

CITY OF UNION CITY
AGENDA FOR THE REGULAR PLANNING COMMISSION MEETING
OF SEPTEMBER 2, 2010, 7:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
34009 ALVARADO-NILES ROAD, UNION CITY, CALIFORNIA

- I. **ROLL CALL:** Chairperson Gurnam (Gary) Singh, Vice-Chair Jo Ann Lew,
Commissioners Raymond Gonzales Jr., Lee Guio, Froilan (Roy) Panlilio
Alternates: Commissioner Angelo Artale
- II. **APPROVAL OF MINUTES:** Regular Planning Commission Minutes for August 19, 2010 will be provided for review and approval at the September 16, 2010 Planning Commission meeting.
- III. **ORAL COMMUNICATIONS:**
(This is an opportunity for persons to speak on items not listed on the agenda. According to the California Government code the commission is prohibited from taking any immediate action on an item which does not appear on the agenda.)
- IV. **WRITTEN COMMUNICATIONS:**
- V. **PUBLIC HEARINGS:** Next PC Res. #19-10
- A. **CONTINUED HEARINGS:** None.
- B. **NEW HEARINGS:** None.
- VI. **SUPPLEMENTAL STAFF REPORTS:**
- A. **CONTINUED REPORTS:** None.
- B. **NEW REPORTS:** Study Session for Station District 11th Street Mixed-Use Project (General Plan Amendment, AG-01-08; Zoning Text Amendment, AT-01-08; Use Permit, UP-03-08; and Site Development Review, SD-01-08) and review of the draft Environmental Impact Report
- VII. **REDEVELOPMENT AND ECONOMIC DEVELOPMENT REPORTS:** None.
- VIII. **COMMISSION MATTERS:**
- A. Follow-up on Planning Commission referrals to the City Council.
- B. Upcoming applications for the Regular Planning Commission meeting for September 16, 2010.
- IX. **GOOD OF THE ORDER:**
- X. **ADJOURNMENT:**

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the City Clerk's Counter at City Hall located at 34009 Alvarado-Niles Road, Union City, California, during normal business hours.



Agenda Item

DATE: SEPTEMBER 2, 2010

TO: PLANNING COMMISSION

FROM: JOAN MALLOY, ECONOMIC & COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: STUDY SESSION FOR STATION DISTRICT 11TH STREET MIXED-USE PROJECT (GENERAL PLAN AMENDMENT, AG-01-08; ZONING TEXT AMENDMENT, AT-01-08; USE PERMIT, UP-03-08; AND SITE DEVELOPMENT REVIEW, SD-01-08) AND REVIEW OF THE DRAFT EIR

Applicant: Barry Swenson Builder

Legal Owner: Union City Redevelopment Agency

Location: Station District, 11th Street, Blocks 2 and 3

APN: 087-0340-002-00 and 087-0340-003-00

Size of Parcel(s): 6 acres

GP Designation: Station Mixed-Use Commercial (CSMU)

Zoning: Station Mixed-Use Commercial (CSMU)

CEQA: A draft Environmental Impact Report (DEIR) was prepared for this project. A copy of the DEIR was distributed to the Planning Commission in the beginning of August. The public review period for the DEIR is from August 6 - September 20, 2010. Although verbal comments can be accepted at the meeting, formal comments from the public should also be submitted in writing to the City no later than the close of business on Monday, September 20, 2010 so that staff and the consultant may respond clearly in writing to any issues that may be raised. Please send comments to the attention of:
Carmela Campbell, Planning Manager
City of Union City Planning Division
34009 Alvarado-Niles Road, Union City, CA 94587
Comments may also be e-mailed to carmelac@unioncity.org or faxed to (510) 475-7318.



Figure 1.1

Source: Union City Transit-Oriented Development (TOO) Development Blocks 2,3&4. Design Guidelines, 2007.

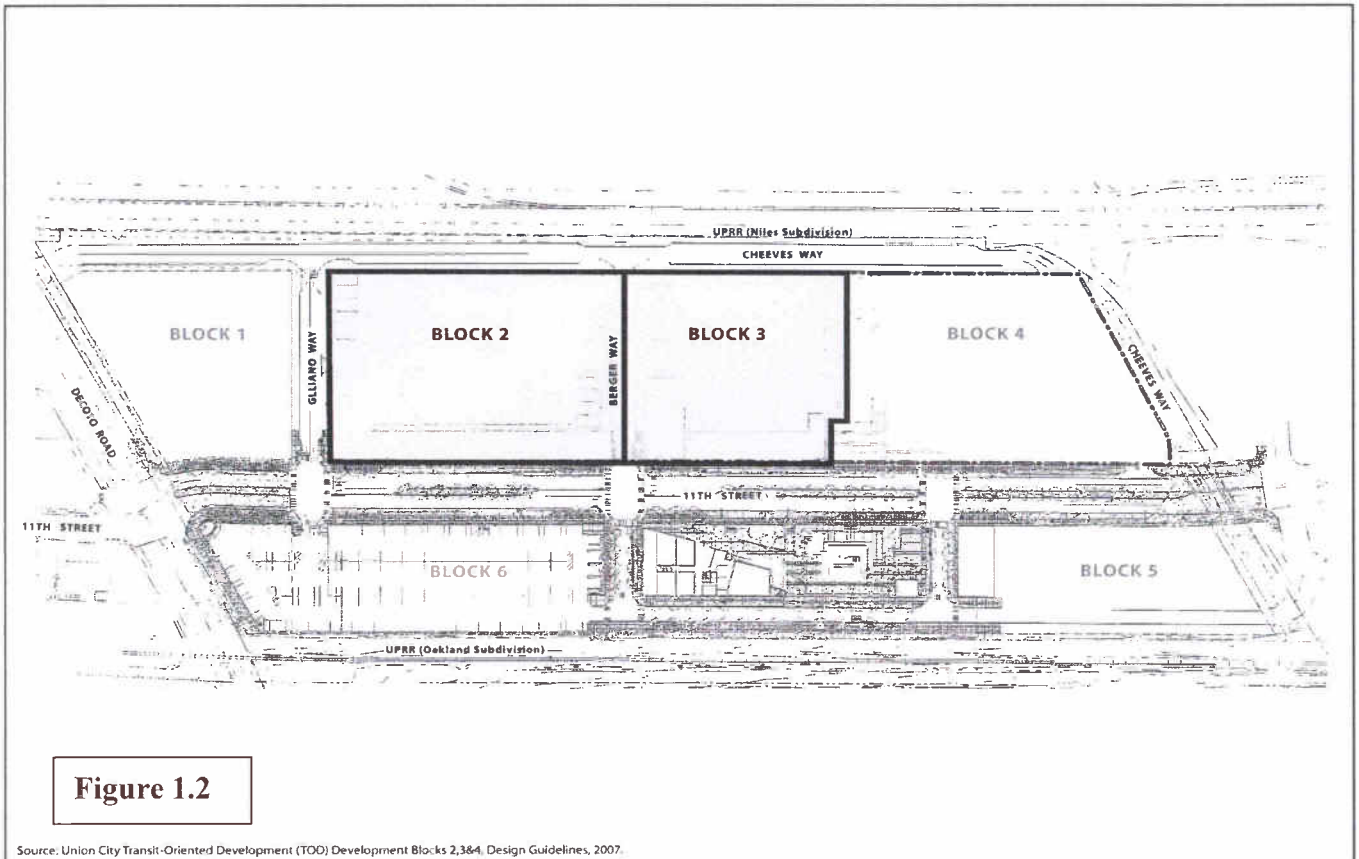


Figure 1.2

Source: Union City Transit-Oriented Development (TOO) Development Blocks 2,3&4. Design Guidelines, 2007.

Project Summary

The applicant, Barry Swenson Builder, is proposing development of Blocks 2 and 3 in the Intermodal Station District, which are located along 11th Street, east of the existing BART Station. See Figure 1.1 for an aerial map, which shows the project site.

The project includes up to 973 units of housing, up to 37,500 square feet of commercial/retail and 6,200 square feet of business condominiums in a range of building types from low- to mid- to high-rise.¹ The project will consist of a two-story podium that will house residential parking and will be wrapped with residential and commercial uses. The majority of the residential uses will be located on top of the podium in mid- to high-rise buildings including three strategically located towers. The project is proposed to be built out over the next twelve (12) years in two phases. Phase 1 will include development of Block 3 and Phase 2 includes the development of Block 2. A detailed breakdown of the phases is discussed later in the report.

See Attachment 1 for a planset showing the entire development (i.e. Blocks 2 and 3) and Attachment 2 for a more detailed planset for Phase 1 (i.e. Block 2).

The applicant has applied for a General Plan Amendment to increase the maximum density from 80 to 165 units per acre and update the required site area per dwelling unit to accommodate the project. The General Plan Amendment also includes a modification to Figure LU-3 to allow for residential mixed-use in addition to commercial uses (Attachment 3).

The applicant has also applied for a Zoning Text Amendment to incorporate the development standards listed in the Design Guidelines that were prepared for Blocks 2, 3 and 4 and to accommodate the project.

An application for Site Development Review has also been submitted to accommodate the proposed development on Block 3. In addition, a Use Permit application has been submitted for the development of a mixed-use, high-density residential project, as required by § 18.38.030 (B) of the Union City Municipal Code. The Use Permit will also address the reduction in the amount of required storage per residential unit (proposed modification to §18.38.250), the development of a building that exceeds 65 feet as required by § 18.38.140, a reduction to the setback along Cheeves Way per § 18.38.250, and the parking reduction allowed by § 18.28.110 related to the implementation of Transit Demand Management strategies.

A draft Environmental Impact Report (DEIR) was prepared for this project. A copy of the DEIR was distributed to the Planning Commission in the beginning of August. The public review period for the DEIR is from August 6 – September 20, 2010. The DEIR identified significant, unavoidable impacts within the resource areas of aesthetics, hazards and hazardous materials and traffic.

The purpose of this study session is to respond to questions and receive comments on the project and related DEIR from the Planning Commission and public. Please note that comments from the public regarding the DEIR should be submitted in writing to ensure that staff and the consultant may respond clearly in writing to any issues that may be raised. It is anticipated that public hearings for this item will occur on Thursday, October 14, 2010 (Planning Commission) and Tuesday, November 9, 2010 (City Council).

¹ For the purposes of this project description, buildings that are 1-3 stories are considered “low-rise”, buildings that are 4-7 stories are considered “mid-rise”, and buildings taller than 7 stories are considered “high-rise.” Note that the plans submitted for the project refer to “low” and “mid” rise units as defined above as “low-rise.”

STATION DISTRICT PLANNING EFFORTS

The project site is part of a larger area referred to as the Intermodal Station District (Station District). Planning for the Station District began with the adoption of the Decoto Industrial Park Study Area (DIPSA) Specific Plan in 1994, which identified the area around the BART Station for mixed-use, high-density development.

To further refine this vision, the City embarked on a collaborative planning process that culminated in the completion of the Intermodal Station District and Transit Facility Plan (Station District Plan) in June 2001. This plan identified a pedestrian-oriented, high-density downtown district adjacent to a future Intermodal Station. The Station District includes approximately 50 acres surrounding the BART station. It is comprised of a 29.84-acre site (formerly owned by Pacific Gas & Electric (PG&E) and now owned by the Union City Redevelopment Agency); the 14-acre BART property; and a 6-acre site that is owned by Avalon Bay Communities, Inc. and currently developed with 438 multi-family residential units.

The policy goals of the Station District Plan included the creation of a two-sided BART station and addition of a passenger rail station with direct transit connections to BART, Capitol Corridor, Altamont Commuter Express (ACE), Dumbarton Rail, Alameda-Contra Costa Transit District (AC Transit), and Union City Transit (local bus service). The underutilized and vacant lands surrounding the BART station were identified for high-density development that would provide retail services, jobs, and housing.

The planning efforts for the Station District Plan incorporated a technical advisory committee (TAC) that included BART, AC Transit, Capitol Corridor, SamTrans, VTA, elected officials, citizens, and funding partners. The TAC ensured that the Intermodal Station would support future regional transit plans and reinforce the community's vision to create a new city center. Public engagement was a strong component of the Station District planning process. During the 2002 General Plan update, relevant sections of the Station District Plan were incorporated in addition to policies and goals for the area.

Planning for the Station District has been evolving since development of the Station District Plan. To facilitate the successful marketing and development of the Station District, the former PG&E site was divided into seven blocks. In 2008, the City processed a tract map that created the individual blocks and identified the right-of-ways for future roadways. Blocks 3, and 4 were reserved for residential mixed-use. A pedestrian promenade was proposed between Blocks 3 and 4 and included business condominiums in addition to a freestanding retail building that could house a restaurant space. The pedestrian promenade was designed as a pedestrian amenity that also served as a view corridor to the nearby East Bay hills. Blocks 1, 2 and 6 were identified for high density office mixed-use. Lastly, Block 5 was reserved for parking and Block 7 was proposed to accommodate a public plaza, referred to as the East Plaza, which would function as an open space for the district and a gateway into the new east entrance of the Intermodal Station. For a layout of the blocks, see Figure 1.2.

The original land use plan for the Station District, analyzed in the 2002 EIR, included development of 630 dwelling units, 100,000 square feet of retail, 1.18 million square feet of office, and 2.85 acres of community open space and public facilities. Transit commuter parking facilities for 2,500 cars were also programmed for the area. The proposed project, along with the

recently constructed Avalon Bay project, would exceed the envisioned residential unit count for the Station District. However, the expected office development for the Station District will be reduced by approximately 300,000 square feet as a result of the increased land area devoted to residential uses.

For the past eight years, Union City and its Redevelopment Agency have worked diligently with funding partners, transit agencies, developers and property owners to implement the Station District Plan and the General Plan for the greater Station District area, which includes the former, contaminated Pacific State Steel Corporation (PSSC) site. Specific achievements for the area include:

- Causing the cleanup of over 120 acres of contaminated land (60 acres within ½ mile of the BART Station)
- Construction of 216 townhomes and 119 single-family residences on the former PSSC site
- Installation of utilities to accommodate high-density development
- Construction of infrastructure including roadways and pedestrian / bicycle infrastructure within the Station District
- Support of a 157-unit affordable housing development on Block 4 that will be constructed to a LEED gold standard
- Completion of the Line M channel project to transform a concrete-lined flood control channel into a new open space amenity within the Station District
- Completion of Design Guidelines for the residential portion of the Station District to assist developers in designing projects that further implement the vision identified in the General Plan

The City, in conjunction with BART, has also embarked on a rehabilitation and upgrade of the existing BART Station. Phase 1 of the BART renovation project is almost complete and included the reconfiguration of the west side of the BART station to expand capacity and accommodate Phase 2 of the BART renovations. Phase 1 also included a reconfiguration of the access and parking areas to better accommodate pedestrians, bicyclists and public transit. The City is currently in the planning stages for Phase 2 of the BART station, which includes the opening up of the east side of BART and installation of a free pass-through. The BART renovations are designed to accommodate a future passenger rail station that could serve Capital Corridor, Dumbarton Rail, and Altamont Commuter Express trains.

The Station District has been identified as a Priority Development Area for the region through the FOCUS program. FOCUS is a regional development and conservation strategy that promotes a more compact land use pattern for the Bay Area. It unites the efforts of four regional agencies, including the Association of Bay Area Governments (ABAG), into a single program that links land use and transportation. Priority Development Areas are typically characterized as complete, livable communities, located on in-fill sites that are served by transit, where amenities and services can be accommodated to meet the day-to-day needs of residents in a pedestrian-friendly environment.

SITE HISTORY

As stated previously, the project site is part of a larger 30-acre parcel that was once the site of a former PG&E corporation yard. Due to its strategic location adjacent to the BART station, the Redevelopment Agency (Agency) acquired the property in 2004 to implement the vision for the area identified in the 2002 General Plan of a compact, livable, transit- and pedestrian-oriented community and to provide access via 11th Street to the KB Home townhouses and single family units constructed on the former PSSC property.

As a condition of purchase, the former PG&E property was cleaned to residential standards and certified by the Department of Toxic Substances Control as suitable for all types of development including residential. PG&E also relocated a power line for the BART Station that went through the center of the property.

In 2007, Agency and planning staff issued a detailed RFP that provided an option for developers to submit proposals on the residential mixed-use blocks, or the office mixed-use blocks, as opposed to the entire 30-acre site. Three proposals were submitted to the Agency in response to the third RFP. Two of the developers submitted proposals without a retail component and submitted townhouse densities, which were lower than what the General Plan had envisioned for the area. Barry Swenson Builder (BSB) submitted a proposal for higher-density development on Blocks 2, 3, and 4 that included development of 1200 residential units and ground-floor commercial.

The Agency Board designated BSB the Master Developer for Blocks 2, 3, and 4. Staff and BSB negotiated a detailed Exclusive Negotiating Agreement (ENA) that identified all of the business terms of the transaction. The Agency Board entered into an ENA with BSB in 2007. The City and BSB then moved forward on the entitlement process including preparation of an Environmental Impact Report. A community open house was held in early 2007 at the New Haven Adult School in the Decoto neighborhood to share with the community the master plan proposal for the area.

BSB and the Agency jointly applied for a Transit Oriented Development grant from the Department of Housing and Community Development in 2008. The Agency received a \$7.6 million grant to pay for street, utilities, and the East Plaza construction. The grant was contingent on constructing a certain number of residential units within a certain time frame. Soon after the Agency received the grant, the housing market collapsed and Barry Swenson Builder was not able to proceed with its original development proposal. The Agency was faced with a decision to walk away from the \$7.6 million grant, or to work with the applicant to ensure that the project continued to move forward.

This resulted in the transfer of the development rights for Block 4 to Mid-Peninsula Housing Coalition (MPHC), an affordable housing developer. Originally, MPHC had agreed to partner with BSB to construct the affordable housing component of their project in phases on a portion of Block 4 and a portion of Block 2. However, it was decided to have MPHC move forward on development of all of the affordable housing on Block 4 as the first phase of the overall residential development plan for the Station District because MPHC had sources of funding that were not available to private, market-rate developers. MPHC received approvals in January

2009 for 157 affordable, residential units and 8,500 square feet of ground-floor retail along 11th Street. MPHC broke ground on the development in May 2010.

The restructuring of the project resulted in an Amended and Restated Exclusive Negotiating Agreement with BSB for Blocks 2 and 3 only. The project had to be redesigned and the scope of the EIR was modified. This delayed the project for over a year.

In 2009, the Agency, MPHC, and BSB applied for an Infill Infrastructure Grant to construct BART Phase 2. The Agency received \$15 million to construct the BART Phase 2 project that will provide direct pedestrian access from the MPHC development and the proposed BSB development to BART. This grant also included a requirement that a certain number of residential units be constructed within a certain time frame.

PROJECT DESCRIPTION / DEVELOPMENT PHASING / PROJECT APPLICATIONS

The following discussion provides a brief summary of the project description and development phasing strategy for Blocks 2 and 3, as well as an overview of the project applications. It is anticipated that construction will begin in 2012 and end by 2022. The following project description includes the maximum development that can be constructed on Blocks 2 and 3 and is consistent with the project description analyzed in the DEIR. The Use Permit that has been applied for, to accommodate the overall development plan for Blocks 2 and 3, is also consistent with the project description listed below. It should be noted that these amounts may be revised slightly between phases but the overall level of development for Blocks 2 and 3 cannot exceed the following levels:

- Up to 973 residential units
- Up to 37,500 square feet of retail space along 11th Street
- Up to 6,200 square feet of business condominiums along the proposed Pedestrian Promenade

Each block would accommodate one tower that would range in height from 10 - 16 stories, and would measure approximately 110 – 170 feet in height (including podium levels). On Block 3, this tower is proposed on the corner of 11th Street and Berger Way. On Block 2, the 10 - 16 story tower is proposed on the corner of 11th Street and Galliano Way. One additional tower is proposed on Block 2, on the corner of Cheeves Way and Berger Way, at the rear of the site near the Union Pacific railroad tracks. This tower is proposed to measure up to 24 stories (including podium levels) and would be located diagonally across Block 2 from the smaller tower. On both blocks, additional units would be located on top of the podium within mid-rise buildings that measure up to four-stories high. A few ground-level townhome units are also proposed along Berger Way and Galliano Way that would be directly accessed from the street. The proposed units will either be a for-rent or a for-sale product, or start out as for-rent and transition into a for-sale product.

The Station District is envisioned as a vibrant and pedestrian-friendly area with private development contributing to the enlivenment of the public environment. The retail-ready square footage along 11th Street assists in creating this active public-oriented space. This space has

been designed to accommodate both retail shopping and food establishments that include retail food outlets (i.e. frozen yogurt, cookies, etc.) and smaller restaurants, with an average depth of 50 feet. The sidewalk areas in front of these stalls have been designed to accommodate outdoor dining immediately adjacent to the building.

The business condominiums will be a for-sale product and will provide an opportunity for business owners who want to own their own space. The business condominiums are anticipated to accommodate commercial uses including retail and office. They will be located along the proposed Pedestrian Promenade between Blocks 3 and 4. The following paragraphs provide an overview of the phasing for the proposed development.

PHASING

Phase 1-Block 3 (EIR maximum buildout)

The first phase of development would be critical in establishing the image and identity for the project and in creating a sense of place. As such, the first phase of development would occur on Block 3, directly across 11th Street from the East Plaza to provide the spatial definition in sequence with its anticipated development. Construction of Phase 1 is anticipated to begin in June 2012 and finish in December 2016. It is anticipated that the first phase may include two sub-phases, described below. The following lists out the specific development components for Phase 1:

Phase 1 Summary

- Up to 331 residential units, including one tower and podium flats, located on top of the parking podium as well as townhomes along Berger Way and Galliano Way
 - 188 high-rise units
 - 143 mid-rise podium units and street-level townhomes
- Up to 15,200 square feet of retail space along the 11th Street frontage
- Up to 6,200 square feet of business condominiums along the Pedestrian Promenade
- Up to 537 parking stalls in a two-story podium

Phase 1A

- Up to 220 residential units, including one tower and mid-rise podium units
 - 188 high-rise units
 - 32 mid-rise podium units
- Up to 15,200 square feet of retail space
- Up to 4,000 square feet of business condominiums
- Up to 374 parking stalls

Phase 1B

- Up to 111 mid-rise podium units and street-level townhomes
- Up to 2,200 square feet of business condominiums
- Up to 163 parking stalls

Phase 2- Block 2 (EIR maximum buildout)

Development of Block 2 would be the second phase of construction and would follow the completion of Block 3. Construction of Phase 2 is anticipated to begin in December 2017 and finish in September 2022. Block 2 is currently developed with a parking lot that will serve the areas until the site develops. The following lists out the specific development components for Phase 2:

- Up to 642 residential units, including two towers, mid-rise podium units and street-level townhouses along Galliano Way
 - 345 one-bedroom units
 - 275 two-bedroom units
 - 22 three-bedroom units
- Construction of up to 22,120 square feet of retail space along 11th Street
- Up to 1,026 parking stalls

PROJECT APPLICATIONS

General Plan and Zoning Text Amendments

The applicant has applied for a General Plan Amendment (AG-01-08) to increase the maximum density from 80 to 165 units per acre and update the required site area per dwelling unit accordingly. The General Plan Amendment also includes a modification to Figure LU-3 to allow for residential mixed-use in addition to commercial uses. The former allowed density of 80-units per acre was consistent with the densities that were thought could be supported in a suburban community at the time the 2002 General Plan was approved. Since that time, there has been a push at the regional level to accommodate higher density development in areas that have access to public transit, as evidenced by the Station District's designation as a Priority Development Area. The proposed increase in density is consistent with the regional population projections for the Station District.

The Applicant has also applied for a Zoning Text Amendment (AT-01-08) to incorporate the development standards listed in the Design Guidelines that were prepared for Blocks 2, 3 and 4 and to accommodate the proposed project. These include the following changes to Chapter 18.38, *Station Mixed Use Commercial*:

- Increase maximum allowed residential density to be consistent with the revised General Plan wording
- Increase in allowed height from 8 to 14 stories and from 100 feet to 160 feet
- Include reference to Design Guidelines for Blocks 2,3 and 4 in Section 18.38.150
- Allow for glass fiber reinforced concrete (GFRC) with integral color as a building material
- Allow for flexibility in loading berths requirements for mixed-use developments and residential storage requirements

Use Permit

A Use Permit application has been submitted for the development of a mixed-use, high-density residential project on Blocks 2 and 3, as required by Section 18.38.030 (B) of the Union City Municipal Code. The Use Permit will also address the reduction in the amount of required

storage per residential unit (proposed modification to Section 18.38.250), the development of a building that exceeds 65 feet as required by Section 18.38.140, a decrease in the rear setback along Cheeves Way from 15 feet to 12 feet (as measured from face of curb), and the parking reduction allowed by Section 18.28.110 related to the implementation of Transit Demand Management strategies.

Site Development Review Application

The applicant has submitted an application for Site Development Review approval associated with Phase 1 only. The applicant is not seeking Site Development Review for Block 2, Phase 2. Site Development Review evaluates the architectural and site components of a project and must be completed prior to the applicant submitting for building permits. The plans submitted for Site Development Review approval detail a residential unit count and square footage amount for the retail area that are slightly less than what is being evaluated in the DEIR for Phase 1 and being approved through the Use Permit. These plans are attached to this staff report (Attachment 2). The applicant has stated that they would like to have the environmental analysis evaluate and the Use Permit allow for a slightly denser project to provide flexibility in the future to add additional units or commercial square footage without needing to amend the EIR or Use Permit approval. However, any modification to the Site Development Review approval would require review by the Planning Commission and approval by the City Council. The following provides an overview of the development proposal for Phase 1 as shown in Attachment 2, which is lower than the maximum unit counts studied in the DEIR:

Phase 1 Summary (SD-01-08)

- 274 residential units, including one tower
 - 159 high-rise units
 - 115 mid-rise podium units and street-level townhomes
- 14,515 square feet of retail space
- 5,075 square feet of business condominiums
- 403 parking stalls

Phase 1A (SD-01-08)

- 191 residential units, including one tower
 - 159 high-rise units
 - 32 mid-rise podium units
- 14,515 square feet of retail space
- 3,328 square feet of business condominiums
- 287 parking stalls

Phase 1B (SD-01-08)

- 83 mid-rise units and street-level townhomes
- 1,747 square feet of business condominiums
- 116 parking stalls

CONFORMANCE WITH DEVELOPMENT STANDARDS

Where applicable, the following analysis relies on the development standards listed in both the Design Guidelines prepared for the project site and Chapter 18.38, Station Mixed Use Commercial (CSMU), of the Zoning Ordinance. In some instances, the analysis only addresses Phase 1 of the development that will occur on Block 3, which is the subject of the Site Development Review application. This is mainly due to the level of detail that is required for a

Site Development Review application. Regarding the development on Block 2, since the applicant has not submitted a Site Development Review application, the City does not have the level of detail on the plans necessary to make a determination on conformance with certain development standards. However, a more comprehensive analysis will occur for Phase 2 when a Site Development Review application is submitted for development of Block 2, which will be reviewed by both the Planning Commission and City Council.

Setbacks:

	Design Guidelines Required Setbacks	Project Provides	Compliance	Zoning Code Required Setbacks	Project Provides	Compliance
Front Setback along 11 th Street	3 feet	3 feet	Yes	15 ft. from curb	15 feet min.	Yes
Side Yard Setback along Berger Way	8 feet	10 feet min.	Yes	15 ft. from curb	15 feet min.	Yes
Rear Setback along Cheeves Way	No Setback	No Setback	Yes	15 ft. from curb	12 feet min.	No*

*Applicant is applying for a reduction of the rear setback, through the Use Permit process, along Cheeves Way from 15 feet to 12 feet (as measured from the face of curb to the property line) per Section 18.38.250. This section allows the City Council to approve additional building height, reduce setbacks for projects, or vary from the design criteria established in Chapter 18.38; provided, that the development offers a high-quality architectural and pedestrian environment and amenities.

Building Height: Currently, Section 18.38.140, *Height of Structures*, stipulates a minimum of three (3) stories and a maximum height of eight (8) stories or 100 feet in height. In addition, any project higher than five (5) stories or 65 feet in height requires approval of a Use Permit. A Zoning Text Amendment has been applied for that increases the allowed height from eight (8) to 14 stories and from 100 feet to 160 feet, which will accommodate the tower on Block 3. The applicant has also applied for a Use Permit since the tower exceeds five stories.

The Use Permit also addresses approval of the high-density, residential, mixed-use development on Blocks 2 and 3, which includes two additional towers on Block 2. At this time, the applicant is not clear what the number of units or height of the towers will be but the EIR is analyzing a maximum height of 24 stories, which could be allowed per Section 18.38.250, *Review*. This

issue will be further addressed when the Site Development Review application for Phase 2 is submitted.

Residential Parking: Based on the plans included in Attachment 1 for Blocks 2 and 3, the project would include 1,430 parking stalls for residential uses and 133 guest stalls, which can be used to satisfy the residential parking demand for a total of 1,563 parking stalls. Based on parking demand data collected by the Institute of Transportation Engineers (ITE), the average peak parking demand for low- and mid-rise apartments/condominiums (2-10 stories) in a suburban setting is 1.2 vehicles parked per unit during the daily peak. Therefore, peak parking demand would be 1,168 parking stalls. Since it is generally advisable to provide an additional 5-10 percent “buffer” above peak demand to accommodate higher than anticipated guest or service (cleaning services, etc.) parking, a total of approximately 1,280 parking stalls would be recommended for the residential component of the project (based on typical ITE suburban rates).

With the proposed mix of residential and guest stalls, the project would satisfy peak parking demand based on ITE rates. It should also be noted that these rates are based on suburban settings that are not as well-served by public transit as the project site. As such, the project could expect reduced demand due to proximity to transit, linked trips, and internal trips; thus, actual parking demand generated by residences at the project site would likely be less than the ITE rates predict.

Although the project would meet the conservative ITE rates described above, the project would not meet the City’s parking standards for residential ownership units listed in Section 18.38.190, which are listed below.

- One and one-half (1-1/2) covered and enclosed parking stalls per each one (1) bedroom or studio unit.
- Two (2) covered and enclosed parking stalls per each unit with two (2) or more bedrooms.

The Zoning Ordinance also contains parking standards for rental units that requires 1.5 parking stalls for each unit irrespective of bedroom count. For purposes of this analysis, the residential parking standards for ownership units were utilized since they generate a higher parking demand.

The submitted plans for the entire development (Attachment 1) stipulate 524 one-bedroom units and (54 percent) 449 units with two or more bedrooms (46 percent), resulting in a parking demand of 1684 parking stalls. As stated previously, the submitted plans detail 1563 parking stalls being provided resulting in a parking shortage.

The plans submitted for the development on Block 3 (Attachment 2) also detail a parking demand of 471 parking stalls, based on the unit and bedroom counts. The applicant is providing a total of 406 parking stalls for Phase 1, which results in a shortage of 65 stalls. The applicant has applied for a parking reduction per Section 18.28.110, *Transportation demand management programs*, which allows for up to a 25 percent reduction in required parking demand in exchange for the incorporation of Transit Demand Management (TDM) strategies. The applicant is currently working on development of a TDM plan with their consultants that will be presented to the Planning Commission and City Council at the public hearings. It is anticipated that this

reduction can be supported based on the project site's location adjacent to public transit, which is an effective TDM strategy.

The submitted parking plan for Phase 1 details approximately 170 of the parking stalls as tandem spaces. These are reserved for the two and three bedrooms units. The City has not supported tandem stalls in the past, but understands the need for flexibility in parking configurations when considering podium-style, high density development (i.e. more than 75 units) projects.

The applicant is also proposing a stall and aisle width that is less than the City's standard. The City's standard for a parking stall width is 18 feet by 9 feet and an aisle width of 26 feet for stalls that are perpendicular. The submitted site plan for Phase 1 details a parking stall width of 17 feet by 8.5 feet and an aisle width of 24 feet. BSB indicated that they commonly utilize these standards in their developments in San Jose. Staff performed a site visit with BSB staff to one of their existing developments to evaluate the maneuverability, turning radius and back-up distance associated with the reduced standards. The site visit revealed that the parking stall size and aisle width were sufficient to accommodate the parking of larger vehicles, such as an SUV. Staff also took under advisement that a private, residential parking garage functions differently than a public garage. For example, stalls are assigned in a private, residential garage, which eliminates excessive automobile traffic associated with cars looking for parking. Also, the trip generation associated with a multi-family residential use is generally less than for commercial or office uses of a comparable size, which further reduces traffic within the garage. Based on the site visit as well as the fact that the garage would be private and serve the residents only, staff is in support of utilizing these reduced standards for the parking garage.

The submitted plans for Phase 1 indicate that the project will meet the motorcycle parking requirement of one stall per 25 residential units and the bicycle parking requirements of one bicycle parking facility for every three units, listed in Section 18.38.190. This analysis will be completed for Phase 2 when the Site Development Review application is submitted.

Commercial Parking: To satisfy parking demand generated by the proposed retail and commercial units, the City has committed to supplying public parking within the proposed development and has developed a comprehensive parking program for the area. The City has installed two parking lots along 11th Street that accommodate up to 689 stalls. The parking lot located adjacent to the rear of the BART station, includes 333 parking stalls. A portion of these parking stalls (approximately 179 stalls) were developed as BART replacement parking associated with the Union City BART Station renovation and will need to be maintained for an additional 14 years. The second parking lot is located on Block 2 and includes approximately 356 parking stalls. These parking lots are currently being utilized by BART patrons but there is currently observed excess capacity on the weekdays and week-ends. In addition, the City has purchased 117 public stalls within a garage associated with the approved MPHC 157-unit multi-family project, located on Block 4, that has began construction. It is anticipated that the garage will be operational prior to occupancy of the retail and commercial space within the project. Approximately 111 on-street parking stalls will be provided along 11th Street, Cheeves Way, Berger Way and Galliano Way, that will also be installed prior to the occupancy of the retail and commercial space. The parking stalls along 11th Street have already been installed. The City owns several additional blocks within the project area that can be utilized for surface parking, if necessary.

