



Legislation Text

File #: 20-311, **Version:** 1

Staff Report for a City of San Leandro Resolution Approving an Initial Study - Mitigated Negative Declaration and Mitigation Monitoring Program for the Project Located at 1388 Bancroft Avenue Consisting of a New Three-story, Multi-family Residential Building Comprising 42 units, Including 40 Two-Bedroom Units and 2 Three-Bedroom Units; and a Wireless Communication Facility; Adopting a Resolution approving a Planned Development and Site Plan Review Based on the Attached Findings of Fact and Subject to the Recommended Conditions of Approval; and Adopt an Ordinance Rezoning the Subject Property, from Professional Office (P) to Professional Office, Planned Development Overlay, P (PD). (parcel located at Bancroft Avenue, and Estudillo and Joaquin Avenues); Alameda County Assessor's Parcel Number 77-524-12-4; T. Silva, Eden Realty (Applicant); Silva and Gonsalves Trust (Property Owner). PLN18-0046

SUMMARY AND RECOMMENDATIONS

Based on comments and direction from the City Council at its February 4, 2019 public hearing, the proposed residential project at 1388 Bancroft is revised with three fewer units and the removal of the rooftop patio area.

The Project proposes to redevelop a 1.27 acre property consisting of two older medical professional office buildings located at 1388 Bancroft Avenue, between Estudillo Avenue and Joaquin Avenue, with a 42-unit multi-family residential Planned Development (PD). The property will be rezoned with a PD zoning overlay designation. The revisions maintain the prior three-story contemporary building architecture constructed of wood frame and stucco. Parking and building elevations are also consistent with the prior proposal. The revised Project consists of 40 two-bedroom units and 2 three-bedroom units and a total of 55 on-site parking spaces.

Staff recommends the City Council approve the 1388 Bancroft Apartments project (PLN18-0046) through the attached Ordinance and Resolutions by taking action as follows:

- A. Adopt a Resolution approving the Initial Study - Mitigated Negative Declaration and Mitigation Monitoring Program for the 1388 Bancroft project;
- B. Adopt a Resolution approving a Planned Development and Site Plan Review for the 1388 Bancroft project based on the attached Findings of Fact and subject to the recommended Conditions of Approval.
- C. Adopt an Ordinance rezoning the subject property, 1388 Bancroft, from Professional Office (P) to Professional Office, Planned Development Overlay, P (PD).

BACKGROUND

The subject property is a 1.27 acre site developed in 1955 with two medical office buildings. The larger building on the north half is approximately 18,000 square feet and the smaller one to the south is approximately 4,000 square feet. The buildings' tenants currently comprise various medical, professional and personal services businesses.

The Planning Commission initially considered an application for this site at its November 16, 2017 regular meeting. The applicant's original proposal was to construct a four-story, multi-family residential building comprising 73 units (PLN17-0021). In that instance, staff recommended a denial. The 2017 hearing generated significant public comment and was continued to the following month. Prior to the subsequent continued hearing, the applicant withdrew the application in order to revise the project.

On June 14, 2018, the applicant resubmitted a new project application reflecting a one-year effort to reduce the scale of the project and address concerns with the prior application. That proposal, consisting of 45 units, was recommended 4-2 by the Planning Commission for approval by the City Council on December 20, 2018. The City Council considered the 45 unit proposal on February 4, 2019 and recommended the project be revised further to reduce the unit density. The applicant has since returned with a revised Project proposal for City Council consideration, now consisting of 42 units.

PROJECT PROPOSAL

Site Plans

The three-story multi-family residential apartment building has a general height of 37 feet when measured to the parapet, with certain architectural projections at 44.5 feet to accommodate two stairwells, an elevator penthouse, and a utility room. A flagpole proposed at the northwestern corner of the building would have a height of 53.5 feet. The project also proposes a single monopole measuring 60 feet (15.5 feet above the elevator penthouse) to accommodate a proposed wireless telecommunications antenna (Exhibit H). These dimensions are unchanged from the prior proposal.

The revised building maintains a 15 foot setback from the Bancroft and Joaquin Avenue property lines and, with an exception for a 4 foot setback to accommodate the support and screening features of the outdoor patios, the remainder of the building has a 10 foot setback along the Estudillo Avenue property line. The east side of the revised building continues to maintain a 72-foot setback from the interior property line and complies with the daylight plane provisions for projects adjacent to residential zones (Exhibits B and E). These dimensions are unchanged from the prior proposal.

The 15-foot setbacks along Joaquin Avenue and Bancroft Avenue accommodate landscaping, existing overhead utility transmission lines, storm water bioswales, and a stepped main entrance with accessible ramp access to the lobby at the southwest corner of the building facing the intersection of Bancroft and Joaquin Avenues. On the north side of the building, outdoor patios for the ground floor units and a support column screening a portion of the upper patios will extend into the 10 foot side setback along Estudillo Avenue. The eastern side of the building will contain a screened and gated parking lot accessible from Joaquin Avenue with secondary access to Estudillo Avenue limited to exiting only, the size and dimensions of which remain unchanged from the prior proposal. A recessed rear portion of the building facing the east will contain usable common space consisting of a patio, a children's play area and a sport turf area. The sport turf area is wider than the prior proposal due to

the reduced footprint of the revised building that removed three units from this location (Exhibit E).

The ground level would have 12 residential units and the second and third levels would have 15 units each. The design and layout of the southwestern corner of the ground floor at the corner of Bancroft Avenue and Joaquin Avenue remains consistent with the prior proposal, containing the main entry, a lobby with an elevator, a vestibule with mailboxes and a package room, a manager's office, and leasing offices. The southeastern corner of the building also remains consistent, with no changes proposed to the community room and bicycle storage room. The northeastern corner of the building contains the trash room and utility meter rooms.

The roof has been redesigned to remove the open space patio deck area and landscaping. The roof will no longer be accessible to tenants, but will continue to house an elevator penthouse, stairwell access, wireless telecommunications equipment room and solar arrays for hot water and photovoltaic power (Exhibit G).

The parking plan remains unchanged, providing a total of 55 parking spaces (Exhibits E and V). This includes 47 covered resident spaces inside the screened and gated parking area and eight additional parking spaces outside the gate along Joaquin Avenue. The entry gate is setback from Joaquin Avenue in order to accommodate those vehicles waiting for the gate to open. As with the prior proposal, a photovoltaic (PV-solar) carport/canopy is above the gated spaces and electric vehicle charging stations are provided. With 42 proposed dwelling units, the project will provide 1.3 unbundled (unassigned) parking spaces per unit and will manage parking through a parking management plan to optimize the available parking spaces.

Building Design and Architecture

The proposed architecture remains unchanged from the prior proposal. The design is contemporary with varying roof lines, changing wall planes, and different materials, colors and finishes on all four sides of the building (Exhibits H, I, K, L, M, and N). Three of the four building elevations are generally unchanged from the prior proposal and the rear (eastern) elevation has limited changes insofar as the removal of the three units. Proposed colors and building materials remain unchanged. The landscaping (Exhibits P-S) complements the architectural design, with an appropriate balance of trees, shrubs, ferns, and ground cover. Street trees include mature Crepe Myrtles and Russet Southern Magnolias. Changes to the landscaping plans include the enlargement of the sport lawn area and minor adjustments to plantings near the former footprint of the three removed units. Otherwise, landscaping is generally consistent with the prior proposal.

Density

The proposed 42 residential units on the 1.27 acre property equates to a density of 33 units per acre. The General Plan land use designation for this site, Downtown Mixed Use, allows residential densities ranging from 24 to 100 units per acre. The Professional Office (P) zoning district's established density is 24 units per acre (which would limit a 1.27 acre parcel to 31 units). Under Chapter 3.04 of the Zoning Code, the residential unit density of a Planned Development project is not subject to the density provisions of the underlying zoning district but must still comply with the General Plan.

Open Space

The revised project provides 11,674 square feet of open space (6,230 square feet for the ground floor open space and 5,444 square feet collectively for all the private decks and balconies). The minimum open space requirement per dwelling unit is 200 square feet, which equates to a total of 8,600 square feet for the 42 units (Z.C. Section 2-558 A). With the removal of the 1,800 square foot roof deck, the revised project still exceeds the minimum open space requirements.

Wireless Communication Facility and Flagpole

The revised project maintains the proposed wireless communications facility consisting of a monopole on top of the building at a total height of 60 feet. The wireless monopole is located on top of the elevator penthouse utility/storage room on the southeastern portion of the building at the roof level (Exhibits H and I). The monopole contains wireless antennas inside a simple cylindrical structure that serves to conceal the internal panels. The exterior would be a fiberglass “radio frequency-transparent” material painted a neutral color (i.e., off-white/light gray) to blend in with the design of the building and the surrounding open airspace around it.

A flagpole is identified on top of the northwest corner of the building, measuring 53.5 feet from grade at the top. The flagpole would extend 20 feet above the base mounted roof elevation at 33.5 feet. The proposed monopole and flagpole conform to the Zoning Code’s height requirements for these projections.

Planned Development Overlay

Planned Developments are regulated under Article 10 of the San Leandro Zoning Code. A Planned Development functions as a conditional use permit combined with aspects of a site plan review (Z.C. Section 3-1012). Applications for a Planned Development are subject to the City’s discretionary review process and must be approved by the City Council to consider and ensure that the new development will be compatible with the existing area. City Council approval of the project will identify the parcel with a Planned Development overlay on the Zoning Map, designated as “P(PD).”

Project Schedule

A Planned Development application may accommodate alternate phasing and time schedules for the construction of a project (Z.C. §3.04.144). The applicant requests a four year period to allow adequate time to prepare and submit for building permits and to accommodate the current tenants. A request for a renewal beyond this timeframe must be approved by the Planning Commission at a noticed public hearing.

GreenTRIP Certification

Since the February 4, 2019 City Council meeting, the proposed Project received full GreenTRIP certification with 42 units (letter and report dated March 31, 2020, attached). GreenTRIP is a certification program for new residential development focused on traffic reduction and innovative parking. GreenTRIP certifies projects that are positioned and designed to allow residents to drive less while increasing their mobility in other ways. The applicant’s GreenTRIP documentation includes an analysis of the project’s reduced traffic and parking impacts. These impacts are further reduced by the removal of the three units from the original proposal.

STAFF ANALYSIS

Planned Developments (PD) offer developers greater flexibility than otherwise allowed under the Zoning Code in return for a coordinated development that, as noted in the Zoning Code, “provides superior urban design in comparison with the development under the base district zoning regulations.” The purpose of a Planned Development is to allow “a mechanism for considering development that can be made compatible by application of careful and imaginative treatment of interrelationships of activity.”

A Planned Development (PD) enables a developer to meet the overall community density and land use goals without being bound by certain prescriptive zoning requirements. It establishes “a procedure for the development of larger parcels of land in order to reduce or eliminate the rigidity, delays and inequities that would result from the application of zoning standards and procedures designed primarily for small parcels.” At 55,283 square feet (1.27 acres), the subject property is the largest Professional Office (P) zoned parcel in San Leandro.

The revised project complies with the Professional Office (P) provisions of the Zoning Code with the exception of the proposed unit density, the parking count and the reduced building setback along Estudillo Avenue. Exceptions to the Zoning Code are permitted for Planned Developments under Chapter 3.04 of the Zoning Code. The residential unit density of a Planned Development project is not subject to the density provisions of the underlying zoning district but must still comply with the General Plan. The General Plan land use designation for this site, Downtown Mixed Use, allows residential densities ranging from 24 to 100 units per acre.

Traffic

The revised project will generate fewer vehicle trips than the existing 24,400 square feet of medical and professional office buildings if they were fully occupied. As noted in the prior staff report and traffic study considered by the City Council on February 4, 2019, multi-family residential projects generate fewer vehicle trips and require less parking than uses such as medical offices, restaurants, retail services and pharmacies that are common in the Professional Office (P) zoning district. The traffic study found the proposed project would not result in an increase in traffic generation or affect the Level of Service (LOS) of surrounding streets and intersections. As the revised project now proposes 42 units, traffic generation will be further reduced. Daily household driving for the revised project is projected to not result in more than 35 daily Vehicle Miles Traveled (VMT) per household. The proposed traffic reduction measures earned the project a GreenTRIP certification.

Vehicle movements and the proposed parking lot and gate design remain unchanged in this revised project. Traffic movements were previously analyzed by the City’s Engineering and Transportation Department staff and found to be adequately designed. Vehicles may enter and exit the property from Joaquin Avenue, but the driveway at Estudillo Avenue will only serve as an exit point limited to right turns only. The proposed design was found to improve turning movements onto Estudillo Avenue versus the current medical office layout.

Parking

Parking design for the revised 42 unit project remains unchanged. The project will provide a total of 55 off-street parking spaces, equivalent to 1.3 spaces per unit. The tenant's gated parking area will contain 47 spaces including two Americans with Disabilities Act (ADA) spaces, and the ungated parking area contains eight spaces including one ADA-designated space. A proposed parking management program provides unbundled parking, where an unused parking space could be allocated to a tenant with a second vehicle. The applicant proposes to fully utilize all parking spaces for residents, including those located outside of the gated area.

Street parking also remains unchanged. Five street parking spaces will be constructed along Joaquin Avenue. The applicant requests the on-street parking space closest to Bancroft Avenue be reserved for high-frequency delivery vehicles and signs posted to allow for 24 minute parking.

The project provides 55 parking spaces, less than the current code requirements for multi-family residential projects outside of the downtown area. Zoning Code Chapter 4.08, Off-Street Parking Requirements, requires a minimum of 2 covered parking spaces for two bedroom multi-family units, plus 0.25 uncovered spaces per unit. For three bedroom units, the code requires 2 covered spaces, plus 0.5 uncovered spaces per unit. In addition, 0.25 spaces per unit are required to be designated for guest parking. State law grants parking credits for ADA accessible parking with electric vehicle charging. Under this standard, the project would be required to provide 108 parking spaces. The existing medical office buildings on the subject property have 91 parking spaces, where 122 parking spaces are required by code.

As noted in the February 4, 2019 staff report, Staff finds the proposed parking count to be acceptable because the location is transit accessible, the project is designed to accommodate active transportation (walking, biking and transit use), and the project proposes to actively manage and optimize the available pool of on-site parking through a parking management program. Units that do not need a vehicle space will have their spaces allocated to other units that need a second vehicle. The project also qualifies for AB1100 parking credits for providing ADA parking spaces with electric vehicle charging stations. Substantial secured indoor bicycle parking will be provided for tenants. The project will benefit from the recent opening of AC Transit's Tempo Bus Rapid Transit (BRT) line. The nearest Tempo BRT station is a 12 minute walk from the project's location.

Inclusionary Housing Requirement

To satisfy the Inclusionary Housing Requirement (Z.C. §6.04.132) and advance the City's Housing Element goals, the applicant submitted a revised inclusionary housing plan that proposes to provide 1) two rent restricted units and 2) pay an in-lieu fees of \$134,553. The proposal is based upon the following:

- That the affordable housing in-lieu fee is set at \$5.00 per net rentable square feet as recommended in the Affordable Housing Nexus Study. The study, which was a joint venture with San Leandro and other East Bay and Silicon Valley jurisdictions, was completed in November 2016, presented to City Council in April 2018 and will serve as the basis for forthcoming proposed Inclusionary Housing Ordinance amendments. The proposed apartment building has 40,366 net rentable square feet so the gross amount of the fee is \$201,830.

- As per San Leandro Zoning Code §6.04.112, for a project of 37 to 43 units, 6 inclusionary units are required (4 very low and 2 low income units). However, Section 6.04.132(B) provides that the City has discretion to “approve, conditionally approve or reject any alternative proposed by the Developer as part of an Inclusionary Housing Plan.”
- Due to the high cost of building in the region and the State mandate for the City to meet its above moderate income (market rate) income regional housing needs allocation (RHNA) goal per Senate Bill (SB) 35, the applicant may provide two long-term (55 years) rent restricted units to fulfill 2/6th of the inclusionary housing production requirement and achieve the remaining 4/6th by paying a pro-rated in-lieu fee equaling approximately \$134,553 (4/6 x \$201,830). The in-lieu fee of \$134,553 would be paid prior to or at the issuance of the Certificate of Occupancy for the proposed apartment building.

SB 35 took effect on January 1, 2018 and enabled the State to identify local jurisdictions that were not complying with mandated RHNA goals for housing production at various income levels. While San Leandro is complying with its very low and low income housing goals, the State identified over 280 jurisdictions, including San Leandro, that were not complying with their above moderate income housing goals.

- In addition, the applicant must provide the two rent restricted units on-site at 1388 Bancroft or at another residential rental property in the City, where the off-site inclusionary units will be a minimum of two bedroom units each.

General Plan Conformance

The General Plan designation for the project site is Downtown Mixed Use. This designation generally corresponds to the central business district of San Leandro. Multi-family and mixed-use development with housing is encouraged in this land use area, with allowable residential densities ranging from 24 to 100 units per net acre, depending on the zoning district. In this case, the proposed density of the housing (33.8 units per acre) is well within the range of the General Plan (24 to 100 units per acre).

Environmental Review

Pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, the City prepared and circulated an Initial Study (preliminary environmental analysis) and finds that, although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because the incorporated mitigation measures and revisions in the project will be made by or agreed to by the project proponent, and that a Mitigated Negative Declaration (MND) of environmental impact and Mitigation Monitoring Program should be adopted by the City Council. Recirculation of the MND is not required under Section 15073.5 because minor modifications were made to reduce the number of units and remove a roof deck following written or verbal comments and the minor changes do not result in any new avoidable significant effects. Consideration of the draft MND is a separate but concurrent agenda item with the associated Planned Development and Site Plan Review.

Public Outreach

A summary of the applicant’s public outreach efforts is attached to this report. A website (

www.1388bancroft.com <<http://www.1388bancroft.com>>) was also created by the developer to provide information about the project in addition to information available on the City's website. A public hearing notice was placed in the East Bay Times Daily Review newspaper, notification letters were mailed to property owners and businesses owners within 500 feet of the subject property and a public notification placard was posted on the subject property in advance of this hearing. Public comments submitted following the release of this report will be provided in advance of the hearing.

RECOMMENDATION

The Planning Commission and staff recommend City Council approval of the proposed project through the following actions:

- A. Adopt a Resolution approving the Initial Study - Mitigated Negative Declaration and Mitigation Monitoring Program for the 1388 Bancroft project;
- B. Adopt a Resolution approving a Planned Development and Site Plan Review for 1388 Bancroft project based on the attached Findings of Fact and subject to the recommended Conditions of Approval.
- C. Adopt an Ordinance rezoning the subject property, 1388 Bancroft, from Professional Office (P) to Professional Office, Planned Development Overlay, P (PD).

ATTACHMENTS

Attachments to the Resolution to Adopt Planned Development and Site Plan Review
Findings of Fact
Recommended Conditions of Approval

Attachments to the Staff Report

Vicinity Map
Applicant's Supporting Statement dated August 11, 2020
Public Outreach Efforts dated July 28, 2020
GreenTRIP Certification Letter and Project Evaluation Report dated March 31, 2020
Exhibit A - Cover Sheet & General Information, A00.00
Exhibit B - Context Site Plan, A01.00
Exhibit C - Site Photos, A01.10
Exhibit D - Occupancy Egress Plans, A01.2
Exhibit E - Ground Floor Plan A02.00
Exhibit F - Second and Third Floor Plan, A02.01
Exhibit G - Roof Plan, A02.02
Exhibit H - Elevations, A03.01
Exhibit I - Elevations, A03.02
Exhibit J - Section, A04.01
Exhibit K - Perspective (Southwest at Bancroft Ave), A05.01
Exhibit L - Perspective (Northwest at Bancroft Ave), A05.02
Exhibit M - Perspective (Estudillo Ave), A05.03
Exhibit N - Perspective (Joaquin Ave), A05.04
Exhibit O - Unit Plans, A06.01
Exhibit P - Landscape Materials Plan - Ground Floor, L1.1
Exhibit Q - Planting Plan Ground Floor, L2.1

Exhibit R - Landscape Sections, Elevations and Details L3.1
Exhibit S - Materials and Images, L4.1
Exhibit T - Cover Sheet Civil Engineer Improvement Plans, C0.0
Exhibit U - Topographic Survey, C1.0
Exhibit V - Site Plan Sheet Civil Engineer, C2.0
Exhibit W - Grading Plan, C3.0
Exhibit X - Sections Civil Engineer, C3.1
Exhibit Y - Storm Water Control Plan, C4.0
Exhibit Z - Utility Plan, C5.0
Public Comments Received (current public hearing)

Project information from prior hearings is available online in Meeting Central under file IDs #19-014, 19-015, 19-016, 19-017, 18-631, 18-632 and 18-649.

PREPARED BY:
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