



## Legislation Text

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**File #:** 20-049, **Version:** 1

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Staff Report for a City of San Leandro City Council Consideration of a General Plan Map Amendment, Zoning Map Amendment, Planned Development, Site Plan Review, and Tentative Map to allow for a 39-unit, three-story residential townhome development on a 2.3 acre site at 903 Manor Boulevard; General Plan Map Amendment from CN Neighborhood Commercial to CG General Commercial and Zoning Map Amendment from CC Commercial Community to CC(PD) Commercial Community Planned Development Overlay District; Alameda County Assessor's Parcel Number 080H-1541-036-00; ERC SC, LLC (applicant/property owner); PLN19-0037.

### SUMMARY AND RECOMMENDATION

The applicant proposes to develop a 39-unit, three-story residential townhome condominium development on a 2.3 acre site at 903 Manor Boulevard in the Washington Manor neighborhood. Each unit will have an attached two-car garage and the development will include 17 guest parking spaces and 6 affordable housing units per the Inclusionary Housing Requirement Zoning Code Chapter 6.04. The proposed residential development provides new housing to help the City meet its Regional Housing Needs Allocation goals.

Staff recommends the City Council approve the proposed Planned Development project by making the following actions:

1. Adopt a Resolution approving the Initial Study - Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the 903 Manor Boulevard project.
2. Adopt a Resolution approving a General Plan Map Amendment to change the General Plan land use designation for the project site at 903 Manor Boulevard from CN Neighborhood Commercial to CG General Commercial.
3. Adopt an Ordinance for a Zoning Map Amendment to rezone the project site at 903 Manor Boulevard from CC Commercial Community to CC(PD) Commercial Community Planned Development Overlay District.
4. Adopt a Resolution approving a Planned Development and Site Plan Review for the 903 Manor Boulevard project based on the attached Recommended Findings of Fact and Determinations and subject to the Recommended Conditions of Approval.
5. Adopt a Resolution approving Vesting Tentative Tract Map No. 8519 to subdivide the property into 7 parcels with 39 residential townhome condominium units at 903 Manor Boulevard.

### APPLICANT'S SUPPORTING STATEMENT

See attached Applicant Statement.

## RELATIONSHIP TO SURROUNDING AREA/BACKGROUND

The subject property is located in the Washington Manor neighborhood and zoned CC Commercial Community. The property is a 2.3 acre site that was developed in 1960 as a commercial bowling center. The structure for Manor Bowl is located on the northern half of the property and is approximately 28,687 square feet in size. The southern half of the property is a large parking lot.

The subject property is located in the middle of a block that contains both single family homes and commercial businesses. Adjacent to the property to the west is a neighborhood commercial shopping center with approximately 20 tenant spaces (zoned CC Commercial Community). Adjacent to the property towards the northwest is a 28-unit three story apartment complex (zoned RM-1800 Residential Multi-Family - 24 dwellings per gross acre). Adjacent to the north and east of the property are single family homes (zoned RS Residential Single-Family). Across the street from the property are single family homes and 5 townhomes (zoned RS Residential Single-Family and RM-3000(PD) Residential Multi-Family - 14.5 dwellings per gross acre Planned Development).

## DETAILS OF THE PROPOSAL

The Planned Development project proposes demolishing the existing bowling alley and parking lot to construct six townhome condominium buildings totaling 39 units. The units range in size from approximately 1,703 square feet to 2,254 square feet in floor area. Six of the units will be designated affordable as per the City's Inclusionary Housing Requirements (Zoning Code Chapter 6.04). Four of the units will be ADA accessible per the Building Code. The total lot coverage for the buildings is 32% of the lot and the total floor area ratio is 0.74.

Density. The density is proposed at 17 units per acre.

Height. All of the proposed buildings are three stories tall and have a height of 37'-6" at the ridge and an eave height of 27'-3".

Building Design / Architecture. The development proposes a contemporary architectural style, with changes in plane, rooflines, and balconies/decks. The buildings have shades of neutral colors as primary colors, with contrasting color provided for accents. Proposed materials include horizontal lap siding, stucco, metal garage doors, and concrete tile roof.

Floor Plan. The development is comprised of 12 two-bedroom units (31%) and 27 four-bedroom units (69%), with an average floor area of 1,808 square feet. The two-bedroom units will have: a two-car garage, den/office, and patio porch on the ground floor; kitchen, great room, half bathroom, and balcony/deck on the second floor; and bedrooms, bathrooms, and laundry on the third floor. The four-bedroom units will have: a two-car garage, bedroom, and bathroom on the ground floor; kitchen, great room, half bathroom, and balcony/deck on the second floor; and bedrooms, bathrooms, and laundry on the third floor. The balcony/decks vary in size from 77 square feet to 100 square feet. Waste, recycling, and compost bins will be stored in the attached two-car, side-by-side garages for each unit. Each garage will have EV charging capabilities.

Parking and Circulation. The driveway access to the site will be through the existing driveway

location on the eastern side of the property. Three streets will provide access and circulation on-site. The project complies with the parking requirements of the Zoning Code. A total of 17 guest parking spaces will be provided on site. Three of the guest parking spaces will have EV charging capabilities. In addition, there are two on-street parking spaces proposed directly in front of the development on Manor Boulevard.

Landscaping. The proposal provides new landscaping along the frontage and all common areas with new trees, shrubs, vines, grass/sedge, and ground cover. The total landscaped area will be 10,672 square feet, approximately 10.7% of the site. The project provides two street trees and proposes adding 111 new trees to the site. A stormwater treatment/bioretention area of 2,628 square feet is proposed. New walls and fencing are proposed along the perimeter of the site.

On-Site Amenities. A common open space of approximately 699 square feet is proposed in the middle of the project site. The common area will have chairs and tables for use by the residents. A 48" wide trail is proposed to link the site from Manor Boulevard to the middle interior of the property. Four bike lockers will be provided on site. Common mailboxes will be provided near the middle of the site.

## **ANALYSIS**

### General Plan Map Amendment

A General Plan Map Amendment to change the General Plan land use designation for the project site from CN Neighborhood Commercial to CG General Commercial is required in order to align the General Plan land use designation with the corresponding CC Zoning Code designation (General Plan page 3-33). It should be noted that the CG General Commercial General Plan land use designation permits residential uses and allows for residential densities up to 24.2 units per acre. The proposed project density of 17 units per acre is below the maximum density allowance of the CG General Commercial General Plan land use designation.

### Zoning Map Amendment/Planned Development

The development proposes a Zoning Map Amendment to rezone the project site from CC Commercial Community to CC(PD) Commercial Community Planned Development Overlay District. The base zoning district will otherwise remain the same and a Planned Development overlay designation would be added. Planned Developments offer developers greater flexibility than otherwise allowed under the Zoning Code in return for a coordinated development that, as noted in the Zoning Code Chapter 3.04, "provides superior urban design in comparison with the development under the base district zoning regulations." The purpose of a Planned Development is to allow "a mechanism for considering development that can be made compatible by application of careful and imaginative treatment of interrelationships of activity."

The Planned Development overlay also provides a mechanism through a discretionary review process to consider a new development that would be compatible with the existing neighborhood but does not meet all zoning standards. The proposed project requests an exception to the open space minimum requirements provided in the Zoning Code. The CC Commercial Community zoning district requires 200 square feet of useable open space per unit for exclusive use by the residents and their guests. The proposed project is providing 107.5 square feet of open space per unit with

balconies/decks and common area open space. The project meets all other CC Commercial Community zoning district development regulations.

Furthermore, staff finds that the application of the proposed CC(PD) Commercial Community Planned Development Overlay District zoning does provide an appropriate transition of density on the block from the commercial shopping center to the adjacent single-family residential properties. It does so with a density of 17 units an acre, which is lower than at the General Plan and Zoning Code maximum of 24 units per acre. In addition, the proposed site plan and design allows for large setbacks from the single-family residential properties and conforms with the daylight plane requirement in relation to the single-family residential properties to the north so not to have significant impact on those properties. The Planned Development is consistent with the adopted Land Use Element of the General Plan and is compatible with surrounding development, as per Zoning Code Section 3.04.112.

### Vesting Tentative Map

The applicant has submitted a proposed Vesting Tentative Tract Map No. 8519 for condominium purposes. The condominium map will subdivide the property into 7 parcels with 39 residential townhome condominium units. Land divisions of five or more units requires a Tentative Map (processed by the Community Development Department) and a Final Map (to be brought forward at a later date by the Engineering Department). The purpose of a tentative map is to show what currently exists and what is proposed on and adjacent to the property to be subdivided. A vesting designation on a tentative tract map confers the applicant with the right to proceed with the development in substantial compliance with the development standards in effect at the time of approval.

A standard recommended condition of approval would require the City and City Attorney's to review the developer's Conditions, Covenants, and Restrictions (CC&R's) prior to the approval of the Final Map. The CC&R's are conditioned to contain language specifying the future property owners' responsibilities as a homeowner's association in prohibiting outdoor storage and maintaining the common areas, driveway, guest parking areas, fences, walls, landscaping, and outdoor amenities. Further, property owners have responsibilities to keep their patio porches, balconies, and decks clutter-free. The City does not enforce Codes Covenants and Restrictions (CC&Rs) but provides a courtesy review for conformance with the recommended conditions of approval and the Zoning Code.

### Site Plan Review

Per Zoning Code Section 5.12.104.A, Site Plan Approval is required for any multi-family residential development that requires a Planned Development approval to ensure the proposal's comprehensiveness in providing amenities and design that enhances the quality of residents' living and the appearance of the project. The project meets the amenities and design criteria per Zoning Code Section 2.08.344 by providing common open areas with outdoor furniture, EV charging stations, bike lockers, use of three colors and materials, and façade modulation. The proposal meets the base CC Commercial Community zoning district regulations for lot area, width, height, lot coverage, floor area ratio, density, daylight plane, setbacks, parking, and landscaping. The buildings have adequate articulation and variation in the use of materials and colors, as well as window placement and changes in façade plane, to ensure that all elevations provide visual interest. The proposed landscaping complements the architectural design and provides an appropriate balance of

trees, shrubs, vines, grass/sedge, and ground cover. The proposed three-story townhome development would be harmonious and compatible within the existing mixed-use commercial and residential context of the immediate area.

The project proposes an 8-foot tall wood fence along the north and east property lines and a masonry wall along the western side of the project, adjacent to the commercial property. Plan Exhibit I identifies the masonry wall to be approximately 11-feet with a 3-foot section of the wall to be retaining and an 8-foot section above ground. Plan Exhibit L (landscaping) identifies the wall material as a CMU block wall and includes a typical picture of the wall's appearance. Due to the need for a higher quality wall material adjacent to the existing residences, staff recommends a condition of approval to replace the proposed wood fencing along the existing homes with a solid masonry wall. Staff also recommends the Zoning Enforcement Official (ZEO) review the final design of the masonry wall due to the limited design information provided. A masonry wall will provide better long-term durability than wood and would improve privacy and provide better noise reduction for the neighboring single-family residences. The final perimeter masonry wall design and material has been conditioned to be reviewed and approved by the ZEO prior to building permit issuance.

### Traffic

Estimated trip generation of the project and the existing trip generation for Manor Bowl is based on trip generation rates published in the Institute of Transportation Engineers Trip Generation Manual, 10th Edition. Depending on the time of day, trips to and from the proposed residential project are projected to decrease or remain the same as the existing commercial bowling alley. The detached single-family residential land use trip generation estimate was used because the Institute of Transportation Engineers does not have a trip generation estimate for townhomes, which are functionally similar as far as traffic generation is concerned. This methodology provides a conservative estimate of generated trips as it has the highest trip generation rate of the residential land use types.

Based on the trip generation for residential townhomes, the project is estimated to generate 72 fewer daily trips than the existing commercial bowling alley: 368 versus the current estimated 440 daily trips. The AM peak hour is estimated to produce 29 trips, 16 trips less than existing. The PM peak hour is estimated to produce 39 trips, remaining the same as existing. Vehicle movements and the proposed private driveway were analyzed by the City's Engineering and Transportation Department and Alameda County Fire Department and found to be adequately designed. Overall, the proposed project will generate fewer trips than the existing bowling alley and the reduced trip distribution will be spread more evenly throughout the day.

### Inclusionary Housing

The proposed project meets the San Leandro Zoning Code requirement for Inclusionary Housing by designating six of the units to be marketed and made available as affordable. The applicant proposes to designate one unit in Buildings A and C and designate two units in Buildings D and E as affordable. None of the units are clustered together in a single building. The developer is conditioned to execute an instrument or agreement restricting the sale of the owner-occupied inclusionary units in accordance with Zoning Code Section 6.04.144 Owner-Occupied Units.

## **APPLICABLE GENERAL PLAN POLICIES**

The General Plan designation for the location of the multi-family/townhome residential Planned Development will be CG General Commercial. This land use designation allows a range of uses and permits residential uses. The CG General Commercial designation allows for residential densities up to 24.2 units per acre. The proposed project density of 17 units per acre is below the maximum density allowance of the CG General Commercial designation. The following General Plan action, 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.

**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

Pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, the City prepared an Initial Study (preliminary environmental analysis) and finds that, although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the City and applicant, and that an Initial Study - Mitigated Negative Declaration (IS-MND) of environmental impact and Mitigation Monitoring and Reporting Program should be adopted by the City Council. Consideration of the IS-MND and Mitigation Monitoring and Reporting Program is a separate but concurrent agenda item with the associated Planned Development and Site Plan Review.

The Initial Study - Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program is posted online at: <https://www.sanleandro.org/depts/cd/plan/polplanstudiesceqa/default.asp>.

Written comments on the IS-MND were submitted during the 20-day public review period beginning May 15, 2020 and ending on June 4, 2020. Due to the closure of City Hall and the Permit Center during the public comment period, a print copy of the IS-MND was offered to anyone requesting one by mail. Twenty-two comments were received and a formal Response to Comments was prepared, attached to the Resolution to Adopt the Initial Study - Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

## **PLANNING COMMISSION REVIEW AND ACTIONS**

The Planning Commission considered the proposed project at a regular public hearing held on July 2, 2020. Staff and the applicant's development team presented and answered Planning Commission's questions. A total of 12 individuals spoke on the proposed project during the public hearing, including a representative from Manor Bowl that spoke in favor of the project, a representative from Manor Square that also spoke in favor of the project, and 10 other individuals that spoke in opposition to the project.

Following questions and deliberation, Commissioner Pon motioned to recommend City Council approval of the 903 Manor Project and IS-MND, seconded by Commissioner Santos. The Planning Commission voted 6-1-0 to recommend City Council approval of the IS-MND and the project, with Commissioner Vierra Houston dissenting.

## **SUMMARY OF PUBLIC OUTREACH EFFORTS**

The applicant met with the Washington Home Owners Association, Manor Square property owner and with many of the public commenters. The applicant has also individually answered questions and emails from the public.

The City provided public notice for the project prior to this September 8, 2020 City Council hearing, the July 2, 2020 Planning Commission/Board of Zoning Adjustments hearing, the public circulation of the CEQA IS-MND, and the (cancelled) June 4, 2020 Planning Commission/Board of Zoning Adjustments hearing.

Noticing including a legal advertisement in the East Bay Times Daily Review newspaper; the posting of notices at City Hall and on the property; mailing of notification to business & property owners within 500 feet of the subject property, to public commenters that provided mailing addresses, and the Washington Home Owners Association; and courtesy email reminders to persons who previously provided public comments on the proposed project. All public comments received prior to the release of the City Council agenda packet have been attached to this report.

## **LEGAL ANALYSIS**

The proposed project entitlements were reviewed by the City Attorney and approved as to form.

## **ATTACHMENTS**

### **Attachment(s) to Staff Report**

Vicinity Map

Applicant Statement  
Plan Exhibits A - EEE  
Public Comments

**Attachments(s) to Related Legislative Files**

- Attached to Resolution to Adopt the Initial Study - Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
  - Exhibit A IS-MND and MMRP
  - Exhibit B Response to Comments
- Attached to Resolution to Adopt a General Plan Map Amendment
  - Exhibit A General Plan Map Amendment
- Attached to Ordinance to Adopt a Zoning Map Amendment
  - Exhibit A Zoning Map Amendment
- Attached to Resolution to Adopt a Planned Development and Site Plan Review
  - Exhibit A Recommended Findings of Fact and Determinations
  - Exhibit B Recommended Conditions of Approval
- Attached to Resolution to Adopt a Vesting Tentative Tract Map No. 8519
  - Exhibit A Recommended Findings of Fact and Determinations
  - Exhibit B Vesting Tentative Tract Map

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