



222 E. 4<sup>th</sup> Avenue  
Retail, Office, and Residential Mixed-Use  
Project  
PA-2021-071

Planning Commission Public Hearing  
November 17, 2022

Wendy Lao, AICP, Associate Planner  
Community Development Department





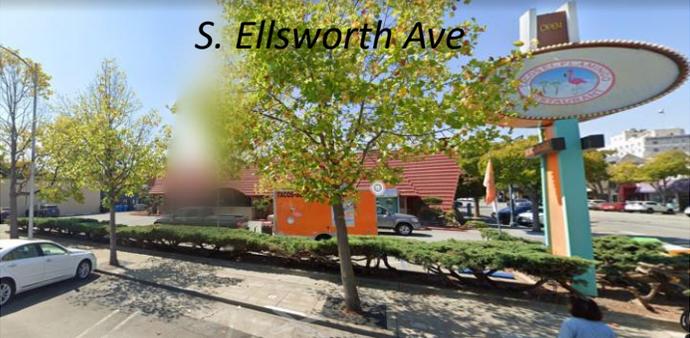
# PROJECT SITE

- Zoning: Central Business District /Residential Mixed-Use Overlay (CBD/R)
- Lot size: 49,478 sq. ft. (1.13 acre)
- Existing 60,965 square-foot commercial structure (2-story grocery store)

# SURROUNDING USES



E. 4<sup>th</sup> Ave



S. Ellsworth Ave



Project Site



S. B St

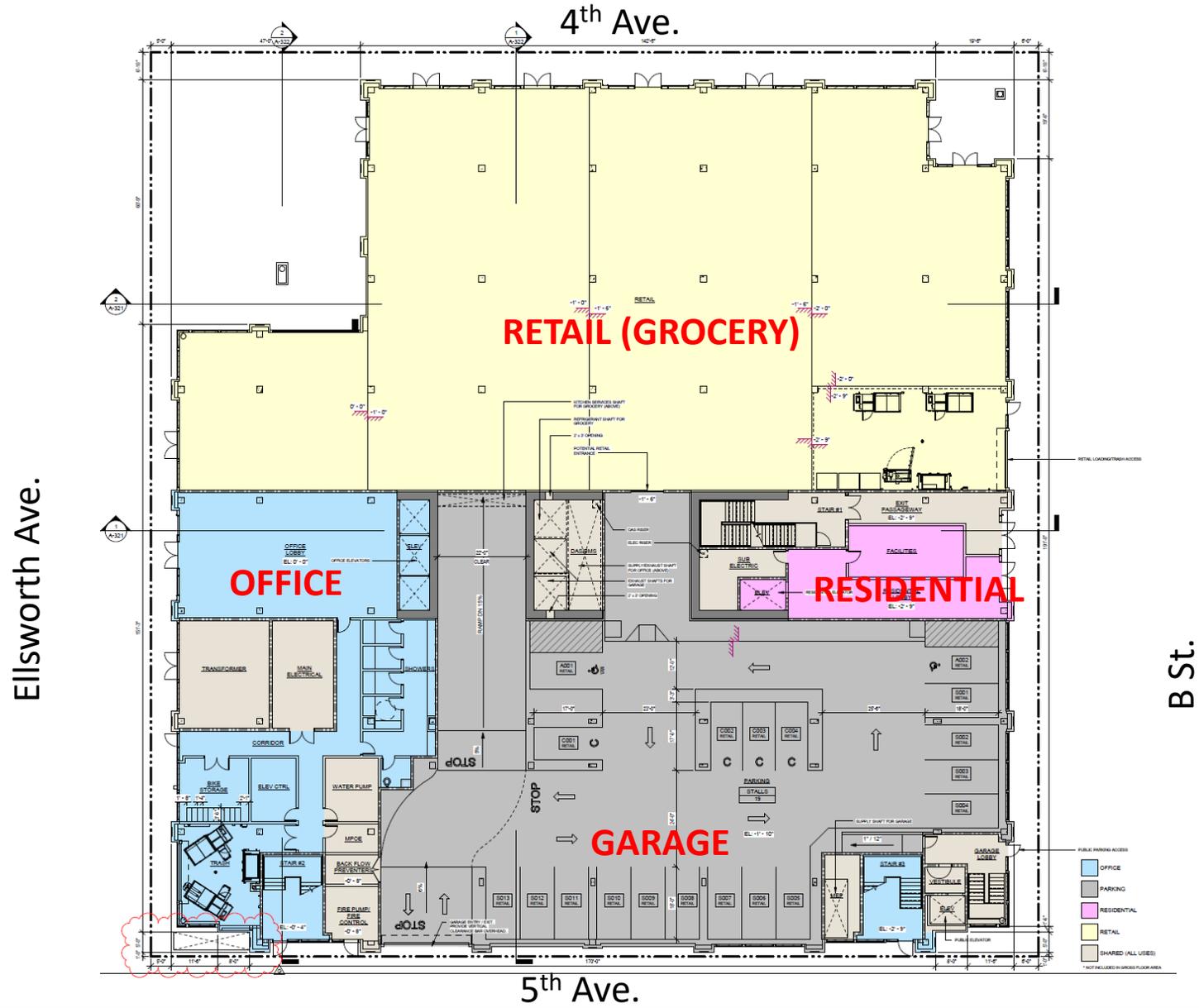


E. 5<sup>th</sup> Ave

# PROJECT DESCRIPTION

- 5-stories
- 74'-3" height
- FAR: 3.1 (49,478 sq. ft.)
- 17,658 sq. ft. of retail use for grocery store
- 104,544 sq. ft. of office use
- 10 rental units
  - 8 one-bedroom, 2 studios
  - 100% Low-Income (80% AMI)
- 221 parking spaces
  - ground floor + 2 levels below grade





## NORTH ELEVATION – 4<sup>th</sup> AVENUE



**EAST ELEVATION – S. B STREET**



**SOUTH ELEVATION – 5<sup>th</sup> AVENUE**



**SOUTH ELEVATION – S. ELLSWORTH AVE**



# PROJECT DESCRIPTION (continued)

- Trees:
  - 39 existing trees (38 Protected)
  - All trees to be removed
  - 37 new trees (33 street; 4 on site)



# PROJECT DESCRIPTION (continued)

- Open Space:
  - Ground floor: 1,450 sf outdoor dining & 2,070 sq. ft. community open space
  - 3<sup>rd</sup> and 4<sup>th</sup> Floors: Terraces for office use
  - 5<sup>th</sup> Floor: Roof deck for residents





# COMMERCIAL LINKAGE FEE & OTHER HOUSING REQUIREMENTS

- Project proposes to provide on-site affordable housing in lieu of paying Commercial Linkage Fee
- 8 low-income units required; project proposes 10
- City Council must approve Affordable Housing Plan
- Project conditions that a Below Market Rate (BMR) Agreement must be completed
  - Providing equal amenities
  - Deed-restricted low-income rental units in perpetuity
- Project is not subject to the Housing Accountability Act (HAA)
  - Housing constitutes less than 2/3 of the total square footage.

# HOUSING DENSITY & DENSITY BONUS LAW

	Allowable Density	Proposed Density
Dwelling Units / Acre	50	8.85
Dwelling Units (1.13 acres)	56	10

- 100% affordable near transit – 10 Low-Income units (80% AMI); 2 studios, 8 1-BR
- State Density Bonus Law
  - Height increase by 33 feet or 3 stories
  - 50% increase in density
  - No parking requirement for residential
  - 5 waivers and 1 concession requested

# DENSITY BONUS

## Concession Request

1. Reduce required retail frontage from 75% to 47% along B Street and Ellsworth Ave

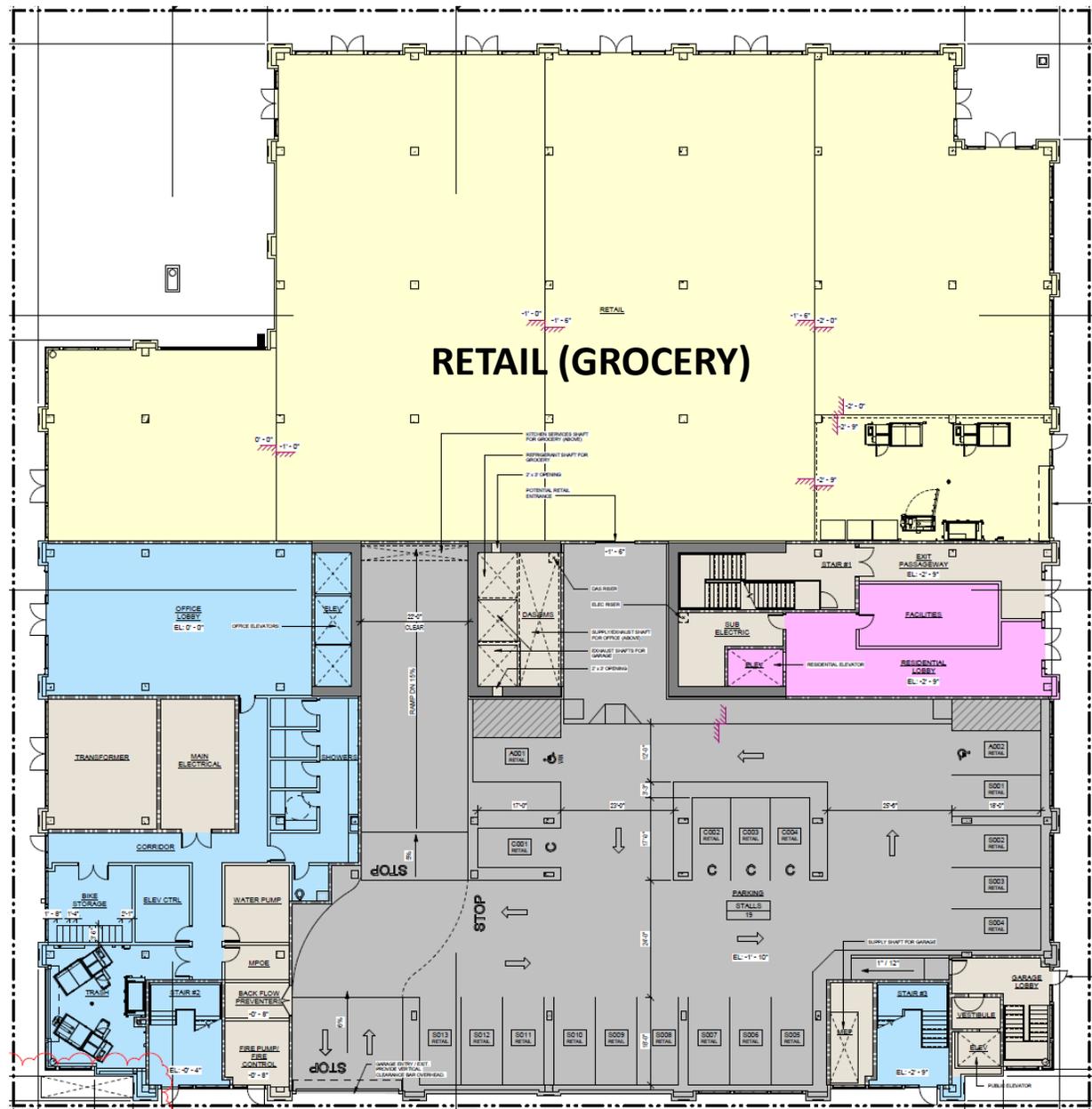
## Waiver Requests

1. Exceed the maximum bulk standards from 150' to 197'-6" for lineal building dimension and from 170' to 256'-7" for diagonal dimension
2. Increase the distance for the street wall build-to-line standards from the 0' setback requirement (to build up to the property line) to a 4'-6" setback
3. Increase the build-to-line exception from 25% to 30% along the Ellsworth Avenue frontage
4. Increase the maximum floor area ratio (FAR) from 3.0 to 3.1
5. Not provide the required off-street loading spaces on the private property

# Concession #1: Reduce required retail frontage from 75% to 47% along B Street and Ellsworth Ave

47% retail frontage

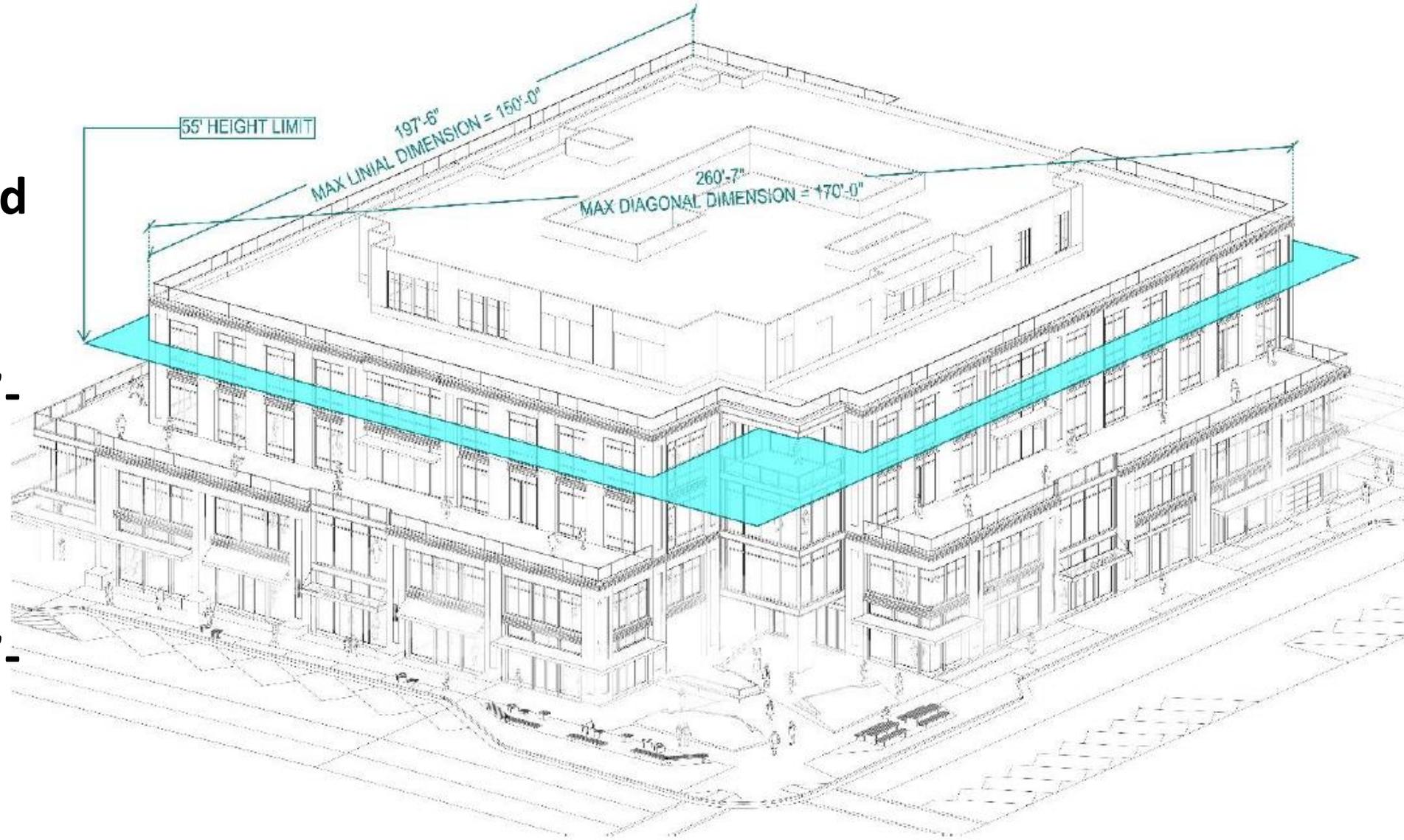
Ellsworth Ave.

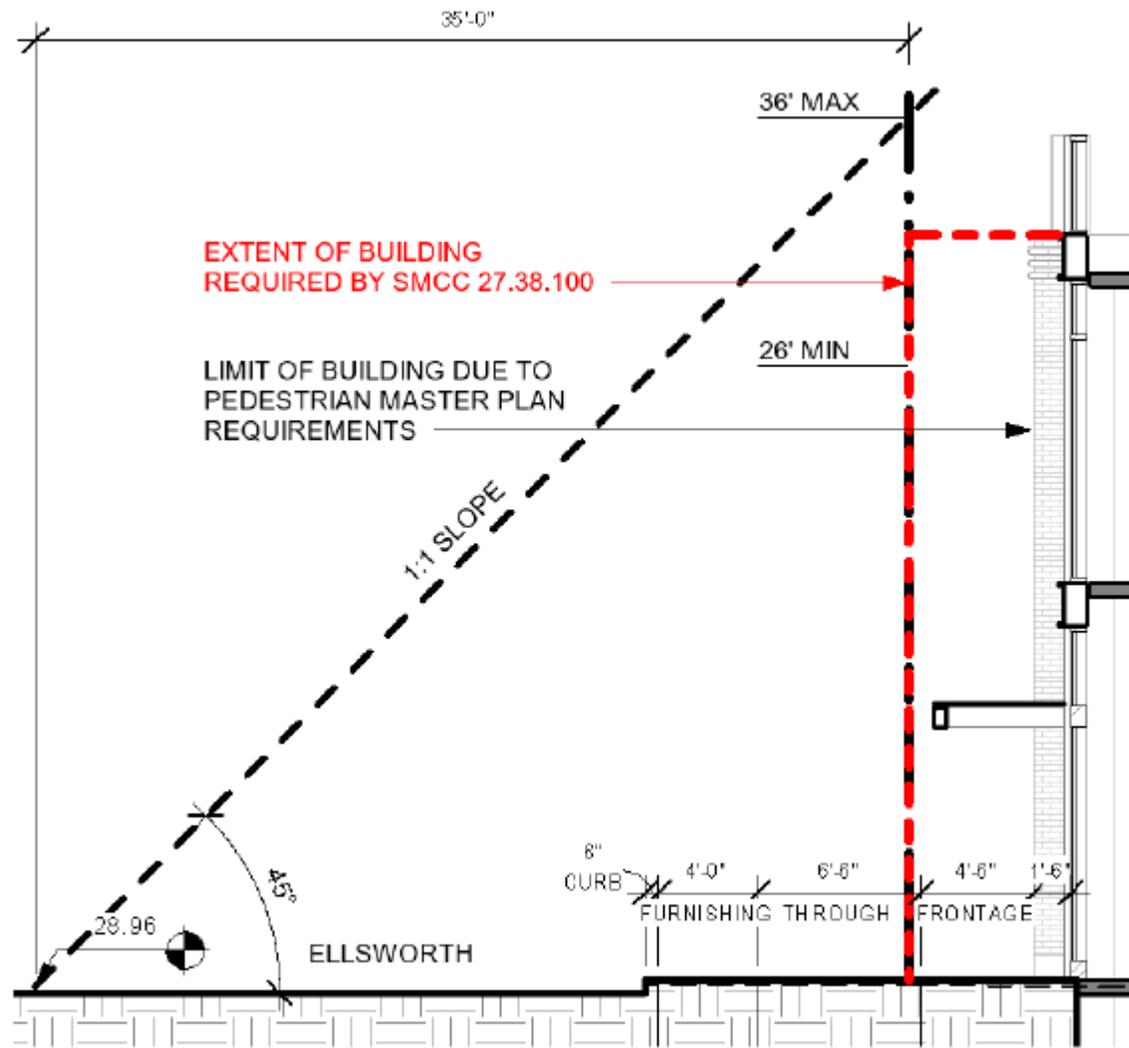


B St.

47% retail frontage

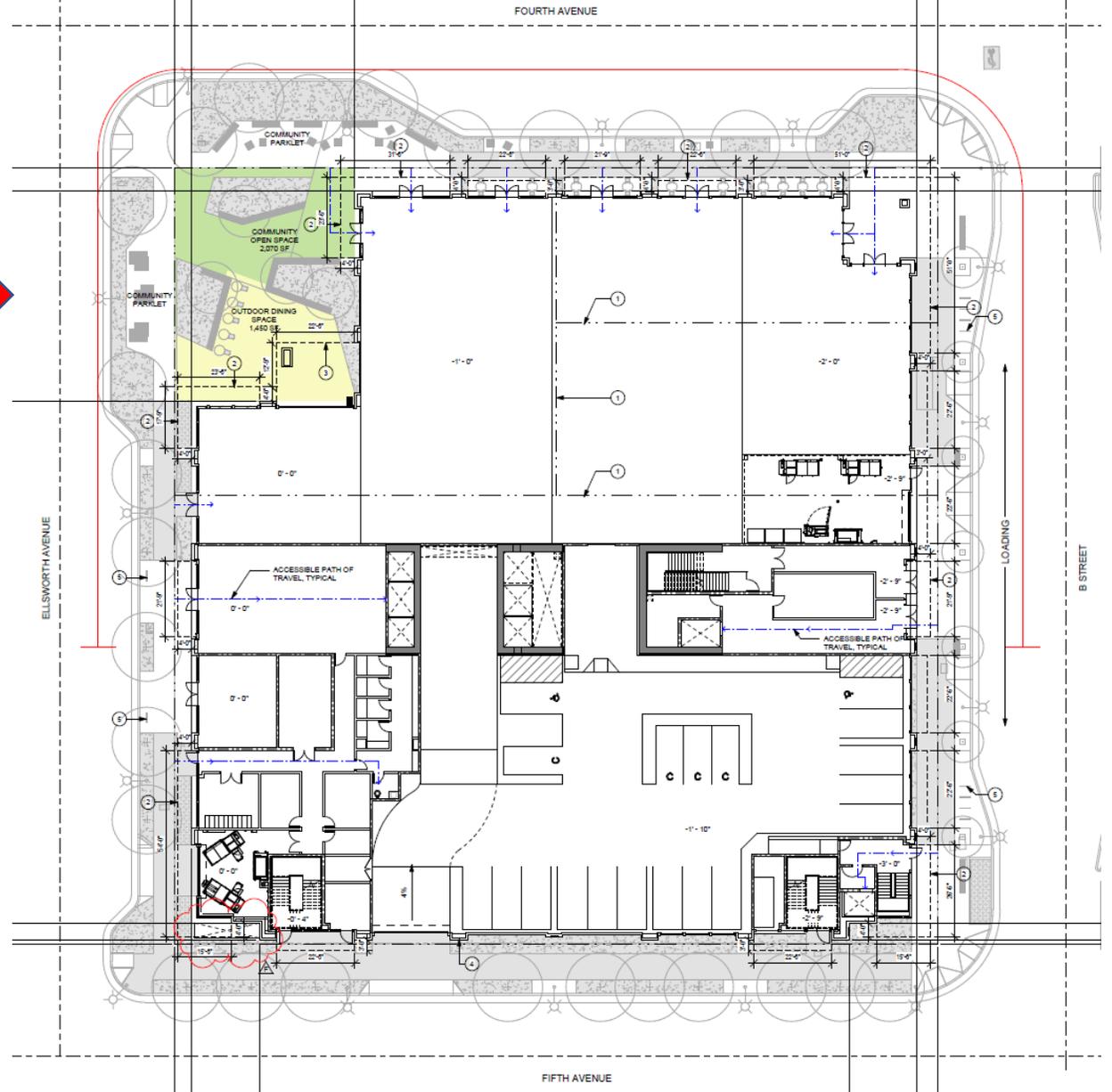
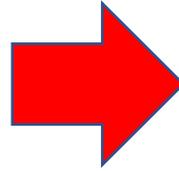
**Waiver #1: Exceed the maximum bulk standards from 150' to 197'-6" for lineal building dimension and from 170' to 256'-7" for diagonal dimension**



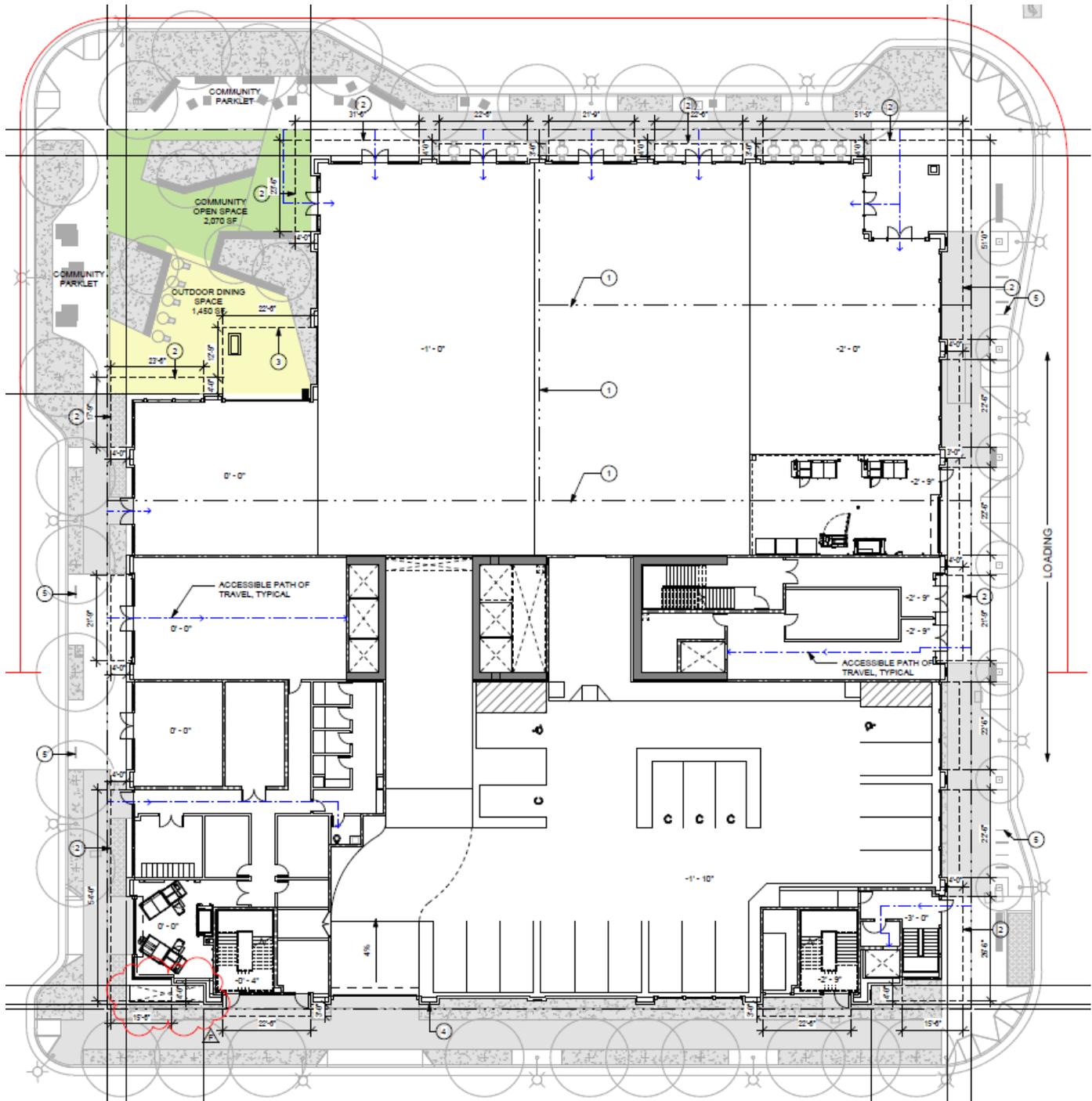


**Waiver #2: Increase the distance for the street wall build-to-line standards from the 0' setback requirement (to build up to the property line) to a 4'-6" setback**

**Waiver #3: Increase  
the build-to-line  
exception from 25% to  
30% along the  
Ellsworth Avenue  
frontage**



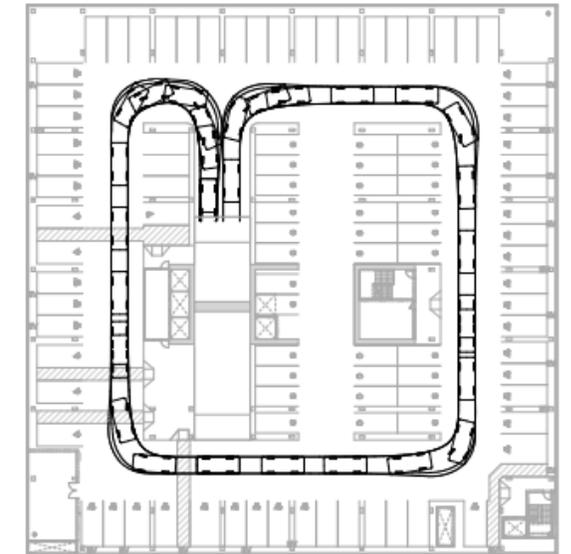
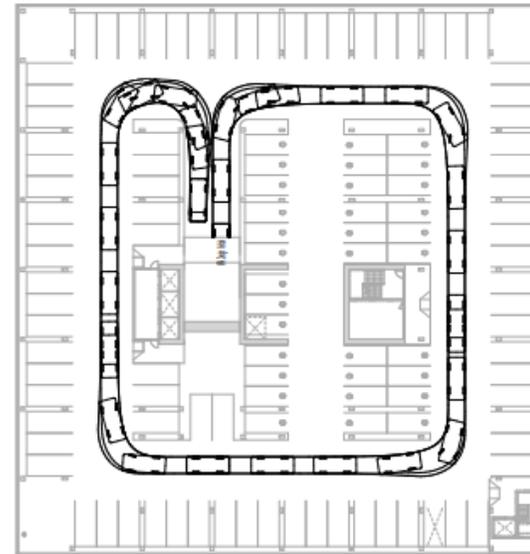
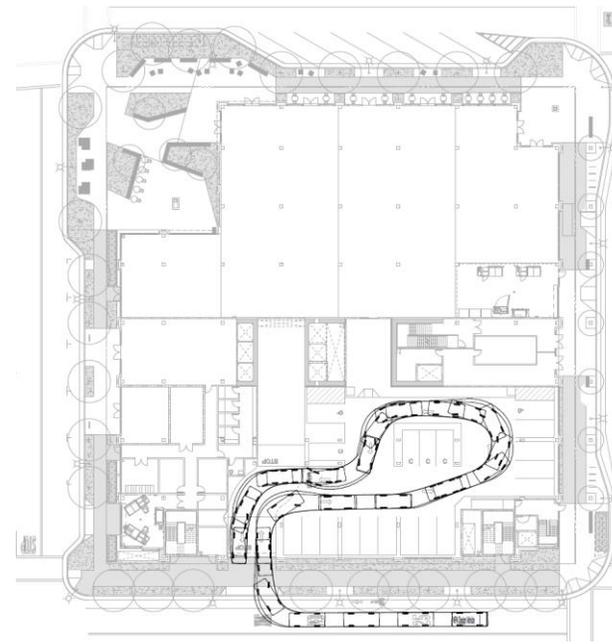




**Waiver #5: Not provide the required off-street loading spaces on the private property**

# PARKING

- Parking Demand Study:
  - 208 req. for commercial use'
  - Residential parking not evaluated
- 221 parking spaces proposed (13 extra spaces)
- 21 long-term and 17 short-term bicycle spaces
- Projected demand will not exceed the proposed parking supply throughout the day



# TRANSPORTATION IMPACT ANALYSIS (TIA)

- Proposed project would generate fewer vehicle trips than existing conditions
- No significant VMT (Vehicle Miles Travelled) Impact
  - Exempt due to screening criteria (1/2 mile of public transit, and low VMT area)
- Not result in any adverse Level of Service (LOS) effects
  - LOS D at all signalized intersections; LOS E at all unsignalized intersection

# TRANSPORTATION DEMAND MGMT (TDM)

## Strategies

- GoPass and Way2Go passes
  - Preferential Carpool and Vanpool Parking
  - New Resident and Employee Packets
  - TDM Coordinator
  - TDM Communications
  - Institutionalizing TDM
  - Membership in Transportation Management Association (TMA)
  - Multimodal Wayfinding Signage
- \* Additional optional strategies include: Bike Education/Workshops, Promotional Programs, and Carshare

# REQUIRED ENTITLEMENTS & APPROVALS

## Site Plan & Architectural Review (SPAR)

- For the construction of a new mixed-use building

## Site Development Planning Application (SDPA)

- For the removal of substantial vegetation

## Affordable Housing Plan

- For the on-site construction of 10 low-income units, to satisfy the Affordable Housing Commercial Linkage Fee requirement

# CEQA/ENVIRONMENTAL REVIEW

- Addendum to the Downtown Area Specific Plan IS/MND and the 2030 General Plan EIR
- Proposed project will adhere to General Plan policies and implement applicable mitigation measures and conditions of approval to reduce potential impacts to less than significant level
  - MMs: air quality, biological resources, cultural resources, and noise
  - COAs: acoustics, parks, hazardous materials
- Mitigation Monitoring & Reporting Program (MMRP)

# CONDITIONS OF APPROVAL - MODIFICATIONS

#2 - ARCHAEOLOGICAL MONITORING PLAN – The applicant shall submit an Archaeological Monitoring Plan prepared by a qualified project archaeologist (meeting or exceeding the Secretary of the Interior’s professional qualification standards) that includes provisions for, including but not limited to:

- (A) Procedures for the appropriate identification and treatment of archaeological resources if any are discovered during grading or construction activities;
- (B) Halting work in the immediate area, approximately 33' in diameter or larger, as determined by the cultural resources monitor, in the event of a discovery to allow for resource evaluation; and,
- (C) Monitoring by a cultural resources specialist and detailed guidance outlining when and for what activities monitors must be present.

#4 - CULTURAL RESOURCES MONITOR – Should construction monitoring be required by the Archaeological Monitoring Plan, the applicant shall submit a scope of work with a cultural resources monitor. The scope of work shall indicate that, in the event of a discovery, the monitor:

- (A) Has stop-work authority to halt all construction activities within 33 feet or greater of the discovery, as determined to be necessary for protection and evaluation of the resource;
- (B) Will notify the Planning Manager and/or Project Planner;
- (C) Will evaluate the discovery to determine whether additional treatment is warranted; and,
- (D) Will determine adequacy of the evaluation of the discovery prior to authorization of construction activities to resume. (PLANNING)

# CONDITIONS OF APPROVAL - MODIFICATIONS

#95 - ARCHAEOLOGICAL RESOURCES – In the event of the discovery of archaeological resources whether on-site or in the public right-of-way, the applicant shall halt all construction activities within 33 feet of the discovery or larger, as determined by a qualified archaeologist, notify the Planning Manager and/or Project Planner, and retain a qualified archaeologist....

#96 - CULTURAL RESOURCES – In the event of the discovery of human remains whether on-site in the public right-of-way, the applicant shall halt all activity within 50 feet of the discovery and 33 feet for every subsequent discovery, or an appropriate distance as determined by the cultural resource monitor, and notify the Planning Manager and/or Project Planner.

# CONDITIONS OF APPROVAL - MODIFICATIONS

#9 - SITE MANAGEMENT PLAN & HEALTH AND SAFETY PLAN – ...Prior to dewatering during project construction, a Discharge Plan shall be prepared and submitted to the satisfaction of the Director of Public Works for approval...

...In addition, for the SMP, the following shall be adhered to, subject to the satisfaction of the City:...

- ...To reduce the potential for vapor intrusion, use a dual-purpose waterproofing membrane that provides: 1) required waterproofing protection; 2) chemical degradation protection; and 3) serves as an effective vapor barrier. ~~Alternatively,~~ Or, conduct soil vapor sampling that shall be performed within the proposed building envelop to confirm the presence or absence of VOCs above residential screening levels. If the sampling confirms the presence of VOCs above residential screening levels, then appropriate membrane installation shall be required as approved in writing by an overseeing regulatory agency, such as the County of San Mateo Environmental Health Services, Department of Toxic Substances Control or the San Francisco Bay Regional Water Quality Control Board.

# CONDITIONS OF APPROVAL - MODIFICATIONS

#35 - BELOW MARKET RATE (BMR) AGREEMENT – In accordance with Municipal Code Section 27.16.050, the applicant shall enter into and record a BMR Affordability Restriction Agreement to provide BMR unit(s) and, if applicable, pay an in-lieu fee for fractional unit(s) as outlined in the adopted Comprehensive Fee Schedule. The BMR unit(s) shall:

- (A) Have access to all on-site amenities for residential uses, ~~including the availability of 10 parking spaces dedicated for residents during weekday evenings and weekend hours;~~
- (B) In phased development projects, be constructed proportionately in each phase;
- (C) Have interior unit amenities that are, at a minimum, UL (Underwriter's Laboratory) or AGA -listed ; and
- (D) Include 10 units at the Low Income Level (80% AMI) in perpetuity, of which two units shall be a studio, and eight units shall be one-bedroom units.

(E) There shall be at least six (6) parking spaces dedicated to residents, contingent upon meeting Municipal Code Section 23.54.030 or provide an alternative consistent with Municipal Code Section 23.54.120. If compliance with these code sections cannot be obtained, then the applicant shall not be required to provide dedicated residential parking.

# CONDITIONS OF APPROVAL - MODIFICATIONS

#54 - PARKING GARAGE SECURITY – The building permit plans for the superstructure shall show:

(A)... If residential parking spaces are provided, per condition No. 35 entitled "Below Market Rate (BMR) Agreement", they shall be compliant with Municipal Code Section 23.54.030 or provide an alternative consistent with Municipal Code Section 23.54.120. Any design changes to accommodate these safety requirements shall be completed through the building plan check process to the satisfaction of the Police Department and the Community Development Director...

# CONDITIONS OF APPROVAL - MODIFICATIONS

#46 - FOOD SERVICE FACILITIES AND PUBLIC POOLS AND SPAS – ~~As a~~ If the project includes food service, public pools, and/or spas, the applicant shall submit an approval letter from the County of San Mateo Health Department. (BUILDING)

#119 - RESPONSIBLE BEVERAGES SERVICE TRAINING – If the sale of alcoholic beverages for on-site consumption is proposed, the applicant shall require that employees and supervisors responsible for the sale or service of alcoholic beverages complete Responsible Beverage Service training...

#69 - PUBLIC IMPROVEMENTS –

(B) SIDEWALK, CURB, AND GUTTER – The applicant shall replace to existing City standards all sidewalk, curb, and gutter surrounding the project site limited to the project site frontage, or as shown on the approved public improvement plan...

#92 - RESTORATION OF ROADWAY – Due to the anticipated project's truck traffic, the applicant shall grind and overlay with 2.5 inches of asphalt concrete of the roadways ~~anticipated to be damaged~~ directly as a result of construction activities within the general area of the project or along the designated haul route...

# CONDITIONS OF APPROVAL - MODIFICATIONS

#132 - MM NOI-1.1:

(B) ...The applicant and/or contractor shall designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise and vibrations...

~~(D) Use of exceptionally loud equipment such as jackhammers and concrete saws within 35 feet of shared property lines shall be prohibited.~~

# PUBLIC COMMENTS

- Public noticing
  - Addresses in 1,000 ft. radius
  - City’s “900 List”
  - City’s Planning “Notify Me” email list
  - Interested Parties List
- 19 public comments
  - Supports maintaining full-service grocery store, concerns about size of retail space
  - Concerns over noise, traffic, and other environmental impacts



# DISCUSSION ITEM: RESIDENTIAL PARKING

- No residential parking spaces required per State Density Bonus law
- Residential units need to meet City's Inclusionary Requirements such as equitable access to all amenities:
  - Garage exceeds parking requirements by 13 spaces
  - Commercial Linkage Fee requires 8 units
  - Staff requested 10; applicant offered 6

# RECOMMENDATION

1. Discuss and provide a recommendation regarding the residential parking spaces
2. Based on Findings for Approval and as conditioned, recommend to City Council:
  - Adopt a resolution to approve the Site Plan and Architectural Review (SPAR) and Site Development Planning Application (SDPA)
  - Approve an Affordable Housing Plan
  - Adopt an Addendum to the 2010 General Plan Environmental Impact Report (EIR) and 2009 Downtown Area Specific Plan Initial Study/Mitigated Negative Declaration (IS/MND) under the California Environmental Quality Act (CEQA),

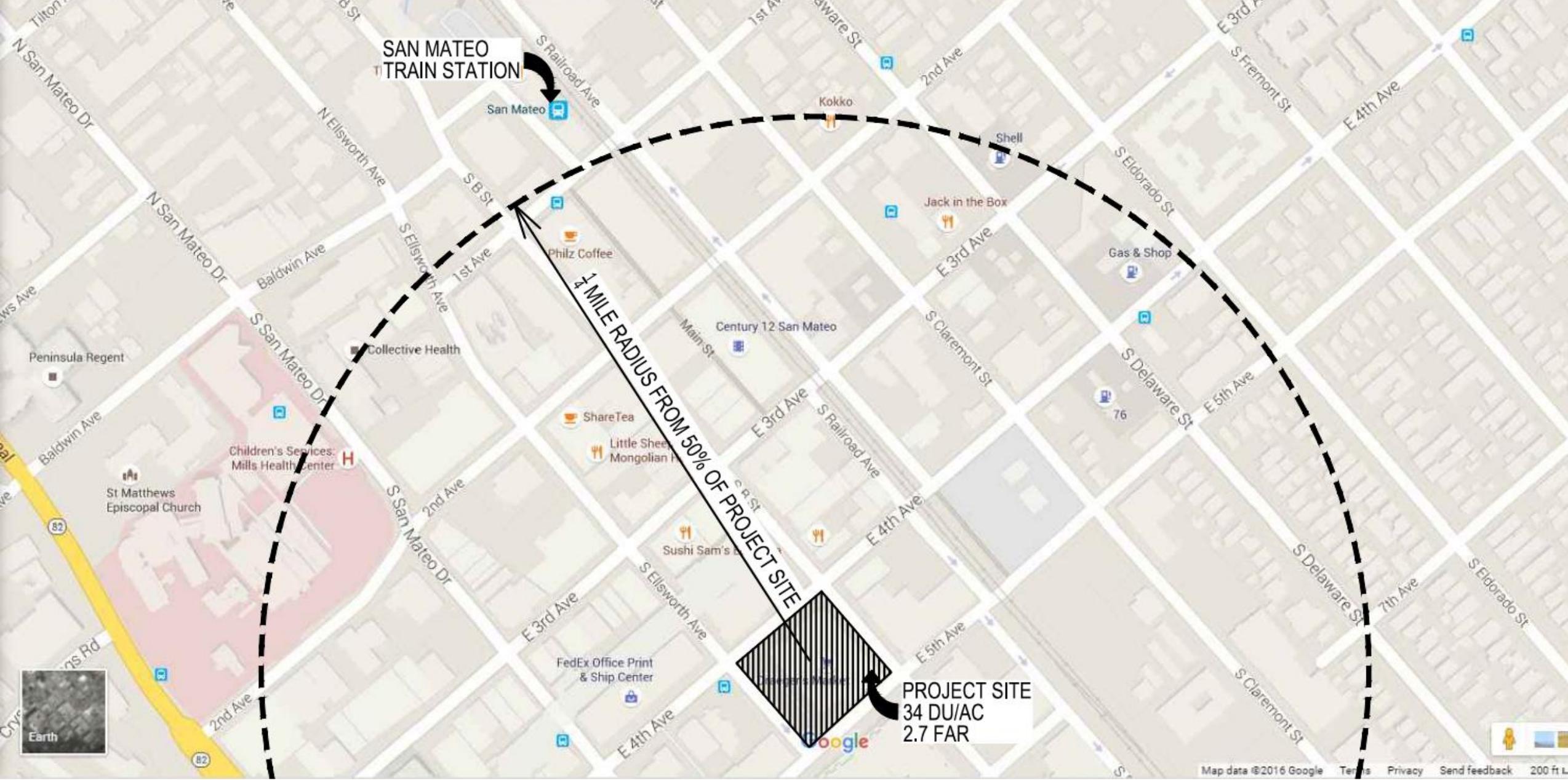
# Thank You

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Community Development Department

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(650) 522-7219





SAN MATEO  
TRAIN STATION

1/4 MILE RADIUS FROM 50% OF PROJECT SITE

PROJECT SITE  
34 DU/AC  
2.7 FAR