



## Legislation Text

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**File #:** 19-378, **Version:** 1

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Staff Report for a City Council Resolution to Approve Tentative Tract Map 8476 for condominium purposes (PLN18-0045) to accommodate a subdivision of airspace for 26-residential units, ground floor commercial space and a parking garage, zoned DA-1 (Downtown Area 1). Alameda County Assessor's Parcel Numbers 075-0005-012-00 (268 Parrott St) & 075-0005-011-01 (1595 Washington Ave.); David Langon (applicant) and David Langon Construction (property owner).

### **SUMMARY AND RECOMMENDATION**

On June 6, 2019, the Board of Zoning Adjustments (BZA) adopted Resolution 2019-005, approving a Site Plan Review and Parking Exception to develop a four-story (55'- 3" height) ±44,789 square foot mixed-use building with 26 residential units, related amenities, ground floor commercial tenant space and a parking garage on two ±18,378 square foot vacant parcels located at 268 Parrott Street.

Also on June 6, 2019, the Planning Commission recommended that the City Council approve Tentative Tract Map 8476 to subdivide the BZA-approved building into for-sale condominium units. Although the building was approved and entitled by the Board of Zoning Adjustments, Section 7-1-335 of the Municipal Code stipulates that the City Council shall review the tentative tract map and any conditions imposed by the Planning Commission at a noticed public hearing.

Staff believes that, with the recommended Conditions of Approval, the proposed tentative tract map for condominium purposes complies with the requirements of the California Subdivision Map Act and Section 7-1-330 of the Municipal Code. Staff recommends that the City Council adopt a resolution to approve Tentative Tract Map 8476 for condominium purposes, subject to the recommended Conditions of Approval (PLN18-0045).

### **LOCATION AND RELATIONSHIP TO SURROUNDING AREA**

The subject property is located downtown and zoned DA-1 (Downtown Area 1), bounded by W. Juana Avenue, Washington Avenue, and Parrott Street with Hays Street located a half block to the west. The property at 268 Parrott Street currently consists of two vacant parcels at the corner comprising an "L" shape of ±18,378 square feet. Surrounding properties on Parrott Street and Washington Avenue are a mix of residential, office and commercial developments. The property to the immediate north is a single family residence, commercial retail businesses including Pelton Plaza are to the east, a bank, duplex, single family residence and restaurant are across the street to the south, and a single story multi-family residence is to the immediate west.

This project site is located four blocks east of the San Leandro BART station and AC Transit's Bus Rapid Transit (BRT) terminus. The site is one block away from East 14<sup>th</sup> Street, the City's main north-south arterial, with several AC Transit bus stops. Freeway entrances for both Interstate 880 and Interstate 580 are about one mile from the site. Washington Avenue in front of the property has a bike

lane which connects to the greater citywide bicycle network.

## **BACKGROUND**

The parcel at 1595 Washington Avenue was once owned by EBMUD and was subsequently purchased by the City of San Leandro Redevelopment Agency in September 2004. The adjacent parcel at 268 Parrott St. was later purchased by the City and had a single-family home on the site in 1998 that was soon thereafter demolished to create a parking lot that formerly served the downtown area. Having ownership of both 1595 Washington Avenue and 268 Parrott Street, the San Leandro Redevelopment Agency launched a Request for Proposals (RFP) seeking to redevelop the property in 2005 as a consolidated development site.

The RFP included information about the City's vision for development, zoning and other regulations, submittal requirements, and selection criteria. Following analysis of the proposals received, the Agency entered into an Exclusive Negotiating Rights Agreement (ENRA) with EF Communities. In June 2007, EF Communities withdrew its proposal due to changing market conditions. In July 2007, the City entered into an ENRA with John Benjamin Company LLC for development of the site. In August 2008, the ENRA term expired. In October, 2008, the RDA executed a third ENRA for development of the site, this time with Langon Homes. The agreement expired prior to initiation of any development activity.

On November 28, 2016, the Successor Agency released an RFP for the purchase and sale of 1595 Washington Avenue and 268 Parrott Street. After a careful review of the offers and interviews, Langon Construction was found to provide a proposal that best met the selection criteria and goals for the site. Langon Construction specializes in moderate to medium density in-fill housing through redevelopment or on vacant land.

## **BOARD OF ZONING ADJUSTMENTS AND PLANNING COMMISSION ACTIONS**

On June 6, 2019, the Planning Commission (PC) and Board of Zoning Adjustments (BZA), acting in their capacity as the BZA, adopted Resolution 2019-005, entitling Langon Construction to develop a four-story (55'- 3" height) ±44,789 square foot mixed-use building with 26 residential units, related amenities, ground floor commercial tenant space and a parking garage on two ±18,378 square foot vacant parcels located at 268 Parrott Street.

Also at the June 6, 2019 hearing, the Planning Commission recommended City Council approval of the proposed Tentative Tract Map to subdivide airspace within the approved building as a condominium. Development of the project is not contingent upon City Council approval of the proposed Tentative Tract Map. Approval of the map enables the project to be able to offer 26 for-sale market rate condominiums, including 4 units set aside for inclusionary housing. In this instance, since the Board of Zoning Adjustments previously approved the Site Plan Review and Parking Exception for the development of the building, City Council action in this instance is limited to the findings and conditions related to the proposed tentative tract map for condominium purposes.

## **DETAILS OF THE PROJECT**

The residential portion of the project includes 20 two-bedroom units and 6 one-bedroom units, private

decks, a 1,141 square foot private workout area, a social room, common office space, a meeting room, dedicated bicycle storage room, a mail room, a 2,000 square foot outdoor courtyard and grade level parking. The proposal also includes a ±2,400 square foot commercial space along Washington Avenue. Mixed-use residential is permitted in the DA-1-Downtown Mixed-Use Zoning District. Ground floor retail is required and provided along Washington Avenue.

The ground floor parking garage is 10,459 square feet providing 26 standard parking spaces, 1 accessible parking space, 3 motorcycle/scooter parking spaces and 18 bicycle spaces. Five on-street parking spaces are also provided. The project complies with the Zoning Code's parking requirements for the residential use, but BZA approval of a Parking Exception was necessary to accommodate the ground floor commercial space should it contain a tenant with higher parking requirements, such as a restaurant. No particular tenant or use has been identified with the project at this time. The Board of Zoning Adjustments approved a Parking Exception for the ±2,400 square foot ground floor commercial tenant space and placed scenario-specific conditions of approval to accommodate uses such as a potential restaurant.

The applicant submitted a concurrent application for Tentative Tract Map 8476 to subdivide 268 Parrott Street into a condominium. In this instance, the Zoning Code requires project approval by the Board of Zoning Adjustments but the Subdivision Ordinance of the Municipal Code requires Planning Commission recommendation and City Council approval of the proposed Tentative Tract Map for condominium purposes. Development of the project as an apartment building is not contingent upon approval of the proposed Tentative Tract Map.

## STAFF ANALYSIS

*Condominium Tentative Tract Map Approval* - Per Section 7-1-330 of the San Leandro Municipal Code, the Planning Commission's recommendation of approval to City Council on June 6 2019 was based on the development meeting the findings of fact and by establishing that:

- The design of the subdivision is consistent and applicable to the General / Specific Plans;
- The site is physically suitable for development and the proposed density;
- The proposed improvements will not cause substantial environmental damage and avoids injury to fish / wildlife and their respective habitats;
- The design of the subdivision will not cause serious health problems; and
- The design of the subdivision will not conflict with any existing easements.

*Permitted Use* - Mixed-use residential is permitted in the DA-1-Downtown Mixed-Use Zoning District and ground floor retail is required (and provided) facing Washington Avenue.

*Plan Review / Analysis* - The applicant provided a development plan that was thoroughly vetted by multiple city departments and approved by the Board of Zoning Adjustments. The project is in line with the City's Transit Oriented Development (TOD) strategy goals for downtown, which strives to provide mixed-use retail and multi-family residential in the downtown area to increase public transit ridership and to enhance the downtown area. The development's primary goal is to provide high quality condominiums that are for sale and/or depending on the market, apartment units, along with moderate- and low-income inclusionary units. Langon Construction has a history in San Leandro of

designing and building high-quality projects such as Toscani Place and Arbor Place. For the development at 268 Parrott St., Langon Construction collaborated with a qualified and well-regarded architect with a depth of design experience in in-fill and mixed-use developments.

The project at 268 Parrott St will fulfill multiple City development goals and provide high quality “for sale” and/or apartment units while also providing much needed affordable housing units. The commercial space incorporates ample flexibility to become either a neighborhood serving commercial retail space or a restaurant.

*Building* - 268 Parrott St. meets requirements for lot size, width, height, setbacks, floor area ratio (FAR), and coverage. The four-story building is sensitively designed to maximize the development of the lot while also respecting the neighboring buildings by identifying and minimizing views into and out of neighboring windows. The contemporary building façade incorporates a mix of three colors and three materials and provides significant streetscape improvements along both major building elevations (along Parrott St. and Washington Ave.). A high level of attention went into the building design to create a welcoming façade that complements the respective street frontages while providing for amply spaced, yet semi-private, residential balconies.

*Surrounding Area* - The project site is centrally located in the downtown retail core. The site is south of W. Juana Avenue, west of Washington Avenue, east of Hays Street and north of Parrott Street and is one block away from East. 14<sup>th</sup> St., the City’s main north-south arterial, with several AC Transit bus stops. The San Leandro BART Station is 4 blocks to the west. Freeway entrances for both Interstate 880 and Interstate 580 are about one mile from the site. Washington Avenue in front of the property has a bike lane which connects to the greater, citywide bike network.

*Site Improvements* - The streetscape along both Parrott Street and Washington Avenue will be improved with new decorative paving, street trees, landscaped planting beds, and new curb and gutters creating a welcoming, pedestrian-oriented street environment.

*Parking* -The ground floor parking garage is 10,459 sf providing 26 standard spaces, 1 accessible space, 3 motorcycle/scooter spaces and ±18 bicycle spaces. Five off-street parking spaces will be provided. Parking for the commercial space will be accommodated in the immediate vicinity as outlined in the Applicant’s requested Parking Exception.

The Alameda County Fire Department and the City of San Leandro Engineering staff reviewed the proposed parking configuration and found it acceptable for emergency vehicle requirements and regular traffic access and transit requirements.

With the incorporation of the recommended Conditions of Approval and adherence to the San Leandro Municipal Code and the California Subdivision Map Act, staff and the Planning Commission recommend City Council approval of the tentative tract map based on the attached Findings of Fact.

## **GENERAL PLAN CONFORMANCE**

The General Plan designates this site within the *Downtown Mixed-Use* area, which permits “retail shops, services, offices, cultural activities, public and civic buildings, and similar and compatible uses, including upper story residential uses.” Mixed-use development with housing is encouraged in

this area, with allowable residential densities ranging from 24 to 100 units per net acre, depending on the zoning district. At 61.61 du/ac, the proposed development at 268 Parrott St. is within the allowable density range.

The following General Plan policies are applicable to the proposed project:

**Policy LU-2.1: Complete Neighborhoods.** Strive for “complete neighborhoods” that provide an array of housing choices; easy access to retail stores, commercial services, and medical care; quality public schools; great parks and open spaces; affordable transportation options; and civic amenities.

**Policy LU-2.7: Location of Multi-Family Development.** Concentrate new multi-family development in the areas near the BART Stations and along major transit corridors such as East 14th Street. Ensure that such development enhances rather than detracts from the character of surrounding neighborhoods.

**Policy LU-2.8: Alterations, Additions, and Infill.** Ensure that alterations, additions and infill development are compatible with existing homes and maintain aesthetically pleasing neighborhoods.

**Policy LU-2.17: Constrained Sites.** Focus new housing development on underutilized or infill sites on the city’s flatter lands, rather than on previously undeveloped sites in the hills. Development on sites with significant geologic, hydrologic, or land stability constraints should be strongly discouraged.

## ENVIRONMENTAL REVIEW

This item (PLN18-0045) is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 19, Section 15332 Class 32 In-Fill Development Projects (a), (b), (c), (d) and (e).

## PUBLIC OUTREACH

This item was publicly noticed for both the June 6<sup>th</sup>, 2019 Planning Commission and Board of Zoning Adjustments hearing and the July 15<sup>th</sup> 2019 City Council hearing, including a legal advertisement in the East Bay Times Daily Review newspaper, the posting of notices at City Hall and on the property, and mailing notification to business and property owners within 500 feet of the subject property. Comments received prior to the Board of Zoning Adjustments and Planning Commission hearings are attached with this report. No comments were received prior to the City Council hearing for the Tentative Tract Map prior to the time of the filing of this report.

## ATTACHMENTS

City Council Resolution:

Exhibit A - Recommended Findings of Fact

Exhibit B - Tentative Tract Map 8476 for Condominium Purposes

Exhibit C - Recommended Conditions of Approval

City Council Staff Report:

Vicinity Map

Inclusionary Housing Plan (Approved by Board of Zoning Adjustments on June 6, 2019)

Public Comments

BZA Approved Architectural Plans (dated January 3<sup>rd</sup>, 2019):

Attachment A: Cover Sheet A0.0

Attachment B: Existing Site Photos A0.1

Attachment C: Proposed Project Renderings A0.2.1

Attachment D: Proposed Project Streetscape A0.2.2

Attachment E: Proposed Site Plan and Data A0.3

Attachment F: Building Code Analysis A0.4

Attachment G: Fire Safety Design Analysis - Fire Apparatus Access A0.5.1

Attachment H: Fire Safety Design Analysis - Ladder Pad Diagrams A0.5.2

Attachment I: Solar Study A0.6

Attachment J: First Floor Plan A1.1

Attachment K: Second Floor Plan A1.2

Attachment L: Third Floor Plan A1.3

Attachment M: Fourth Floor Plan A1.4

Attachment N: Roof Plan A1.5

Attachment O: Exterior Elevations A2.1

Attachment P: Exterior Elevations A2.2

Attachment Q: Building Section A3.1

Attachment R: Wall Sections at Residential Entry A4.1

Attachment S: Storefront Study A4.2

Attachment T: Balcony Study A4.3

Attachment U: Details A5.1

Attachment V: Materials Board A6.1

Attachment W: Title Sheet 1

Attachment X: Topo Survey & Tree Preservation Plan 2

Attachment Y: Dimensioned Site Plan 3

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