



**CITY OF ALHAMBRA
AGENDA REPORT**

CITY MANAGER APPROVAL:

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DATE: April 13, 2021

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Marc Castagnola, AICP, Director of Community Development

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SUBJECT: CONTINUED PUBLIC HEARING FOR THE VILLAGES AT THE ALHAMBRA DEVELOPMENT AGREEMENT – CITY COUNCIL SUBCOMMITTEE REPORT

RECOMMENDATION:

It is recommended that the City Council:

- 1) Continue to receive public testimony concerning the City Council Subcommittee negotiated terms for the Villages at the Alhambra project Development Agreement; and,
- 2) Direct staff as appropriate based upon Council's further discussion of the project; and,
- 3) Continue the hearing to a date certain to allow Staff time to implement any direction provided by the Council and/or to allow the applicant to submit additional CEQA and other information

BACKGROUND:

On February 4, 2021, the City Council considered the application by the Ratkovich Company for the Villages at the Alhambra project, comprised of a total of 839 residential units, including 294 condominiums and 545 apartments units.

During discussion of the item, the City Council appointed a sub-committee of Councilmembers Adele Andrade-Stadler and Ross Maza to represent the Council's concerns with the project and negotiate a compromise for the project Development Agreement.

The Council Subcommittee met on a weekly basis for five substantial discussions on:

- February 10, 2021
- February 22, 2021
- March 1, 2021
- March 8, 2021; and,
- March 16, 2021.

On March 22, 2021, the City Council initiated discussion and continued the public hearing to the April 13, 2021 due to time constraints.

SUB-COMMITTEE OUTCOME:

At the conclusion of the meetings, the Council sub-committee reached a number of Development Agreement terms with the goal of providing community benefits as follows:

- A. Development Agreement Terms:

1. The total number of residential units will be reduced to 775 units comprised of:
 - o 230 condominiums for-sale units; and,
 - o 545 rental apartment units, including:
 - 75 rental apartment affordable units at the Moderate Area Median Income level (13.76% of total rental units).
2. A community benefit payment of \$1.5 M to be dispensed at the Council's discretion.

B. Additional Community Benefits:

1. Project Density: The site currently allows residential development as part of the overall site mixed land use with offices up to a maximum density of 75 units to the acre, or 2,877 units on the entire 38.37 acres site (including the existing office part of the site). The original project submitted to the Planning Commission had a total of 1,061 units for a density of 27.7 units to the acre and the following project presented to the City Council on February 8, had a total of 839 units, with a density of 21.9 units to the acre. Following negotiation, the total number of units was further reduced to 775 units, resulting in a density of 20.2 units to the acre. A to-be-determined number of the for-sale units would also be made available for sale to the City in first priority for potential additional affordable units.
2. Open Space: while the project is significantly reduced from its original residential count, it will maintain the original 16 acres of open space. Ten (10) acres were originally required under the first submission. The open space will be accessible to all Alhambra residents and the community room and amenities will also be available to all Alhambra residents albeit through a reservation system.
3. Trees: All existing trees currently on the property that may need to be removed for the project will be offered to the City for relocation to other locations.
4. Traffic: As a result of the reduction of residential units and the State mandate to analyze the environmental impact of traffic based on the Vehicle Miles Traveled (VMT) methodology, no significant impacts can be identified. However, the Ratkovich Company is still committed to provide two new intersections and pedestrian improvements as follows:
 - a) New signalized intersection with pedestrian crosswalks at Orange Street and Date Avenue; and,
 - b) New signalized intersection with pedestrian crosswalk at Date Avenue and Mission Road.
5. Air Quality: Because of the reduction in the number of units, air quality temporary impact resulting from construction will be reduced. Further reduction is also anticipated by a modification of the construction schedule. The Ratkovich Company is currently studying a construction schedule to eliminate all temporary air quality significant impact.
6. Soil contamination mitigation: Following concerns of potential vapor contamination, the Ratkovitch Company will:
 - a) Install a vapor barrier under the Corner Plan residential building;
 - b) Provide for a concrete cap under the East Plan parking structure; and,
 - c) Provide pre-occupancy air quality testing on the Corner Plan residential units.
 - d) In addition, the Ratkovich Company will be providing the City with an indemnity for future potential risks.

CEQA UPDATE:

As originally proposed, the 1061 unit project resulted in two significant, un-mitigatable environmental impacts—one for traffic, based upon a traffic congestion LOS (level of service) analysis and one for temporary air quality impacts due to construction activity for the project.

In response to comments during the Planning Commission process, the applicant reduced their project to 839 units and submitted a VMT (vehicle miles traveled) traffic analysis. That analysis has been peer-reviewed by the City's environmental consultant (Dudek) and the analysis and peer-review comments are now posted on the City's website. SB 743 requires the use of VMT analysis for traffic impacts as of July 1, 2020. This project was submitted to the City and the Draft EIR was prepared prior to that date, therefore the EIR study was based on an LOS analysis. The applicant is now requesting that the VMT traffic analysis be substituted for the LOS analysis. That analysis shows no significant unavoidable traffic impacts for the 839 unit project based on VMT. Notwithstanding that analysis, the applicant has indicated they still plan to undertake the two traffic signal mitigations identified for the project in the EIR.

In terms of the LOS analysis, the City's general plan states that even though SB 743 requires the City to use VMT analysis for purposes of CEQA impact studies, the "City can, however, continue to use LOS standards to ensure reasonable flow of vehicular traffic" and the general plan contains policies and standards regarding acceptable LOS on City streets. Violation of the LOS standards may make the project inconsistent with the general plan. That in turn could allow the City to require measures to address the inconsistency, through conditions adopted as part of project approval. Any such conditions must be related to the LOS inconsistency being caused, proportional to the extent of inconsistency, and feasible for the applicant to implement. As currently drafted, the EIR studied the 1061 unit project and indicates there may be a general plan inconsistency with the project. No LOS analysis of an 839 unit project has been provided by the applicant to determine whether that issue remains.

Finally, in terms of construction-related air quality impacts, the applicant has indicated to staff that they believe they can reduce the air quality impacts below a significant impact by revising the construction phasing. They have not yet submitted revised phasing, or any technical information/studies to demonstrate the extent of reduced impacts. Once submitted, such information should be peer-reviewed by City staff and consultants.