



Agenda Report

24-1522

Agenda Date: 1/31/2024

REPORT TO PLANNING COMMISSION

SUBJECT

Public Hearing. Rezone Request from MP Planned Industrial to HO-RD High Intensity Office / R&D for the Properties Located at 2421, 2431, 2441 and 2451 Mission College Boulevard

File No.: PLN23-00587

Applicant: The Sobrato Organization

Property Owner: SI 30, LLC and SI 34, LLC

General Plan: High Intensity Office / Research and Development (R&D)

Zoning: MP Planned Industrial

Site Area: 20.49 acres (APNs: 104-41-046; -045; -032)

Existing Site Conditions: The project site is developed with four, two and three-story office buildings, a surface parking lot, and perimeter landscaping.

Surrounding Land Uses:

North: Great America Amusement Park

East: San Tomas Aquino Creek and Trail

South: Office Uses

West: Office Uses and the Santa Clara Marriott Hotel

Issues: Consistency with the General Plan.

Staff Recommendation: Adopt a resolution recommending that the City Council approve the rezone from MP Planned Industrial to HO-RD High Intensity Office / R&D

BACKGROUND

On December 6, 2023, the applicant, The Sobrato Organization, representing the property owner, SI 30, LLC and SI 34, LLC, filed for a rezoning from MP Planned Industrial to High Intensity Office / R&D for their properties located at 2421, 2431, 2441 and 2451 Mission College Boulevard.

The subject site has a General Plan land use designation of High Intensity Office/Research & Development (R&D). The General Plan land use designation was applied to this site with the adoption of the City's current General Plan, the 2010-2035 General Plan. While with the adoption of this Plan, the City implemented new General Plan land use designations, it did not adopt corresponding conforming zoning districts.

On December 19, 2023, the City Council introduced an Ordinance amending Title 18 of the Santa Clara City Code to implement the Zoning Code Update. The Council adopted the Ordinance on January 9, 2024, with an effective date of February 8, 2024. This Ordinance created a new zoning designation, HO-RD - High-Intensity Office/R&D that directly corresponds to and conforms with the

High Intensity Office/R&D General Plan land use designation, which intends for high rise or campus like developments for corporate headquarters, offices, R&D, and supporting uses.

DISCUSSION

While the City Council has adopted the Zoning Code Update, it has not yet taken action to update the Zoning Map and apply the new zoning districts to properties where there is a current inconsistency between the General Plan land use designation and the zoning district, such as the subject site. This work is forthcoming and staff will bring the Zoning Map adoption forward for Planning Commission and City Council's consideration in Spring 2024. As part of the Zoning Map adoption process, this site will be proposed to be rezoned to the new Zoning District of HO-RD - High-Intensity Office/R&D, which conforms to the General Plan designation on the site. The applicant is currently working to re-tenant three of the buildings on the subject site for medical uses, which are permitted under the new HO-RD - High-Intensity Office/R&D zoning district and would like the new zoning district adopted expeditiously to support this immediate re-tenanting effort. As such the applicant has proposed to proactively rezone the property to the HO-RD zoning district, rather than wait for the Zoning Map adoption process.

The proposed Rezoning is not only consistent with the site's General Plan land use designation, but also with the following General Plan Policies as discussed below:

Office and Industrial Land Use Policies

5.3.5 P1 Work with existing Santa Clara businesses to retain and expand employment opportunities and strengthen the existing tax base.

The rezoning will allow for the existing vacant office buildings be re-tenanted consistent with the site's land use designation, thereby increasing employment opportunities in Santa Clara.

5.3.5 P5 Allow the development of Office/Research and Development uses in varied configurations and intensities to meet the needs of existing and new businesses.

The rezoning will meet the needs of a new business, which is consistent with the site's land use designation.

5.3.5 P16 Protect the industrial land use designations from incompatible uses in order to maintain the City's strong fiscal health and quality services that are supported by new businesses and technologies and retention of well established existing businesses.

The rezoning will support and allow for a new business in an existing vacant office building.

As discussed above, the proposed Rezoning is consistent with the subject site's General Plan land use designation and General Plan policies; therefore, staff recommends that the Planning Commission recommend approval of the rezone to the City Council.

ENVIRONMENTAL REVIEW

On December 19, 2023, the City Council adopted an Addendum to the 2010-2035 General Plan Environmental Impact Report (EIR), which concluded that the adoption and implementation of the

Zoning Code, including corresponding zone changes such as the proposed Project, fell within the scope of the previous EIR and would not require major revisions to the previous EIR; that there is no substantial change in circumstances as that would cause new or substantially more severe significant impacts from what was considered in the previous EIR; and that there is no new information of substantial importance that identifies new or more intense significant impacts than those identified in the previous EIR. The Project will rezone the property, consistent with the December 19 Addendum, in order to change the use for an existing office building in an established Office/R&D area with no construction.

FISCAL IMPACT

There is no fiscal impact to the City for processing the requested application other than administrative time and expense typically covered by processing fees paid by the applicant.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

On January 18, 2024, a notice of public hearing was mailed to property owners within 300 feet of the project site. A notice of public hearing was also published in the Weekly, a newspaper of general circulation in the City, on January 18, 2024, for the January 31, 2024 Planning Commission meeting. As of the writing of this report, planning staff has not received public comments for this application.

RECOMMENDATION

1. Determine that the project falls within the scope of the December 19, 2023 Addendum to the General Plan EIR.
2. Adopt a resolution recommending the City Council approve a Rezone from MP Planned Industrial to HO-RD High Intensity Office / R&D.

Prepared by: Lesley Xavier, Planning Manager

Reviewed by: Alexander Abbe, Assistant City Attorney

Approved by: Reena Brilliot, Acting Director, Community Development Department

ATTACHMENTS

1. Resolution Recommending City Council Approval of the Rezoning