

REPORT

To the Honorable Mayor and City Council
From the City Manager

February 5, 2007

Subject

Informational Briefing on the Downtown Precise Plan

Recommendation

Review for informational purposes – no action or decisions required at this time.

Background

The Downtown Precise Plan (“Plan”) has been under preparation for the last several years. During that time there have been numerous workshops, public hearings, meetings with downtown businesses, property owners, residents and other interested stakeholders. The result of this work is embodied in the *Draft Downtown Precise Plan*, prepared by Freedman Tung & Bottomley. The draft Plan was made accessible for public review and comment in the Fall of 2006. The purpose of this report is to brief the City Council on the status of the Plan, describe important actions and decisions that will be required of the Planning Commission and City Council over the next several months, and highlight issues and concerns that have come out of the public input, review, and comment process. The goal is to help the Council be well prepared to engage once the Planning Commission has completed their work and has forwarded recommendations to the Council.

The Downtown Precise Plan will become the City’s planning tool that will help guide development in the downtown over the next 10 to 15 years. The Plan is considered a “form-based” code. It focuses on the character and form of development through the use of architectural and urban design to create urban spaces and buildings instead of only regulating land uses. Unlike the current Zoning Ordinance, the Plan uses graphics, maps, and charts to illustrate planning rules and regulations. The Plan will replace the current zoning ordinance as it relates to the specified downtown area.

The Plan does not mandate or trigger changes to existing properties, or structures, nor does it require the City to purchase any existing property. The Plan only comes into effect in the case of new construction or significant modifications to properties (proposing an addition of more than 10% to a building’s area).

There have been four well attended public meetings and hearings on the Draft Plan and its accompanying Draft Environmental Impact Report (EIR) since it was formally released on September 15, 2006. These meetings together with the public outreach process are summarized in Attachment 1.

A draft EIR for the Plan has been prepared and circulated pursuant to the California Environmental Quality Act (CEQA). The Planning Commission will consider certification of the Final EIR on Feb. 6, 2007.

The Planning Commission will make its recommendations on the Plan to the City Council soon. A list of the issues, concerns and/or policy questions that the Commission will

consider (in addition to any further comments received Feb. 6) is included in Attachment 2. The Planning Commission and then the City Council will consider an appropriate build-out limit for the Plan area. The Draft Plan and the EIR describe a maximum intensity alternative, a moderate intensity alternative and an existing land use build-out alternative. These alternatives are outlined in Attachment 3.

There are several Plan area entitlements that need to be granted if the City Council decides to approve and implement the Plan. The Council may make modifications to the Plan as it considers the recommendations of the Planning Commission and takes the following actions:

1. Amend the General Plan Land Use Designation of the Downtown Precise Plan Area from "Mixed Uses" (Commercial and Residential); "Multi-Story Structures for Office and Retail Uses;" "Moderate and High Rise Residential Structures;" "Government;" and "Office Park Oriented Uses" to "Downtown Mixed Use" and "Downtown Mixed Use Expansion Blocks."
2. Amend the text of the General Plan to include two new land use designations, i.e. "Downtown Mixed Use" and "Downtown Mixed Use Expansion Blocks" and their associated definitions.
3. Rezone the Downtown Precise Plan Area from numerous retail and mixed-use residential zoning designations to Planned Community District ("P").
4. Select the most appropriate Maximum Allowable Development (MAD) Limitation for the Downtown Precise Plan area.
5. Approve the Draft Downtown Precise Plan with text and exhibit amendments as deemed appropriate.

A schedule of anticipated next steps is provided in Attachment 4.

Finally, progress is being made on other important public improvements related to the vision articulated in the Plan. These projects are listed in Attachment 5.

Alternatives

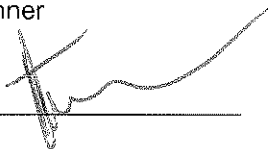
Alternatives for Council consideration will be provided at the point when Council is considering Plan approval.

Fiscal Impact

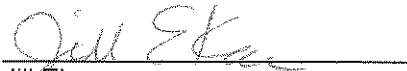
No fiscal impact will result from this informational briefing. Depending on the decisions of the Planning Commission and subsequent considerations of the City Council, staff will provide fiscal impact information.



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Attachments

1. Public Meetings and Outreach Process
2. List of Issues, Concerns, and Policy Questions
3. Potential Development Increments in the Downtown
4. A Schedule of Next Steps
5. Downtown Public Improvements

Attachment 1
Public Meetings and Outreach Process

- October 3, 2006: Planning Commission public workshop and formal unveiling of the Downtown Precise Plan (with City Council in audience)
- October 10, 2006: Panel discussion on Downtown Precise Plan issues
- November 14, 2006: Public comments on the Downtown Precise Plan and Draft EIR
- December 12, 2006: Public comments on the Downtown Precise Plan and Draft EIR

Over 3,000 flyers were sent to property owners and business tenants, not only in the Downtown Precise Plan area but also to those in the peripheral areas 300 ft. beyond the Plan boundaries. Special effort was also made to notify interested stakeholders, public agencies, and nearby neighborhood associations. E-mails were sent out to the City's e-mail newsletter list which includes approximately 1,400 members of the public who have subscribed. News releases went out to the City Boards, Committees, and Commissions for whom the City has e-mail addresses, to all media contacts, to neighborhood associations for whom the City has e-mail addresses, to city managers of other nearby cities, to a corporate list including the Chamber of Commerce, and to County and State elected officials.

Staff also offered two "tutorials" to familiarize the public with the Draft DPP (using specific projects as examples to "walk through" the Plan). Several architects and developers attended these sessions. Staff also contacted adjacent neighborhood groups (Centennial, Roosevelt and Stambaugh Heller) to offer a presentation of the Plan but they did not express any interest. Staff has also presented the plan in various forums, including the "Our Town Downtown" event on October 15th and various other venues such as the Chamber of Commerce Committee meetings.

Attachment 2 List of Issues, Concerns, and Policy Questions

Height:

- What should be the maximum height in the Downtown?
- What should be the appropriate transitional height along the Downtown edges (e.g. Brewster Avenue and El Camino)?
- How can the height limit respect the height of existing historic buildings?

Maximum Build-out

- What should be the maximum build-out of the downtown (maximum, moderate, or existing land use intensity)?

Shadows

- How does the Plan evaluate shadow impacts?

Affordable Housing

- What should be the right mix of affordable housing in the downtown?

Noise

- How will the plan address noises from new and existing uses?

Traffic/Pedestrian

- How can the City slow down traffic along Brewster Avenue, which, according to some neighborhood residents, will increase as a result of the Plan?
- Should there be parking permits required in the Centennial Neighborhood due to increased parking demand?
- How can the Plan provide a connection between Downtown and the Bayfront?
- How can the Plan keep pedestrians a priority?
- How can the Plan emphasize bicycle access in the Downtown?
- Can the City consider eliminating a new street required in the Downtown Plan?

Open Space/Redwood Creek

- How does the Plan make Redwood Creek an asset and promote daylighting of the creek?
- Should the Plan add more open space in the downtown?

Expansion Zones

- Should the City expand the Plan boundaries to include portions of Maple Street?

Uses

- Should the Plan limit the number of banks in the Downtown?
- Should the Plan include public art in the downtown?

Process

How can the review process of future downtown project be more “public”?

**Attachment 3
Potential Development Increments in the Downtown**

	Residential (Units)	Office (sq. ft.)	Retail (sq. ft.)	Industrial (sq. ft.)	Lodging (units)
Maximum Intensity Project	3,700	600,000	295,000	-95,000	200
Moderate Intensity Project	2,500	275,000	221,000	-95,000	200
Existing Land Use	3,300	921,000	275,000	-95,000	189

Attachment 4 A Schedule of Next Steps

Feb. 6, 2007

Planning Commission

- Considers Certification of Final EIR
- Initiate General Plan Amendment
- Recommend to City Council:
 - ◆ General Plan Amendment (Text and Land Use)
 - ◆ Zoning Map Amendment
 - ◆ Selection of Maximum Development Cap
 - ◆ Adoption of Precise Plan

Feb. 26

City Council

- Open a public hearing (may be continued if needed)
- Consider public comments
- Consider Planning Commission and staff recommendations
- Consider Statement of Overriding Considerations for Final EIR

Mar. 12

City Council

- Close the public hearing (if continued from 2/26)
- Council discussion / deliberation
- Take the following actions:
 1. Amend the General Plan Land Use Designation of the Downtown Precise Plan Area from "Mixed Uses" (Commercial and Residential); "Multi-Story Structures for Office and Retail Uses;" "Moderate and High Rise Residential Structures;" "Government;" and "Office Park Oriented Uses" to "Downtown Mixed Use" and "Downtown Mixed Use Expansion Blocks."
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 4. Select the most appropriate Maximum Allowable Development (MAD) Limitation for the Downtown Precise Plan area.
 5. Approve the Draft Downtown Precise Plan with text and exhibit amendments as deemed appropriate.

June 12

- Downtown Precise Plan takes effect (assumes 60 days following Council approval – actual effective date could vary)

The City Council will be asked to consider and act on additional implementation actions related to the Precise Plan. Staff expects most of those to be scheduled in the spring and summer of 2007.

Attachment 5
Downtown Public Improvements

1. Modifying an existing ordinance to guide and encourage “active” uses in Court House Square (the ordinance will be reviewed by City Council in February).
2. Completion of the Way-Finding Program for the Downtown which will include adding directional signage, maps and kiosks (to be completed by early Summer).
3. Installation of the new parking meters (underway and operational by mid February).
4. Construction of the Post Office Paseo which will provide better and more attractive pedestrian access from the parking area to the theatre (under construction).
5. Theatre Way II/Middlefield Road lanterns which will be installed in January and February. Other Streetscape improvements will be completed by early Summer.
6. Programming, promotion, and marketing of the Downtown (ongoing)
7. Active participation by City Council and staff in the Grand Boulevard Initiative for El Camino Real.
8. Active participation by City staff in regional studies related to track widening and transit oriented development around our CalTrain Station.
9. On-going discussions with developers and investors pertaining to development of high density housing in the downtown.