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Agenda Report

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TO: Planning Commission
FROM: Christina Horrisberger
PREPARED BY: Community Development Department
MEETING DATE: September 10, 2020

SUBJECT:
Modification to Bay Meadows Phase II SPAR #2 - RES 6 (PA-2020-033)

RECOMMENDATION:

Approve the Site Plan and Architectural Review modifications and amendment to Condition of Approval #47 for 2600 S. Delaware Street (RES 6).

BACKGROUND:

Residential Block #6 (RES 6) was originally approved by the Planning Commission on October 14, 2008, as part of the Site Plan and Architectural Review #2 (SPAR #2) for Bay Meadows Phase II planning application (PA-2007-055). The project's scope and technical parameters were established in the original Environmental Impact Report (EIR) for the San Mateo Rail Corridor Transit-Oriented Development and the Bay Meadows Phase II Specific Plan Amendment (Specific Plan Amendment) and re-certified in the Final EIR for the Specific Plan Amendment.

The approved project consisted of one residential building comprised of 54 for-sale townhome units located within three and four-story building sections totaling 105,164 square-feet (sq. ft.). The Bay Meadows Phase II Design Guidelines and Development Standards (Design Guidelines) provide developers general guidance in designing buildings and environments in the plan area, while the Specific Plan Amendment's Development Framework Plan provides the technical development standards for each of the permitted land uses. The administrative report reviewed by the Planning Commission for the October 14, 2008, public hearing is included as Attachment 1.

The adopted Conditions of Approval requires that staff determine whether the proposed modifications substantially conform to the approved application or whether a planning application modification is required. The applicant submitted a building permit application for the proposed modifications in December of 2019. In evaluating the submitted building permit plans, the adopted Conditions of Approval, and relevant Municipal Code sections, staff received direction from the City Attorney's Office certain design changes the applicant is proposing require a SPAR Modification and Planning Commission approval. If approved, the applicant would proceed with the building permit application process with the City's Building Division to permit construction. It should be noted that previous modifications to Bay Meadows Phase II projects, such as STA 1, STA 5, MU2, and MU3, warranted Study Sessions with the Planning Commission given that those projects included much larger shifts in the floor area and residential density than proposed in RES 6, as detailed below.

Proposed Modifications

The applicant proposes several modifications to the originally approved project which have been summarized in the subsections below. The applicant has provided a Project Description and SPAR Modification Matrix which has been included as Attachment 2.

Building Floor Area

Apartment, condominium, and loft developments in Bay Meadows II were permitted to abide by the 3.0 maximum floor area ratio (FAR) specified for the R6-D zoning district. The original project was approved with a 2.22 FAR. The proposed building floor area of the project would be reduced from 105,164 sq. ft. to 95,036 sq. ft. (2.0 FAR) as a result of removing floor area from the interior courtyard side of the building and expanding common area amenities necessary to achieve both an economically feasible and marketable project. No minimum FAR was specified as part of the originally approved SPAR Conditions for RES 6.

Bedroom Count Composition

The proposed SPAR modification maintains the originally approved 54 dwelling unit total, however, the composition of the bedroom counts for the units has changed as indicated in the table provided below.

RES 6 Bedroom Count Composition		
	As Approved (PA-2007-055)	As Proposed (PA-2020-033)
Bedroom Type	Unit Count	Unit Count
1-Bedroom	0	5
2-Bedroom	21	23
3-Bedroom	33	26
Total DUs	54	54

Prior to submitting the SPAR Modification planning application, the applicant executed a below market rate (BMR) agreement with the City specifying how the BMR requirement would be satisfied for the residential development. The change in the bedroom count composition resulted in the net change of one 1-Bedroom BMR unit gained in exchange for the loss of one 2-Bedroom BMR unit. The project as proposed will provide one 1-Bedroom, one 2-Bedroom, and three 3-Bedroom BMR units overall.

A Factual Data Sheet is included as [Attachment 3](#).

Elevations

The applicant has proposed additional courtyard facing amenities, including a fitness center and a communal lounge to enhance marketability. These improvements include minor changes to the courtyard facing elevations such as the inclusion of cement Hardie paneling to match with the street-facing elevations. Additionally, the balconies on the multi-story apartments have been reduced from two to one, while the large ground-floor patio spaces facing the main courtyard are retained. The Design Guidelines allow for balconies on residential development blocks but does not require them.

Parking Stalls and Layout

The Bay Meadows Phase II Specific Plan Amendment established the parking standards for the plan area, providing a range of parking ratios (1.75 to 2.25 spaces/unit) and requirements for each of the specified land use (i.e. *Commercial*, *Residential*, and *Mixed-Use*) development blocks. The actual parking ratios within the permitted range were finalized at the time of entitlement for each of the respective SPARs.

The Parking Management Plan (PMP) dated August 19, 2008, approved under SPAR #2 (PA-2007-055) specified a parking ratio range for multi-family residential blocks not to exceed 1.75 to 2.25 spaces per unit. The originally approved project provided 111 parking spaces (only 108 spaces required) for residents in addition to 11 on-street parking spaces for guests resulting in a parking ratio provision of 2.05 spaces/unit (ratio includes spaces provided in excess of the requirement). The currently proposed project reduces the total number of required stalls to 103 spaces as a result of the changes in bedroom count composition. It should be noted the proposed project provides three additional stalls in excess of the required amount for a total of 106 spaces on-site and maintains the same number of on-street guest spaces as previously approved. The resulting new parking ratio provision for the project is 1.96 spaces/unit.

The parking layout has been changed in conjunction with the relocated driveway and building footprint modifications discussed in this report. To accommodate the changes, 18 of the originally approved compact tandem spaces have been

eliminated and the number of standard stall tandem parking spaces has increased from 13 to 25. The redesigned garage now provides a total of 41 compact stalls overall. The Specific Plan Amendment does not prescribe a maximum permitted number of compact parking stalls. However, San Mateo Municipal Code (SMMC) Section 27.64.265 does allow up to 40 percent compact spaces where the number of required spaces is more than 100. As such, the 41 proposed compact single stalls meets the permitted 40 percent maximum.

The applicant submitted a memorandum to the PMP dated August 26, 2020, provided by Kimley Horn. The memorandum provided an analysis of the proposed parking-related modifications and concluded the changes to the bedroom count composition of the units corresponded with the decrease of on-site parking and still adequately satisfied the prescribed parking requirement for RES 6. Additionally, an evaluation of parking for all residential blocks and development within the Bay Meadows Plan II plan area demonstrated there is a surplus of parking. As such, the revised project is still compliant with the required parking parameters established in the Bay Meadows Phase II Specific Plan Amendment and the parking standards of the PMP approved under SPAR #2 (PA-2007-055).

The parking memorandum from Kimley-Horn dated August 26, 2020, is included as Attachment 4.

Building Footprint Modifications

The design of the original underground garage was approved with a design exception to allow portions of the garage wall perimeter to intrude 8-feet into the 10-foot setback area which was invisible from street-level. The proposed changes to the bedroom count composition and resulting reduction of required parking allows for a reduction in the garage's overall footprint, removing the encroachment into the setback along Landing Avenue (previously 30th Avenue). The proposed modifications increase compliance with the City's municipal code.

A SPAR Approved vs. Proposed Modifications comparative plan set is included as Attachment 5.

Garage Driveway and On-Street Loading Space Relocation

The proposed modifications include relocating the approved driveway location along Baze Road approximately 22 feet further north to accommodate an enlarged amenity area on the ground-floor, inclusion of a bike storage room at-grade, and to facilitate better vehicle circulation in the parking garage. The proposed redesign has been reviewed by the Public Works Department and meets all of the applicable driveway design and associated requirements.

The applicant submitted a tree removal permit (ST-2020-000134) in April 2020, to remove two street trees located along Baze Road to meet utility provider access requirements and to accommodate the location of the proposed new driveway ramp. The permit was subsequently approved on August 11, 2020, by the Department of Parks and Recreation. The applicant has elected to pay a fee in-lieu of providing replacement trees per the provisions of Condition #25 of the approved conditions of approval.

The project was approved with two on-street loading zones located along Kyne Street and Baze Road. In conjunction with the relocated garage driveway entrance, the on-street loading space along the frontage of Baze Road has been relocated southward to provide required clearances and a more convenient trash pick-up location. Both loading zones are dual use zones to be utilized as loadings zones between the hours of 7 am and 6 pm and available as an on-street parking space outside of those designated times.

Bike Storage Rooms and Amendment to Approved Condition

When SPAR #2 was originally entitled, the City's bicycle parking requirements were not as developed as current municipal code requirements. Rather than a specific parking stall count, the project was required to provide two 9' x 18' parking facilities equaling 324 sq. ft. in total parking facility space. The approved project satisfied the requirement by providing 432 sq. ft. of parking facility space. However, the Planning Commission at the time expressed concerns regarding the adequacy of the bike parking facilities on-site and added Condition #47 which specified RES 4 and RES 6 were to provide a physical device in front of the parking stalls on-site to enable bicycle parking ("such as a ring installed in concrete or a heavy cable) provided the installation or use of the device did not cause the approved parking design to be in conflict with applicable municipal code requirements.

The applicant is seeking to amend Condition #47 of the originally approved SPAR in preference of locating long-term parking in secure bike storage rooms to avoid potential theft and parking obstruction issues. The proposed amendment would not remove the aforementioned condition of approval, but rather modify it to require compliance if the proposed bike storage rooms cannot satisfy current long-term bicycle parking requirements.

The proposed modifications slightly increase the originally approved bike storage room in the garage to approximately 473 sq. ft. and provide an additional 302 sq. ft. bike storage room at street-level with direct access to the public right-of-way. Current bicycle parking requirements for multi-family development is determined by the number of bedrooms in each unit. Based on the revised bedroom count composition, the project is required to provide 73 long-term bike stalls and seven short-term stalls. The two aforementioned bike storage rooms will provide parking for a combined total of 80 bicycles. The project also requires the provision of six (6) short-term bicycle spaces which has been satisfied with the installation of three (3) U-racks located around the perimeter of the project site as part of previous infrastructure improvements.

The amended draft Condition #47 is included as Attachment 6. The originally approved SPAR #2 Conditions of Approval (October 14, 2008) with amended Condition #47 incorporated is included as Attachment 7.

Open Space

The Development Framework Plan outlined open space requirements for apartments, condominium, and lofts, in the Bay Meadows Phase II plan area. The requirements are allowed to be met through a provision of private open space, common usable open space, or a proportional combination of both.

The proposed modifications include a redistribution of the approved provision of open space which correspond to the floorplan and unit mix adjustments. The resulting combination of private open space and common usable open space provides an increase in the total overall amount of open space for the project and satisfies the open space requirements for the development as detailed in the table below.

OPEN SPACE REQUIREMENTS			
REQUIREMENT	Req. Area	As Approved	As Proposed
Private Open Space (80 sq. ft./unit)	4,320 sq. ft.	5,376 sq. ft.	4,384 sq. ft.
Usable Common Open Space (150% x Private Open Space Req.)	6,480 sq. ft.	6,495 sq. ft.	8,538 sq. ft.
Total Open Space	10,800 SF	11,871 sq. ft.	12,922 sq. ft.

Landscaping and Outdoor Amenities

The proposed modifications include minor alterations to the landscaping palette and outdoor amenities to enhance the resident experience and project marketability. The changes include the addition of a large courtyard trellis to provide a shade structure for outdoor dining and fire feature to serve as a focal point of the shared outdoor space. The Design Guidelines does encourage the use of pergolas, loggia, and similar architectural features provided it enhances the architectural character of the associated building. Additionally, the wooden landscape gates previously set deeper within the courtyard interior have been relocated closer to the perimeter to allow for more secure courtyard and common open space.

The Design Guidelines provide landscape requirements intended to promote high-quality open space and streetscape. Emphasis is placed on drought-tolerant and habitat-oriented plantings which aid in reducing sitewide water consumption and providing valuable habitat for native wildlife. The applicant proposes a modified plant palette that utilizes drought tolerant species which have a demonstrated track record of success at Bay Meadows. An inventory of the proposed planting palette is included in Attachment 4.

Exterior Color Palette and Materials

The Design Guidelines provide general instruction related to exterior color palette, encouraging color range to avoid “monolithic” appearances and a preference toward coordinated color tones to avoid a patchwork appearance. The use of overly bright colors is specifically discouraged.

The proposed exterior color palette is consistent with the Guidelines and the changes are nearly indistinguishable from the original color palette approved under SPAR #2. The originally approved and currently proposed color palettes are included in the SPAR Approved vs. Proposed Modifications comparative plan set included in Attachment 4.

Solar Photovoltaic Panels

The previously approved project did not include solar photovoltaic panels in the original design. The applicant is proposing to install solar photovoltaic panels on the roof top of the three-story portion of the development fronting Landing Avenue. The panels would be seen only from the interior courtyard perspective by residents of the project. Ballasted or pipe supported panels on other roof segments of the project would be hidden from street and resident views by parapet walls.

It should be noted the proposed installation of photovoltaic panels is consistent with the City’s Climate Action Plan and compliant with the State’s mandatory local Green Building and Energy Code requirements that stipulates all new low-rise residential construction projects provide installation of photovoltaic systems.

Building and Parapet Height

Maximum building heights within the Bay Meadows Phase II plan area were established in the San Mateo Rail Corridor Transit-Oriented Development Plan & Bay Meadows II Specific Plan Amendment. Most of the development blocks in the plan area, including RES 6, permit maximum building heights up to 55 feet. However, RES 6 (and some of the other development zones within the plan area) has a specified height threshold whereby any proposed building exceeding 45 feet in height requires consistency with the five Measure P findings specified in Land Use Policy 1.5 of the City’s General Plan.

RES 6 as originally approved under SPAR #2 utilized an average grade plane elevation height of 113.7’ to establish the basis for determining building height and was approved with a maximum building height of 41’-3 5/8” (or 155.0’ grade elevation) as measured to the building’s top plate. The applicant proposes to increase the ceiling heights at each story resulting in a 2-foot increase to the overall building height to 157.0’ (grade elevation) from 155.0’ as approved under SPAR #2. It should be noted, per SMMC Section 27.04.080, *building height* is established by measuring from the lowest existing grade around the building perimeter to the top of the highest plate. All vertical height dimensions discussed in the remainder of this section are based off the lowest grade (112.6’).

The redesigned building proposes a maximum building height of 44’-4 3/4” as measured from the lowest existing grade elevation to the building’s top plate (157.0’). As such, the proposed new building height is well under the 55-foot building height maximum and below the 45-foot height threshold that would necessitate Measure P findings.

In addition to the increased top plate height, the proposed modifications include varied increases to the parapet heights across the project intended to meet OSHA safety guidelines and provide adequate screening for the solar installations and rooftop equipment from street view. Architectural features such as roof peaks and parapets are permitted to extend above established building height limits. The proposed increases to parapet heights range from 1’-2” up to 4’-4”. Visually, the building will measure 51’-8 3/4” from the lowest grade elevation to the top of the highest parapet or architectural feature.

It should be noted the EIR for the San Mateo Rail Corridor Transit Oriented Development Plan and the Bay Meadows II Specific Plan Amendment analyzed “building height” to the top of occupiable building space and allowed for roof peaks and rooftop equipment enclosures to extend beyond that limit consistent with the current definition for building height and the height exceptions specified in SMMC Sections 27.04.080 and 27.02.060.

ENVIRONMENTAL DETERMINATION:

The City prepared an Environmental Impact Report (EIR), certified by the City Council in 2005. The Final EIR states that applications for subsequent SPAR applications may not require preparation of subsequent environmental documentation unless substantial changes to the project are proposed under CEQA Guidelines 15162. The City has determined that none of the circumstances requiring preparation of a subsequent or supplemental EIR are present for the subject SPAR modification. The Res 6 building was originally included in a multi-Block Site Plan and Architectural Review (SPAR) approved by the Planning Commission on October 14, 2008, (PA-07-055 Bay Meadows II "SPAR 2"). SPAR 2 covered several Blocks in the Specific Plan area and set the parameters for the various buildings to function well together. The City relied on the Final EIR for the Bay Meadows Specific Plan Amendment in approving SPAR 2. The proposed modifications to the site design do not change any of the information or conclusions in the Final EIR or implicate any of the factors in CEQA Guidelines Section 15162. Therefore, no additional CEQA review is required.

NOTICE PROVIDED

In accordance with Government Code section 65091 and the City's Municipal Code noticing requirements, this item was noticed to the following parties ten days in advance of the Planning Commission meeting:

- 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; and
- The interested parties list which includes interested individuals who contacted the City and requested to be added to the project notification list.

ATTACHMENTS

Att 1 – Administrative Report (October 14, 2008)

Att 2 – Project Description and SPAR Modification Matrix

Att 3 – Factual Data Sheet

Att 4 – Kimley Horn Parking Management Plan Memorandum (August 26, 2020)

Att 5 – SPAR Approved vs. Proposed Modifications Comparative Project Plans

Att 6 – Amended Draft Condition #47

Att 7 – SPAR #2 Conditions of Approval (October 14, 2008)

STAFF CONTACT

Phillip Brennan, Associate Planner, AICP

pbrennan@cityofsanmateo.org

(650) 522-7218