier 2</b>
<b>Village Centers</b> Large Sites at Key Locations	1.35 FAR 4 stories/55'	1.85 FAR 5 stories/65'	2.3 FAR 6 stories/75'
<b>Castro/Miramonte Sub-Area 1</b> Large Sites Near Downtown	1.35 FAR 3 stories/45'	1.85 FAR 4 stories/55'	—
<b>Castro/Miramonte Sub-Area 2</b> Small Sites Near Downtown	1.35 FAR 3 stories/45'	No Max FAR 3 stories/45'	—
<b>Medium Intensity</b> Large Sites Near Multi-Family Neighborhoods	1.35 FAR 3 stories/45'	1.85 FAR 4 stories/55'	—
<b>Low Intensity</b> Small Sites Near Single-Family Neighborhoods	1.35 FAR 3 stories/45'	—	—

*Table 2: Review Processes and Community Benefits*

Base	Zoning Administrator public hearing required. No community benefits required.
Tier 1	City Council review, with ZA recommendation. Community benefits required if FAR greater than 1.35.
Tier 2	City Council review (overlay zoning), with EPC recommendation. Community benefits required if FAR greater than 1.35.

In April, the EPC recommended a maximum of five stories in Village Centers under the Tier 2 scenario, but the City Council endorsed up to six stories. The draft Plan limits most development to five stories, but allows an additional story for projects that create an exceptional public open space.

Community benefits will be required for projects above 1.35 FAR. The City Council will be asked to endorse a community benefit value for Tier 1 projects when they consider the Plan in November. A community benefits analysis conducted by the Precise Plan

team (Attachment 6) recommends that this value could be up to \$20 per square foot of bonus floor area. This would be roughly \$435,000 for a one-acre, 1.85 FAR project.

**EPC Direction:** *Development Review Process:* **The EPC should have recommendation authority over Tier 1 projects instead of the Zoning Administrator.**

*Community Benefits:* **On Page 67, remove the section allowing Community Benefits “of comparatively modest financial impact to a developer.” If a developer is providing community benefits of modest financial impact, they should be able to provide more.**

**CAG Comments:** Concern about six stories, but satisfied with open space, transition requirements, and other specifics.

Continued support for the Focused Strategy.

Desire for long-term balance of jobs, housing, and retail.

**Key Questions:** Should the EPC have recommendation authority over Tier 1 projects instead of the Zoning Administrator?

Does the City Council support the Plan’s height and FAR direction?

### Character & Neighborhood Transitions

Development transition standards to residential-zoned parcels are included on Page 28. They include:

- Limited building heights near property lines when adjacent to residential.
- Limited building heights along frontages when across the street from residential.
- Balconies must be screened from residential.
- 5th and 6th floor setback requirements in Village Centers (Page 18).
- Height limits along alleys.

The Plan does not explicitly require 4th floor step-backs from El Camino Real or side property lines. However, 4th floor step-backs could be applied on a case-by-case basis since there is no maximum setback for the 4th floor (Pages 19, 21, and 23) and architectural projections are discouraged above the 3rd floor (Page 29).

The Plan includes a guideline for a separation between vehicle areas and buildings. This is to support pedestrian connections through sites and space for trees and landscaping (Page 31).

**EPC Direction:**     **Support for the Plan’s Neighborhood Transitions direction.**

**Require a 5’ additional setback for the 4th floor.**

**Separation between vehicle areas and buildings should be a requirement, not a guideline.**

**CAG Comments:** New development should not be required to match El Camino Real’s architectural style and existing character.

Buildings should be located at corners; limit the amount of parking along side streets to support this.

Provide pedestrian-oriented signage, but not at the expense of visibility to motorists. Signage should also be diverse, high-quality, and interesting.

Support for the Plan’s neighborhood transitions, front setbacks, and ground floor commercial character requirements.

**Key Question:**     Does the City Council support the EPC’s and CAG’s direction on Character and Neighborhood Transitions?

### Affordable Housing

Affordable housing is highlighted as a key element of the Plan in the following sections: the Precise Plan Vision on Page 3, the Guiding Principles on Page 4, and the priority Community Benefits on Page 68. In addition, the City has several other tools to require or support affordable housing production, including subsidizing affordable housing projects, inclusionary requirements for ownership projects, and an impact fee for rental projects.

However, there continue to be legal and regulatory challenges to requiring affordable housing in all projects. For example, rental projects are exempt from inclusionary requirements due to court rulings. Therefore, the Plan does not require rental projects to provide units in lieu of the impact fee, nor does it require projects to provide units as their community benefit.

### *Density Bonus*

The State Density Bonus Law allows up to 35 percent higher density than the underlying zoning for projects that include a minimum number of affordable housing units. In addition, some standards related to the bonus (for example, building height) must be waived by the City if they would physically preclude the project from being able to accommodate the affordable units.

At their April 2 meeting, the EPC asked staff to review the State Density Bonus Law's effect on the Precise Plan. The Law states that Density Bonuses would apply to a city's General Plan density if there are inconsistencies between Zoning (or Precise Plan) and General Plan. The General Plan's maximum Floor Area Ratio (its metric for density) is 1.85, consistent with the maximum Floor Area Ratio in the Draft Precise Plan. In effect, if the Precise Plan included any requirements, standards or densities for the purpose of limiting the use of the Law or the bonus allowed, the General Plan would be used instead of the Precise Plan. Therefore, the Draft Plan does not address this issue, since the State Density Bonus Law overrides local requirements, and its requirements apply outside the language of the Precise Plan. The City will continue to review Density Bonus projects and their waivers to standards on a case-by-case basis.

**EPC Direction:**     **The Plan should include a goal of 10 percent affordable units and a series of strategies to achieve this, such as: subsidizing affordable housing projects through the Notice of Funding Availability (NOFA) process, community benefit requirements, and encouragement of senior and moderate-income housing.**

**CAG Comments:**    The CAG did not comment on this topic.

**Key Question:**     Does the City Council support a goal of 10 percent affordable units in the Precise Plan area?

## Sidewalks and Pedestrian Improvements

The Plan emphasizes improving the pedestrian environment. This is achieved through widened sidewalks, public improvements at crosswalks and intersections (see Pages 49 through 51 for illustrations), and requirements for new pedestrian pathways through large blocks (Page 30). To achieve wider sidewalks, smaller projects (such as additions, new more-intensive uses, and parking reductions) may be required to provide public access easements across the front of their properties (Pages 30 and 64).

The Plan also includes detailed guidance for the improvement of streets, sidewalks, and crossings.

**EPC Direction:** The EPC requested analysis of the potential for crosswalk signals with an all-way pedestrian phase (when no cars are moving), including diagonal pedestrian movement. Signal timing should be studied to limit impacts to vehicle movements.

**CAG Comments:** Make sure there are enough crosswalks to serve bus stops.

2,000' between pedestrian crossings is too far.

Include a goal about safety for pedestrians.

**Key Questions:** Does the City Council support analysis of special crosswalks with all-way pedestrian phase?

Does the City Council support the CAG comments regarding pedestrian improvements?

**Staff Comments:** Caltrans must approve changes to pedestrian crossings. Pedestrian volume would need to be high enough to justify an all-way pedestrian crossing phase. Caltrans requires new pedestrian crosswalks to locate at existing intersections, which may make it difficult to add crosswalks in several sections of the corridor.

## Bicycle Network Improvements

Early in the process, the Bicycle/Pedestrian Advisory Committee, EPC, and City Council supported improvements for a "Bicycle Boulevard" alternative to El Camino



Real along Latham and Church Streets, and for bicycle improvements on El Camino Real east of Calderon Avenue to provide a connection across Highway 85.

At their May 20 meeting, the City Council directed that the Plan include a long-term strategy to build bicycle improvements on El Camino Real. That strategy is on Page 46, and includes periodic analysis of street parking use and demand, and strategies to reduce the number of commercial curb cuts.

**EPC Direction:** The EPC did not comment on this topic.

**CAG Comments:** Create a clearer description of the transition from street parking to bike lanes.

Provide bicycle parking on the sidewalk.

Busbulbs (Page 56) should be outside the bike lane (creating a bus island), so that bikes do not have to maneuver around stopped buses.

**Key Questions:** Does the City Council support the CAG comments regarding bicycle improvements?

**Staff Comments:** There may be limited right-of-way width for busbulbs outside the bicycle lane. If directed, staff will study the issue and include in the Final Draft if possible.

### Parking Strategies

The Precise Plan introduces a new process (Page 65) to incentivize shared parking among compatible uses, new businesses near Route 522 or Bus Rapid Transit stops, and innovative strategies to manage parking. Normally, requests for parking reduction require a Zoning Administrator public hearing, but the process on Page 65 of the Plan allows the ZA to waive that hearing for projects that comply with operational or location characteristics that would have an effect on their parking demand. Examples of this might include shared parking between a restaurant and office (with different peak demand times) or providing a free valet parking service. A public hearing could be required in the future if issues arise.

At their April 2 meeting, the EPC endorsed lowering and simplifying many of the City's parking ratios. Changes to parking ratios will occur at a City-wide level as a part of a future comprehensive Zoning Code update.

**EPC Direction:** The EPC did not comment on this topic.

**CAG Comments:** Street parking is associated with a number of problems and hazards.

Make sure small businesses have visible parking for the quick customer.

Development using off-site parking facilities to satisfy their parking requirement should be able to use off-street parking on the opposite side of El Camino Real and other major streets (Page 65).

Parking landscape screens should be designed for safety and a sense of security.

**Key Questions:** Does the City Council support the CAG comments regarding parking?

**Staff Comments:** Using parking on the other side of major streets to comply with parking requirements may result in parking impacts to neighborhoods since it will be much easier to access the neighborhood streets than the designated parking.

### Drive-Through Uses

Drive-through uses are provisionally allowed in the Precise Plan. This is consistent with the current zoning, which allows them as a conditional use. However, the Plan adds additional requirements that may affect drive-through uses:

- New drive-through uses are not allowed in the Village Center and Castro/Miramonte locations shown on Page 15. This is because these locations must have ground floor uses and character that support pedestrian activity.
- The Plan limits the number and frequency of curb cuts (Page 30). This will limit site designs for drive-through uses where vehicles leave the drive-through via a separate curb cut.
- A guideline limits the amount of site frontage that can be used for parking (Page 31). This does not explicitly include drive-through lanes, but its scope could be

expanded for the final draft with Council direction. This would limit drive-through site designs similar to the Walgreens at the corner of Escuela Avenue, where vehicles leaving the drive-through return to the main curb cut along the front of the building.

With these requirements, drive-throughs would likely be limited to sites with multiple frontages (outside the Village Centers) or large sites where the vehicle lineup can be away from the street.

The Zoning Ordinance includes drive-through standards, such as required stacking length, landscape screening, and noise limits. If the City Council has additional concerns about drive-throughs, language added to the Zoning Ordinance would also apply to the El Camino Real Precise Plan.

**EPC Direction:** Request that the issue of drive-throughs, including a potential moratorium, be studied outside the Precise Plan process.

**CAG Comments:** The CAG did not comment on this topic.

**Key Questions:** Does the City Council support further study of drive-through uses?

**Staff Comments:** This analysis would be subject to timing and priority within existing staff and EPC work plans.

## Other Topics

### *Tree Canopy*

The Plan does not include standards for tree canopy on private development. It does include a guideline for continuous tree canopy for street trees (Page 36). Guidelines for street trees, including placement frequency (40') and species (scarlet oak) are provided on Page 54.

**EPC Direction:** The Plan should contain a goal for tree canopy coverage.

**CAG Comments:** There should be multiple different tree species along El Camino Real to provide visual interest, protection from disease, and “place making.”

**Staff Comments:** Staff will integrate these comments unless otherwise directed.

#### *TDM requirements*

The Plan includes TDM requirements for new development on Page 66. These requirements include trip reduction programs, performance reporting, Eco-Passes (or equivalent), transit subsidies, and joining of a Transportation Management Association.

**EPC Direction:** The Plan should contain an implementation project to determine mode-share targets and a reporting program to measure success.

**CAG Comments:** The CAG did not comment on this topic.

**Staff Comments:** Staff will integrate these comments unless otherwise directed.

#### Environmental Impact Report

The EIR includes an analysis of the Plan’s projected growth and change, focusing on potential impacts to transportation and traffic, noise, and air quality.

#### *Identified Impacts*

The EIR and Initial Study identified six significant impacts. All six will be mitigated through project review and requirements. The following are brief descriptions of the identified impacts:

- **Air Quality –1.** Construction activity could result in nearby residents’ exposure to pollutants. Mitigation: If construction workers modify their construction techniques and equipment, this impact becomes less than significant.
- **Air Quality –2.** New residents on El Camino Real could be exposed to pollutants from the roadway. Mitigation: If residential buildings are built with

special air filtration systems and site design characteristics, this impact becomes less than significant.

- **Noise.** Construction activity could result in vibration and noise. Mitigation: If construction workers use special construction techniques and equipment, this impact becomes less than significant.
- **Utilities—1 and 2.** Projects could necessitate upgrades to water distribution, sewer, or stormwater systems. Mitigation: If projects study the systems that they could affect and pay for their fair share of any improvement, this impact becomes less than significant.

### *Alternatives*

The EIR also compared the potential outcomes of several alternatives to the Draft Plan. The descriptions of the alternatives are on Page 149 of the EIR. The alternatives studied included the following:

- **No Project Alternative.** This alternative assumes the Plan is not adopted. Without the Plan, the General Plan would direct higher-intensity development on an ad-hoc basis.
- **Increased Retail Alternative.** This alternative assumes that more sites than the Village Centers, Castro/Miramonte Area, and Neighborhood Corners would be required to have ground floor retail. This may impact development feasibility throughout the corridor.
- **Streetscape Improvements Alternative.** This alternative is similar to the No Project alternative, except the streetscape improvements would be built. However, development would still occur on an ad-hoc basis.

### *Traffic Scenarios*

The Transportation chapter of the EIR studied several scenarios to determine the traffic impacts of the El Camino Real Precise Plan. The EIR did not identify any intersections impacted as a result of the Plan, though the cumulative analysis shows intersections degrading as a result of regional and City-wide growth.

- The *Existing Conditions* Scenario (Level of Service summary on Page 59) reflects the existing traffic conditions.

- The *Cumulative Conditions* Scenario (Level of Service summary on Page 70) reflects the likely future traffic conditions with City-wide and regional growth if the Precise Plan is not adopted. This scenario includes all General Plan related growth, including El Camino Real.
- The *Existing Plus Project* Scenario (Level of Service summary on Page 87) reflects the existing environment, but adds the growth from the Precise Plan. The difference between this scenario and the *Existing Conditions* Scenario is the impact of the Precise Plan by itself, without any regional or City-wide growth affecting traffic. This scenario does not result in any changes to intersection performance.
- The *Cumulative Plus Project* Scenario (Level of Service summary on Page 95) reflects the likely future traffic conditions with City-wide and regional growth, if the Precise Plan is adopted. It is almost exactly the same as the *Cumulative Conditions*, but the Precise Plan reallocates General Plan growth in slightly different locations. This scenario has a number of “unacceptable” intersections, but these are as a result of City-wide and regional growth.

No traffic scenarios in this EIR study the effects of a dedicated lane alignment of VTA’s Bus Rapid Transit project. That project is releasing an EIR in the next month. Staff will review the assumptions of that project to determine if the impacts identified in that EIR reflect the El Camino Real Precise Plan.

**EPC Direction:** The traffic model results are not a reason to disapprove the Precise Plan. However, the EPC expressed concern regarding the Cumulative Scenario. The City needs a comprehensive plan to address the number of unacceptable intersections if no individual project is causing the impact. It should address the regional causes of the impacts as well.

**CAG Comments:** Ensure that mitigations are required when projects are built.

**Staff Comments:** Next year, staff will begin work on a City-wide Multi-modal Transportation Plan to guide transportation improvements for major transportation routes. In addition, the State is evaluating changes to CEQA requirements that will affect how transportation impacts are identified. The EPC and City Council will have opportunities to review these projects.

## **RECOMMENDATION**

Staff is seeking City Council direction on the Draft Plan and EIR, particularly the questions noted in this report. This Study Session will also provide the public with an opportunity to comment on the Draft Plan and EIR.

## **NEXT STEPS**

The formal EIR public review period ends September 29. The Precise Plan team will then make edits to the Plan and return to the EPC and City Council in November for final adoption hearings. The document will be unformatted, but all text, images, diagrams, and other content will be available for review. The Precise Plan team will lay out the final document after the Plan is adopted.

## **PUBLIC NOTICING**

A notice was sent to property owners and residents within 300' of the Plan area. Meeting notices were also provided by e-mail to interested parties. In addition, the meeting agenda and staff report were posted on the City's website, the El Camino Real Precise Plan website, and announced on Cable Television Channel 26 and the City Calendar.

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- Attachments:
1. Summary of Precise Plan Meetings
  2. [Public Draft El Camino Real Precise Plan](#)
  3. [Public Draft Environmental Impact Report](#)
  4. Summary of August 28, 2014 EPC meeting
  5. Summary of September 4, 2014 CAG meeting
  6. Community Benefits Strategy Memo