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City Close to a Final Decision on Shorter Condo Project

By Cathy Tyson

KB Home once again came before the City Council, this time with new and improved architectural plans that completely removed the controversial fifth floor of the project slated for the parking lot behind Panda Express. "As you can see, it's quite a bit lower than the existing development (Town Center II) next door," said Senior Planner Christine Sinnette in her introduction to the City Council, concluding, "Staff recommends approving the project." Although preliminary and adjusted plans have been through the Design Review process and the Planning Commission, the height and mass of the structure that backs up to BART has always been contentious. Just this past September, the Planning Commission recommended denying the project, citing the fifth floor and parking circulation issues.

KB Home Senior Vice President Ray Panek reminded the Council how much the project has downsized from its original iteration, commenting, "I guess I got hit in the head with a sledgehammer," finally responding to constructive comments from the Planning Commission that they had serious concerns about the height. He displayed a selection of drawings depicting how the condominium project has shrunk. To the audience, it seemed like "now you see it, now you don't" comparing the two versions.

Even though the current architectural plans eliminate the fifth floor, they don't include specifics on articulation, balconies, roof lines, paint color and material choices that still need to be finalized. City Council members were uncomfortable giving approval on a project without seeing a final product first. "You're asking us to trust you," said Mayor Carol Federighi.

Unfortunately the City Council is up against a deadline that governs the project. If a decision is not made within 45 days, "They can sue us for failure to act under the Process Agreement," clarified city Attorney Mala Subramanian. Project Architect Jeffrey Heller responded to City Council concerns explaining that the current plans are "shorthand." Both Heller and Panek expressed a willingness to go back to the Design Review Commission, noting that it's a Catch-22 situation; they will work on much richer and refined final plans - but need to understand the parameters of the building size in general first.

As usual, comments from citizens were all over the map, some called it a "rude awakening" of a massive building in the center of town; others supported the multi-family project, saying, "Great transit oriented development - this is the center of town - it should look like a town center ... this is not a semi-rural site." With a unanimous vote by the City Council, the project will go back to the Design Review Commission and Planning Commission.

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