

**Complied Responses to Council Questions
City Council Regular Meeting- March 10, 2020**

➤ Item 3: Proposed Development at 444-450 First Street

Question: Have staff recalculated the amount of "soft" landscaping in the new drawings, given that the developer has apparently reduced the size of the front, street-level patios and redesigned the planters? If not, can they please do so for the meeting? (G-2)

Response: Staff estimates that approximately 64% of the front yard area (measured 10 feet from the front property line) is now softscape landscaping.

Question: How does the redesign of the garage entry/exit ramp affect any possibility of its use by the neighboring property? It seems that the entrance would require a pretty tight turn. (A-0)

Response: It is presumed that the neighboring property to the north may still be able to gain access to the ramp. As noted in the staff report, the revised ramp and circulation pattern in the first level of underground parking is more complex than the previous design. Sheet A-0 show a 30-foot radius (which is a standard template used for a turning radii of passenger vehicles) shown on the plans. Entering the garage will require more of an S-pattern at the bottom of the ramp to maneuver the drive aisle and will likely require using a portion of the other lane. Maneuvering into the first few spaces at the bottom of the ramp (delineated as accessible or EV spaces) might require multi-point turns.

It is unknown at this time how the underground garage space on the neighboring property would be designed at this time. Council should exercise caution when making statements that could be construed as "pre-judging" a project that is not before it.

Question: What are the "Fire Dept Aerial Access Roof Landing Pads" on A-5? I don't recall them from the prior plans. (A-5) Are they related to the drawing A-8 (top) with the note "Min. 20" wide level 4 "pop out"...." What are those?

Response: The Project architects collaborated with the Fire Department and came to an agreement that providing two points of access, a minimum of 20-foot wide on the fourth story would be adequate for aerial ladder access to the building, which is required for buildings taller than 30 feet in height. The original design had the entire fourth story stepped back more, but the recess was too deep for the fire ladder to reach; therefore, the building was redesigned to push out those two 20-foot sections to comply with the Fire Department.

Question: Given the significant change in finish and facing materials, please ask the developer to bring a substantial materials board/examples, especially the "Cast Stone Panels", Oyster stone, colors of stucco, and Windows framing (A-12a).

Response: The architect/applicant are bringing sample materials with them.

Question: A-16 seems to show a quite wide paved strip (3'?) between the parked cars and the sidewalk. What is that?

**Complied Responses to Council Questions
City Council Regular Meeting- March 10, 2020**

Response: The rendering is not accurate. On-street parallel parking will be directly adjacent to the curb.

Question: Staff report (p. 4, third bullet) indicates that the developer was informed no "planting wells" can be in the ROW; however, there are two options for "streetscape" on revised sheet L1.05 that are clearly in the ROW. Are those within the bounds of what staff would allow or not? If so, is there a reason to have them midway down the frontage rather than immediately adjacent to the garage entry? The latter would provide better exit visibility by effectively removing the adjacent parking space. Does staff otherwise have a recommendation regarding red-zoning that adjacent area?

Response: The Engineering Division has conditioned the project not to provide any landscaping in the public right-of-way, so neither option is acceptable.

Question: Does staff find the developer's offer to add sidewalks on two sections of Lyell to be credible and practical? Have the adjoining property owners been contacted about this idea?

Response: The applicant's letter discusses working with the City to provide sidewalk improvements along Lyell Street. Staff has discussed these improvements with the applicant and at this time, the improvements, if accepted by Council as part of the exception for public benefit, would be to install the sidewalk and new curb and gutter along the west side of Lyell Street between the alley and Second Street. A portion of that property is currently used for off-street parking (for the bank building) and is encroaching into the public right-of-way. The construction of the sidewalk which is already in the public right-of-way would require restriping of the parking lot, but would still allow the property owner to use it for parking. Based on the width of the parcel, no loss of parking should occur, but will need to be angled parking and a one way drive aisle. Although staff is not aware of discussions with adjoining property owners, the public street improvement should not require any further dedications by the property owner.

There is also a gap in the sidewalk on the east side of Lyell Street between First Street and the public alley. Similar to above, a portion of the off-street perpendicular parking for the adjacent parcel (hardware store) is encroaching into the public right-of-way. However, installation of the sidewalk at this location would eliminate the parking altogether which the parcel is already non-conforming to the required number of spaces for the current land use. Although the City has the right to install public street improvements within the public right-of-way, eliminating the off-street parking at this location may cause a greater parking disparity for the business and would not be recommended at this time, especially if the improvements on the west side of the street are completed.

Complied Responses to Council Questions
City Council Regular Meeting- March 10, 2020

The completion of a sidewalk on Lyell Street is a much needed improvement to close the gap in providing a safe and accessible pedestrian pathway between First Street and Second Street/San Antonio Road.

Question: If the developer is providing an additional 1 foot dedication to increase sidewalk width to 6 feet (and wants waivers and exceptions in return), why do the Conditions (item 45, page 14) say "Sidewalk shall have a minimum width of 5'...."?

Response: The developer is not dedicating the one-foot (this would be added to the public right-of-way), they are providing a one-foot pedestrian access easement. The standard public sidewalk width is still five feet for the Downtown Sidewalk standard details.

Question: With the new proposal for a stacked parking system, why have we not required battery backup? (and let's be sure to preclude diesel).

Response: There are no adopted criteria limiting the type of backup power supply and the building code allows battery or fuel backup – so long as the system complies with the requirements of the code. In the event a fuel powered generator is used, a condition can be included to require compliance with noise and emission standards and obtaining the required responsible agency permits.

Question: Comments/suggestions re: Resolution and Conditions

a. Resolution: p. 2, 7th Whereas on that page: "Whereas, on January 14, 2020 (add comma) and March 10, 2020, the City Council held (delete "a") duly noticed public meeting (add 's' for plural)

Response: Noted.

b. Conditions: p. 11 - 21.b. This item still refers to tandem parking, ,which no longer exists. It is not clear in any communication I saw from the developer how they plan to assign "owned" parking in the new scheme. We need new language here.

Response: Condition 21b should be eliminated since tandem parking is no longer proposed.

c. Conditions: p. 13 - 36. In the 7th line can we make it "neighborhoods and commercial businesses."

Response: As noted. I think a better condition would state:

The plan shall provide specific details with regard to how construction vehicle parking will be managed to minimize impacts on nearby commercial and residential properties.

Question: Could you please tell me how many waivers/bonuses should this project be allowed?

**Complied Responses to Council Questions
City Council Regular Meeting- March 10, 2020**

Response: With regards to incentives under State Density Bonus/City Affordable Housing Ordinance, the developer is eligible for one incentive. There is no restriction on the number of development waivers under State Density Bonus/City Affordable Housing Ordinance. There is no restriction on the number of exceptions that could be allowed under the exceptions for public benefits per the CD/R3 zoning district ordinance.

Question: What is the percentage of soft surface this project is providing, not counting the planter boxes in the street?

Response: See answer above.

Question: What is the criteria that lists, that the sidewalk is meeting to be counted as a public benefit?

Response: In the CD/R3 District, there are no specific items (except for the findings criteria) to determine what are acceptable public benefits. There is similar language in the CRS district, which additionally does provide some criteria. One of those items is:

“Create strong pedestrian linkages to the Civic Center and residential areas adjacent to downtown.”

Question: I have not received updated information regarding our concerns with the inadequate traffic assessment. Have there been additional assessments to address our concerns? If not, how can we get the information prior to approval of the building.

Response: Implementation Program C8 in the General Plan’s Circulation Element requires a transportation impact analysis (TIA) for projects that result in 50 or more net new daily trips. As outlined in the project’s traffic report prepared by Hexagon Transportation Consultants, the proposed project will generate 141 average daily trips as compared with the property’s existing uses, which primarily include office uses, that generate 97 average daily trips. Since the Project’s will result in a net increase of only 44 average daily trips, a full TIA was not required. However, in response to previous Complete Street Commission requests for studies with regards to cumulative impacts, the traffic analysis was completed by the applicant’s consultant, but also in consultation with City staff. The result of the study showed that there are no significant transportation impacts using Level of Service (LOS) as the standards to measure transportation impacts. There hasn’t been any factual evidence that the transportation analysis was incomplete or that the methodology was insufficient in making this determination. No transportation analysis was required per the General Plan Circulation Element and no further substantial evidence has been provided to suggest that the existing study was insufficient; therefore, staff concluded that no further information is necessary to make a determination that any potential impacts are less than significant.

Question: Can you clarify the criteria staff is using for the shared driveway?

**Complied Responses to Council Questions
City Council Regular Meeting- March 10, 2020**

Response: There is no specific criteria, although at this time it is not a shared driveway, only an option for a shared driveway.