



Item 6.a
Development Agreement – Windflower - Block 2
DA-22-001
March 8, 2022



| Property Information

Applicant:	Windflower Properties, LLC
Owner:	City of Union City
Location:	34302 11 th Street
General Plan:	Station Mixed-Use Commercial (CSMU)
Zoning:	Station Mixed-Use Commercial (CSMU)
Lot Size:	3.5 acres

| Vicinity Map





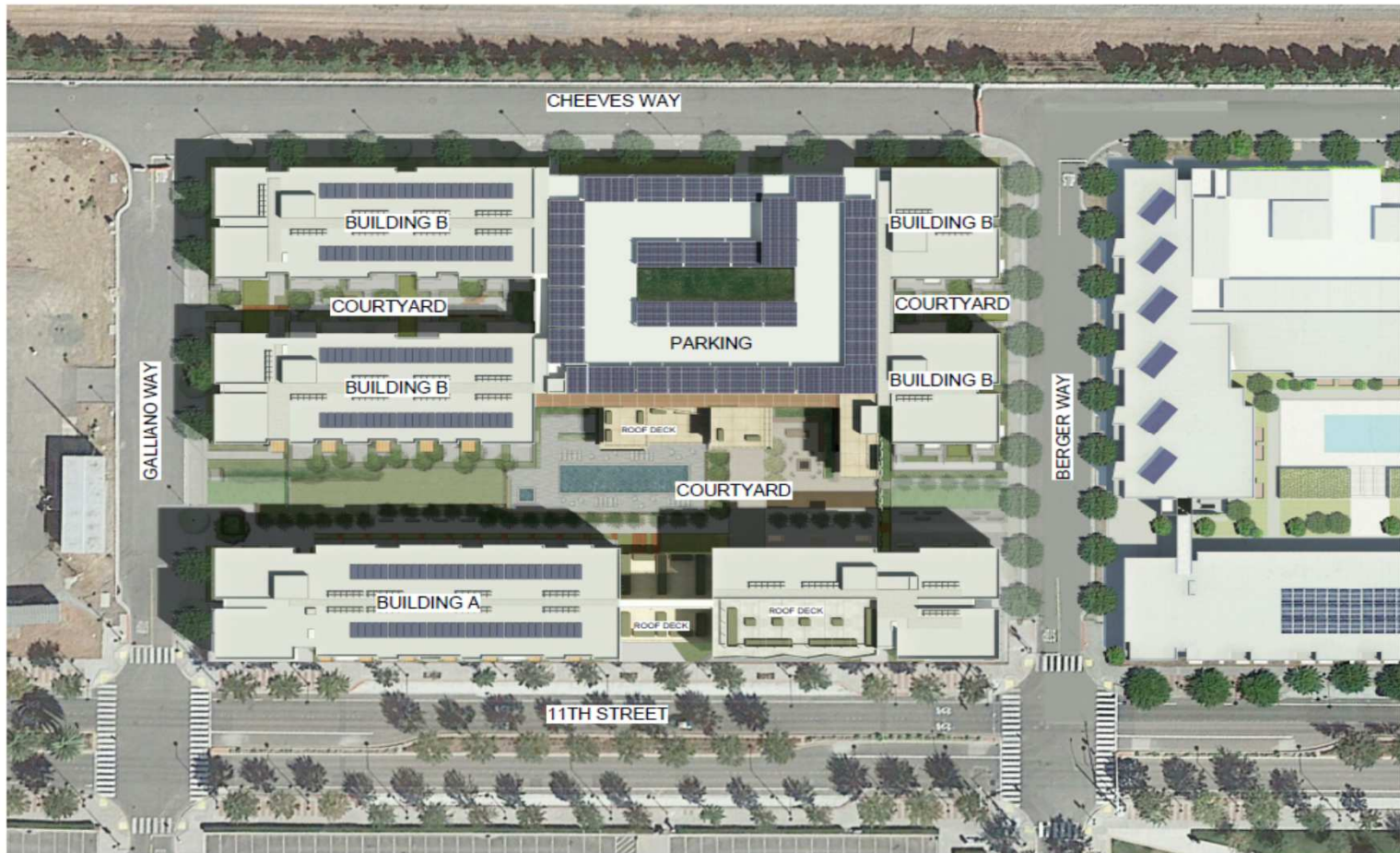
| Windflower - Block 2 Approvals

- Site Development Review (SD-14-003)
 - Development of 443 market-rate, multi-family dwelling units
 - Six-level parking structure with 460 parking spaces
 - 5,088 square-feet of ground-floor retail space
 - Public and private courtyards and site amenities.
- Use Permit (UP-14-006)
 - Mixed-use development within the CSMU zoning district
 - High-density residential units and live/work units
 - Height > 65 feet
 - Modify existing storage requirements
- Disposition and Development Agreement

| 11th Street Project Elevation



| Site Plan





| Anticipated Request to Modify Project Approvals

- Potential modifications include:
 - Relocation of certain amenities within the site;
 - Reconfiguration of parking facilities;
 - Reduction in height of certain buildings;
 - Modification to the scope of on-site parking and storage;
 - Change to ground-floor uses; and
 - Change to unit types and the total number of residential units
- Applicant has showed some concept drawings to staff but has not submitted an application for the modifications



| Development Agreement (DA)

- Voluntary agreements commonly used for major projects that will be phased over multiple years to provide some degree of certainty to the applicant regarding the policies, regulations, and fees applied to the applicant in return for benefits to the City
- Vests land use approvals for a specific period normally beyond what is allowed in the UCMC
- DA procedures and requirements codified in UCMC Chapter 18.104
 - DAs are adopted by ordinance and are subject to a second reading



| Draft DA – Windflower - Block 2 - Contents

- Extension of Approvals
 - December 31, 2024 for commencement of construction
 - Same as in the DDA

- DA Term
 - Five years from the effective date of the DA
 - Includes provisions beyond construction start deadline of December 31, 2024

- Public Art
 - Project is subject to Art in Public Spaces Program
 - Includes option for use of ground floor space as Community Art Space (Studio 11 model)



| Draft DA – Windflower - Block 2 - Contents

- Subsequent Approvals

- DA addresses future amendments to the project approvals
- Categorizes future amendments as either “major” or “minor”
- “Major” amendments will require review and approval by the Planning Commission and the City Council
- “Minor” amendments can be approved by the Economic and Community Development Director



| CEQA Determination

- Project is Compliant With the Scope of Previously Certified EIRs
 - No new information has been discovered regarding the following:
 - Information requiring changes in adopted mitigation measures
 - Changes in City policies or requirements
 - Pursuant to CEQA Guidelines Sections 15162 and 15168, no further analysis is required.



| Planning Commission Review

- Planning Commission held a Public Hearing on February 17, 2022
 - Commission voted 5-0 to adopt a Resolution making the required findings and recommending the City Council introduce an ordinance approving Development Agreement (DA-22-001) for the Windflower – Block 2 project.



| Recommendation

Introduce an Ordinance (Attachment 1) approving Development Agreement (DA-22-001) for the Windflower – Block 2 project, for the purpose of extending project approvals that were previously approved by the City Council on November 14, 2017.