

## RESPONSE TO COUNCIL QUESTIONS RE: 1/10/2023 CITY COUNCIL AGENDA

### **Agenda Item #: 3**

**Title:** Proposed Project: Adopt a Resolution for a: SPECIFIC PLAN AMENDMENT to modify Block 20 of the Downtown Specific Plan (DSP) to allow additional residential units and office square footage, and associated modifications to design guidelines and development standards; and GENERAL PLAN AMENDMENT to reflect increases in Projected Build-out in the Land Use and Transportation Element (LUTE). Location: 510 and 528 S. Mathilda Avenue (APNs:209-29-060 and 061) and 562 and 568 S. Mathilda Avenue (APNs:209-29-057 and 067)

Council Question: Why was 562 Mathilda removed from the historic resource inventory list in 2018?

Staff Response: The House was evaluated, at the request of the owner, to determine if the home had local historic significance. This was reviewed by the Heritage Preservation Commission in February 2018 (Report No. 18-0112). The home was evaluated by a consultant to see if it met any of the National, State, or the City's criteria for designation. The Home is an example of Spanish Colonial Revival but does not retain many of the typical features of this style. Based on the analysis and staff evaluation, it was determined that the home did not meet the need criteria and was removed from the City's Inventory list in 2018.

Council Question: Assuming that all developers in Block 20 were to use city and state density bonuses to the maximum allowable extent, how many units total would be permitted under the staff recommendation with current law?

Staff Response: This question is a little challenging to answer. It all depends on the proposed unit types and affordability range of the units. The more affordable units that are provided (number of units and affordability level) the higher the state density bonus that can be applied – up to 50%. In some cases, proximity to certain transit hubs allows projects up to 100% of the allowed density or even unlimited for 100% affordable projects. Developers would need to refine their proformas for each site to see what would make economic sense.

Staff made very basic assumptions using the City's 15% BMR requirement (5% for Very-Low Income households and 10% serving Low Income households) along with use of the current city Green Building Incentive (5% density bonus) and a 20% state density bonus. Table 3 in the Report to Planning Commission (Attachment 1 to the RTC, pasted below) demonstrates the additional units that could be achieved.

There is already one site built and has 15 units; the other two sites have a base maximum of 51 units. With a Green Building incentive (5%) and 50% state density bonus 80 units could be built on those two sites.

**Table 3 - Block 20 Potential Residential Densities Using Applicable Densities**

Site Address		Staff Recommendation					Example Uses of Density Increases	
		Land Use Designation	Land Area s.f.	% of Block 20	Comm. s.f.	Resid. Units	Total Residential Allocation	Staff Recommended Allocation + Green Building + Possible State Density Bonus
Taherni Site	510 S Mathilda <sup>2</sup>	Downtown Mixed-Use	14,309	12.8%	3,890	14	32	32+1+8 =41
Taherni Site	528 S Mathilda <sup>2</sup>	Downtown Mixed-Use	18,424	16.5%	5,009	18		
Former Silicon Sage								
	538-560 S Mathilda <sup>1</sup>	Downtown Mixed-Use	19,185	17.2%	5,216	19	19	15 <sup>1</sup>
Karimi Site	562 S Mathilda <sup>3</sup>	Downtown Mixed-Use	6,350	5.7%	1,726	6	19	19+1+6 =26
	566 S Mathilda <sup>3</sup>	Downtown Mixed-Use	12,749	11.4%	3,466	13		
Dental Office								
	TOTAL - Mixed-Use Land Uses		71,017	64%	19,307	70	70	86
	584 S Mathilda	Office	16,042	14.4%	4,361	0	-	-
Bank	598 S Mathilda	Office	24,569	22.0%	6,680	0	-	-
	TOTAL - Office Uses		40,611	36%	11,041	42		
Totals			111,628	100%	30,348	70		86

1. Site already built with 15 units. No redevelopment plans at this time.  
2. Based on 15% BMR, with 1 VLI unit and 3 low income (LI) units (23% density bonus).  
3. Based on 15% BMR, with 1 VLI unit and 1 LI unit (27.5% density bonus).

**Council Question:** On Attachment 5 (Draft Resolution) page 2/17 revised Figure 3-2, Why is the Jobs-to-housing units ratio increased from 1.44 to 1.55 (2014 to Horizon 2035)

**Staff Response:** Figure 3-2 in the Land Use and Transportation Element (LUTE) adopted in 2017 reflected the *actual* 2014 jobs housing ratio (1.44) and the *projected* jobs housing ratio for 2035 (1.73). Since 2017 the Downtown Specific Plan, Lawrence Station Area Plan (LSAP), and El Camino Real Specific Plan (ECRSP) have been updated or adopted resulting in an increase to total allowable housing units (an increase of about 7,100 units over the 2017 LUTE buildout). The increase in allowable housing units (along with a slight decrease in industrial/office/commercial development) has resulted in a decrease in the *projected* jobs/housing ratio to 1.55. Staff neglected to include an updated table with the ECRSP adoption.

**Council Question:** On Attachment 5 (Draft Resolution) page 2/17 revised Figure 3-2, Industrial/Office/Commercial (Million SF) increased by 25%, jobs increased 50%. Doesn't it mean more employees will be crammed?

**Staff Response:** Similar to the prior response, Figure 3-2 is comparing *actual* 2014 to projected 2035 *buildout*. In 2014 the actual industrial/office/commercial development on the ground was 47.3M square feet and the projected 2035 buildout was 59.8M square feet. The new projected buildout number is slightly less, 59.2M square feet (due to rounding this is the same number reflected in the

2021 updates). Most of the land use actions the City has taken since the early 1980s have resulted in a decreased jobs to housing ratio.

Below is an image of Figure 3-2 in the 2021 version of the Land Use and Transportation chapter of the General Plan

Figure 3-2: Comparison 2014 to Horizon 2035 + Approved General Plan Amendments (up to September 2021)		
	2014 Existing Conditions	Horizon 2035 Buildout + Approved General Plan Amendments (up to Sept. 2021)
Population	147,055	174,500
Housing Units	57,000	76,655
Industrial/Office/Commercial (million s.f.)	47.3	59.2
Jobs	82,000	123,010
Jobs-to-Housing Units Ratio	1.44	1.60

**Agenda Item #: 4**

**Title:** Approve the Preferred Concept Plan for the Community Center Grounds Renovation Project and Find the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines section 15262

Council Question: What is the approximate current annual water use for the community center? What is the estimated annual water use for the staff recommendation?

Staff Response: Detailed answers are difficult to obtain with our current metering setup, which includes the buildings and the orchard. Staff would need additional time to obtain the information. However, one of the goals of the project was to reduce the use of water on site. Several items help to reach that goal including reduction of the upper fountain by ponds by 50% and lower pond by 60% and reduction of the lawn areas by approximately 35%. The proposed changes in these design elements will provide a significant reduction in water usage.

Council Question: Can we take further steps to reduce the grass-pond interface within the staff recommended option in order to make the area less attractive to nuisance birds?

Staff Response: Additional efforts explored include: a physical barrier (fencing) at the pond edge, as well as a non-planted landscape buffer consisting of a 10-15ft wide mulch area between the lawn and pond edge. Both items were not included due to aesthetic and cost constraints.

Council Question: Is there anything that we can do with the proposed lower pond to make it less attractive to nuisance birds?

Staff Response: Verde Design consulted with recent publications including the Humane Society's publication *Solving Problems with Canada Geese: A Management Plan and Information Guide* (HSUS, 2019), and the *Integrated Goose Management Plan: Developed for City of Santa Clara Central Park* (Edelstein, 2020) which is a report from a Consulting Avian Biologist for the City of Santa Clara's Central Park pond. We gleaned some ideas from these during the design process and discussed them with Parks staff.

There are physical/design elements that have been explored are including a physical barrier (fencing) at the pond edge, as well as a non-planted landscape buffer consisting of a 10-15ft wide mulch area between the lawn and pond edge. Other options considered include maintenance of the lawn areas (reducing watering and/or mowing) to make them less attractive to geese, utilization of chemical deterrents, or utilization of dogs or birds of prey to deter geese.

Council Question: There is a LEGEND marked ED (education planting area/arboretum). Will these area be planted with native plants?

Staff Response: The design intent is for the area marked ED for educational planting area/arboretum to display a selection of both native and adaptive plantings that are suitable to the Bay Area's climate. Adaptive plantings are those that are not native to the area, but thrive in the environment without being harmful to existing native plants or wildlife.

Council Question: Goose mitigation measures look very good; are these measures validated by any authority? My concern is that if we miss some important deterrent measure, goose population might not be mitigated.

Staff Response: The goose mitigation measures are not validated by a specific authority or governing body. We conducted a biotic study with HT Harvey & Associates (Environmental Subconsultant) during the site analysis phase which looked at the existing goose presence/behaviors and potential affects during construction. The design team consulted with recent publications including the Humane Society's publication *Solving Problems with Canada Geese: A Management Plan and Information Guide* (HSUS, 2019), and the *Integrated Goose Management Plan: Developed for City of Santa Clara Central Park* (Edelstein, 2020) which is a report from a Consulting Avian Biologist for the City of Santa Clara's Central Park pond.

Council Question: Can we have an automated "pond scum" cleaning system in place? The main issue of the existing pond (especially lower pond) is that the scum is not removed.

Staff Response: An automated pond scum removal system is not within the current project budget. The proposed design utilizes both chemical (UV/ozone) and mechanical filtration (filters) methods to clean the water within the upper pond and lower fountain, which will reduce the ability for sediment to settle at the pond basin. Also, the smaller pond will make this easier and faster for staff to clean, which will also help keep the scum out of the pond.

Council Question: Please provide kids safety provisions near water areas #1, #2, and #6 of the preferred concept. When we organized events, that was the biggest concern

Staff Response: Improvements will meet all code requirements. The lower pond depth is 16-18", to match the existing pond depth.

Council Question: The project is covering "upgrades to existing pathway and parking lot lighting." Do the retrofits maintain the current mix of pedestrian and parking poles and just add LED lighting, or will any poles be replaced?

Staff Response: The current design shown in the preferred concept includes only replacement of existing light fixtures within the parking lot and pedestrian areas with LED fixtures (heads), and does not include replacement of these existing poles. The preferred concept does include an additional 47 new pedestrian light poles at the upper plaza and lower pond area.

Council Question: Is the upper plaza "grid of shade trees" going to have seating around them/underneath them? Benches or edge of planters being seating?

Staff Response: Yes, included are 8 new benches in the upper plaza beneath the shade trees, and 4 new benches along the upper pond for quiet seating areas, as requested by the community.

Council Question: Is the plan to retain or replace the "Sunnyvale Veterans Memorial" plaque at the upper fountain?

Staff Response: The plan is to retain and protect the "Sunnyvale Veterans Memorial" sculpture and plaque at the upper fountain and reorient it 90-degrees from its current orientation to align with the proposed shape of the upper fountain.

Council Question: Is the flagpole retained in the upper plaza design? I couldn't determine where it is in the plans.

Staff Response: A new flagpole is not shown on the concept plans, but the intent is to replace with a new one in the upper plaza. Costs for this have been accounted for.

Council Question: What is the health of our existing Heritage Oak? What is the tree's lifespan? Is there a need to create support for any of its longer branches to help reduce the chance of them breaking?

Staff Response: Verde Design conducted an arborist report with consulting arborists from Hortscience | Bartlett Consulting for the grounds as part of the tree assessment. The report noted that the tree is in good condition with good vigor and has a high suitability for preservation, and a low risk rating. Staff will consult the arborist to determine if any intervention is recommended as part of the improvements.

Council Question: Are the two new playgrounds "all-abilities"? Have we consulted with the Magical Bridge Foundation to make these playgrounds more "all-abilities"?

Staff Response: The design intent is to include inclusive elements at both play area locations (for ages 2-5 and at the play area for ages 5-12).

Council Question: What is the depth of the new lower pond? Does Staff think it will be easier to maintain (considering some of the algae/bird issues we have had in the past)?

Staff Response: Though design of the lower pond has not been finalized, the depth of the new lower pond will likely match that of the existing pond, at 16-18" in depth. Additional treatment measures are in place to reduce regular maintenance requirements including chemical (UV/ozone) and mechanical filtration in the pond design to improve cleanliness of the water by filtering out algae and bird excrement.

Council Question: Are there any specific plans to attempt to deal with the geese and ducks at the community center (during the construction phase where there will be no pond/fountain, as well as after completion of the renovations)?

Staff Response: No specific plans to attempt to deal with migratory waterfowl at the community center during construction have been prepared. Recommendations have been received from consulting biologist HT Harvey within their Biological Resources Report pertaining to construction best management practices to reduce the overall impact to wildlife that will be further explored during the construction document preparation process.

Council Question: If approved by Council, what would be the estimated construction schedule?

Staff Response: The estimated construction schedule will be from Spring 2024 to Fall 2025. We are anticipating approximately 16-18 months of construction.

Council Question: What is the feasibility of incorporating the following Xeriscaping concepts in the current Concept plans and if the current Concept plans need to be modified then how might these items impact the current Concept Plans in terms of cost and schedule?

- a. Replace the existing lawns with drought tolerant alternatives or the use of "...Xeriscaping — or designing a landscape that needs little irrigation to survive"[1]
- b. Cover shade areas for the picnic areas (13 as shown on the map)
- c. Cover shade areas for the recreation areas (11 as shown on the map)
- d. Some covered parking with solar panels and battery storage which could be used for power that could be used onsite lighting and excess power generated provided to the power utility company for others to use and cost savings.

Staff Response: Xeriscape elements and additional shading will result in additional costs to the project which are not currently within the established budget.

- a. Analysis of further removal of existing lawn areas was explored and, although xeric planting requires little to no irrigation to survive, it does require irrigation to become established. Cost impacts for turf removal and replacement with drought-tolerant landscape areas includes approximately \$6 per square foot (excluding contingencies). With 185,000 sf of total turf, the cost would be \$1.1 million. Some anticipated impact to the schedule would be anticipated, but cannot be determined at this time.
- b. Cost analysis of shade elements for the picnic areas were explored during the development of the conceptual design. The cost estimate for shade structures within picnic areas was \$110/sf. However, the design intent is to utilize the existing mature trees to provide shade for the picnic areas.
- c. Cost analysis of shade elements for the recreation areas were explored during the development of the conceptual design. The cost estimate for shade structures within the recreation/game areas was \$110/sf at a total cost of \$60,500 (excluding contingencies). No anticipated impact to the schedule would be anticipated.
- d. The project scope only calls for LED lighting improvements within the parking lot areas; no improvements to the parking were explored during the conceptual design. Note that the City received a grant and currently plans to install one Ev-Arc (solar collection for EV charging) on the Community Center grounds by Summer 2023.