



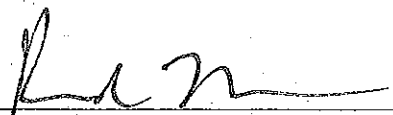
ADMINISTRATIVE REPORT

Date of meeting: 10/14/2008

Agenda Item: 1


TO: Planning Commission

APPROVED
BY:


Ronald Munekawa,
Chief of Planning

DATE: September 26, 2008

SUBMITTED
BY:


Julia Yeh, Associate Planner
Phone: (650) 522-7216 Fax: 522-7201
Email: jyeh@cityofsanmateo.org

SUBJECT:

PA 07-055
Bay Meadows Phase II SPAR#2 (Public Hearing)
2600 S. Delaware St., (APNs: 040-030-190)

RECOMMENDATION

That the Planning Commission approve the proposed development project by making the following motions:

- A. Approve the Site Plan and Architectural Review planning application for the development of 330 residential housing units, the Neighborhood Park, and a portion of the View Corridor, based upon the Findings for Approval in Exhibit A and subject to the Conditions of Approval in Exhibit B.

BACKGROUND

The project is the implementation of the City San Mateo Rail Corridor Transit-Oriented Development Plan, which calls for a transit-oriented development near the Hillsdale CalTrain station. The development of the Bay Meadows Phase II project area is a compact development with a range of land uses, including housing, commercial, office, open spaces, and parks, located close to the station to reduce vehicle trips.

The framework for redevelopment of the Bay Meadows Race Track with a transit-oriented development project are established in previous approvals, as follows:

- April 2005. City Council certification of the San Mateo Rail Corridor Plan/ Bay Meadows Phase II Specific Plan Amendment Environmental Impact Report.
- June 2005. City Council adoption of the San Mateo Rail Corridor Transit-Oriented Development Plan.
- November 2005. City Council adoption of the Bay Meadows Phase II Specific Plan Amendment, Development Agreement and Vesting Tentative Parcel Map.
- December 2006. Planning Commission approval of the Bay Meadows Phase II Design Guidelines and Development Standards.

- *October 2007.* Planning Commission approval of the Vesting Tentative Subdivision Map for the creation of 38 parcels and the Site Development Permit for site preparation and infrastructure work (demolition, tree removal, rough grading, street construction, utility installation) that provides the backbone for future development of the blocks.

A Planning Commission workshop was held on June 27, 2007 to discuss the review process for consideration of the SPARs for the Bay Meadows Phase II development of 17 of the 18 developable blocks. The 17 blocks were divided into three Site Plan and Architectural Review (SPAR) planning applications (Attachment #1).

The three SPAR planning applications were submitted in June 2007. SPAR #1 was reviewed by Planning Commission and approved by the City Council on April 21, 2008.

The development proposed in this application is the second SPAR application for the Bay Meadows Phase II project area. A total three Planning Commission workshops on the SPAR #2 application were held in 2007 and 2008 (Attachment #2):

- *October 2007.* Planning Commission workshop provided an overview SPARs #2 & #3 and a discussion of the relationship between the three SPARs. The Commission provided comments and asked for further details for each SPAR.
- *June 2008.* Planning Commission workshop with a discussion of the design approach and site layout for each SPAR #2 residential block. The Commission provided comments regarding building design and asked for further clarification of site improvements, including the Neighborhood Park.
- *July 2008.* Parks and Recreation Commission workshop to review preliminary plans for the Neighborhood Park. The Commission provided comments regarding site features and concluded with a recommendation to the Planning Commission to support the project with a restroom in the Neighborhood Park.
- *August 2008.* Planning Commission workshop to allow the applicant to review building design and site changes with the Commission and seek further input. Conclusion of the workshop phase of the SPAR with a discussion of the outstanding Planning Commission interests for SPAR #2.

SPAR #3 is currently being reviewed by staff.

PROJECT INFORMATION

Location: The project site is approximately 16 net acres containing five developable blocks (Residential Blocks 4, 5, 6, 8, and 9), a portion of the View Corridor (east of Baze Road), and the Neighborhood Park (Attachment #1). The project site is zoned BMSP (Bay Meadows Specific Plan) and the General Plan land use designation is Transit-Oriented Development. The site is located in the San Mateo Rail Corridor Transit-Oriented Development Plan Area and the Bay Meadows Phase II Specific Plan Amendment area.

Development Program: The project includes 8 plan sets for the five residential blocks (Attachment #22). The development includes 330 residential housing units, the eastern portion of

the View Corridor, and the Neighborhood Park. A condition of approval for the Specific Plan Amendment created a "trip budget" to limit the amount of development that could be constructed prior to commencement of construction of the grade separated crossings at either 28th or 31st Avenue. The Traffic Management Plan (Attachment #13) documents the specific level of development that could be constructed without exceeding the trip budget, which consists of all of the residential units in SPARs #1-3 (total of 1,066 units).

ISSUES

SPAR Approval Items: The SPAR planning application plans, provided by the application on August 12, 2008, includes a variety of building and site plan components that are considered as part of this application. These include:

- Building size and program. Building height, floor area, residential density, unit sizes and bedroom counts, and amount of parking.
- Site plans: Building footprint, landscaping, driveway locations, pedestrian access locations, setbacks, hardscape materials, and stormwater quality strategies.
- Floor plans: Rooms, doors, windows, parking spaces, lobbies, mechanical/storage areas, structural elements, parking aisles and driveways, parking gates, trash/recycling locations, bicycle parking, etc.
- Roof plans: roof slopes, parapet locations, stairs and hatches to roofs, and equipment locations.
- Building elevations: Doors, windows, roof pitches, building trim, storefronts, detailing, etc.
- Building materials and colors.
- Civil engineering plans (includes items on private blocks or finalization of items in right-of-way that were approved in Site Development Permit): street loading zone locations and time restrictions (street signs), driveway locations, easements, grading, drainage, stormwater quality treatment methods, utility connections and equipment locations, preliminary lighting fixtures and locations, and finished floor elevations.
- Landscaping plans: landscaping and hardscape designs, fencing and courtyard furniture.
- Neighborhood Park and Promenade (View Corridor) Plans. The schematic park plans show planting and restroom locations and hardscape, as well cross sections showing the elevations of the park with adjacent buildings and a preliminary planting palette. Final approval of the Neighborhood Park hardscape surfaces, site furnishings, restroom, and plantings are subject to the review and approval of the Park and Recreation Director.

Planning Commission Workshop: The August 26, 2008 Planning Commission workshop, allowed the applicant to present the project and discuss revisions with the Planning Commission. In reviewing the August 12, 2008 project plans at the August 26th, the Planning Commission reviewed the revised building designs, site layouts, and material included in the *SPAR 2 Summary* Booklet and indicated that the revisions have improved the project. The Commission also asked for clarification on the following items for the public hearing:

- Try to find a solution for the RES 4 individual unit exits to the Neighborhood Park.
- Enhance building end elevations and auto-court elevations on some townhome buildings in RES 5, 8, and 9b.
- Provide details for proposed windows and information regarding the quality of windows.
- Provide information regarding bike rack and locations.
- Provide details for proposed fences in RES 9.
- Provide section showing the relationship between new single-family homes on RES 9a and the existing homes south of the project site on McLellan Avenue.
- Improve pedestrian connections through the View Corridor to RES 5 and 8.
- Improve pedestrian circulation at the portion of the community path adjacent to Franklin Templeton property and near 31st Avenue.
- Provide information on the affect of tandem parking to availability of on-street parking.

As mentioned at the August 26, 2008 workshop, in an effort to reduce paper waste, the application has provided revised drawings to replace and/or supplement information in the August 12, 2008 plans. The following changes and supplemental information have been provided by the applicant:

- Façade changes to the elevations for RES 5 buildings D, E, F, G, and L; RES 8 building F; and RES 9b buildings K, L, and O have been made.
- Details for proposed windows, bike racks and fences have been provided.
- Pedestrian and bike connections in the View Corridor, RES 5 and RES 8 have been improved.
- A supplemental memorandum from Kimley-Horn evaluated the affected of tandem parking on the availability of on-street parking.
- A solution has been agreed upon by both the applicant and the Department of Parks and Recreation regarding the RES 4 individual unit exits to the Neighborhood Park.

Revisions and Supplemental Information:

The applicant has revised building elevations to enhance the ends of buildings, trellis and plantings have been added to soften the facades adjacent to the auto-courts, and variation in unit facades have been added to building F in RES 8 to distinguish individual units. The revisions to the building elevations are consistent with the Bay Meadows Design Guidelines, are compatible with the proposed architectural style for the respective buildings, and further improve a well designed and planned new community. Conditions of approval for the project reference the supplemental materials and require incorporation into the final building permit plans.

The Department of Public Works has reviewed the Kimley-Horn's memorandum on the affect of tandem parking on the availability of on-street parking, dated September 3, 2008 (Attachment #7), and supports the conclusions based on the assumptions and technical analysis contained therein.

Restroom in Neighborhood Park: The Parks and Recreation Commission and Department of Parks and Recreation recommend that the Planning Commission approve the SPAR #2 application with a restroom as part of the Neighborhood Park. The plans for the Neighborhood Park designate a central location for the restroom and condition of approval #99 would enable the Director of Parks and Recreation to work with the applicant on the restroom as the City evaluates the final plantings, furnishings, and other features of the Neighborhood Park.

Exits to Neighborhood Park: Following the August 26th workshop, the applicant and City staff discussed various options to address the Planning Commission's interest in incorporating individual exits for the RES 4 ground floor units adjacent to the Neighborhood Park. The City and the applicant have agreed upon a solution that would allow the individual exits and address the Parks and Recreation Department's concerns regarding conformance with the General Plan and the municipal code, and Police Department's concerns regarding enforcement. An agreement was reached to enable the applicant to retain the "Garden Walk" (as shown on Neighborhood Park plans) as private property with a dedication to the benefit of the City for the purposes of public access. The agreement is further explained in the memorandum from the Parks and Recreation Director (Attachment #4) and a condition of approval has been incorporated regarding the dedication.

Planning Commission Findings: The findings for approval (Exhibit A) demonstrate that the project is in general conformance with Bay Meadows II Design Guidelines and Development Standards, the Bay Meadows II Specific Plan Amendment, the San Mateo Rail Corridor TOD Plan, and the City's General Plan. The Design Guidelines and Development Standards stipulate (p. I-3) that "the strongest level of design intent is specified by the use of terms such as "must," "shall" and "prohibited." Preferred design items are designated as a condition which is "encouraged," "preferred," "recommended," "appropriate," or as one that "should" be included. Preferred design items are considered "voluntary" and need not be included in a proposed project." Additionally, the Design Guidelines and Development Standards state (p. I-5) that "a proposed project may not be denied due to failure to comply with non-specific or voluntary dimensions, such as an "encouraged" break-zone or a "recommended" area for open space." Deviations from the strongest level of design intent are described in Attachment #9 and discussed below.

Conformance with the Design Guidelines and Development Standards: Since the first study session, several items have been discussed regarding conformity with the Bay Meadows II Design Guidelines and Development Standards. The applicant has addressed most of the items, most notably through modifications to break up a larger building in RES 5 into two smaller buildings, enhancing the corners to provide a distinguishable architectural feature or identifier, through the addition of a trellis at important pedestrian entrances in RES 5 and RES 8, and introducing a four-story tall component to building M in RES 9 to better relate to the station block buildings across on the other side of Delaware Street.

The proposal includes various items that deviate from the Design Guidelines and Development Standards. These items are discussed below.

- a. The required pedestrian easement in Block RES 4 is covered at a height lower than 15 feet. The pedestrian passage is covered by two arches, where the lowest point of the arch is 10 feet above the passage way paving and where the covered portion of the passageway is approximately 16 ft 7 inches for each arch. Overall the arches: 1. provide sufficient vertical clearance (10 feet clearance at their lowest points) to accommodate pedestrians, 2.) are well designed and consistent with the architectural style of the building, and 3.) provide a minimally covered pedestrian walkway which allows visual and physical connection from the Linear Park to the Neighborhood Park.
- b. The Design Guidelines specify a Lower Height Zone along Derby (29th Avenue) and Landing (30th Avenue) for Block RES 4. The Lower Height Zone is shown at a 100 feet distance measured from the property line along Kyne Street and the Neighborhood Park, which exceeds the maximum 90 foot distance from the property lines. The 10 foot difference does not adversely affect the overall design of the building and addresses the intent of creating a distinct vertical break in building height at the middle.
- c. Buildings exceed the recommended maximum build-to width for RES 4 and 9b. In RES 4, the upper-story Build-To percentage of 86% (vs. recommended 80%) is a nominal increase and addresses the intent of creating variety in massing and building form at the upper floor level. In RES 9b, a higher upper-story Build-To percentage of 95% (vs. recommended 70%) provides a stronger building presence on the east side of Delaware to better relate to the 4-story building massing across the street (station parking garage in STA 1).
- d. The location and width of curb cuts differ from the Design Guideline in location and exceed the recommended maximum widths. The proposed curb cuts consolidate driveways instead of providing two or more separate driveways per block, would not create a significant impediment to cyclists or pedestrians, and provide a better turning radius for emergency vehicles including full size fire trucks.
- e. In RES 8, the 20 foot Build-To requirement to "hold" the corners at the intersection Baze Road and 31st Avenue is not met. Building B is setback approximately 48 feet from the property line along Baze Road and approximately 30 feet from the property line along 31st Avenue. The proposed design utilizes a specimen tree to mark the corner. This specimen tree in addition to the specimen tree at the eastern corner of the Block at 31st Avenue holds and marks the corners of the RES 8 block and distinguishes it from other blocks in the Bay Meadows Phase II development.
- f. Encroachments into setbacks in RES 6, 8, 9b and 9A consist of parking in setback, wider bay windows on 31st Avenue and Delaware Street, and landscape walls that are greater than 36 inches along 31st Avenue and Delaware Street. These encroachments provide for articulated building facades, define private landscape areas, and do not limit the amount of landscape area.
- g. Architectural features are appropriately located to provide a visual emphasis on buildings with prominent locations that visible from a distance. Large specimen tree is recognized as an acceptable feature for the southeastern corner of RES 8 in that it is balanced with another large specimen tree on the southwestern corner of the block.

Notwithstanding the deviations, staff finds that the project conforms to the Design Guidelines with respect to land use, building heights, floor area ratio, setbacks, landscaping, parking and circulation and building design and use of materials. The reduction in the clearance height of the

covered pedestrian passageway does not detract from the overall intent of providing an accessible and obvious passageway from the Linear Park to the Neighborhood Park. The 3'-10" tall gate will be removed through a condition of approval to further emphasize that the passageway is available for public access. The difference in the "build-to" line and "lower height zone" provides wall articulation while maintaining a street wall presence adjacent to framework streets and provides variation in building height, which provides an overall pedestrian benefit. The encroachments into setbacks help to provide additional parking, articulate building facades, and define private landscape areas. The architectural features have been incorporated into the design of buildings in RES 5 and RES 9b, and large specimen tree in RES 8 frames the two southern corners of the block and is an acceptable distinguishing feature. For these reasons, staff believes the variations from the Design Guidelines meet the goals, intent, and vision of the Bay Meadows II Design Guidelines and Development Standards.

CEQA CLEARANCE

As lead agency, the City of San Mateo prepared a Final Environmental Impact Report (EIR) for the San Mateo Rail Corridor Plan and the Bay Meadows Specific Plan Amendment, in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code, section 21000 *et seq.*) and the State CEQA Guidelines (California Code of Regulations, Section 15000 *et seq.*, as amended). The City Council certified the Final EIR for the San Mateo Rail Corridor Plan and Bay Meadows II Specific Plan Amendment at a public hearing on April 18, 2005. The City Council approved the Bay Meadows Specific Plan Amendment, re-certified the Final EIR for that project, and adopted the findings and statement of overriding considerations at a public hearing on November 7, 2005. As noted at page 1-6 of the Final EIR, the analysis in the Final EIR was at a "project" level of detail, which anticipated the potential impacts of future discretionary approvals to implement the project. The Final EIR expressly states that applications for subsequent Site Plan and Architectural Review (SPAR) would not require preparation of subsequent environmental documentation, unless otherwise required by CEQA Section 21166. In its approval of BAY MEADOWS PHASE II SITE PLAN AND ARCHITECTURAL REVIEW ("SPAR") APPLICATION #1 (PA 07-054), the City Council approved an Addendum to the Final EIR, concluding that none of the criterion in CEQA Section 21166 or CEQA Guidelines Section 15162 have been met that would require preparation of a subsequent or supplemental EIR and that an Addendum was appropriate.

Section 21166 stipulates that when an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:

- (a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.
- (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.
- (c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

In reviewing the previously certified Final EIR and the Addendum to that Final EIR, and after reviewing the facts and analyzing the circumstances of the project, the San Mateo City staff has determined that there is no substantial evidence in the record revealing that there have been substantial changes to the project or the circumstances under which the project is being undertaken that would require major revisions in the environmental impact report, and that no new information have become available which would require the preparation of a subsequent or supplemental environmental impact report. A new EIR is not required, because none of the circumstances described in CEQA Section 21166 as implemented by CEQA Guidelines Section 15162 present themselves. Staff has prepared the Findings of Approval to discuss the basis for this determination (Exhibit A).

In the review of this application, the Planning Commission will be asked to exercise its independent judgment and to find that the scope of PA 07-055 Bay Meadows Phase II SPAR #2, is within the scope of the project considered in the Final EIR for the San Mateo Rail Corridor Plan & Bay Meadows Specific Plan Amendment, certified by the San Mateo City Council on April 18, 2005 together with the Addendum to that Final EIR approved by the City Council on April 21, 2008, based on the Findings of Approval.

PUBLIC NOTICE

The standard public notice area for all meetings on the Bay Meadows II SPARs 1-3 planning applications was expanded because of the significance of the project. The notice boundary area included State Route 92 to the north, Palm Drive (between SR 92 and 20th Avenue) and El Camino Real (between 20th Avenue and Hillsdale Blvd) to the west, Hillsdale Boulevard (both sides) to the south, and Highway 101 to the east. The entire neighborhoods of Fiesta Gardens and Bay Meadows I were included. The public notice area included approximately 2,360 property owners and occupants. Additionally, approximately 230 persons were on the project's interested parties list.

STAFF RECOMMENDATION

Staff recommends approval of the Site Plan and Architectural Review for the project because:

- The development substantially conforms with Bay Meadows II Design Guidelines and Development Standards, the Bay Meadows II Specific Plan Amendment, the San Mateo Rail Corridor TOD Plan, and the City's General Plan;
- The proposed variations to the Design Guidelines and Development Standards are minor and, in some cases, provide additional benefits to the neighborhood;
- The proposed buildings and landscaping provide a substantial level of design, as shown on the plans and as provided through the conditions of approval; and
- The provision of a restroom in the Neighborhood Park, as part of this development, will be beneficial to future residents as well as other visitors to the park.

And that the Planning Commission declare and find that the scope of PA 07-055 Bay Meadows Phase II SPAR #2, is within the scope of the project considered in the Final EIR for the San Mateo Rail Corridor Plan & Bay Meadows Specific Plan Amendment, certified by the San Mateo City Council on April 18, 2005 together with the Addendum to that Final EIR approved by the City Council on April 21, 2008, based on the Findings of Approval (Exhibit A).

EXHIBITS

- A. Findings for Approval
- B. Conditions of Approval

ATTACHMENTS

The following attachments are distributed as part of the AR:

- 1. Bay Meadows Phase II Vicinity Map & Program by Block
- 2. Previous Planning Commission Workshop Minutes
- 3. Parks & Recreation Commission Minutes & AR (July 2008)
- 4. Memo From Parks and Recreation Director Regarding Neighborhood Park
- 5. Public Comments
- 6. Final Parking Management Plan (August 2008)
- 7. Affect of Tandem Parking on On-Street Parking Availability (September 2008)
- 8. Design Review Letter (August 2008)
- 9. List of Design Guidelines & Development Standards Deviations and Explanations
- 10. Applicant's Response to Items Raised at the 8/26/08 Planning Commission Workshop

The following Technical Attachments available in a binder in the City Clerk's Office for the City Council to review:

- 11. Data Sheets
- 12. GreenPoint Information
- 13. Stormwater Information
- 14. Traffic Management Plan(March 2008)
- 15. Support Letter From Allied Waste Services & Planned Waste and Recycling Systems (February 2008)
- 16. Noise Study
- 17. Demand Side Water Management Strategy (June 2007)
- 18. SPAR #2 Summary Booklet
- 19. Window Information
- 20. Bike Racks & Location Plan
- 21. Supplemental Drawings with Revisions to Project Plans.
- 22. Project Plans (August 12, 2008)

All attachments are available for public review in person at City Hall, the Main Library and online at:

<http://www.cityofsanmateo.org/index.asp?NID=101>

CC: City Manager
City Clerk
City Attorney
Finance Director
Community Development Director
Public Works Director
Park and Recreation Director
Chief of Planning
Stephen Scott, Principal Planner
Dennis Frank, City Landscape Architect
Susanna Chan, Deputy Public Works Director
Gary Heap, Senior Engineer
Chris Meany, Wilson Meany Sullivan
Genelle Ball, Wilson Meany Sullivan
Kim Havens, Wilson Meany Sullivan
Keith Orlesky, Wilson Meany Sullivan
Ian McAvoy, San Mateo County Transportation Authority