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**Title:** Staff Report for 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. 342 Marina Boulevard; Alameda County Assessor's Parcel Number 75-82-10; G.K. Wong, GKW Architects, Inc. (applicant) c/o property owner.  
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Staff Report for 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. 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 RECOMMENDATIONS**

The applicant proposes to redevelop a 12,000 square foot single family property zoned RM-1800 at 342 Marina Boulevard, located one half-block east of San Leandro Boulevard, with a six-unit, three-story residential townhouse condominium development. The Planned Development consists of two separate buildings facing an interior motor court containing three condominium units each.

The Planning Commission and staff recommend the City Council approve the proposed project through the attached Ordinance and Resolutions by taking action as follows:

- A. Adopt a Resolution 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. Approve an Ordinance rezoning 342 Marina Boulevard, the subject property, from RM-1800 Residential Multi-family District to RM-1800(PD) Residential Multi-family District, Planned Development Overlay District; and

- C. Adopt a Resolution to adopt Findings of Fact to approve the Planned Development, Site Plan Review, and Vesting Tentative Map, PLN17-0049, subject to the Recommended Conditions of Approval.

## BACKGROUND

The subject property at 342 Marina Blvd. currently consists of an existing 800 square foot, one-story, single-family home. This home is not on the City's register of historic properties and has been modified over the years. The subject property encompasses 12,000 square feet (0.28 acre), measuring 100 feet wide fronting Marina Boulevard, and 120 feet deep.

Adjacent property to the northwest consists of a duplex, to the north is a four story, 28-unit apartment complex fronting Estabrook Street, and to the west is a one-story, single-family residence and two-story four-unit apartment building at the corner of Marina Boulevard and Clarke Street. To the south, across Marina Boulevard, is the Boys' and Girls' Club and further to the east are single-family homes. The subject property is south of the City's Downtown area. The San Leandro BART Station on Davis Street and San Leandro Boulevard is approximately a half-mile away.

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.

On August 16, 2018, the Planning Commission reviewed the proposed application for a Rezoning, Planned Development, Site Plan Review, and Vesting Tentative Map to develop a six-unit, three-story attached, residential townhouse condominium development. The Planning Commission recommended City Council approval of the proposed development subject to conditions. The Planning Commission's final vote was: 5-Ayes, 0-Nay, 2- Absent. The audio for the August 16, 2018 Planning Commission hearing is available for review online at: [http://sanleandro.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=1106](http://sanleandro.granicus.com/MediaPlayer.php?view_id=2&clip_id=1106)

## PROJECT PROPOSAL

The applicant requests consideration of a Planned Development (PD) zoning overlay, Site Plan Review, and Vesting Tentative Map to redevelop a single family home on a large lot with two, three-story, three-unit condominium buildings intended for individual ownership.

### 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 RM-1800 zoning will remain the same but a Planned Development (PD) overlay designation would be added. A PD overlay requires City Council discretionary review to consider the proposed development's compatibility with the existing residential area.

## Site Plan and Vesting Tentative Map

The subject property is proposed to be subdivided into six condominium units. The proposed layout would establish three attached condo units facing an interior 24-foot wide motor court, opposite the three other attached condo units. A single centrally located driveway via Marina Boulevard would provide access to the six units' individual 2-car garages and three uncovered guest parking spaces (see Exhibit D).

## Setbacks and Yards

The proposed units maintain a 15-foot front setback from the front Marina Boulevard right-of-way/property line, with the exception of the covered front porches on Units 1 and 4 where they maintain a 10-foot front setback. The three western units maintain an 11 foot, six inch setback from the west property line and the three eastern units have an eight foot, six inch setback from the east property line. The proposed layout and setbacks provide private yard space behind each of the units. The rear of the east building would be set back 26 feet from the northern property line and the west building is set back farther, at 33 feet from the northern rear property line. The setbacks are ample enough to provide common usable yard space for residents, visitor parking including an ADA-accessible parking space, and adequate space for a vehicle to turn around at the end of the motor court.

## 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 will have an entry area and an attached two-car garage. 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 laundry rooms 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 will be three off-street parking spaces at the rear of the site for visitors. The project provides a total of 15 off-street parking spaces, at a ratio of 2.5 parking spaces per unit. No parking will be permitted along the private driveway. The provided parking complies with the requirements of the Zoning Code.

## Elevations

The exterior elevations are a contemporary Farmhouse style that includes horizontal siding (HardiePlank, a composite of wood fibers and cementitious materials), metal standing seam roofs, and white casement (hinged) and hung (vertically opened) windows. See Exhibits I and J - Elevations. The HardiePlank type will be Cedarmill, which has a raised grain texture to appear 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) (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 will be brown metal and 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 will be detailed with brackets and corbels. The garage doors will 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 will be 39 feet at the western building and 40 feet at the eastern building.

### Landscaping, Walls and Paving

The proposed site plan and planting plan for the project includes a landscaping palette containing various trees, flowering shrubs, and ground covers (see Exhibits D and T). The private rear yard areas for the individual units will be landscaped with small shrubs, and will include a raised planter bed for residents' use. The perimeter of the subject property and the separation of the proposed backyard areas will 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.

## **ANALYSIS**

### Land Use and 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 requires the City Council to consider and ensure that the new development will be compatible with the existing area. As proposed and designed with six condominium 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 establishes a density of 24 units per acre. No exceptions to the Zoning Code's density requirements are necessary with the proposed Planned Development project. 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. Staff and the Planning Commission recommend that the City Council find that the density and design of the project are compatible with the surrounding neighborhood.

### Planned Development

A Planned Development is requested by the applicant in order to develop two separate multi-family condominium buildings on a single common lot. The project complies with all other development

standards of the underlying RM-1800 zoning district, including density, height, parking, lot coverage and setbacks.

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 that 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 and Circulation

The 15 parking spaces provided, including 12 enclosed garage spaces and three open shared spaces, comply 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 and the Planning Commission recommend a standard condition placed in the CC&Rs that require the garages remain accessible for two parked vehicles at all times and not to be used for storage or other uses.

Access and circulation for the project was 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 Fire Department's design and access standards. No parking will be permitted in the driveway in order to maintain emergency vehicle access. The driveway design satisfies the Engineering and Transportation Department's requirements for vehicle circulation. The interior width of the driveway also satisfies garbage and recycling standards, in that it allows containers to be placed on the driveway on service days for pick-up. Sanitation trucks are able to back out of the driveway after collection.

### Height

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

### Architecture and Design

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

### Landscaping

The proposed landscaping is sufficient and depicts a concept that complements and enhances the

development. Prior to issuance of Building Permits, the final landscape and irrigation plans will be conditioned to conform to the State's Model Water Efficient Landscaping Ordinance requirements. The final landscaping plans will be evaluated to determine that the project carries out the intended landscaping concept, which includes a sufficient amount of trees, shrubs, and ground cover that provide seasonal color and varieties appropriate to San Leandro and the region. In addition, the proposed trees for the project are conditioned to consist of an adequate specimen size.

### Paving

Although a color for the concrete and decorative paving was not specified in the plans or on the color and materials board, the applicant is considering using 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 was recommended to 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 could emit excessive glare.

### Site Plan Review

In addition to the Planned Development, Site Plan Review is required as per Zoning Code Section 5-2502(B). The project complies with the City's Site Plan Review standards. 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 shared 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 design of the buildings have adequate articulation, with appropriate window placement, detailing, and varied 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 enhance the development.

The two units facing Marina Boulevard have covered porches, which suits the residential context of the neighborhood. The inward-facing garages, driveway orientation and placement of parking in the rear deemphasizes automotive functions. Solid waste and recyclable containers will be stored within garages and rear yards to not be visible. A raised electric utility transformer was relocated to the rear of the site so it would not be visible from public view.

The low-profile monument address sign located along the street frontage will be designed with materials and colors consistent with the townhouses in order to appear architecturally integrated with the new development (Exhibit M - Freestanding Sign Details). The Alameda County Fire Department requires an address monument sign to clearly identify the units' location. The proposed sign will be four-feet, 10-inches tall, which complies with the Zoning Code.

### Inclusionary (Affordable Housing) Requirement

For residential developments of for-sale/ownership projects of six or fewer residential units, the

Inclusionary Housing Ordinance requirements may be satisfied by paying an in-lieu fee. The fee is the median sales price of 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 to be paid by the developer is \$116,127.00.

### Vesting Tentative Map

Vesting Tentative Map Tract No. 8475 is also included with this proposal. The proposed tentative map identifies what exists on the property and 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 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 must specify the property owners' individual responsibilities to maintain their respective patios (rear yards) free of clutter, and prohibit outdoor storage, with the exception of normal outdoor patio furnishings, and garages shall remain for vehicle parking only.

### Applicable General Plan Policies

The General Plan Land Use Map designates the subject property as Medium High Density Residential. This land use designation calls for multi-family residential development, such as garden apartments, townhomes, and condominiums.

The following General Plan actions, goals, and policies are relevant to this residential project (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.

## **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 where this project is proposed), this categorical exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. In this case, the base residential multi-family designation is not changing. The level of density conforms to the maximum density. As a result, no further environmental analysis is required.

## **Planning Commission Review and Actions**

The Planning Commission considered the proposed project at a regular public hearing on August 16, 2018. At the hearing, the Commission asked the applicant for clarification regarding the proposed use of attic space within the hipped-roofs. The applicant stated that the roofs would consist of prefabricated trusses and that no habitable areas or storage space would be contained within the attics. The space would be used for heating, ventilation, and air conditioning (HVAC) systems and fire sprinkler systems.

The Commissioners asked the applicant if the project would have any particular technology or sustainability amenities. The applicant stated that the roofs would be solar ready and that electric vehicle charging plugs would be installed in the garages. The applicant also stated that the installed utilities would feature smart meters.

The Commissioners pointed out that there are various condominium townhouse projects currently planned, and those developed in the City are well maintained and retain their value. Planning Commissioners felt that a condominium association or homeowners association and appropriate CC&Rs should ensure developments' well-kept appearance and value retention.

The Planning Commission determined the project conforms to the intent and purposes of the RM-1800 District zoning regulations. After hearing public comments made during the hearing regarding concerns over building massing and street parking, the Planning Commission determined that the project conformed to the City's off-street parking requirements and development standards and would not contribute to the demand for on-street parking spaces in the neighborhood. The Planning Commission recommended City Council approval of the project by a 5-0 vote with two Commissioners absent.

## **Summary of Public Outreach Efforts**



A legal advertisement for the City Council's 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 of the proposed project was posted on the subject property. Public outreach was identically conducted in advance of the August 16<sup>th</sup> Planning Commission hearing.

### Public Comments Received

Six neighborhood residents on Marina Boulevard and Cherry Street spoke at the Planning Commission hearing regarding the proposed project. In summary, a majority of the comments were that the development would contribute to on-street parking shortages in the neighborhood and place additional traffic on Marina Boulevard. Comments included statements that the project should not be approved or that a lesser number of units should have been proposed. Other comments made at the Planning Commission hearing stated that the project was too large in mass and scale.

The City received one written comment dated September 2, 2018 in support of the proposal to develop the subject property (attached).

### Legal Analysis

The City Attorney's Office advised staff on the conformity of this project with laws, regulations, City policies and plans, reviewed all staff reports, legislative body actions, and CEQA statements.

## **ATTACHMENTS**

### Attachments to Staff Report

- Planning Commission Staff Report
- Planning Commission Resolution
- Written Public Comment received September 2, 2018
- 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 Related Legislative Files**

- Attached to Ordinance:
  - Exhibit A - Zoning Map Amendment
- Attached to Resolution:
  - Exhibit A - Findings of Fact to Approve
  - Exhibit B - Conditions of Approval

**PREPARED BY:**

Elmer Penaranda, Senior Planner  
Community Development Department