



CITY COUNCIL STAFF REPORT

MEETING DATE: October 23, 2023

ITEM TITLE: Adopt Ordinance 1601 Approving the 841 Old County Road Project Planned Development Plan and Related Zoning Map Amendment to Rezone the Project Site from Heavy Industrial (IH) to Planned Development (PD) at 841 Old County Road (APNs 046-133-160, 046-134-050, 046-134-060, 046-135-010, 046-135-020, 046-135-030, 046-135-040, 046-182-100, 046-182-110, 046-182-150).

RECOMMENDATION:

The Planning and Transportation Commission and staff recommend that the City Council adopt Ordinance 1601 approving the 841 Old County Road Project ("Project") Planned Development Plan and related Zoning Map amendment to rezone the Project Site from Heavy Industrial (IH) to Planned Development (PD) at 841 Old County Road (APNs 046-133-160, 046-134-050, 046-134-060, 046-135-010, 046-135-020, 046-135-030, 046-135-040, 046-182-100, 046-182-110, 046-182-150).

FISCAL IMPLICATIONS:

The Applicant has paid the appropriate application fees and provided deposit funds to pay for expenses related to the environmental review and other reports and analyses associated with the Project. The Project will be required to pay building permit fees and City impact fees. City impact fees total over \$12.9 million and include commercial linkage (affordable housing), childcare, sewer and traffic fees. The development agreement includes community benefits, which are valued at \$7.69 million.

The proposed development will also benefit the City with increased property tax, increased sales tax revenue, and new job creation. The estimated increased revenue to the City is \$13.6 million over 20 years.

BACKGROUND:

The Planning and Transportation Commission, at its June 7, 2023 meeting conducted a public hearing and adopted Resolution PTC2023-11, recommending the City Council adopt the Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program and adopted Resolution PTC2023-12 recommending the City Council adopt the Ordinance to zone the site Planned Development (PD) Zoning, approve the associated Planned Development Plan, and adopt the Ordinance approving the development agreement. The Planning and Transportation Commission also approved the Design Review, Tentative Parcel Map, Transportation Demand Management Plan, and Grading and Dirt Haul Certificate subject to the approval of the Planned Development zoning.

The City Council heard the item at its August 28, 2023 meeting and continued the hearing, requesting that the developer expand its community benefit offer. At its October 9, 2023 meeting, the City Council conducted the public hearing and adopted Resolution 2023-125 approving the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan, introduced Ordinance 1601 to rezone the site from Heavy Industrial (IH) to Planned Development Zoning and approving the Planned Development Plan, and introduced Ordinance 1602 approving the development agreement as revised at the meeting.

ANALYSIS:

The Planned Development Ordinance authorizes a two new research and development buildings with underground parking at 841 Old County Road with the following development standards:

1. Height: Exceed the maximum height of 50' allowed the IH District. The applicant proposes the two new buildings, a four-story building at a height of 74'-6" to the roof parapet and 83' to the top of the mechanical screen and a five story building at a height of 90'-6" to the top of the roof parapet and 99' to the top of the mechanical screen.
2. Floor Area: Exceed the maximum site floor area ratio of 1.0. The applicant proposes total building square footage at 339,170 square feet resulting in a FAR of 2.28.
3. Setback: Reduce exterior side yard setback on the Commercial Street side from 5' to 2'-6" to accommodate street widening.
4. Use: All uses as allowed in the Heavy Industrial zoning district. All future tenants will be required to comply with the biosafety regulations in effect at the time a business registration or building permit is issued for tenant lab space.

Environmental Review.

The City Council adopted Resolution 2023-125 approving the Mitigated Negative Declaration and Mitigation Monitoring Plan prepared in accordance with CEQA guidelines. With implementation of the mitigation measures, the project will not result in a significant impact to the environment.

ALTERNATIVES:

The alternatives available to the City Council include:

1. Adopt Ordinance 1601 approving the 841 Old County Road Project Planned Development Plan and related Zoning Map amendment to rezone the Project Site from Heavy Industrial (IH) to Planned Development (PD) at 841 Old County Road (APNs 046-133-160, 046-134-050, 046-134-060, 046-135-010, 046-135-020, 046-135-030, 046-135-040, 046-182-100, 046-182-110, 046-182-150); or
2. Do not adopt the Ordinance; or
3. Provide staff with alternative direction.

Respectfully submitted by:

Al Savay, Community Development Director

Approved for submission by:

A handwritten signature in black ink, appearing to read 'J. Maltbie', is positioned above a horizontal line.

Jeff Maltbie, City Manager

ATTACHMENT(S):

1. Ordinance 1601 with Exhibit A – Zoning Map
 - Exhibit B to Ordinance - Planned Development Plans
 - Exhibit C to Ordinance - Findings