



DATE: April 30, 2019

CATEGORY: Public Hearing

DEPT.: Community Development

TITLE: **New Residential Development at 525, 531, 555, 565, 569, and 769 East Evelyn Avenue**

RECOMMENDATION

1. Adopt a Resolution Certifying the 555 East Evelyn Avenue Residential Project Final Environmental Impact Report, CEQA Findings, and Mitigation Monitoring and Reporting Program, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Adopt a Resolution Approving a General Plan Map Amendment for the Properties Located at 525, 531, 555, 565, 569, and 769 East Evelyn Avenue from General Industrial and Medium-Density Residential to High-Density Residential, to be read in title only, further reading waived (Attachment 2 to the Council report).
3. Introduce an Ordinance Approving a Zoning Text Amendment to the R4 (High-Density) Section of the Zoning Ordinance, to be read in title only, and set a second reading for May 14, 2019 (Attachment 3 to the Council report).
4. Introduce an Ordinance Approving a Zoning Map Amendment for the Properties Located at 525, 531, 555, 565, 569, and 769 East Evelyn Avenue from the P-30 (Sylvan-Dale) Precise Plan and R3-2.2 (Multiple-Family Residential) District to the R4 (High-Density Residential) District, to be read in title only, and set a second reading for May 14, 2019 (Attachment 4 to the Council report).
5. Adopt a Resolution Conditionally Approving a Planned Community Permit and Development Review Permit to Construct a 471-Unit Apartment Complex with Below-Grade Parking, Relocate a Wireless Communications Installation, and Dedicate a 0.68-Acre Public Park, and a Heritage Tree Removal Permit to Remove 16 Heritage Trees, to be read in title only, further reading waived (Attachment 5 to the Council report).

6. Adopt a Resolution Conditionally Approving a Vesting Preliminary Parcel Map to Reconfigure the Existing Lot Lines, to be read in title only, further reading waived (Attachment 6 to the Council report).

BACKGROUND

Project Site



Aerial Photo

The project site includes three parcels totaling approximately 5.9 acres. The site currently has six addresses that were associated with industrial buildings on the site, some of which were removed to facilitate environmental clean-up activities. As part of the City's Building Permit process, the existing addresses will be reviewed and consolidated by City staff. The site is located immediately north and two parcels west of the City's border with the City of Sunnyvale. The site is surrounded by a two- to four-story residential development to the south, east, and west. East Evelyn Avenue and the Caltrain tracks are located to the north.

The eastern portion of the site (769 East Evelyn Avenue) is currently developed with a mini-storage facility. The western portion of the site (525 to 569 East Evelyn Avenue) is

undeveloped. The undeveloped portion of the property was previously occupied by industrial uses, which were demolished and removed prior to this application submittal to facilitate environmental remediation activities.

Previous Meetings and Hearings

Gatekeeper Meeting

On [December 6, 2016](#), the City Council authorized the Gatekeeper request by Prometheus Real Estate Group (Prometheus) for this project. The site plan presented at the Gatekeeper hearing showed a project with a similar character to the current proposal, including: a two-building design; public and private open spaces; underground parking; and building heights up to five stories. The City Council unanimously supported authorization of the Gatekeeper application because the site would add additional housing units between two existing residential developments and would complete the conversion of the block to residential uses. The Council also favored reviewing the development proposal because it would facilitate environmental cleanup of the site. The project did not receive specific feedback on the design beyond encouraging a larger park dedication from the original 0.5-acre park proposal.

EPC Study Session

An informal application was submitted in September 2017, and the Environmental Planning Commission (EPC) held a Study Session on [January 3, 2018](#) to review the initial plans. Key EPC feedback included:

- Support for the site plan and park location, including use of courtyards to improve transitions to adjacent development;
- Support for proposed building height step-backs along the west and south property lines, with refinement to improve transitions between five- and three-story segments/massing along the rear (south) property line;
- Consider ways to minimize potential “canyon” effect between the project and the adjacent four-story affordable development (ROEM);
- Refine building articulation to provide interest and break up massing, especially facing the public park;

- Refine the ground-floor design facing the public park to present a more pedestrian scale and engaging character; and
- Continue to establish residential character with varied features, material texture, and colors.

The EPC noted the five-story building heights may create some challenges to achieving this character, as compared to the existing Madera development (downtown), but generally felt the project design was heading in the right direction. The EPC particularly liked the projecting bays and varied roof forms.

Development Review Committee

The Development Review Committee (DRC) reviewed the project in March, June, and September 2018. The DRC worked with the applicant to address EPC feedback and improve the design of key features such as ground-floor entries, garage openings, massing, materials, and the design of the emergency vehicle access (EVA), with particular focus on its interface with the public park and on-site buildings.

The DRC recommended approval of the project with design conditions, providing direction for the design of the EVA, the East Evelyn Avenue streetscape, and key building features, including ground-level porches and the two garage entries. The applicant has begun to address these conditions in the plans and will continue to work with staff to refine these elements through the building permit process.

Neighborhood Meeting

The applicant hosted two neighborhood meetings, the first in October 2017 and the second in July 2018. At the second neighborhood meeting, approximately 15 neighbors or interested stakeholders attended the meeting and provided feedback. At this meeting, and in subsequent communication to City staff, stakeholders expressed concern about massing and scale of the project in relation to surrounding uses; project size (too many units); and traffic and lack of proximity to transit facilities. Stakeholders specifically expressed concerns regarding increased traffic on East Evelyn Avenue, Moorpark Way, Sylvan Avenue, and Bernardo Avenue. Some residents of the Mondrian development (to the west) also noted existing difficulties exiting their project onto adjacent public streets.

Airport Land Use Commission

The site is located within the Moffett Federal Airfield, Airfield Influence Area (AIA). Pursuant to State law, the City must refer the application to the Airport Land Use Commission (ALUC) any time a General Plan and/or Zoning Amendment is proposed within the AIA of an airport or airfield with an adopted Comprehensive Land Use Plan (CLUP) to provide a consistency determination with the appropriate CLUP policies prior to final approval of the General Plan and/or Zoning Amendment by the City. The ALUC reviewed the project on March 27, 2019, made a determination of consistency with the Moffett Federal Airfield CLUP, and required that the project developer grant an Avigation Easement over the property, which has been added as a condition of approval.

Environmental Planning Commission

The EPC held a public hearing to review the project on April 3, 2019. The applicant, environmental consultants, and five neighbors/concerned citizens spoke at the meeting about the project and its associated Environmental Impact Report (EIR) (see Attachment 9 – [EPC Public Hearing Staff Report, April 2019](#)).

The project developer highlighted revisions to the plans which addressed prior City and community feedback such as providing a larger park, reducing building massing, increasing setbacks, and enhancing the architectural character of the project. He presented two letters of support for the project: from ROEM Development (owners of the apartment project to the east), and from one of the owners of the Sunnyvale Apartments (to the south of the site); he also discussed how Prometheus had spent \$3.53 million in environmental cleanup from 2017 to 2019.

One citizen spoke in favor of the project, indicating that this type of residential housing was appropriate for the site and the way of the future, and that the City of Mountain View should step up housing production.

Several neighbors in the Sylvan neighborhood spoke at the meeting and expressed concerns such as insufficient parking, the need for a mix of rental and ownership units, curfew for rooftop noise, that the traffic calming on Sylvan Avenue was not working, increased traffic, and no construction traffic on Sylvan Avenue. A representative from the League of Women Voters also spoke and raised the issue of in-place affordable units versus fees, and noted that she believed the fees were too low.

The Commission in general noted the improvements the developer had made throughout the process to their project, including such things as lowered massing/ heights near the lower-intensity existing neighborhood, the respectful design of the current project to the character of the surrounding neighborhood, and expressed a desire that the City continue to look at traffic in the area and all measures to ensure that traffic calming were implemented. The Commission also noted that they felt that a portion of the project's Community Benefit contribution should be spent on additional traffic calming measures in the neighborhood to the south and southwest of the site (the Sylvan neighborhood).

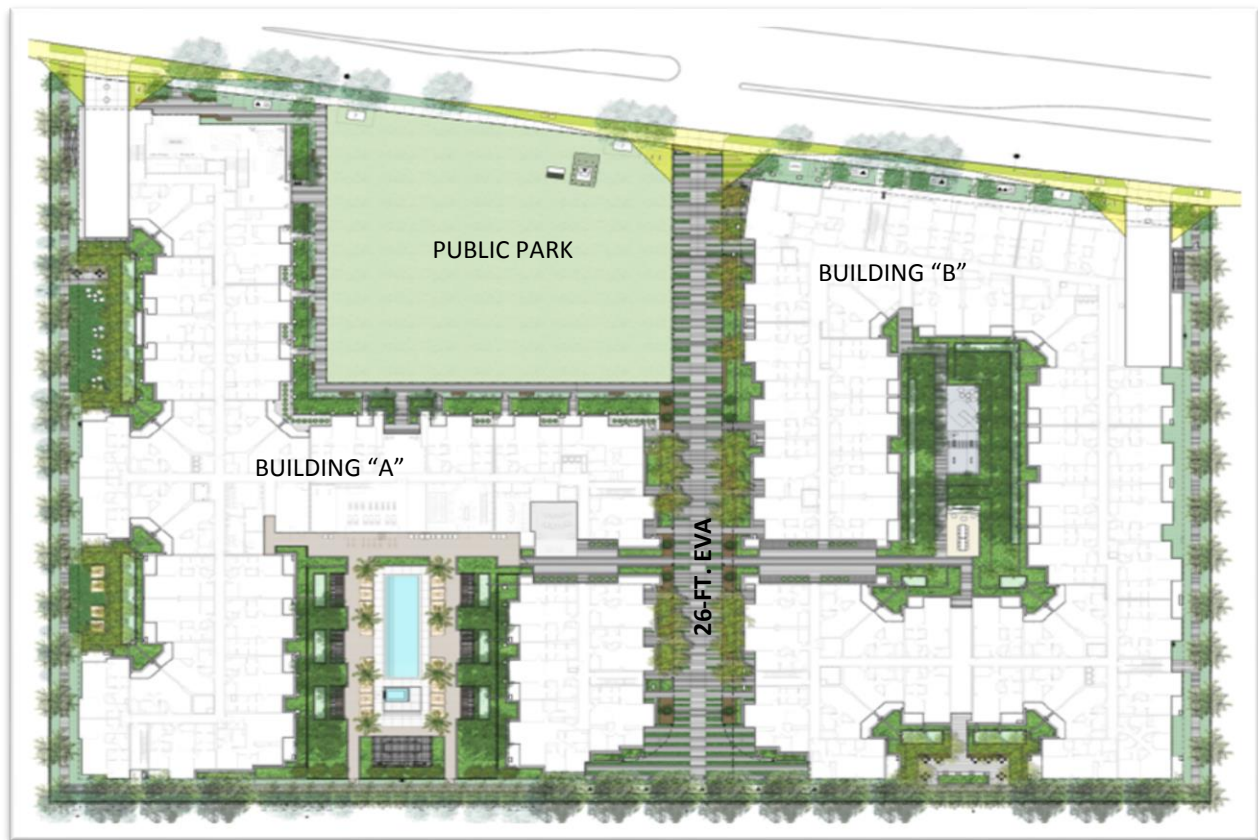
The EPC recommended approval of the project by a 7-0 vote.

ANALYSIS

The following sections of this report analyze the project's consistency with the 2030 General Plan and Zoning Ordinance; describe the proposed development and issues related to trees, sustainability, parking, and transportation; and include a summary of the project's environmental review.

Project Description

The proposed project would demolish the existing mini-storage buildings on a portion of the site and construct a 471-unit apartment complex with a 0.68-acre public park (see Attachment 7—Project Plans). The apartments are distributed between two separate buildings, built above two levels of below-grade parking, and wrapped around the public park. The proposed buildings vary between three and five stories in height, stepping down in height next to adjacent, lower-density developments.



Site Plan

The project replaces industrial and commercial land uses with high-density residential development, which would largely complete the residential conversion of this block of East Evelyn Avenue. This conversion began with the three-story Mondrian rowhouse development (located west of the project site) and the four-story affordable apartment development by ROEM (located east of the project site). To facilitate the proposed project, a General Plan Amendment, Zoning Text Amendment, and Zoning Map Amendment are proposed, as discussed in more detail later in this report.

The proposed buildings have a maximum height of 70' (at five stories), with taller building area stepped back further from property lines, and large, ground-level open spaces next to adjacent lower-intensity residential development.



View from East Evelyn Avenue

In general, five-story portions of the proposed buildings are set back a minimum of:

- 40', and typically more than 50', from the westerly property line (adjacent to a driveway for the three-story Mondrian development);
- Typically 40' to 50' along the southerly property line, with small segments set back 33' to 36' and the majority of Building A set back 170' (bordering two-story apartments in the City of Sunnyvale); and
- 21' to 27', with some balcony encroachments along the easterly property line (adjacent to the four-story affordable residential development by ROEM).

Additional upper-floor step-backs are provided at building corners along East Evelyn Avenue and both sides of the future public park.

Since the early EPC Study Session, the applicant has worked with staff to incorporate four-story building areas, to establish stronger transitions between five- and three-story elements, and incorporate more visual interest and variation/wall movement in the facade through changes to projecting bay and balcony heights, massing refinement, and improved materiality/detailing around the public park, along the EVA/paseo and facing adjacent residential development.



View from East Evelyn Avenue

The two buildings are designed with similar but differentiated architectural schemes. Building A uses a mix of stone materials and wood accents (e.g., trellises, porches, etc.) to help define a strong two-story building base, with horizontal siding and stucco cladding of primary building walls. Building B incorporates stone and wood accents on ground-level porches and entries, with a mix of board and batten, shingle, and stucco materials on projecting features and primary walls. Both buildings use varied roof forms to fit in with other buildings in the area.

General Plan

The project site is located in the Grant/Sylvan Park Planning Area of the 2030 General Plan, and currently has General Plan Land Use Designations of General Industrial and Medium-Density Residential. The project includes a proposed General Plan Map Amendment to change the site's General Plan designation to High-Density Residential (see Attachment 2).

The proposed project is consistent with the proposed High-Density Residential Designation, which allows multi-family residential uses up to 80 dwelling units per acre and five stories in height. The proposed General Plan Amendment aligns with City objectives to provide additional housing opportunities and is supported by the following General Plan policies:

- *LUD 3.1: Land Use and Transportation.* Focus higher land use intensities and densities within one-half mile of public transit service and along major commute corridors.
- *LUD 6.1: Neighborhood Character.* Ensure that new development in or near residential neighborhoods is compatible with neighborhood character.
- *LUD 6.3: Street Presence.* Encourage building facades and frontages that create a presence at the street and along interior pedestrian paseos or pathways.
- *LUD 6.5: Pedestrian and Bicycling Improvements.* Support pedestrian and bicycling improvements and connections between neighborhoods.
- *LUD 8.3: Enhanced Publicly Accessible Bicycle and Pedestrian Connections.* Encourage new and existing developments to enhance publicly accessible bicycle, pedestrian, and transit connections.
- *LUD 8.4: Pedestrian-Oriented Civic and Public Spaces.* Create and encourage new pedestrian-oriented civic and public spaces throughout the City.
- *LUD 8.5: Pedestrian and Bicycle Amenities.* Encourage attractive pedestrian and bicycle amenities in new and existing developments, and ensure that roadway improvements address the needs of pedestrians and bicyclists.
- *LUD 9.1: Height and Setback Transitions.* Ensure that new development includes sensitive height and setback transitions to adjacent structures and surrounding neighborhoods.
- *LUD 9.3: Enhanced Public Space.* Ensure that development enhances public spaces through these measures:
 - Encourage strong, pedestrian-oriented design with visible, accessible entrances and pathways from the street.
 - Encourage pedestrian-scaled design elements such as stoops, canopies, and porches.
 - Encourage connections to pedestrian and bicycle facilities.
 - Locate buildings near the edge of the sidewalk.

- Encourage design compatibility with surrounding uses.
 - Locate parking lots to the rear or side of buildings.
 - Encourage building articulation and use of special materials to provide visual interest.
 - Promote and regulate high-quality sign materials, colors, and design that are compatible with site and building design.
 - Encourage attractive, water-efficient landscaping on the ground level.
- *LUD 10.7: Beneficial Landscaping Options.* Promote landscaping options that conserve water, support the natural environment, and provide shade and food.

Zoning Text and Map Amendment

The project includes a request to amend the Zoning Ordinance development standards for the R4 (High-Density Residential) District (see Attachment 3) and rezone the project site from P-30 (Sylvan-Dale) Precise Plan and R3-2.2 (Multiple-Family Residential) Districts to the R4 (High-Density Residential) District (see Attachment 4). Specifically, the applicant proposes to revise the allowable density in the R4 District from a maximum of 60 dwelling units per acre to a maximum of 80 dwelling units per acre.

The proposed zoning text modification updates the maximum allowed density standard to be consistent with the maximum density allowed under the proposed High-Density Residential Land Use Designation. The proposal does not include any other changes to the R4 development standards, so the proposed change would allow greater unit count flexibility under the R4 zoning, without changing the allowed building size or locations (along major roadways) where larger R4 developments are permitted.

As shown in the table below, with the exception of the Model Parking Standard, the project otherwise complies with applicable standards of the R4 (High-Density Residential) District.

R4 District Development Standards Conformance

	R4 Standard	Project Proposal
Density	60 dwelling units per acre maximum*	80 dwelling units per acre
Floor Area Ratio	2.30 FAR (maximum) for projects between 51 and 60* dwelling units per acre	2.17 FAR
Setbacks (Front)	15' minimum	15'
Setbacks (Side)	1 to 2 stories: 10' minimum 3+ stories: 15' minimum	15' (minimum to balconies) 21' to 50' (typical)
Rear Setbacks	15' minimum	33' to 170'
Setbacks between buildings	24' minimum	48' (minimum)
Height	5 stories 60' (maximum wall height) and 70' (maximum roof height)	5 stories 59'-9" wall height (maximum) 70' roof height (maximum)
Open Area	30 percent of total site area	31.5 percent
Private Open Space (per unit)	40 square feet (average)	79 square feet per unit (average)
Personal Storage (per unit)	80 square feet/164 cubic feet	
Parking	Per Zoning Code	Model Parking Standard

* The project includes a proposal to modify the standards to allow up to 80 units per acre.

The R4 District allows larger residential developments with taller heights in locations that are along arterials (such as Evelyn Avenue) and not adjacent to single-family zoning districts. The proposed development meets or exceeds applicable development standards and uses massing adjustments, orientation of open spaces, and building step-backs to integrate into the area, as previously directed by the EPC and based on design guidelines for the R4 District. The proposed modifications to allowed density do not conflict with these objectives.

Open Space and Streetscape

The proposed development provides significant open space amenities for future residents. The R4 District development guidelines recommend at least one 1,400 square foot common open space (with a minimum dimension of 40') for developments of this size. All of the development's proposed courtyards exceed this square footage guideline, and at least three of the courtyards comply with the dimensional guideline.

In addition to the main courtyards, the development provides a rooftop deck and interior common amenities, an EVA that is designed to provide additional outdoor

amenity space, and private open space for each unit that is almost double (on average) the R4 standard. The common open space amenities are well landscaped and connected, with access provided through the proposed buildings, pedestrian pathways around the site perimeter and the public park, and other interior circulation. Although there are limitations on what can be constructed within the EVA, the applicant has worked closely with staff and the DRC to design the EVA so it will also serve as an attractive pedestrian paseo.

Landscaping and ground-floor unit entries are prioritized along the on-site EVA/paseo and around the future public park. New street trees will be provided along the project frontage on East Evelyn Avenue to add to the existing street tree canopy, and in setback areas and on-site planters above the garage.



View Along the Proposed Emergency Vehicle Access/Paseo

The proposed public park is located in the northwest corner of the site along East Evelyn Avenue. The proposed park location was identified early in the application process and was placed along the public street to be open and easily accessible to the public and recognizable as a public facility, and, in its current location, was supported early on by the City Council and EPC at the project Study Sessions.

Trees

Currently, the project site does not have significant tree coverage, with a tree canopy of approximately 9 percent. The site area contains a total of 72 trees, of which 17 are

Heritage trees. The project would remove 37 trees, including 16 Heritage trees, four of which are street trees. The project would preserve 35 trees—predominantly existing street trees along East Evelyn Avenue and trees along the project boundary with adjacent sites. The majority of the trees proposed to be removed are located in the proposed building footprints.

A total of 214 new trees would be planted on the site as part of the development. Within 5 to 10 years, the project would have tree canopy covering approximately 15 percent of the site, and at maturity, 43 percent coverage.

Community Benefits

Public benefits were required as part of the Gatekeeper process because the project includes a request for additional intensity through the proposed General Plan Amendment and Rezoning. Based on an initial staff recommendation, the applicant proposes to provide public benefit funds to be pooled and utilized through the City's Capital Improvement Program (CIP). There was a strong desire from the EPC, based on input from the neighborhood, that some of these funds should be spent on additional traffic calming measures in the neighborhood on Sylvan Avenue. The public benefit value is recommended to be based on the adopted value for the El Camino Real and San Antonio Precise Plan areas, and required for the project area above what the existing site zoning allows. Staff currently estimates the public benefit contribution for this project to be approximately \$7.8 million. Should the Council desire a portion of the funds be dedicated to area traffic calming, that direction can be given this evening or during the annual CIP process.

Below-Market-Rate (BMR) Housing

The project must comply with the City's BMR Ordinance, which requires 15 percent of the total units within the development to be affordable to households earning between 50 percent and 80 percent of Area Median Income (AMI). The 471-unit development requires 70.65 affordable units, which would result in 70 on-site affordable units and payment of an In-Lieu Fee for the fractional (0.65) unit.

The BMR Ordinance allows applicants to propose an alternate mitigation to the BMR requirement. The applicant must request the alternative mitigation as fulfillment of its affordable housing requirements; the request may be granted at the sole discretion of the City Council, if Council determines the alternative mitigation will further affordable housing opportunities in the City to a greater extent than providing the required on-site units.

The applicant proposes to pay \$22,772,844 as an alternative mitigation for the project's BMR requirement. To demonstrate that this alternative mitigation furthers affordable housing opportunities to a greater extent than providing the required units on-site, the applicant has proposed to pay an amount substantially higher than the current In-Lieu Fee basis (for fractional units) and to provide the City with the funds earlier than typically required.

Currently, the City's BMR Rental In-Lieu Fee is \$34.57 per square foot of new habitable square feet; a total BMR In-Lieu Fee payment of \$15,657,501.75 would be required if the current fee was applied to the project's 449,025 square feet of net habitable square footage. The proposed payment of approximately \$22.8 million would equate to a fee of approximately \$50.70 per square foot, which is nearly 50 percent greater than the current In-Lieu Fee. The current fee is being reviewed as part of the second phase of the BMR Program updates.

In addition, the applicant proposes to provide the alternative mitigation payment within two weeks of receiving project entitlements (i.e., Council approving the project). Typically, the BMR fees must be paid prior to issuance of the first building permit, which is typically several months or more after entitlement. Since the City would receive the funds earlier than would otherwise be required, the City could finance affordable housing projects earlier, which is a benefit to the City.

At a May 2018 Study Session, the Council discussed the 100 percent affordable housing project at 950 El Camino Real. During the meeting, the Council supported the ability of this Prometheus project to meet its BMR obligation through a prepayment of \$22.8 million in fees in lieu of affordable units, with the fees going toward funding the 950 El Camino Real project (which is also on the April 30 agenda).

If Council prefers some or all of the required BMR units be provided on-site, the draft conditions of approval (Attachment 5) would need to be revised to reflect this recommendation.

Parking

The project proposes to utilize the City's Model Parking Standard (MPS). The project includes 275 studio/one-bedroom units and 196 two-/three-bedroom units, which would require a total of 667 vehicle parking spaces. The underground parking garage includes a total of 667 parking spaces, of which 100 parking spaces (15 percent) would be shared between guests (pursuant to the MPS) and future public park visitors. All

guest and public parking spaces are located outside of any interior fencing and gates in the parking structure, with elevators and stairs providing public access to ground level. As a neighborhood park, Community Services Department staff anticipates vehicle parking needs to be low.

The project also provides 519 bike parking spaces, conforming to City requirements. This includes 471 resident bike parking spaces (1 per unit), which are provided in secure bike rooms in the garage or gear rooms in apartment units, as well as 48 guest bike parking spaces throughout the site.

Traffic and Circulation

The City hired Hexagon Transportation Consultants to prepare a transportation impact analysis (TIA) for the proposed project. The TIA estimated vehicle trips generated by the project in accordance with VTA's TIA Guidelines, which includes a 5 percent trip reduction allowed for projects implementing a Transportation Demand Management (TDM) Program. The project is estimated to generate as many as 2,704 new daily trips, including 154 new a.m. peak-hour trips and 184 new p.m. peak-hour trips.

The TIA adds projected vehicle trips from the project to existing traffic volumes in order to analyze level-of-service (LOS) on local roadways and intersections after project completion, as well as in a "cumulative scenario" that also includes future, not-yet-constructed development. The TIA analyzed 12 intersections around the project site for potential LOS impacts. As compared to adopted significance thresholds for the Cities of Mountain View and Sunnyvale, the analysis showed that while traffic would increase on nearby streets as a result of the project and other future development, all of the signalized and unsignalized study intersections—with the exception of one project driveway—would operate at an acceptable LOS level during both peak hours.

Site Access and On-Site Circulation

As noted earlier, the project includes two driveways providing access to the project's underground parking. The driveway on the east side of the property (closest to South Bernardo Avenue) would be right-in/right-out only, due to the raised median on Evelyn Avenue. The western driveway (closest to the Mondrian development) would be an "all-access" driveway with a modified Evelyn Avenue median allowing left turns in and out of the driveway.

The TIA found that the western driveway would operate at LOS F during the p.m. peak hour, especially due to eastbound traffic on Evelyn Avenue (heading toward

Sunnyvale). Due to the heavy traffic volumes, it would be difficult for people to turn left out of the driveway during the p.m. peak hour. To address this operational issue, the TIA recommends, and staff has included a condition of approval to require, “Keep Clear” striping and a left-turn area of refuge to facilitate left turns. Under CEQA, this operational issue is not considered an adverse significant impact because the intersection does not meet thresholds for a “peak-hour volume signal warrant.”

Subdivision

The project includes a Preliminary Parcel Map to reconfigure the three existing parcels into three new lot configurations (including the future public park and development site), as shown on the subdivision materials (see Attachment 6). The existing parcels have different property owners, and the applicant is ground-leasing the property for development purposes. In addition to the public park parcel, the project will be constructed across the other two new parcels, subject to a Lot Tie Agreement linking the project parcels for purposes of the entitlement.

ENVIRONMENTAL REVIEW

EIR Process

EIRs provide information to local decision makers and the general public regarding the potential significant environmental impacts of a proposed project and how to mitigate them. The 555 East Evelyn Avenue Residential Project Draft EIR (see Attachment 8) provides the environmental review appropriate for the project in accordance with CEQA Guidelines. Prior to approving the 555 East Evelyn Avenue residential project, the City Council must decide whether to certify the EIR. According to CEQA Guidelines, certification consists of three separate steps. The Council must: (1) conclude the document has been completed in compliance with CEQA; (2) review and consider the information contained in the Final EIR prior to approving the project; and (3) confirm the Final EIR reflects Council’s independent judgment and analysis.

In accordance with CEQA Guidelines, a Notice of Preparation was circulated to the public and responsible agencies on April 13, 2018 for input regarding the analysis in the EIR. The Draft EIR was circulated for public review for a 45-day comment period, which commenced on October 12, 2018 and ended on November 26, 2018. Staff received five comment letters on the Draft EIR and has provided a response to these comments in the Final EIR (see Attachment 1).

Final EIR

Copies of the response to comments were made available to the public on March 13, 2019. The response to comments, packaged with the Draft EIR, comprises the Final EIR. The City received five written comment letters on the Draft EIR. A response to each comment is included in the Final EIR ([see Attachment 1](#)).

A letter was presented from Lozeau Drury, dated April 2, 2019. They indicated that they were representing several local unions and attached comments from an indoor air quality expert. Their consultant concluded that the project could expose future residents to significant impacts related to indoor air quality caused by the use of wood-based building materials and, in particular, emissions from the cancer-causing chemical formaldehyde. The Environmental Consultant, David J. Powers & Associates, who prepared the EIR for the project, reviewed the information presented by Lozeau Drury and concluded that the analysis of potential indoor air quality impacts caused by various wood-based building materials is not required under CEQA, and that there are adequate protections in place to require the use of safe building materials.

EIR Conclusion

The EIR includes project-level mitigation measures that will reduce all potential environmental impacts from the project to less-than-significant levels. The mitigation measures have been included as conditions of approval in the project in addition to their incorporation into the mitigation monitoring and reporting program.

FISCAL IMPACT

The subject site has a total assessed value of approximately \$10,938,476, and the City's share of property tax is approximately \$17,501.56 per year. If the site were developed as proposed, the City would receive approximately \$236,900 per year (net increase) for a total of approximately \$254,400.

As discussed earlier in this report, the project would provide \$22,722,844 (earlier than normal) as alternate mitigation for the applicable BMR requirement and approximately \$7.8 million in public benefit contributions.

Additionally, the project developer would be required to make a payment of \$17,184,000 as part of their Park Land dedication requirements, in addition to their proposed dedication of an approximately 0.68-acre future public park site.

CONCLUSION

The EPC and staff recommend approval of the proposed apartment project at 525, 531, 555, 565, 569, and 769 East Evelyn Avenue. The proposed project achieves General Plan goals; increases housing opportunities near the City's downtown without displacing existing residents; is sensitive to the existing lower-intensity residential uses that surround the site; complies with applicable development standards based on the proposed General Plan and Zoning Amendments; and will result in a development that has a high quality of livability, with both proposed private and public amenities.

The proposed subdivision, together with the provisions for its design and improvements, is consistent with the General Plan Land Use Designation of High-Density Residential; the R4 Zoning District, including all the requirements applicable to the property; and the Subdivision Map Act.

ALTERNATIVES

1. Do not certify the EIR, finding that it is not adequate (if this alternative is followed, the General Plan Amendment, Rezoning, and the project could not be approved).
2. Approve the project with modified conditions of approval.
3. Refer the project back to the EPC and/or the DRC for additional consideration of topics related any project component (e.g. the EIR, General Plan Amendment, etc.).

PUBLIC NOTICING

The City Council's agenda is advertised on Channel 26, and the agenda and this report appear on the City's website. All property owners and tenants within a 750' radius were noticed of this meeting.

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- Attachments:
1. Resolution Certifying the Project EIR, the Final EIR, CEQA Findings, and the Mitigation Monitoring and Reporting Program
 2. Resolution for the General Plan Amendment
 3. Ordinance Approving the Zoning Text Amendment
 4. Ordinance Approving the Zoning Map Amendment
 5. Resolution for a Planned Unit Development Permit, a Development Review Permit, and a Heritage Tree Removal permit with Conditions of Approval
 6. Resolution for a Vesting Preliminary Parcel Map with Conditions of Approval and Preliminary Parcel Map
 7. [Project Plans](#)
 8. [Draft EIR](#)
 9. [EPC Public Hearing Staff Report, April 2019](#)