



## Legislation Details (With Text)

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<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	PLN16-0050; Conditional Use Permit and Site Plan to construct a 60-unit multi-family residential building at 1659-1695 Washington Avenue (northwest corner of Washington Avenue and Thornton Street.). Assessor's Parcel Numbers 75-6-5-1 and 75-6-6-1; J. Burns, Collaborative Design Architects, Inc., applicant; G. Galvan, property owner; DA-1 Downtown Area 1 District.				
<b>Sponsors:</b>	Cynthia Battenberg				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Vicinity Map 2-2-2017.pdf, 2. FINDINGS OF FACT - Feb 2 2017.pdf, 3. NOTICE OF EXEMPTION PLN16-0050 Washington Avenue 1695.pdf, 4. PLN15-0050 Recommended COA 2-2-2017.pdf, 5. Correspondence 1-20-2017.pdf, 6. Exhibits A-I December 1 2016 BZA.pdf, 7. Exhibits J-R December 1 2016 BZA.pdf, 8. Exhibits S-AA December 1 2016 BZA.pdf, 9. Exhibit BB December 1 2016 BZA.pdf, 10. Aerial and Street Street Views 12-1-2016.pdf				

Date	Ver.	Action By	Action	Result
2/2/2017	1	Board of Zoning Adjustments	Received and Filed	Pass

**PLN16-0050;** Conditional Use Permit and Site Plan to construct a 60-unit multi-family residential building at 1659-1695 Washington Avenue (northwest corner of Washington Avenue and Thornton Street.). Assessor's Parcel Numbers 75-6-5-1 and 75-6-6-1; J. Burns, Collaborative Design Architects, Inc., applicant; G. Galvan, property owner; DA-1 Downtown Area 1 District.

## SUMMARY AND RECOMMENDATION

The applicant proposes to redevelop a 22,500± square foot property located on the southern end of downtown with a 60-unit multi-family residential development. New multi-family residential development in the Downtown Area 1 (DA-1) zoning district requires approval of a Conditional Use Permit and Site Plan Review from the Board of Zoning Adjustments. The subject property is within one-quarter mile of the BART Station and situated in the City's Downtown Transit Oriented Development (TOD) Strategy Area.

The proposed project complies with the City's TOD Strategy. Various amenities and design components are implemented to enhance the quality of the available facilities and the appearance of the project. Adequate parking is located within a proposed underground parking structure to preserve the surrounding pedestrian-oriented environment. The project provides in-fill housing on property that is within walking distance to downtown retail services and AC Transit and BART transit stops. Staff recommends that the Board of Zoning Adjustments approve the project and make the following actions:

1. Adoption of the California Environmental Quality Act (CEQA) Exemption per CEQA

Guidelines, Article 19, Categorical Exemption, Section 15332, In-Fill Development Projects;

2. Adoption of Recommended Findings of Fact for Approval of PLN16-0050; and
3. Approval of the Recommended Conditions of Approval for Conditional Use Permit and Site Plan Review, PLN16-0050.

## **APPLICANT'S SUPPORTING STATEMENT**

See Exhibit B - Project Narrative/Project Information, attached.

## **RELATIONSHIP TO SURROUNDING AREA**

The subject property is located at the northwest corner of Washington Avenue and Thornton Street, about six blocks east of the San Leandro BART station. The site is included within the Downtown Transit Oriented Development (TOD) Strategy area.

The subject property is comprised of two parcels to be merged, a 15,000 square feet corner lot and a 7,500 square feet interior lot adjacent to the north, totaling 22,500± square feet (0.52 acre). The corner lot is currently the location of an automotive repair facility (Quality Tune-Up) and the interior lot is a single-family home. The Quality Tune-Up formerly operated as a gas station with automotive service. The adjacent properties to the west include a duplex and two single-family homes; adjacent to the northwest and north is Bank of the West and its parking lot. Across the street to the east are the Scribner Shopping Center, a sports bar, and a two-story mixed use building that formerly housed a dry cleaning business which ceased operating about 50 years ago. Across the street to the south are two duplexes. It is common in the City of San Leandro to have a gas station, businesses and residences co-existing adjacent to one another.

The subject property and the properties to the north and east are zoned Downtown Area 1 (DA-1). The properties across the street to the south, the adjacent properties to the west and northwest, containing the residential uses and the western half of the Bank of the West parking lot, are zoned Downtown Area 2 (DA-2).

## **BACKGROUND**

### Downtown San Leandro Transit-Oriented Development Strategy (TOD Strategy)

On September 4, 2007 the San Leandro City Council approved the "San Leandro Transit Oriented Development Strategy" which is a plan that addresses planning and design issues in the area between downtown and the San Leandro BART station. The purpose of the TOD Strategy is to focus growth in the transit-accessible downtown area. Downtown San Leandro is an ideal location for transit oriented development because the area is well served by a variety of public transportation sources, including AC Transit, BART and San Leandro's LINKS shuttle, and because it has existing shopping and professional services. With development of housing around the San Leandro BART station, it is expected that this new residential population will increase the amount of downtown business activity with fewer vehicle trips, utilizing the existing pedestrian-friendly downtown environment. As new housing units are built, it is assumed there will be both an increase in transit ridership and in the local population, enhancing the market for downtown shops and services, serving as a catalyst for downtown revitalization.

Associated with the adoption of the TOD Strategy specific plan was the new DA Downtown Area District, containing zoning standards which implement the TOD Strategy specific plan. These new standards include increased building height limits, higher residential densities and reduced parking standards. These TOD standards were adopted so that property owners would know exactly how to design new developments or redevelop existing sites, while minimizing the uncertainty of the discretionary review process.

#### Progression of Concept Plan

Staff has been working with the applicant on this proposal since the summer of 2014. In May 2015, the proposed project was vetted at a Planning Commission work session to receive input from the general public and the Commission. It received support from downtown businesses and property owners as well as the Chamber of Commerce. There were two speakers that objected to the proposal including a representative of Quality Tune Up (the current tenant) and an adjacent neighbor to the west.

Since that time, the Zoning Code was further updated to advance the goals of the 2007 TOD Strategy, which enabled:

- Increased densities;
- Bonus density for projects with floor areas less than 750 square feet; and
- A reduction in the required parking to one parking space per unit for projects within one-quarter mile of BART, with the understanding that TOD residents would rely more on walking and public transit

With the Zoning Code updates that took effect on November 3, 2016, approval of a Planned Development (PD) for this type of project no longer requires a recommendation from the Planning Commission followed by approval from the City Council. The Code now requires review and approval of a Conditional Use Permit and Site Plan Review from the Board of Zoning Adjustments.

## **DETAILS OF THE PROPOSAL**

### Site Plan

The applicant proposes to combine and redevelop the two parcels that make up the subject property. The proposed residential building would have varying setbacks from Washington Avenue (1 to 7 feet) and Thornton Street (2.5 to 5 feet) from the right-of way / property line; and zero setbacks at the interior northern and western property lines. The varying setbacks along the street frontages allow for pockets of landscaping and varying wall planes and porches for the architecture of the building. (See Exhibits A, E, and G).

Washington Avenue is proposed to have three stoops and porches for the three, two-bedroom units facing the street and a stairway for exiting the building at the northern end of the Washington Avenue frontage. Thornton Street has the main door to the lobby of the multi-family residential building, driveway opening to the parking garage and a trash enclosure/utility area.

### Ground Level and Subterranean Level

The ground level and subterranean level makes up one and one-half levels of indoor vehicle parking that provide a total of 73 parking spaces (see Exhibits E and F). The main level contains 48 spaces and the lower level 25 spaces. Each level of the building including the parking and the residential floors above are connected and served by an elevator and stairwells.

### **Residential Floors**

The first floor of the building includes the most features and amenities. In addition to the three two-bedroom units that face Washington Avenue and the main door for the building on Thornton Street, this level contains nine one-bedroom units, a fitness center, a property management office, and an outdoor courtyard for common use (see Exhibit G). The courtyard comprises approximately 4,800 square feet. The second, third and fourth floors will each include 16 one-bedroom units (see Exhibits H, I and J).

### **Floor Plans - Mix of Units**

The proposal has seven various one-bedroom unit types that would range from 520 square feet to 810 square feet (see Exhibits L, M, N and O; Exhibit L contains a table for the mix of units on each floor). Two of the two-bedroom units comprise approximately 1,130 square feet and one would have 1,250 square feet. In addition, each unit is provided with a private deck or balcony.

### **Building Design and Architecture**

The proposed architecture is a contemporary design featuring varying roof lines, wall planes, and different materials, colors and finishes, notably along the 150 feet of frontage along Washington Avenue and Thornton Street (see Exhibits P, Q, and V through AA). The highest levels of the building's roof lines would be a range of 58.67 feet when measured at the western edge to 63.3 feet when measured along Washington Avenue (eastern edge) of the site (see Exhibits P through S). The building exterior consists of multiple colors of stucco, real flagstone, and horizontal siding. Most balconies will be appointed with ornamental metal railings. The rooflines will be finished with a cornice. The main door to the building facing Thornton Street will be punctuated with a stone arch and the entry doors recessed within the arch and constructed with glass. The driveway to the parking garage and the trash enclosure/utility area would be secured by perforated roll up door, with its color customized to match to the horizontal siding application on the building. A separate smaller garage on Thornton Street will provide street-level access to an interior trash and recycling storage area.

## **STAFF ANALYSIS**

In the General Plan, the subject property is designated Downtown Mixed Use (MUD). It is zoned DA-1, Downtown Area 1 zoning district. In the Zoning Code, multi-family residential in the DA-1 district requires a Conditional Use Permit. The minimum density is 35 units per acre (one unit per 1,245 square feet) and the maximum density is 100 units per acre (one unit per 435.6 square feet). A density bonus of 20 percent to the maximum is permitted for projects with an average unit size less than 750 square feet (Zoning Code Section 2-636 B. 22.). In addition, Site Plan Review is required for development plans in the DA-1 district for general consistency with the Design Guidelines for the Downtown TOD Strategy (Zoning Code Sections 2-698 C. and 5-2502).

### **Conditional Use Permit**

The proposed plan conforms to the DA-1 Downtown Area district requirements. The 1 to 7 foot varying front setbacks from the 10 foot Washington Avenue sidewalk complies with the Urban Boulevard standard in the San Leandro TOD Strategy (page 112) where the residential building should have entrances and primary façades facing the boulevard; the setback area should be planted; and the setbacks may contain porches, stoops and steps. The Thornton Avenue street side setback is treated similarly with 2.5 to 5 foot setbacks where zero setbacks are permitted (Z.C. Section 2-680). The side and rear yard setbacks are permitted to be zero setbacks.

The highest levels of the building's roof lines would be a range of 58.67 feet when measured at the western edge to 63.3 feet when measured along Washington Avenue (eastern edge) of the site (see Exhibits P through S). The proposed height is below the 75 feet maximum permitted in the DA-1 District (Z.C. Section 2-682).

The proposed 60 units on 22,500± square feet equal a density of 116 units per acre. The 60 units comprise a total leasable area of 43,704 square feet. The average unit size equals 728 square feet, thus the project is permitted a density bonus of 20 percent under the current TOD development standards. The 116 units an acre complies with the 100 units per acre plus the 20 units per acre density bonus - 120 units maximum (Z.C. Section 2-636 B.22.).

The proposed parking structure design and number of spaces provided satisfies the off-street parking requirements of the Zoning Code. Required minimum parking is 1.0 space per unit for multi-family projects located within one-quarter mile of BART (Z.C. Section 4-1704). The 73 parking spaces serving the proposed 60 units equal 1.22 spaces per unit. Street parking will also be available but is not counted towards the required parking under the Zoning Code.

In the DA-1 district, 100 percent site coverage is permitted and there is no maximum Floor Area Ratio (FAR) for residential projects (Z.C. Sections 2-684 and 2-686). The proposal is approximately at 90 percent site coverage with about 2.0 FAR.

### **Site Plan Review**

Per Z.C.S. 2-698 D., projects subject to Site Plan Review are required to include amenities and meet design criteria that enhance the quality of residents' living or the appearance of the project. Projects are required to include at least seven (7) listed amenities. Amenities provided to support this project include the following:

- Open space. Each unit is provided a porch or balcony/deck.
- Common areas that are not private balconies. The plan includes a 4,800 square foot outdoor courtyard for the residents' use in the northwest quadrant of the site plan.
- Tenant activity area. The plan includes a fitness center along the Thornton Street frontage.
- Use of three or more colors. There will be at least four colors. There will be two colors by Benjamin Moore: Summerdale Gold (green-brown tan) main building walls and Chopped Dill (olive) projecting planes. The recessed horizontal siding in the balconies, the cornices, and the garage door will be Countrylane Red (brown). The window frames will be anodized aluminum with Arcadia Champagne (light beige). See Exhibit V - Color and Finish Board.
- Use of three or more materials on the façade. There will be four prominent materials: split face real flagstone for the base of the building, stucco exterior walls; decorative metal railings; and Hardie Plank horizontal siding in the balconies.
- Practical usable furniture in common areas. Exhibits U and AA, Site Furniture and Courtyard rendering, respectively, shows the tables and chairs for the courtyard.
- Bicycle lockers. Secured bicycle parking will be provided in the bottom level of the parking garage. Although it is not shown, the applicant stated that a bicycle storage room will be constructed in place of the northern Mechanical Room shown in Exhibit F - Garage Subterranean Floor Plan, A2.0a. The ratio provided would be one (1) bicycle space per unit.
- Bay windows. Although there are not bay windows specifically, the articulated elevations with the projecting and recessed wall planes for the street facing elevations apply the concept of aesthetics and articulation that bay windows would provide.

Other positive features that contribute to the quality of the project follows:

- The exterior architecture of the building is well articulated so that it is not massive in appearance with the use of the flagstone base for the building, balconies and decks with railing, and top floor balconies open to the sky. The Applicant has noted that real stone materials will be used in the building façade.
- The units along Washington Avenue have been placed at street level with stoops and porches connected to the sidewalk.
- The vehicle driveway and vehicle parking are de-emphasized in the design.
- An on-site property management office.
- A street-level trash and recyclable storage area separate from the parking garage with a chute accessible from the main floor.

### **Interior Property Lines**

The design includes 14.5 feet tall walls directly adjacent to the two interior property lines for approximately 100 feet when measured from the northwest corner of the property (see Exhibit R - Exterior Elevations North and West). The remainder of the segments going towards the street will be the stone treatment that wraps from the frontages to the two edges. The northern interior property line is a shared property line with the Bank of the West ingress driveway via Washington Avenue and a portion of its parking lot. The western interior side property line is a shared property line with three adjacent residential properties, 1650, 1650, and 1690 Thornton Street.

The front 40 foot segment of the northern wall, approximately eight feet tall, will be stone. The remaining 100 feet to the northwest corner would be stucco painted to match the building's color and finishes scheme. A similar design is proposed for the wall along the western edge; however the front 40 foot segment would have a taller treatment of stone to 14.5 feet tall.

Although the wall is 14.5 feet tall along the interior property lines, they would be treated to blend in and match the building color and finishes. The courtyard would have a raised planter at the northwest corner of the courtyard that would include plant material that could drape or spill over the 14.5 foot tall wall. Along the northern edge the planter has a length of 38 feet and along the western edge it would be 54 feet long. In addition, the bank building maintains a 26 foot setback from the northern property line. The residences at 1650 Thornton Street and 1690 Thornton Street maintain setbacks of approximately 65 feet and 62 feet, respectively. The residence at 1969 Thornton Street would have a 10 feet setback from the wall. This segment adjacent to 1696 Thornton Street would be 14.5 feet tall with flagstone treatment.

### **Downtown San Leandro TOD Strategy**

The proposed project is in accordance with the Downtown San Leandro TOD Strategy adopted September 2007. The project is at an optimal location being within one-quarter mile to San Leandro BART and to numerous AC Transit bus lines - a positive impact on public transit ridership. The new residences will enhance the walkability of the area and strengthen the link between the BART station area and downtown. In addition, the project is walking distance to the downtown shops and services. It will contribute to the revitalization of downtown.

### **Engineering and Transportation Department**

The Engineering and Transportation Department, with the recommended Conditions of Approval,

have found that the site plan, interior vehicle circulation and parking, stormwater management and retention (C-3 Requirements), and the necessary public improvements would comply with the City's standards and meet City requirements. In the addition, the recommended conditions list the various required impact fees for the proposed project and requirement to merge the two lots.

### **Fire Access and Emergency Egress**

The Building and Safety Services Division and the Fire Department, with the recommended Conditions of Approval, have found that the site plan and the building design comply with Building and Fire Codes. The proposed design includes a preliminary Building Code Analysis on Exhibit B. The plans show the required exiting routes, proposed ladder angles, and a fire pump room at street level adjacent to the main entry necessary for increased firefighting water pressure for the building.

### **Landscape Plan**

The landscaping along the front setback complements the architectural design, with an appropriate balance of trees, shrubs, and ground cover. The minimum size for the trees is recommended to be 15 gallons, shrubs to be five gallons and the ground covers at one gallon or from flats with the necessary spacing to cover the planter areas in a growing season. Landscaping is also identified in the interior courtyard.

### **Utility Areas**

Similar to the parking, the trash enclosure is built into the building and deemphasized at the southwest corner of the property. It would be secured by a perforated roll-up door. The enclosure would also be equipped with chutes for the convenience of residents on the top floors. Although the proposed exhibits show a majority of the mechanical equipment within the building, staff recommends a condition of approval that mechanical equipment and heating and ventilation, air conditioning systems (HVAC) are screened from public view.

### **Other**

The developer is supportive of the project site being included in the Downtown San Leandro Community Benefits District.

## **GENERAL PLAN CONFORMANCE**

The following General Plan policies are relevant to this residential project:

### **Policy 1.04: Front Yards**

Encourage the attractive treatment of front yards and other areas in residential neighborhoods that are visible from the street. Establish limits on the paving of front yard areas.

### **Policy 2.05: Alterations, Additions and Infill**

Ensure that alterations, additions and infill development are compatible with existing homes and maintain aesthetically pleasing neighborhoods.

### **Policy 3.01: 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 and multi-family housing.

### **Policy 3.04: Promotion of Infill**

Encourage infill development on vacant or underused sites within residential areas.

**Policy 13.04: Transit Oriented Development**

Ensure that properties along heavily used public transit routes are to be developed in a way that maximizes the potential for transit use. Such development should be of particular high quality, include open space and other amenities, and respect the scale and character of nearby neighborhoods.

The proposal will provide infill residential development which will have a density compatible with the current Downtown Area land use and zoning designations. The design is within the allowable envelope of the existing zoning district. The architectural design is well articulated, detailed, and complies with the design standards identified within the TOD Strategy. The project would improve an underused property and enhance the downtown Washington Avenue streetscape. The project provides new units for rental housing. The multi-family residential development would be well served by BART and AC Transit, a few blocks to the west along San Leandro Boulevard.

**ENVIRONMENTAL REVIEW**

This project to redevelop 22,500± square foot infill property with a multi-family housing project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guideline Article 19, Categorical Exemption, Section 15332, In-Fill Development Projects (see attached Notice of Exemption).

Although the removal of the underground storage tanks from the subject property received case closure May 2012 from the Regional Water Quality Control Board and the dry cleaner across the street closed in 1946, Recommended Conditions of Approval include a requirement for testing samples of the soils that are to be excavated for appropriate off-site placement. Furthermore, in the event groundwater is encountered during the excavation and results in the need to dewater the excavated areas, the required permits from the Water Board and the City's Environmental Services shall be obtained.

**PUBLIC OUTREACH**

The following public outreach was performed: a legal advertisement for the public hearing was placed in the East Bay Times newspaper; notification letters were mailed to the property owners and businesses owners within 500 feet of the subject property, the Peralta Citizens Association; and public notification placards were posted in the right-of-way adjacent to the subject property. At the time of this report, one email was received from Christine Mullen, a nearby resident, stating concern with the proposed parking supply (see attached). It was recommended that more than one space per unit should be provided.

**RECOMMENDATION**

Staff recommends that the Board of Zoning Adjustments approve the Conditional Use Permit and Site Plan Review to develop the property with multi-family residential development, subject to the attached recommended conditions and findings.

**ATTACHMENTS**

Vicinity Map

Recommended Findings of Fact

Notice of Exemption (CEQA Categorical Exemption)

Recommended Conditions of Approval

Email Correspondence from Christine Mullen, dated 1-20-2017

Exhibit A - Location Plan - Site Plan (Cover Sheet), G1.1

Exhibit B - Project Narrative/Project Information, Ladder Angles, Preliminary Code Analysis, G1.2

Exhibit C - Site Survey Existing Conditions, C1.1

Exhibit D - Civil Stormwater C-3 Calculations, C1.2

Exhibit E - Street Level, Garage Entry Floor Plan A2.0

Exhibit F - Garage Subterranean Floor Plan, A2.0a

Exhibit G - First Floor Residential, Second Floor Structure, A2.1

Exhibit H - Second Floor Residential, Third Floor Structure, A2.2

Exhibit I - Third Floor Residential, Fourth Floor Structure, A2.3

Exhibit J - Fourth Floor Residential, Fifth Floor Structure, A2.4

Exhibit K - Roof Plan, A2.5

Exhibit L - Unit Mix/Calculations, Individual Unit Plans 1A-1C, A2.6

Exhibit M - Individual Unit Plans 1D-1G, A2.7

Exhibit N - Individual Unit Plans 1H, 2A, A2.8

Exhibit O - Individual Unit Plans 2B, 2C, A2.9

Exhibit P - Exterior Elevations South and East, A3.1

Exhibit Q - Exterior Elevations South and East (Rendered), A3.1a

Exhibit R - Exterior Elevations North and West, A3.2

Exhibit S - Exterior Building Sections, A3.3

Exhibit T - Landscape Plan, L1.1

Exhibit U - Plant Material/Site Furniture Landscape Plan, L1.1a

Exhibit V - Color and Finish Board, CB.1

Exhibit W - Perspective East Elevation Facing Washington Avenue

Exhibit X - Perspective Corner Facing Washington Avenue and Thornton Street

Exhibit Y - Perspective South Elevation Facing Thornton Street

Exhibit Z - Perspective South Elevation Western Corner

Exhibit AA - Perspective Courtyard

Exhibit BB - Sidewalk Repair per City Engineer

Aerial and Street views of the Subject Property

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