



Planning Commission Agenda Correspondence

DATE: September 22, 2021

TO: Chair and Commissioners

FROM: John Rickenbach, Contract Planner
Tyler Corey, Deputy Community Development Director

SUBJECT: ITEM #4a – ARCH-0624-2020 (175 VENTURE DRIVE)

Staff has provided agenda correspondence to respond to questions from a Commissioner that relate to conditions associated with the original project approval as well as information related to project design and implementation.

- 1. I request that you send to Commissioners Vesting Tentative Tract Map 3089 and the accompanying Conditions of Approval (or a link to those items) in order for us to make an informed decision on the finding of project consistency with the Tentative Map.**

Staff Response: Condition 2 of the current resolution refers to the project's need to comply with previous conditions, including those related to the approval of VTTM 3089. A link to VTTM 3089 and these conditions is provided here to facilitate your review:

VTTM3089:

<https://www.slocity.org/home/showpublisheddocument/15847/636323520459170000>

Tract Conditions (Resolution No. 10832 (2017 Series):

<https://opengov.slocity.org/WebLink/DocView.aspx?id=68424&dbid=0&repo=CityClerk>

- 2. What is the average size of all the Pocket Cottages within Phases 1-3? The size information provided in the staff report and attachments appears to pertain only to Phase 1, where the average size looks to be about 1,420 square feet, which is larger than the 1,200 square feet specified in the Development Agreement.**

Staff Response: Although the agenda report called out the average size for the 131 Cluster Units in Phase 1 (1,990 SF), it did not specify the average size of the 48 proposed Pocket Cottage Units in Phase 1, which is 1,346 SF. The applicant has not indicated the average size of units for Phase 2 or 3, which would include up to 118 additional units (29 Pocket Cottage units in Phase 2; and 61 Cluster and 28 Pocket Cottage units in Phase 3). Although the floor plans in Phases 2 and 3 would be the same as those in Phase 1, the number and distribution of each within those phases has not been established. Please see PC Agenda Packet Pages 19 & 20 for average unit size analysis.

3. Regarding energy use as specified in the Development Agreement:

- a. There is a provision in the Development Agreement to provide solar energy for 100% of onsite electrical demand. Is this considered part of the "net zero" energy requirement that is proposed to be met in an alternative way as discussed in the staff report?**
- b. There is a provision in the Development Agreement to provide integrated power outlets for electric vehicles and bicycles. The project proposes "dedicated circuit for EV charger prewire." Can you explain if the intent of this Development Agreement provision is being satisfied?**

Staff Response to 3.a: The applicant's approach to energy provisions is considered consistent with the intent of Development Agreement Section 7.07. The energy discussion and analysis is included on Page 18 & 19 of the PC Agenda Package.

It is important to note that at the time the Development Agreement and Development Plan were approved, the City expected the 2019 energy code to provide "net zero energy" requirements. However, the California Energy Commission did not provide net zero energy requirements in the 2019 code, and instead made a pivot to value greenhouse gas emissions as a top priority and made changes to the energy code that allowed for all-electric new development. This pivot occurred in parallel with the City's commitments to deep reductions in greenhouse gas emissions, prioritizing the reduction in fossil fuels (including natural gas), and supporting the transition to all-electric buildings.

Given the shift in state code and City policy towards operational greenhouse gas emissions instead of net zero energy, the Community Development Director determined that the proposed project complies with section 7.07(ii-vi) and achieves the City's policy objectives in alignment with the intent of the Development Agreement and Development Plan, therefore satisfying section 7.07(i). First, the project is committed to all-electric units. This is a key commitment that ensures that as the electricity grid continues to be rapidly decarbonized, buildings in the project will achieve operational carbon neutrality.

Additionally, the project proposes rooftop solar system sizes beyond what would be minimally required by the California Energy Code. This is important because the additional solar will help offset energy costs associated with increased electricity use. In the cost effectiveness report presented to Council on September 3, 2019, staff provided evidence that increases in rooftop solar above the amount required by the 2019 Energy Code ensure that the building occupants pay roughly the same or lower energy costs than if they occupied a mixed fuel building of the same design.

One additional relevant note that is not included in the staff report is that the switch from mixed-fuel to all-electric will increase the onsite electricity load and therefore would have required solar installations beyond what was contemplated in the DA and DP and would likely not be feasible given site constraints. The proposed approach acknowledges this reality and provides a solution aligned with Council's sustainability policy.

Staff Response to 3.b: Section 7.07(b) of the DA notes that the project will provide sustainability features as described in the Development Plan, one of which is integrated power outlets for EVs and electric bicycles. At the same time, there is flexibility built into Section 8.06 of the DA that allows for approaches that meet the overall intent of the DA and Development Plan. As noted in the previous response, certain provisions related to energy in the Development Plan are now outdated because of the direction provide by the 2019 energy code. That said, the Planning Commission can consider requiring integrated power outlets as an additional condition to meet the intent of the DA.

4. Will development of Phases 1-3 include the specified number of affordable and workforce housing units on the lots that are specified in the Development Agreement?

Staff Response: Yes, affordable housing will be required in Phases 1-3 as specified in the DA. Prior to final map recordation, the applicant shall enter into an affordable housing agreement consistent with requirements of the DA. Ongoing compliance with this agreement will be verified by staff.

5. The proposed site plan does not appear to include any parks within Phases 1-3, but the Development Plan Phasing Plan (Fig. 9) includes 5 parks within Phases 1-3, and the Development Plan text states that 5 acres of parkland are to be developed with Phases 1-3. Please explain this apparent inconsistency.

Staff Response: The PC is being asked to review the site design associated with the R-2 product of the Development Plan. The Development Plan Phases 1-3 requires five parks with a total of 5 acres. The housing layout has been designed to provide for these required parks, which were reviewed by the PRC and included as part of the project approval by City Council. Please see sheet SP1.0 for the footprint locations of the parks. See Appendix B of the Development Plan linked below for specific park details.

<https://www.slocity.org/home/showpublisheddocument/15853/636323578265600000>