



# CITY OF SAN MATEO

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## Agenda Report

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Agenda Number: 3

Section Name: STUDY SESSION

File ID: 19-2199

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**TO:** Planning Commission  
**FROM:** Ronald Munekawa, Chief of Planning  
**PREPARED BY:** Community Development Department, Planning Division  
**MEETING DATE:** December 10, 2019

**SUBJECT:**  
1600-1620 S. El Camino Real and 1535-1543 Jasmine Street Pre-Application (PA 2018-038)

**RECOMMENDATION:**

That the Planning Commission review the proposed project on a preliminary basis, receive public comments, and provide input to the applicant and staff pertaining to two project elements:

1. Criteria to allow a 55' building height
2. Special Use Permit for residential uses

**BACKGROUND:**

**Project Description**

This pre-application submittal includes the demolition of the existing retail, commercial and residential on-site structures to construct two buildings totaling 74,990 square feet. The project proposes a five-story, mixed-use building with 9,809 square feet of office at the ground floor along the El Camino Real frontage and 36 rental apartments in the four stories above. The apartments consist of 12 one-bedroom units of 882 square feet and 24 two-bedroom units of 1,313 square feet. The project also proposes eight two-story rental townhomes along the Jasmine Street frontage. The townhomes are two-bedroom, 1,417 square feet units. Of the 44 residential units, five would be below market rate (BMR) units.

The project also proposes 82 underground parking spaces, of which 52 would serve the residents and 30 would serve the office employees and visitors. The project also provides for 60 long-term bicycle parking spaces in a storage room and 6 short-term bicycle parking spaces on the ground floor.

The mixed-use building is best characterized as contemporary in design in its use of sintered stone panels. The building proposes aluminum storefront windows on the ground floor, predominately fiberglass windows in the residential units above, residential balconies, and a standing seam metal roof. The townhouses include sand cement plaster, porches fronting Jasmine Street, fiberglass windows, and standing seam metal gable roofs. The project plans are included in [Attachment 1](#).

The current tenants in the existing residences would receive relocation assistance to relocate, per SMMC 27.02.180. This assistance includes an allowance equivalent to three times the current monthly United States Department of Housing and Urban Development (HUD) Fair Market Rent for a dwelling unit of comparable size and type, payment not to exceed one thousand dollars (\$1,000.00) for actual moving costs and related expenses, and other reasonable assistance and allowance as may be required during the formal Planning Application process.

## Site Description

The subject site consists of seven parcels adjacent to South El Camino Real to the front and Jasmine Street to the rear. The proposed project would merge the seven parcels into one parcel totaling 37,500 square feet (0.86 acres). The site is bounded by South El Camino Real to the east, Jasmine Street to the west, a mixed-use building to the north, and a gas station to the south. The project site is zoned E2-2 (Executive Office).

Various building heights, uses, and zoning districts surround the project site. Directly to the north is a four-story mixed-use building in the C2-1/R4 (Commercial-Residential overlay) zoning district. To the east across South El Camino Real is a Safeway grocery store in the C2-1 (Commercial) zoning district. To the west across Jasmine Street are one- and two-story single-family residences and duplexes in the R2 (Two Family Dwelling) zoning district. Immediately adjacent to the south is the gas station in the E2-2 (Executive Office) zoning district. A location map is included in [Attachment 2](#).

## Pre-Application History

The applicant has redesigned the plans from its initial proposal, which was previously submitted to city staff in 2018. The project initially proposed only one mixed-use building with 44 residential units above the ground-floor office, only on six parcels instead of seven, and with surface-level parking. However, after a neighborhood meeting on April 3, 2019, the applicant acquired another adjacent parcel and redesigned the plans to incorporate the property into the project. As a result, the Planning Commission Study Session originally scheduled for May 14, 2019 was cancelled. The applicant then submitted a redesign on July 9, 2019, where the changes included providing a new row of townhouses along Jasmine Street, modifications to the five-story building, and a new underground parking garage. Another neighborhood meeting was held on November 19, 2019 to present the revisions.

## Applicable Code and Policy Review

### General Plan

While the General Plan Land Use Plan designates the project site as Executive Office, residential use is permitted with the approval of a Special Use Permit. A preliminary list of applicable General Plan policies is included in [Attachment 3](#). These include policies pertaining to general design criteria including design quality, landscaping, building height and traffic. The project generally conforms to the goals and policies of the General Plan. The project complies with the General Plan's Housing Element Policy 2.9, which states, "Provide for the development of multi-family housing to create a diversity of available housing types..."

The General Plan Land Use Element, Policy PA 5.1 allows buildings in this location to exceed the building height of 40', up to a maximum of 55', if the following findings can be made by the City Council:

- a. The project provides amenities, such as landscaped plazas, covered parking, setbacks from the street, setbacks of upper stories, and public improvements substantially in excess of City requirements.
- b. The building has high design quality, which is enhanced by additional building height;
- c. Increased building heights are visually related to surrounding building heights and promote the creation of a coherent City image;
- d. Increased building heights are compatible with surrounding land uses, and will not create adverse shadow or visual impacts on surrounding residential uses; and
- e. The City's infrastructure is adequate to accommodate the proposed development.

Because the project proposes a building height of 55', the formal planning application submittal will be required to provide clarification and/or documentation to ensure conformance with all applicable policies and guidelines as identified above. This includes the provision of "public improvements substantially in excess of City requirements". The proposed project will be evaluated for consistency with the City's Mid and South El Camino Real 40-55 Foot Building Height Design Criteria. The proposed project must meet the overall guidelines to maintain its proposed 55' height.

### Zoning Code

The project site is zoned E2-2 (Executive Office), which outlines development standards pertaining to building height, floor area ratio (FAR), setbacks, and open space. The E2 zoning district permits residential units on parcels without a residential overlay subject to the approval of a Special Use Permit and subject to the development standards in the R4 zoning district.

As presently designed, the development conforms to the applicable development standards of the E2 zoning district. The project proposes a building height of 55 feet, which is within the allowable maximum height limit of 55 feet, if the project meets the required findings pursuant to the General Plan's Land Use Element, PA 5.1 (more information provided in "Discussion Items" section below). The project proposes a FAR of 1.99, which is within the allowable FAR of 2.0. The maximum allowable density is 43 dwelling units per acre (DU/ac), or 58 DU/ac with the additional 35% state density bonus. This equates to a maximum of 49 dwelling units on this 0.86-acre property. The development currently proposes 44 dwelling units on the project site (equivalent to 51.16 DU/ac), which is within the allowable density of 58 DU/ac with the state density bonus.

The applicant is expected to provide more details upon filing of the formal planning application, which subsequently will be reviewed for conformance with applicable Zoning Code requirements. A list of proposed and required Zoning Code standards are detailed in the Factual Data Sheet included in [Attachment 4](#).

#### State Density Bonus Law

California Government Code Section 6915 outlines density bonus standards for residential projects that include certain percentages of below-market-rate housing units. As presently designed, the applicant proposes to dedicate 11% of the base 43 residential units to the very-low-income category, which would comply with the City's affordable housing requirements and would make the project eligible for a density bonus request, reduced parking standards, incentives or concessions, and waivers.

As such, the applicant proposes to exceed the maximum base density of 43 DU/ac by providing one additional unit for a total of 44 dwelling units, which is within the maximum density of 58 DU/ac including the 35% state density bonus. At this time, the applicant is not requesting any incentives, concessions or waivers.

The project is located within half a mile of a major transit stop, the CalTrain Hayward Park Station, as well as the SamTrans El Camino Real bus routes. Therefore, the project is eligible to utilize the statewide parking standards of 0.50 parking spaces per bedroom in accordance with Government Code Section 65915(p)(2). This standard requires a minimum parking count of 38 residential parking spaces based on the proposed 76 bedrooms. The project proposes 52 residential parking spaces and therefore is in compliance. The density bonus request letter is included as [Attachment 7](#).

#### Housing Accountability Act

At least two-thirds of the square footage of this project is dedicated to residential use. Therefore, this project is subject to the state Housing Accountability Act (HAA), which became law in 2017 and is codified at Government Code Section 65589.5. The HAA was intended by the State Legislature to curb the capability of cities to deny, reduce the density of, or render infeasible housing development projects. For all housing projects, whether affordable or not, the key provision requires that if a housing project complies with all "objective" general plan, zoning, and subdivision standards, the decision-making body may only deny or reduce the density of a housing development project that is consistent with the City's objective development standards if it makes certain findings. Please see [Attachment 8](#) for more information regarding the required findings.

#### Design Review

The proposed design will be reviewed by a City design consultant for consistency with the General Plan Urban Design Element and to address comments expressed by the Planning Commission. Although the project is not located in an explicitly listed zoning district where the Multi-Family Design Guidelines apply, the Multi-Family Design Guidelines would still appear to be applicable to this residential mixed-use project.

#### Pedestrian Master Plan

The project will be evaluated for consistency with the City's Pedestrian Master Plan.

For the El Camino Real frontage, the *City of San Mateo Pedestrian Master Plan, A.10 Sidewalk Standards – Mixed Use Type B Street Parking* requires a minimum sidewalk width of 16' to 26', which includes a varied frontage zone, a minimum 8' to

10' through zone, a 4' to 6' planter/furniture zone, and a 6" curb. The project proposes a 4' frontage zone, a 12' through zone, a 4' planter zone, and a 6" curb, which complies with the sidewalk standard requirements.

For the Jasmine Street frontage, the *City of San Mateo Pedestrian Master Plan, A.5 Sidewalk Standards – Residential Type C New Development* requires an overall sidewalk width of 9'-6", which includes a 5' to 6' wide through zone, a 4' to 6' planter/furniture zone, and a 6" curb. The project proposes a 5' through zone, a 5' planter/furniture zone, and a 6" curb, which is in conformance with the sidewalk standard requirements.

The proposed sidewalks along El Camino Real and Jasmine Street will be reviewed in further details upon formal submittal. The City's Pedestrian Master Plan, A.5 and A.10 Sidewalk Standards are included in [Attachment 5](#).

#### **Discussion Items:**

##### Requirements for 55' Building Height

The proposed 55' building is located within the City's Mid-El Camino Real region. The General Plan's Land Use Element, PA 5.1 states that buildings in this area may exceed the height limit of 40 feet, up to a maximum of 55 feet, if approved by the City Council and which meet the following criteria:

- a. *The project provides amenities, such as landscaped plazas, covered parking, setbacks from the street, setbacks of upper stories, and public improvements substantially in excess of City requirements.*

The project proposes to partially landscape its ground-floor open space where some publicly-accessible seating would be provided. All the off-street parking spaces would be undergrounded in the subterranean garage. In addition, there would be improvements to the public right-of-way, including widening Jasmine Street to accommodate more vehicles. However, the buildings and upper stories are not significantly stepped back. While there is a gradual transition in building height along the Jasmine Street frontage since the project proposes two-story townhouses across the neighboring one- and two-story residences, the five-story mixed-use building adjacent to the one-story gas station and across the street from the one-story Safeway grocery store is not stepped back at all. As noted above, the nature and scope of "public improvements substantially in excess of City requirements" will be determined during the formal Planning Application process.

- b. *The building has high design quality, which is enhanced by additional building height;*

The proposed five-story building has a noticeable base, middle, and top, which helps to reduce the apparent building height and bulk. There is also a slight variation in roof height, subtle articulation, color changes, and a deep inset in the building plane along the center of the building. However, the five-story building does not have its upper stories stepped-back, as described above, which would help to reduce the appearance of the building mass. In addition, the dominant siding material is sintered stone panels; a larger variety of siding materials is encouraged to provide visual interest and to help reduce the visual bulk. The El Camino Real 40-55 Foot Building Height Design Criteria also calls to provide a strong sense of pedestrian scale at the ground floor along the El Camino Real frontage, provide abundant architectural details and articulation, and suggests providing distinctive upper floor treatments through projecting roof overhangs, setbacks, balconies, changes in materials and colors, horizontal moldings, and special details. The design will also be reviewed in more detail by a City design consultant during the formal application stage.

- c. *Increased building heights are visually related to surrounding building heights and promote the creation of a coherent City image;*

The proposed five-story building of 55' height would be located between a four-story mixed-use building and a one-story gas station. The surrounding neighborhood consists of buildings of similar or taller heights, such as the five-story California Bank and Trust building and the six-story Chase Bank building, as well as shorter buildings such as the one-story Safeway grocery store and one-story single-family residences. Many buildings

along Mid-El Camino Real are between 40'-55' height, per the Mid and South El Camino Real 40-55 Foot Building Height Design Criteria, which the project would be consistent with.

- d. *Increased building heights are compatible with surrounding land uses, and will not create adverse shadow or visual impacts on surrounding residential uses;*

An increased building height would support the proposed office and residential uses, and complement the adjacent commercial, retail, office and residential uses. The five-story building would be located between an adjacent four-story mixed-use building and a one-story gas station, and a shadow study will be conducted during the formal application stage. The two-story townhouses appear to be sensitive to surrounding one- and two-story residences on Jasmine Street and do not appear to have an adverse shadow or visual impact.

- e. *The City's infrastructure is adequate to accommodate the proposed development.*

City staff will review the project for adequacy with the City's infrastructure to accommodate the proposed development. This analysis will be continued in more details during the formal application stage.

#### Special Use Permit for Residential Use

The subject parcels are within the E2 zoning district in which residential uses require approval of a Special Use Permit. The project is not anticipated to require either a Zoning Reclassification or a General Plan Amendment given the request for a Special Use Permit and given the General Plan's allowance for residential uses in all non-residential land uses except service commercial, manufacturing/industrial and parks/open space, and where otherwise excluded by specific area policies.

Important considerations in granting a Special Use Permit include the requested land use's compatibility with adjacent uses and locational need. The project proposes an office-residential mixed-use project located adjacent to residential, commercial/retail, and office uses, which appears to be compatible.

Required findings for approval of a Special Use Permit are included in Attachment 8, which, in summary, require that the granting of the Special Use Permit will not have an adverse effect on the general health and/or welfare of the community and will not cause disturbance to adjacent property by impacts such as traffic, odor, and noise. Many neighboring residents have expressed concern about parking and traffic impacts. In recognizing this concern and the potential impacts, the applicant plans to widen Jasmine Street to accommodate vehicles and proposes to exceed the minimum parking requirements. Upon formal submittal of the planning application, a Traffic Impact Analysis (TIA) will be prepared to identify the project's vehicular trip generation and potential traffic impacts. Mitigation measures, if necessary, would be provided to alleviate potential traffic impacts.

#### Waste Management

The project proposes a waste collection enclosure located at the northern and southern ends of the project site. The applicant has yet to determine whether bins or carts will be used to collect the garbage, recycling, and compost. Staff has expressed concerns with both options due to the proposed enclosure locations. The enclosures are not accessible by waste collection vehicles due to the distance from Jasmine Street and the lack of a direct driveway, therefore making bins likely infeasible. Alternatively, if collection carts were instead used, staff has concerns about the labor, frequency, and quantity of carts required for service, which includes separate containers for garbage, recycling, and compost. The applicant seeks to address this issue during the formal application stage.

#### Parking Garage

Currently, a gate separates the publicly accessible driveway from the entrance to the residential parking spaces. Staff has expressed concerns that entering the residential parking does not appear easily maneuverable due to the sharp turn required from the driveway ramp. Furthermore, having a gate at this location may lead to vehicles forming a queue on the ramp and consequently Jasmine Street. The applicant seeks to resolve this issue during the formal application stage.

## Traffic

During both neighborhood meetings on April 3 and November 19, 2019, multiple concerns were raised about traffic (see [Attachment 6](#)). Neighbors also expressed interest in having driveway access from El Camino Real. However, the municipal code prohibits new driveway access to arterial streets, unless no other means of access is available. The municipal code also states that existing curb cuts on arterial streets shall be eliminated in new development whenever feasible. The General Plan also discourages creation of new curb cuts on arterial streets to access new development. Furthermore, El Camino Real is under the jurisdiction of CalTrans, not the City of San Mateo, which would require an additional approval to allow for a driveway access on El Camino Real. A Traffic Impact Analysis will also be prepared by the City's traffic consultant as part of the formal application to examine project impacts including, but not limited to, analysis of nearby intersections.

## **ENTITLEMENTS:**

As proposed, the project is anticipated to require the following approvals:

- Site Plan and Architectural Review (SPAR) for the demolition of the existing on-site buildings and the construction of 44 residential units with 9,809 square feet of office space;
- Special Use Permit (SUP) to permit residential units on parcels zoned E2-2; and
- Vesting Tentative Map to merge the seven parcels into one.

Sample Findings for Approval for the above planning application types are included in [Attachment 8](#).

## **PUBLIC COMMENTS:**

The applicant held a formal pre-application neighborhood meeting for the current project design on November 19, 2019 in which approximately eight community members attended. Questions and comments including the following were expressed:

- Location of proposed driveway, emphasizing an interest in allowing for access on El Camino Real
- Parking and traffic impacts
- Pedestrian and bicycle improvements along Jasmine Street
- Location of waste collection bins

A summary of the November 19, 2019 formal neighborhood meeting is included in [Attachment 6](#).

Public comments submitted to City Staff are included in [Attachment 9](#).

## **ENVIRONMENTAL DETERMINATION:**

In accordance with the Public Resources Code Section 21065, the review of a pre-application is not a project under the California Environmental Quality Act (CEQA) because the Planning Commission is not taking an action at this time. An environmental review will be conducted as part of the formal planning application in conformance with CEQA.

## **NOTICE PROVIDED**

In accordance with Government Code Section 65091 and the City's Municipal Code noticing requirements, this study session was noticed to the following parties more than ten days in advance of the neighborhood and Planning Commission meetings:

- 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 "Notify Me" 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.

## **SUMMARY AND NEXT STEPS**

At this time, staff is seeking Planning Commission comments and input on the following issues:

1. Building Height – Evaluation if criteria to allow a 55’ height building are satisfied. Items for Planning Commission discussion include:
  - a. What amenities and public improvements “substantially in excess of City requirements” should be considered in the request for additional height?
  - b. Is the project of a “high design quality,” and what design elements should be considered in making this determination?
  - c. Will the proposed building height be visually compatible with the surrounding building heights and visually compatible with surrounding land uses?
2. General Design – Comments on the El Camino Real and Jasmine Street elevations.
3. Special Use Permit – Evaluation if the proposed residential use is compatible with the existing, adjacent uses.

Following this study session, the applicant will revise the plans as necessary to respond to comments from staff and the Planning Commission and submit a formal planning application.

## **ATTACHMENTS**

Att 1 – Project Plans

Att 2 – Location Map

Att 3 – Applicable General Plan Elements and Policies

Att 4 – Factual Data Sheet

Att 5 – City of San Mateo Citywide Pedestrian Master Plan - Applicable Sidewalk Standards

Att 6 – Neighborhood Meeting Minutes - November 19, 2019 and April 3, 2019

Att 7 – Density Bonus Request Letter

Att 8 – Sample Findings for Project Approvals and Denials

Att 9 – Public Comments

## **STAFF CONTACT**

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