



Item No: 1  
Meeting Date: February 25, 2014

**To:** Planning Commission

**Date:** February 19, 2014

**Authorized By:** Ron Munekawa,  
Chief of Planning

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**Subject:** PA13-066, The Essex at Central Park Pre-Application  
(no address for surface parking lot), APN: 034-144-240

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## **RECOMMENDATION**

That the Planning Commission review The Essex at Central Park Pre-Application, receive public comments and provide comments to staff on the conceptual project, including its relationship to Central Park.

## **BACKGROUND**

### Project Description

A Pre-Application proposal has been submitted for the construction of a new eight-story development project on the north side of E. Fifth Avenue between S. San Mateo Drive and S. El Camino Real. The site is adjacent currently a surface parking lot and is across the street from a portion of the city's Central Park. The proposed development consists of 117 rental housing units, ground floor retail space, and approximately 260 parking spaces located in one-level of underground, ground level and above ground parking. The project also includes a new ramp to maintain access to the roof top parking lot, located above the adjacent commercial building.

### Site Description

The project site (no address, APN 034-144-240) is currently an at-grade parking lot located at the northwest corner of the E. Fifth Avenue and S. San Mateo Drive. The property is approximately 1.2 acres and is generally bounded by office and retail uses to the west, a variety of commercial uses to the north, commercial and multifamily residential uses to the east, and the City of San Mateo's Central Park to the south. The project site is zoned CBD/R (Central Business District/Residential Overlay District – Mixed Use).

## **PRELIMINARY ANALYSIS – CODE AND POLICY COMPLIANCE**

### General Plan

A preliminary list of applicable General Plan policies are included in Attachment 2, these include policies pertaining encouraging a variety of housing (including mixed-use), encouraging development at high intensities and densities in downtown (also refer to Downtown Area Plan section below), encouraging pedestrian enhancements, encouraging development of affordable housing, and includes provisions for building heights ranging from 55 feet to 75 feet as outlined under Measure P, with the provision of Public Benefit. Specifically, the City's General Plan and Measure P provides for the consideration of development proposals that exceed the 55-foot height limit, up to a maximum of 75-feet, with the provision of a public benefit. Measure P states,

“Densities up to 75 units per acre, heights up to 75’ and appropriate FAR’s may be allowed in the following areas of the Downtown, for projects which provide public benefits or amenities substantially greater than code requirements:

1. the area designated on the Land Use Plan (LU-3) as Downtown which is bounded by El Camino Real (SR82), East Fourth and East Fifth avenues and the SPRR railroad tracks;”

While Measure P provides some general guidance, it does not specifically define or identify “public benefits or amenities,” nor does it outline how the City should go about deciding how much public benefit would be required in exchange for the additional height and density, or how much additional height and density would be allowed in exchange for a specific amount of public benefit, or the specific nature of the public benefits. For this reason, the methodology for determining public benefit will be discussed by the City Council at a future study session prior to or concurrent with the processing of the formal planning application for this project. Examples of past public benefits will also be shared with the City Council as part of an overall discussion on the variety and possible range of public benefits. The three public benefits that were previously accepted by the City Council are:

- Bridgepoint Offices project - \$669,000 contribution to be used for Mariner’s Island Park and Shoreline Park improvements.
- Marriott Hotel - \$200,000 contribution to fund public improvements to Concar Park.
- Concar Offices – Approximately \$800,000 of improvements and plantings in the right of way area adjacent to the 19th Avenue neighborhood.

It should be noted that these public benefit projects were approved by the City Council approximately 13 – 18 years ago, and the costs to implement these projects have increased since that period.

### Downtown Area Plan

The project site is located in the downtown, directly across from a portion of Central Park. A preliminary list of applicable Downtown Area Plan policies are included in Attachment 2, these include policies that encourage high density/intensity development in the downtown core area (including mixed-use commercial-residential development), enhancing visual and physical connections to Central Park (including enhancing the mid-block pedestrian crossing), providing ground floor retail along San Mateo Drive, and providing for maximum sunlight exposure to sidewalks through design in a manner consistent with the City's Building Height and Bulk Plan. The Planning Commission is being asked to provide input on the overall design approach (see below under Planning Commission Study Session – Requested Input), this feedback will guide the subsequent more refined design review that is anticipated to occur as part of the formal planning application review (also see Other Policies below for additional design review discussion).

### Central Park

Given the project site's location across from the city's Central Park, the project was reviewed by the Park and Recreation Commission at a study session on February 5, 2014, please refer to the Park and Recreation Commission Study Session section below for a summary of specific concerns pertaining to the project's relationship and connection to Central Park. Additionally, the draft minutes and the entire staff report are included for reference in Attachment 8.

### State Density Bonus Law/Affordable Housing

In addition to the request for additional height and density under the city's Measure P, the project proposal also includes the provision of affordable housing under the State Density Bonus and Other Incentives Law – State Government Code Section 65915 and utilizes the State Government Code Section 65915 (p) parking requirements. The city's zoning code allows for a maximum of 50 units per acre and given that the site is approximately 1.202 acres, the base density for the project site is 60 units. Under Measure P, the density may be increased to 75 units per acre; thereby bringing the project to a maximum of 90 units. Under the State Density Bonus and Other Incentives Law, the applicant is proposing to provide affordable housing units and is requesting an additional 30% of units; resulting in the proposal for 117 units. Under the State Density Bonus and Other Incentives Law, the applicant has the option to utilize the state's parking standards, which are less than the city's parking requirements as they are intended to encourage the provision of affordable housing. Per the applicant's Density Bonus Request Letter (refer to Attachment 4), the applicant is proposing to utilize the State Government Code Section 65915 (p) parking requirements and provide 165 parking spaces, while also maintaining the 95 parking spaces that are currently on the surface parking lot; for a total of 260 parking spaces (refer to attachment 4). The project plans also show a replacement ramp, thereby allowing for continued access to the roof top parking on the adjacent commercial property.

### Other Policies

In addition to the General Plan, Downtown Area Plan, and State Government Code Section 65915 (p), the formal planning application review of the project will also include a design review evaluation by the city's Design Review consultant for consistency with the Downtown Design Guidelines. Furthermore, the project will also be evaluated for consistency with the city's Pedestrian Master Plan and Bicycle Master Plan. A preliminary summary of applicable policies is included as Attachment 2; and it is anticipated that further analysis of applicable codes and policies will be conducted as part of the formal planning application review.

### Code Requirements

The project site is located in an area that is zoned CBD/R (Central Business District/Residential Overlay District – Mixed Use). The residential overlay zoning designation permits high density residential up to 50 units per acre as the base density with a maximum floor area ratio of 3.0. The mixed-use project is required to comply with the setbacks of the underlying zoning district (in this case, CBD) and the residential open space requirements through private open usable open space, common usable open space, or a combination of both. The applicant is expected to provide more detail in their formal planning application submittal; which will then be reviewed for compliance with all applicable municipal code requirements.

The project is anticipated to be in compliance with the California Green Building Standards Code. The CALGreen Code replaces the City's Green Building Ordinance which was rescinded effective January 1, 2014. At this preliminary stage, the applicant has identified the following green building components for the project: green roof, water catchment system to help control runoff as well as reduce water demand, and provision of short term and long term bike parking. The applicant has indicated that they are aware of the new CALGreen Code requirements and will be able to provide more detail as the project design evolves.

Future entitlements which will be requested upon submittal of a formal planning application include a Site Plan and Architectural Review (SPAR), Site Development Planning Application (SDPA), and Tentative Map. Additionally, due to the proposed building height and density, and the associated public benefit, City Council review and approval of the application will be required.

### **PREVIOUS MEETINGS AND PUBLIC COMMENTS**

The Pre-Application phase for this project consists of three steps: 1) neighborhood meeting, 2) study session with the Park and Recreation Commission, and 3) study session with the Planning Commission.

### Neighborhood Meeting

The applicant hosted a neighborhood meeting on Thursday, January 23, 2014, which was attended by approximately 40 community members. The main issues of concern expressed by the attendees pertain to:

- Traffic/circulation including proximity from El Camino, impact on access to Central Park, and loading/unloading functions,
- Parking (loss of parking as well as the overall lack of parking in downtown, loading and unloading functions),
- Construction vehicle parking and staging,
- Massing/height of building,
- Pedestrian safety, and
- Water demand.

Community members did not express concerns regarding the architectural style. For more information on the community questions and responses, please refer to Attachment 8.

### Park and Recreation Commission Study Session

On February 5, 2014, Mr. Dennis Frank, the City's Landscape Architect, presented the conceptual project to the Park and Recreation Commission (PRC). Staff typically brings planning applications before the PRC when the size and significance of the project in relation to a City park/open space area warrants bringing it to the PRC for their review and feedback. The proposed project is located across the street from a portion of Central Park and two of the main connections to Central Park are San Mateo Drive and the mid-block pedestrian walkway. Mr. Frank's staff report and the draft minutes from the PRC study session are included in Attachment 8. In summary, the Park and Recreation Commission expressed concerns with the following areas:

- Enhancing pedestrian connections to draw people from downtown commercial area to Central Park, primarily along San Mateo Drive and the mid-block walkway.
- Recommendation to the Planning Commission to consider more retail along 5<sup>th</sup> Avenue and in the "El Paseo" (aka mid-block crossing) to activate and draw people to this area and toward Central Park.
- There was concern that the landscaping on the building walls may be challenging to maintain, more information will be necessary.
- There was consensus from the PRC to recommend to the City Council that "public benefit" from this project include contribution for improvements in Central Park. (NOTE: refer to staff report to PRC for "public benefit" discussion.)
- There was also consensus that the technical studies that were recommend by the Park and Recreation staff be included in the formal planning application review.

### Public Comments

Along with the above information, members of the community have also submitted letters regarding the project. These are included in Attachments 8 and 9, and raise similar concerns as

those that were raised at the neighborhood meeting and PRC study session. Some of the concerns/issues that were raised will be analyzed in the technical studies as part of the formal planning application review process with the assistance of expert consultants hired by the city and paid for by the applicant. Other concerns would benefit from specific input from the Planning Commission (see below for Planning Commission Study Session – Requested Input).

### **BUDGET IMPACT**

This project will be required to pay fees in-lieu of dedicating land for park and recreation purposes, as well as other impact fees applicable to new developments. The exact amount of these fees will be based on the formula and timing established in the city's Comprehensive Fee Schedule. Additionally, as the project exceeds the building height of 55 feet, the City's General Plan and Measure P require the provision of public benefit. The methodology for determining public benefit will be discussed by the City Council at a future study session. Any preferences from the public or the Commissions will be forwarded to the City Council for their review and consideration.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

There are a number of environmental issues that need to be addressed during the formal review of the project including traffic, noise, air quality, and greenhouse gas emissions, and additional environmental issues as may be raised at the neighborhood meeting or study sessions. The formal planning application review phase will include an analysis of the project's effect on environmental factors as required by the California Environmental Quality Act (CEQA). Areas to be evaluated include, but are not limited, to:

- Aesthetics,
- Air Quality,
- Greenhouse Gas Emissions,
- Hazards and Hazardous Materials,
- Hydrology and Water Quality,
- Land Use,
- Noise,
- Public Services and Utilities,
- Transportation Circulation and Parking.

While a complete listing of all technical studies that may be necessary for the environmental review is not available at this preliminary stage, it is anticipated that the studies will include: traffic/circulation and parking study, shadow study, wind study, design review analysis, greenhouse analysis, and geotechnical study.

### **NOTICE PROVIDED**

In accordance with Government Code section 65090, notice of this hearing was published in the Examiner newspaper 10 days before this Study Session. In accordance with Government Code section 65091 and the City's Municipal Code noticing requirements, this hearing was noticed to

the following parties 10 days in advance of the neighborhood meeting, the Park and Recreation Commission study session, and the Planning Commission study session:

- Property owners, residential tenants and business tenants within 1,000 feet of the project site;
- The City's "900 List" which contains nearly 100 Homeowner Associations, Neighborhood Associations, local utilities, media, and other organizations interested in citywide planning projects;
- The City's Planning E-Notify Email list; and,
- The interested parties list which includes interested individuals who contacted the City and requested to be added to the project notification list.

Written public comments were received prior to printing of this staff report have been included in Attachments 8 and 9. Comments received following printing will be provided to the Commission on the evening of the study session at their desk.

#### **PLANNING COMMISSION STUDY SESSION – REQUESTED INPUT**

At this time, Planning Commission input is requested on the following areas of concern:

- Site Design – The project's interface/relationship to Central Park and visual/physical connections to Central Park (along San Mateo Drive and mid-block pedestrian walkway/crossing).
- Building Design – The overall architectural style/design approach, design approach given status as "edge of downtown", massing/building form/height, and option to increase ground floor retail along E. Fifth Ave.
- Public Benefit – Any preliminary thoughts on public benefit.

#### **ATTACHMENTS**

1. Vicinity Map
2. Preliminary List of Applicable Policies & Density Bonus Code
3. Pedestrian Master Plan – Sidewalk Standard
4. Preliminary Sample Findings
5. Preliminary Data Sheet
6. Preliminary Project Plans
7. Applicant's Density Bonus & Measure P Letter
8. PRC Minutes, AR & Attachments (*NOTE: the entire PRC packet is provided to minimize confusion because the PRC AR references documents in the PRC attachments, including Drawings [6 sheets focused on landscaping], Neighborhood Meeting Summary & Public Comments.*)
9. Additional Public Comments (*NOTE: these are public comments received after the preparation of the PRC study session packet.*)

**CC (Website link to AR and attachments - sent via Email)**

Applicant

Property Owners

Interested Parties (including Neighborhood Meeting and PRC study session attendees, if email address was provided)

Director of Parks and Recreation Department

Dennis Frank, Landscape Architect

**CC (Hardcopies with attachments)**

City Manager

Director of Community Development Department

Chief of Planning

Gabrielle Whelan, Assistant City Attorney