



## Legislation Text

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**File #:** 18-379, **Version:** 1

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**PLN17-0049;** Rezone from RM-1800 Residential Multi-Family District to RM-1800(PD) Residential Multi-Family, Planned Development Overlay District; Planned Development, Site Plan Review and Tentative Map Tract No. 8475 to construct a six-unit, three-story residential townhouse condominium development. Each unit would have an attached two-car garage; 342 Marina Boulevard; Alameda County Assessor's Parcel Number 75-82-10; G.K. Wong, GKW Architects, Inc. (applicant) c/o property owner.

### SUMMARY AND RECOMMENDATION

The applicant proposes to develop an underutilized property at north side of Marina Boulevard, east of San Leandro Boulevard, with a six-unit, three-story attached, residential townhouse condominium development. Staff recommends that the Planning Commission recommend to the City Council to approve the proposed project by making the following actions:

- A. Adoption of a finding that the proposed project to construct six residential units is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guideline Article 19, Categorical Exemption, Sections 15303 (b). In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. As a result, no further environmental analysis is required;
- B. Adoption of the recommended Findings of Fact to approve the Rezone, Planned Development, Site Plan Review, and Vesting Tentative Map, PLN17-0049; and
- C. Adoption of the Resolution Recommending Approval of the Rezone, Planned Development, Site Plan Review, and Vesting Tentative Map, PLN17-0049, subject to the Recommended Conditions of Approval.

### APPLICANT'S SUPPORTING STATEMENT

*"The intent of the project is to submit a Planned Development and construct six condominiums, subdivided, in accordance with the City of San Leandro. Demolish the existing residence and develop six, three-story condominiums."*

### RELATIONSHIP TO SURROUNDING AREA AND BACKGROUND

The subject property is developed with an existing one-story single-family home, approximately 800 square feet. This home is not on the City's list of historic properties and has been modified over the years. The property encompasses 12,000 square feet (0.28 acre), measuring 100 feet wide fronting Marina Boulevard, and 120 feet deep. Adjacent to the northwest is a duplex and to the north is a four story, 28-unit apartment complex (fronting Estabrook Street). To the west is a one-story, single-family residence and a two-story fourplex (at the corner of Marina Boulevard and Clarke Street). To the

south, across Marina Boulevard, is the Boys' and Girls' Club and single-family homes to the east. The subject property is south of the City's Downtown and the San Leandro BART Station on Davis Street and San Leandro Boulevard.

The subject property and the adjacent parcels to the west, north and east are zoned RM-1800 Residential Multi-family District. Across the street, the Boys' and Girls' Club site is zoned PS(S) Public Semi-Public, Special Overlay District and the properties east of it are zoned RD Residential Duplex District.

## **DETAILS OF THE PROPOSAL**

### Rezoning

The development proposal includes a request to rezone (zoning map amendment) the project site from RM-1800 Residential Multi-Family District to RM-1800 (PD) Residential Multi-Family District, Planned Development Overlay District. The base district remains the same and a planned development overlay designation would be added. This subjects any proposal on the property to the City's discretionary review process, and to consider new development that would be compatible with the existing residential area.

### Site Plan and Vesting Tentative Map

The subject property is a single-lot subdivision, which would be subdivided into six condominium units. Three units would be attached to each other flanking the west edge and opposite them to the east edge would be the other three attached units. A centrally located 24 foot wide driveway via Marina Boulevard would serve access to the six units that flank it (see Exhibit D). The driveway would access the two-car garages at the ground floor of each unit and three uncovered visitor parking spaces at the rear of the project site.

### Setbacks and Yards

The residential units located along the front would maintain a 15-foot front setback from the Marina Boulevard right-of-way line, with the exception of the covered front porches on Units 1 and 4 where they maintain a 10-foot setback. The western units maintain an 11 foot, six inch setback from the western side property line and the eastern units have an eight foot, six inch setback from the eastern side property line. These setbacks provide private yard space behind the units. The rear of the eastern building would be setback 26 feet from the northern rear property line. The eastern building would maintain a 33 foot setback from the rear property line. These setbacks at the rear of the property provides for amenities that includes common usable open space for the residents, guest parking spaces including an accessible space, and a car turn-around area.

### Floor Plan

The townhomes will be three stories with varying livable floor areas (see Exhibit D - Site Plan which includes a table of Floor Area Calculations). Unit 1 facing Marina Boulevard comprises the smallest floor area, 1,168 square feet. Unit 3, having the largest floor area at the northwestern rear corner would comprise 2,116 square feet. Units 1, 2, 4 and 5 would be three bedroom and three bathroom units. Unit 3 would be five bedrooms and four bathrooms, and Unit 6 would be four bedrooms and

three bathrooms. Unit 3 is the only unit with a bedroom and bathroom on the ground floor. The ground floor of each unit would have an entry area and an attached two-car garage (400 square feet). The second floor will have the living room, kitchen, one bedroom and one bathroom. The third floor will contain the remainder of the bedrooms and bathrooms. Each unit contains a laundry room. All are on the second floor with the exception of Unit 4, where the laundry room is on the third floor.

### Parking

In addition to the two parking spaces in the garage for each unit, there would be three more off-street parking spaces at the rear of the site for visitors. This is a total of 15 off-street parking spaces, a ratio of 2.5 parking spaces per unit, where two covered spaces are required for each multi-family unit with three or more bedrooms. No parking would be permitted along the private driveway.

### Elevations

The exterior elevations are a contemporary Farmhouse-style that includes horizontal siding (HardiePlank, composite of wood fibers and cementitious materials), metal standing seam roofs, and white casement and hung windows. See Exhibits I and J - Elevations. The HardiePlank would be *Cedarmill* which has a raised grain texture, thus it would look like wood. The majority of windows will have a strong vertical appearance. The body colors of the townhouse units include Broothbay Blue (blueish grey), Arctic White (very light grey) and Harris Cream (light yellow). See Exhibit N - Colors and Materials Board. The ground floor of the buildings will be a Mountain Sage (green-grey). This treatment creates a base for the three-story buildings. The roofs would be brown metal and would have an overall hipped-design where the north and south ends have projecting gabled features and the same with the interior facing elevations. The eaves and gables would be detailed with brackets and corbels. The garage doors would be decorative sectional roll-up doors with windows on the top panels.

The proposed height to the ridge of the tallest roof segments on the buildings would be 39-feet at the western building and 40-feet at the eastern building.

### Landscaping, Walls and Paving

The proposed site plan shows the planter areas and the planting plan shows the conceptual landscape composition which includes a palette containing various trees, flowering shrubs, and ground covers for the project (see Exhibits D and T). The private rear yard areas for the individual units would be landscaped with small shrubs and include a raised planter bed for the future residents use. The perimeter of the subject property and the separation of the proposed backyard areas would be improved with new six foot tall solid wood fencing. The Code permits up to seven foot tall fencing for residential projects (Z.C Section 4-1682 A.). The applicant has stated that the proposed plans will include the use of colored concrete with tooled joints to enhance the appearance of the driveway.

## **STAFF ANALYSIS**

### Land Use/Density

The General Plan Land Use Map designates the subject property for Medium-High Density Residential (RMH) use. The Zoning Map is consistent with the General Plan as RM-1800 is the

corresponding zoning designation in the RMH (General Plan page 3-33).

The proposed zoning map amendment of the property from RM-1800 Residential Multi-Family to RM-1800(PD) Residential Multi-Family, Planned Development Overlay District subjects any proposal on the property to the City's discretionary review process, to consider and ensure that the new development will be compatible with the existing area. As proposed with six units, the overall site density would equate to approximately 22 units per acre (six units on 12,000 square feet, or one unit per 2,000 square feet). The existing RM-1800 zoning could permit a density of 24 units per acre, or up to seven (7) units on the subject property. The proposed project conforms to the General Plan as mentioned above since RM-1800 is the corresponding zoning designation with the General Plan's Medium-High Density Residential land use designation.

The density and design of condominium development would be a compatible development proposal with the surrounding neighborhood. The project is below the maximum allowable density and the distribution of the units in two separate buildings lessens the overall bulk and massing of the project.

### Reasons for Planned Development

The proposal involves developing two multi-family residential buildings where the Zoning Code provides for a single-family, a two-family, or a multi-family building on a RM zoned property (Zoning Code Section 2-510 A.). The project proposes irregular side yard setbacks, where the side yard setbacks are designed to function as private rear yard areas due to the inward orientation of the multi-family buildings. In this instance, the rear of the units face a side property line. Although 8.5- to 11.5-foot setbacks are proposed for the east and west property lines, respectively, they comply with the RM base district requirements which permit a minimum of 8.5 feet and an average of 10 feet for multi-family residential development (Z.C. Section 2-542 G.). The rear yard setbacks are a minimum of 15 feet (Z.C. Section 2-542 F.). The planned development will request exceptions to these minimum requirements listed in the Zoning Code.

The purpose of the Planned Development is to encourage variety and avoid monotony in developments by allowing greater freedom in selecting the means to provide access, light, open space and amenities. The proposal provides a plan which is adequately accessed, provides open space similar to other recent planned developments, and amenities such as secured off-street parking and off-street parking spaces for visitors.

### Parking / Circulation

The 15 parking spaces provided, including 12 enclosed spaces and three open spaces, complies with the minimum requirement of 12 spaces for six, multi-family units plus one-half spaces per unit for visitors spaces (Zoning Code Section 4-1704). Staff will include a standard condition of the CC&Rs that the garages remain accessible to two vehicles at all times and not to be used for storage or other uses.

The circulation for the project has been reviewed by the Fire Department and the Engineering and Transportation Department. The 22-foot wide entry driveway and 24-foot wide interior driveway complies with the access required by the Fire Department. No parking will be permitted on the driveway to maintain emergency vehicle access. The driveway design satisfies the Engineering and Transportation Department's requirements for circulation. The interior width of the driveway would

allow the garbage and recycle containers placed on the driveway on service days for pick-up. The trucks would have to back out of the driveway after collection. Delivery trucks and vans such as FedEx could also use the driveway for its delivery services if there are no available spaces on Marina Boulevard.

### Height

The building height of 34.75 feet (average of approximately 29.5 feet to the plate line and 40 feet to the ridge) for the proposed project is well below the 50 foot high maximum allowed (Zoning Code Section 2-536). Although the property has been historically used for one single-family residence and a large open yard, there are no restrictions applying to the property to prevent its redevelopment. There are no view easements that are reserved for the adjacent property owners or residents. The proposed residences are below the maximum envelope that would be permitted by the zoning. Instead of one large box structure, the proposal is for two detached buildings with three residences, each.

### Architecture / Design

The project architecture has a contemporary Farmhouse-style with the use of brackets and corbels beneath the roof eaves, the projecting bay-elements, vertical-shaped windows, and the exterior use of horizontal siding. The front of the homes and the interior elevations facing the driveway are well-articulated with a variety of architectural treatments. In addition the two elevations facing Marina Boulevard includes front doors and covered porches facing the street. These design features contribute in enhancing the Marina Boulevard streetscape and the appearance within the interior of the project.

### Landscaping

The proposed landscaping is sufficient and depicts a concept which would complement the residential development. Staff recommends a condition of approval that prior to issuance of Building Permits the final landscape and irrigation plans prepared by a California licensed landscape architect will be required to conform to the Model Water Efficient Landscape Ordinance per the State of California Department of Water Resources requirements. In addition, the final plans will be evaluated to see that it carries out the intended concept which includes a sufficient amount of trees, shrubs, and ground cover which provide seasonal color and varieties which are hardy to the San Leandro area. In addition, the proposed trees for the project will be specimen size (24-inch box minimum).

### Paving

Although a color for the concrete and the decorative paving was not specified in the plans or on the color and materials board, the applicant is considering a colored concrete with tooled joints. Staff recommends that the final colors be subject to the review and approval of the Community Development Director. At a minimum, the concrete should include a fair amount of lamp black (concrete color additive) for a gray color. Gray is preferred to white which is stark in appearance and emits excessive glare. The colored-stamped concrete would likely be a tan or other variation of an earthtone color.

### Site Plan Review

In addition to the Planned Development review, there is an added level of review; Site Plan Review per Zoning Code Section 5-2502 B., to ensure the proposal's comprehensiveness in providing amenities and design that enhances the quality of residents' living and the appearance of the project. Thus, in parallel to the planned development review, the Site Plan Review standards were also met. The site plan elements comply with the minimum requirements of the Zoning Code and as intended by the Code the plan is arranged in a harmonious and orderly manner, which is compatible with the immediate area. The plan includes approximately 1,800 square feet of usable open space (1,380 square feet of cumulative private yards and 420 square feet of common space). The common spaces are at the northwest and northeast corners. Cumulatively the two common open spaces are approximately 820 square feet of which 420 square feet is the actual usable floor area for passive use such as sitting. The Code requires a minimum of 200 square feet per unit of total open space including common and private open spaces (Z.C. Section 2-558 A.).

The buildings have adequate articulation, with appropriate window placement, use of detailing, and changes in building planes to provide visual interest. The exterior materials, finishes, detailing, and colors are compatible with those of surrounding structures. There will be at least five exterior colors which includes four wall colors and the standing seam roof. The use of horizontal siding along with the articulated elevations with the projecting and recessed wall planes for the street facing elevations would enhance the aesthetics of the new development. The two units facing Marina Boulevard have covered porches, which fits the context of the neighborhood. Furthermore, the vehicle driveway orientation and vehicle parking at the rear of the property de-emphasizes the automobile in the design. Areas were designated in the design for storage of solid waste and recyclable containers in some garages and in the rear yards so they can be stored so they are not visible. A raised electric transformer was placed at the rear of the site so it would not be visible from public view.

A low profile monument address sign was designed along the frontage with similar materials and colors of the townhouses so it appears architecturally integrated and complementary to the new development (Exhibit M - Freestanding Sign Details). The site address monument was recommended by the Alameda County Fire Department to clearly identify the location in the event of responding to an emergency at the development. The proposed four-foot, 10-inch tall monument sign complies with the Sign Ordinance that for multi-family that freestanding signs shall not exceed five feet in height (Z.C. Section 4-1806 D. 1.).

#### Inclusionary (Affordable) Requirement

For residential developments of for-sale projects of six or fewer units, the Inclusionary Housing Ordinance requirements may be satisfied by paying an in-lieu fee. The fee is the median sales price of a three bedroom, townhouse units in San Leandro, minus the Affordable Ownership Cost, multiplied by the fractional inclusionary units required. The fractional inclusionary unit required for the six-unit project would be 0.90. At the time of this report, the estimated Inclusionary in-lieu fee amount is \$116,127.00.

#### Vesting Tentative Map

A Vesting Tentative Map Tract No. 8475 is also included with this proposal. The map identifies what exists on the property and all the existing structures and vegetation that will be removed within the subdivision. The map shows the infrastructure serving the proposed development. The map conforms

to the proposed Planned Development described previously in this report. A vesting tentative map is similar to a regular tentative map except that the approval confers the applicant a vested right to proceed with development in substantial compliance with the development standards in effect at the time the vesting map is deemed complete.

Staff proposes the inclusion of a standard recommended condition of approval for the developer to provide a draft of their proposed Codes, Covenants and Restrictions (CC&Rs) prior to approval of the Final Map. The CC&Rs will contain language specifying the future property owners' responsibilities as a homeowner's association in maintaining the paved driveway and uncovered parking areas, maintenance of common areas, and the landscaping in front of the homes on Marina Boulevard. In addition, the CC&Rs should specify the property owners' individual responsibilities in maintaining their respective patios (rear yards) free of clutter and prohibit outdoor storage, with the exception of normal outdoor patio furnishings and garages remaining useable strictly for vehicle parking.

## **GENERAL PLAN CONFORMANCE**

The General Plan Land Use Map designates the subject property as Medium High Density Residential. This designation permits multi-family residential development, such as garden apartments, townhomes, and condominiums. With this designation, common open space areas, landscaping, and other site amenities may be required. Gross densities range from 19-25 units per acre, including streets, easements, and common open space. The proposed six units on the 0.28 acre equals 22 units per net acre. In this case, the proposed development conforms to the density specified by the General Plan.

The following General Plan actions, goals, and policies are relevant to this residential project (note: LU-Land Use; ED-Economic Development):

**GOAL LU-2.** Preserve and enhance the distinct identities of San Leandro 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.

**GOAL LU-3.** Provide housing opportunities and improve economic access to housing for all segments of the community.

**Policy LU-3.1** Mix of Unit Types. Encourage a mix of residential development types in the city, including single-family homes on a variety of lot sizes, as well as townhomes, row houses, live-work units, planned unit developments, garden apartments and medium to high density multi-family housing.

**Policy LU-3.4** Promotion of Infill. Encourage infill development on vacant or underused sites within residential and commercial areas.

**GOAL ED-5.** Provide amenities that attract and retain businesses and encourage those working in San Leandro to also live in San Leandro.

**Policy ED-5.2** Housing Production. Substantially increase the production of a variety of

housing types meeting the needs of persons at all income levels.

**Action 53.03-C**: Affordable Housing Trust Fund

Maintain a local affordable housing trust fund that is capitalized with in-lieu fees from the inclusionary housing program and condo conversion fees. The fund should be used to leverage affordable housing development in San Leandro.

The proposal will provide infill residential development which would have a density compatible with the existing immediate residential neighborhood. The design is within the allowable envelope of the existing base zoning district. The architectural design is well articulated and detailed. The project would improve an underused property and enhance the Marina Boulevard streetscape. The project provides an opportunity for ownership of six individual units. Moreover, with the necessary conditions relating to landscaping, property maintenance, and the establishment of CC&R's (Conditions, Covenants and Restrictions), the attractive appearance of the property would be maintained. The required in-lieu fee to be provided for affordable housing would benefit the City's Affordable Housing Trust Fund, as the funding will assist with the development of future inclusionary housing projects in the City.

## **ENVIRONMENTAL REVIEW**

This project to construct six residential units is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guideline Article 19, Categorical Exemption, Section 15303(b), "New Construction or Conversion of Small Structures." In urbanized areas such as this, this categorical exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units.

## **PUBLIC OUTREACH**

A legal advertisement for the public hearing was placed in the East Bay Times' Daily Review newspaper, public hearing notification letters were mailed to the property owners and business owners within 500 feet of the subject property, and public notification placards were posted on the subject property. No comments were received from the public regarding the proposed project at the time of the filing of this report.

## **RECOMMENDATION**

Staff recommends that the Planning Commission recommend to the City Council to approve the proposed project by making the following actions:

- A. Adoption of a finding that the proposed project to construct six residential units is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guideline Article 19, Categorical Exemption, Sections 15303(b). In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. As a result, no further environmental analysis is required;
- B. Adoption of the recommended Findings of Fact to approve the Rezone, Planned Development, Site Plan Review, and Vesting Tentative Map, PLN17-0049; and



- C. Adoption of the Resolution Recommending Approval of the Rezone, Planned Development, Site Plan Review, and Vesting Tentative Map, PLN17-0049, subject to the Recommended Conditions of Approval.

## **ATTACHMENTS**

Vicinity Map

Exhibit A - Cover Page and Renderings

Exhibit B - Solar study and Streetscape Elevation

Exhibit C - Existing Site Plan

Exhibit D - Proposed Site Plan

Exhibit E - Floor Plan, Level 1

Exhibit F - Floor Plan, Level 2

Exhibit G - Floor Plan, Level 3

Exhibit H - Roof Plan

Exhibit I - Elevations, North and South

Exhibit J - Elevations, East and West

Exhibit K - Cross Section

Exhibit L - Street Improvements-Standard Plans

Exhibit M - Freestanding Sign Details

Exhibit N - Colors and Materials Board

Exhibit O - Topographic Survey

Exhibit P - Preliminary Civil Utility Plan

Exhibit Q - Preliminary Stormwater Control, Grading and Drainage Plan

Exhibit R - Vesting Tentative Map Tract No. 8475

Exhibit S - Photometric Plan

Exhibit T - Planting Plan

Exhibit U - Hydrozone Plan

Photographs of Subject Property and the Immediate Adjacent Properties

## **ATTACHMENTS TO RESOLUTION**

Exhibit A - Zoning Map Amendment

Exhibit B - Recommending Findings of Fact

Exhibit C - Recommended Conditions of Approval

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