



477 9th Avenue

Five Story Office/Residential Mixed-Use Building
(PA-2022-047)

Planning Commission Public Hearing
December 12, 2023

Linda Ly, Associate Planner
Community Development Department



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PROJECT BACKGROUND

Project History

Location

Project Description

Entitlements

Public Input

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- **Pre-Application**
 - SB 330 Preliminary Application Filed on January 14, 2022
 - Neighborhood Meeting – April 14, 2022
 - Study Session – May 24, 2022
- **Formal Planning Application**
 - Filed in July of 2022
 - Refined building design
 - Revised Density Bonus concession requests
 - Environmental review
 - Technical Studies: Air Quality, Traffic, Noise and Vibration

PROJECT BACKGROUND

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PROJECT BACKGROUND

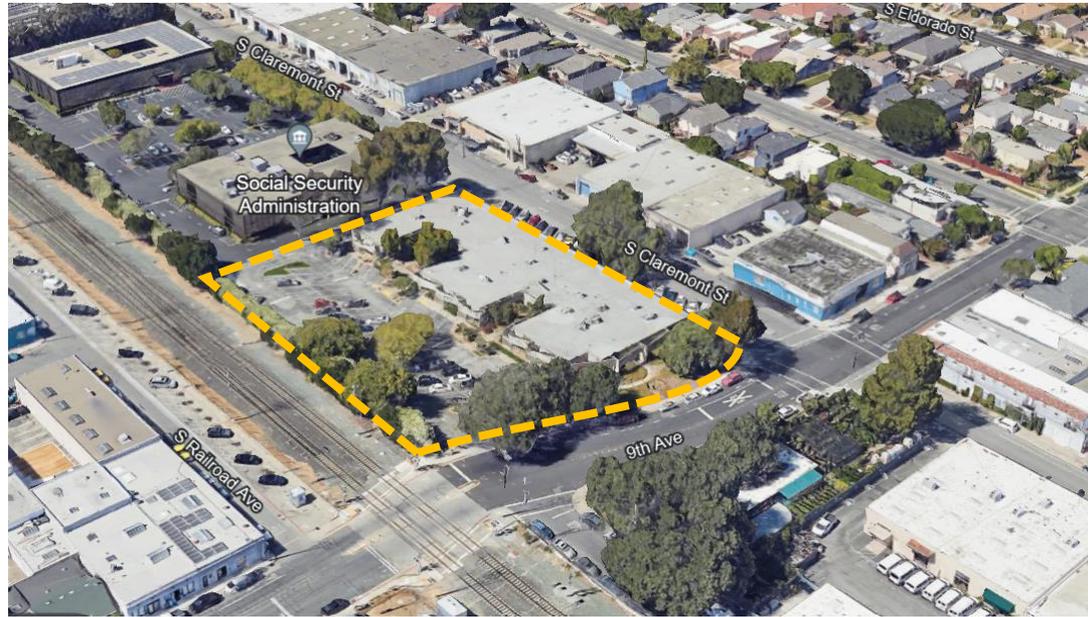
Project History

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- **Site Address: 477 9th Avenue**
 - One Parcel
 - 69,976 sq. ft. (1.6 Acre)
- General Plan: Executive Office
- E2-2 (Executive Office, 2.0 FAR)

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Existing Site: Office



East: Commercial, Service Uses



South: Commercial, Residential



West: Caltrain corridor, Downtown



North: Offices

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- 29,207 sq. ft. of Office Uses
- 120 Residential Units – 15% of base density or 12 Very Low-Income units
 - (24 studios, 64 one-bedroom, and 32 two-bedrooms)
- Five Stories, 53'-6" plate line height
- Total Floor Area: 209,204 sq. ft.

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Public Input

- **Special Use Permit (SUP)**
 - Residential Uses
- **Site Plan and Architectural Review (SPAR)**
 - Mixed-use building with office and residential uses
- **Site Development Planning Application (SDPA)**
 - Removal of 32 trees, including 7 Protected Trees
 - Replacement planting (11 street trees) and landscape unit in-lieu fee

PROJECT BACKGROUND

Project History

Location

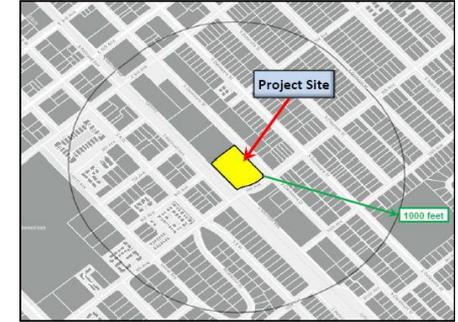
Project Description

Entitlements

Public Input

- **Public Noticing**

- 1,000 ft. radius
- On-site Placard
- Planning eNewsletter



- **Public Comments (received since June 2022)**

- Support for design and new housing
- Tree preservation and concerns of removal
- Sustainable construction practices
- More family-friendly development
- Parking
- Downtown development

- **Public Comments – Post Packet**

- (3) Comments received in support of project

CODE AND POLICY REVIEW

General Plan and Zoning Code

Local Plans

State Law

Affordable Housing

Design Review

Environmental Review

CODE AND POLICY REVIEW

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- General Plan Land Use – Executive Office
- E2-2 (Executive Office, 2.0 Floor Area Ratio)

	Proposed	Maximum
Floor Area Ratio	3.0	2.0 *
Residential Units	120 Units	80 Units *
Building Height (plate line)	53'-6"	55'-0"
Setbacks (on street frontage)	7'-6"	7'-6"
	Proposed	Minimum
Loading Space	1	1
Short Term Bike Parking	12	9
Long Term Bike Parking	132	131
Open Space (At-grade)	15% (10,486 sq. ft.)	20% * (13,995 sq. ft.) *

* Modified Via State Density Bonus Law

CODE AND POLICY REVIEW

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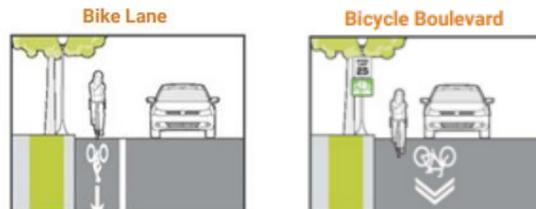
State Law

Affordable Housing

Design Review

Environmental Review

- **Downtown Area Plan**
 - South Claremont Sub-Area
- **Pedestrian Master Plan**
 - Overall Sidewalk Widths (less than 16 ft. min.):
 - 12'-0" to 14'-0" along 9th Ave.
 - 13'-10" to 24'-5" along S. Claremont St.
 - Meets Zoning Code setback requirements
 - Benches, planters, pedestrian lighting, public plaza
- **Bicycle Master Plan**
 - 9th Ave. – Class II Bike Lane (Existing)
 - S. Claremont St. – Class III Bicycle Boulevard



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Environmental Review

- **Housing Accountability Act**
- **Housing Crisis Act (Senate Bill 330)**
- **Assembly Bill (AB) 2097**
 - Removes minimum parking requirements for projects within one-half mile from major public transit stop
 - No longer requires payment of in-lieu fee or incentive request

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- **State Density Bonus Law**

Base Density	Density Bonus	Combined Density
80 Units (50 du/acre)	40 units (50% Bonus)	120 Units (75 du/acre)
% Affordable	12 units (15%) Very Low Income	

- One Waiver request to increase maximum FAR from 2.0 to 3.0
- Concession Requests: Reduce at-grade open space from 20% to 16% and increase maximum number of compact stalls from 40% to 50%
- Updated BMR Unit Mix: 2 Studios, 5 One-Bedrooms, 5 Two-Bedrooms

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Exterior Materials

- Cast Stone
- Cement Plaster
- Bronze and Metals
- Spanish Tile Art Elements
- “Terracotta” Concrete Roof Tile



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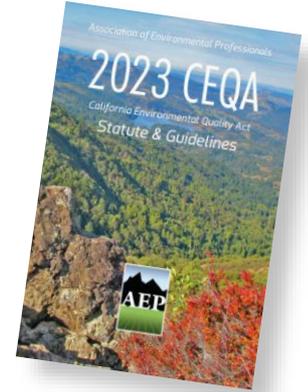
Affordable Housing

Design Review

Environmental Review

California Environmental Quality Act (CEQA)

- Categorically Exempt, pursuant to Section 15332, In-Fill Development Projects
- No significant effects with implementation of the Conditions of Approval:
 - Nesting Birds and Migratory Raptors
 - Construction Noise



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Transportation Impact Analysis (TIA)

- Vehicle Miles Traveled (VMT): No Impact
 - Meets Screening Criteria for projects in a High-Quality Transit Area (HQTa)
- Level of Service (LOS): No adverse effects

AM Peak Trips	PM Peak Trips	Net New Average Daily Trips
+ 43 Trips	+ 34 Trips	+ 489 Trips

- Does not cause significant impacts in Opening Year and Cumulative conditions for traffic volumes, including projects approved and pending (not yet approved) at the time of analysis

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Transportation Demand Management (TDM) Plan

- Required based on City/County Association of Governments (C/CAG) policy
- Minimum 25% reduction

Proposed TDM Measures – 28.5% Trip Reduction

- TDM Coordinator
- Informational packets for all residents and employees
- Bike lockers
- Annual subsidies for Caltrain and SamTrans passes

New Condition of Approval

The applicant shall identify the Below Market Rate (BMR) units on the floor plans on all building permit plans to demonstrate compliance with the City's BMR (Inclusionary) Program. BMR units shall:

- (A) Consist of two studios, five one-bedrooms, and five two-bedroom units.
- (B) Have exterior design and appearance compatible with and substantially the same as market rate units within the project, including landscaping;
- (C) Be distributed throughout the development project as approved by the City;
- (D) Have similar access to the unit from the exterior as market rate units;
- (E) Contain proportionately the same number of bedrooms as market rate units;
- (F) Generally be of comparable size to similar market rate units, or they may be up to 10% smaller than market units if they meet the following minimum sizes:
 - Studio Units - 450 square feet
 - One bedroom units - 600 square feet
 - Two bedroom units - 900 square feet
 - Three bedroom units - 1100 square feet
- (G) Have access to all on-site amenities; and
- (H) Interior unit amenities such as floor covering, appliance and other fixtures, shall be specified in the BMR agreement executed prior to issuance of building permit and may differ from market rate units.; and,
- (I) Have equal proportion of units with and without balconies as market rate units, if applicable.

STAFF RECOMMENDATION

Adopt a Resolution to approve the Special Use Permit, Site Plan and Architectural Review and Site Development Planning Application, and find that the project is Categorical Exempt from the California Environmental Quality Act pursuant to Section 15332 (In-Fill Development Projects), based on the Findings for Approval and subject to the Conditions of Approval, as amended.