



Planning Commission Staff Report

September 10, 2008
Item 8.b.

SUBJECT: Actions of the City Council, September 16, 2008

Actions of the Zoning Administrator

Council accepted the report.

PUD-62/PGPA-13, Windstar Communities

Consider applications for General Plan Amendment and Planned Unit Development (PUD) rezoning and development plan approval to construct a mixed-use, high-density residential/commercial development located at 6110 Stoneridge Mall Road. The current zoning for the property is PUD-C-O (Planned Unit Development – Commercial-Office) District.

Also approve the Negative Declaration prepared for the project.

Action recommended: Approval.

Action taken: Approved per staff, with the following modifications:

- (1) Condition No. 5: Include language that the project shall comply with the City's Growth Management Ordinance.
- (2) Condition No. 15: Delete, and replace with language that BART, the applicant, CalTrans, and/or other entities will develop a parking plan which mitigates the impact of the potential flyover to a level that retains all vehicles within the property; the plan is to be developed and funded if the final flyover design impacts the development.
- (3) Condition No. 60: Modify to indicate that the developer shall strive to recycle at least 75%, rather than 50% of the job site construction and demolition waste.
- (4) New condition: In addition to the 70 units for very-low-income households, the developer will attempt to secure affordable housing within the moderate-income category/
- (5) New condition: Upon completion of the 93-year ground lease, BART, the applicant, or its successors shall renegotiate the project's affordable housing requirements if it remains a rental or owner-occupied housing development.
- (6) New condition: The developer shall consult with the City's Landscape Architect to ensure that the landscaping is consistent with existing Stoneridge Mall Road properties and designed to minimize the project's visual impacts.
- (7) New condition: Work with City staff to try and develop a play area that maximizes square footage.

Vote: 4-1 (Sullivan voted no).