



# CITY OF SAN MATEO

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## Agenda Report

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**TO:** Planning Commission  
**FROM:** Christina Horrisberger, Director  
**PREPARED BY:** Community Development Department  
**MEETING DATE:** July 26, 2022

**SUBJECT:**  
Pre-Application for a Proposed Five-Story Residential Building at 1885 S. Norfolk Street (PA-2022-029)

**RECOMMENDATION:**

Review the project on a preliminary basis, receive public comments, and provide input to the applicant and staff on the proposed project with specific focus on the following project elements:

1. Proposed Use – Special Use Permit for a Residential Planned Development in the C1 Zoning District;
2. Building Design and Site Plan – Architectural design, massing, and pedestrian connection to open space; and,
3. Other project aspects and considerations for the formal planning application such as allowable density.

**BACKGROUND:**

The project applicant, Windy Hill Property Ventures, has submitted a Preliminary Planning Application (PA-2022-029) to demolish all existing structures on the site and construct a new five-story, 482,834 square-foot multi-family residential building at 1885 S. Norfolk Street. The proposed project consists of 321 rental units, ground floor residential amenities and open spaces located in two second-floor terraces, on the rooftop deck, and along Seal Slough (also known as Marina Lagoon). The project also includes a five-story parking garage with 376 spaces located within the center of the building.

As proposed, the project will require a Special Use Permit (SUP) to create a Residential Planned Development (PD) in the C1 (Neighborhood Commercial) zoning district; Site Plan and Architectural Review (SPAR) for construction of a new multi-family residential building; and Site Development Planning Application (SDPA) for grading and/or tree removal.

For this Pre-Application Study Session, the Planning Commission should focus its review on the proposed residential use in a commercial district, building design elements, and other aspects necessary for the Commission to make positive findings and approve the project when the formal planning application is submitted. Additionally, staff requests that the Commission provide input and direction on other project aspects, if any, that should be considered during the formal planning application.

**PROJECT DESCRIPTION:**

Project Site

The project site has a General Plan land use designation of Neighborhood Commercial, is zoned C1-1 (Neighborhood Commercial) and has a lot area of 3.18 acres (138,358 square-feet). The project is also located within the Shoreline Park Specific Plan Area.

The site consists of the existing Fish Market restaurant at the north end and a furniture warehouse and temporary/seasonal uses at the south end, with at-grade surface parking across the site. The site is bounded by Susan

Court on the north, S. Norfolk Street on the west, Fashion Island Boulevard on the south, and Seal Slough on the east. Adjacent uses include the City's Marina Library branch and single-family uses to the north, Parkside Plaza shopping center to the west, Fashion Island Boulevard and State Route 92 (S.R. 92) to the south, and the Harbortown condominiums to the east of Seal Slough. A project location map is included as [Attachment 1](#).

#### Proposed Project, Building Program, and Site Plan

The project consists of a five-story, 482,834 square-foot multi-family residential building with 321 for-rent residential units, of which 24 units (or 15 percent of the base density) are proposed to be designated as affordable to the Very Low-income category. The residential unit mix includes 24 studio units, 188 one-bedroom units, and 109 two-bedroom units. Common and open space areas are proposed at-grade along Seal Slough, on the two second floor terraces, and on the rooftop deck of the building. The residential units are located around and on top of a five-story central parking garage. The parking garage includes 376 parking stalls, which provides 1 stall for all studio and one-bedroom units, and 1.5 stalls for all two-bedroom units, as permitted by State Density Bonus law. No on-site loading spaces are proposed; however, staff will evaluate the request to modify the loading requirements during the formal application. Bicycle parking facilities include 216 long-term bicycle stalls located on ground level of the garage. Access to the site is provided through one, 24-foot wide driveway located at the center of the S. Norfolk Street frontage. Additionally, as required by the Shoreline Park Specific Plan, the site plan is configured to preserve the 20-foot wide segment of land adjacent to Seal Slough and includes improvements such as landscape, paving, and passive and active recreational facilities for public use.

The proposed architectural style combines early Spanish Mission Revival on the northern portion of the building and "Cannery" style, as described by the applicant, on the southern portion. The Spanish Mission Revival architectural style is represented through the use of gable and hipped roof forms, smooth plaster walls with limited decorative detailing, and large arches. The Cannery architectural style is incorporated through low pitched gable and parapet roof forms, the rectangular massing of building sections, and uniform window placement. A detailed discussion of the building's design and massing are included below in the *Items for Planning Commission Discussion* section. Project plans showing the proposed site plan, floor plans, elevations and architectural renderings are included in [Attachment 2](#).

#### **APPLICABLE CODE AND POLICY REVIEW:**

##### General Plan and Zoning Code

The General Plan Land Use Map designates the project site as Neighborhood Commercial. Per Appendix B of the General Plan, the Neighborhood Commercial land use category allows for shopping centers and personal services intended to serve the immediate neighborhood. The General Plan Land Use Element also designates this site as part of the Shoreview Planning Area. Planning Area (PA) Policy 4.5 *Norfolk/SR 92 Vicinity* of the Shoreline Planning Area, which governs this site specifically, states that medium scale public-serving commercial uses, such as retail and restaurants, should be encouraged at this site. The preliminary list of General Plan policies applicable to the proposed project is included in [Attachment 3](#) for the Commission's consideration in this study session.

The project site is zoned C1-1 (Neighborhood Commercial), which is consistent with its General Plan land use designation. Chapter 27.30 of the Municipal Code outlines development standards pertaining to floor area ratio (FAR), buffers, and conditions of use. The C1 zoning district allows residential units on parcels without a residential overlay, subject to approval of a Special Use Permit (SUP) and conformance with the maximum density in the R3 (Medium Density Multi-Family Dwellings) zoning district (Chapter 27.22.040), which allows maximum density of 35 units per acre.

To reach a higher density, the applicant is requesting a SUP to create a Residential Planned Development (PD), which allows a maximum density of 50 units per acre by-right in accordance with Chapter 27.62 of the Municipal Code. Other development standards such as lot size and width, setbacks, and floor area ratio default to the site's underlying zoning district of C1 unless specific findings can be made for relief from these standards in accordance with Chapter 27.62 of the Municipal Code. Additionally, Section 27.62.080 establishes specific open space standards for Residential PDs, including the size and type of open space required.

A detailed discussion of the applicant's proposed use is included below in the *Items for Planning Commission Discussion* section. A preliminary project data sheet listing the applicable Zoning Code standards and the pre-application's

conformance to them are included in Attachment 4.

#### Shoreline Park Specific Plan

The Shoreline Park Specific Plan (Shoreline Plan), originally adopted in 1973, was developed with the intent to implement and support the goals and policies of the General Plan for the shoreline area. Policies and objectives of the Shoreline Plan include the provision of as much public access as possible to the shoreline, development of areas for multi-purpose use (Marina Lagoon for recreation and storm protection, etc.), and establishment of marshland growth. The project site is located within *Area 4 - Marina Lagoon* of the Shoreline Plan, which provides specific improvements and recreational opportunities for the area including:

- Development of linear park/public access along Marina Lagoon concurrent with development of vacant land, and
- Bikeways and trails along the Lagoon, when feasible, with connections to bikeways and trail systems.

As proposed, the project is consistent with the applicable policies and objectives of the Shoreline Park Specific Plan and the improvements and recreational opportunities listed in Area 4 of the Shoreline Plan. Additionally, by adhering to the Shoreline Plan, the proposed project would also be consistent with several Conservation and Open Space policies in the General Plan aimed at providing open space and public access along the Slough. A preliminary list of General Plan policies applicable to the proposed project is included in Attachment 3.

#### State Density Bonus Law and City's Inclusionary Requirements

California Government Code Section 65915 outlines density bonus standards for residential projects that devote a portion of residential units as affordable or below market rate (BMR). The City also has an adopted BMR Inclusionary Program that requires residential developments to devote at least 15 percent of units to the Very Low- or Low-income category (affordable to individuals and families who make up to 80 percent of the area's median income) for rental projects, or 15 percent of units to the Low- or Moderate-income category (affordable to individuals and families who make up to 120 percent of the area's median income) for ownership projects.

At the requested density of 50 units per acre, the project would have a base density of 159 units for the 3.18-acre site. The provision of 15 percent of the rental units (24 units) to the Very Low-income category, as proposed, allows for a density bonus of 50 percent over the base density, or an additional 80 units, for a total of 239 units. The provision of 15 percent of the rental units to the Very Low-income category also allows up to three concessions, as well as additional waivers from development standards, and reduced on-site parking standards. As proposed, the project is requesting three concessions:

1. To exceed the maximum density provided by State Density Bonus law and the City's Municipal Code by 82 units, for a total of 321 units;
2. To exceed the maximum building height of 35'-0" in the C1 district by 18'-8" for a total building height of 53'-8"; and,
3. To reduce the number of required covered parking from 321 stalls to 317 stalls.

It should be noted that during the review of the pre-application, staff identified a concern regarding the requested concession to exceed the maximum density provided in State Density Bonus law and the City's Municipal Code. Government Code Section 65915(n) provides that a city may legally grant a density bonus greater than what is described in Section 65915 if allowed by a local ordinance. The City, however, does not have such a local ordinance to grant a larger density bonus. Rather, the City has a voter-approved ordinance (Measure Y) that limits densities citywide. Therefore, it appears that this concession request and/or the proposed density will need to be revised in order to be consistent with State law and local ordinances, and City staff will continue to work with the applicant on this issue.

Additionally, the project also intends to utilize the statewide reduced parking ratio of one (1) space for each of the 212 studio and one-bedroom units, and one and one-half (1.5) spaces for each of the 109 two-bedroom units, which does not require a concession or waiver request. A complete evaluation of the project's requested density bonus and associated concessions and waivers will be reviewed for compliance with the City's BMR Program and State Density Bonus law upon submittal of the formal application.

### Housing Accountability Act

Government Code Section 65589.5 outlines application review limitations for projects subject to the Housing Accountability Act (HAA). As a development project with at least two-thirds of the project square footage devoted to residential uses, this project would be subject to the HAA if the project is determined to be consistent with all objective standards, including State Density Bonus law, accounting for additional allowed density. The HAA limits a local agency's ability to deny, reduce the density of, or render housing development projects infeasible if objective standards are met. Additionally, the local agency may only deny or reduce the density if certain findings pertaining to adverse impacts to codified, objective public health or safety standards are made. A full review of the project's conformance with all applicable objective standards will occur during the formal planning application phase.

### Pedestrian Master Plan

The 2012 Citywide Pedestrian Master Plan contains recommendations to improve the pedestrian realm throughout the City. Based on the proposed residential building type and street parking configuration, the applicable sidewalk standard is *A.5 Residential Type C New Development*. This standard recommends an overall sidewalk width ranging from of 9'-6" to 12'-0". Currently, the project proposes an overall sidewalk width of approximately 15 feet along the S. Norfolk Street frontage, which includes the minimum four-foot planter zone and five-foot through zone. The project also proposes an on-site 5'-6" walking path along the Fashion Island Boulevard; however, no public sidewalk improvements are proposed along Fashion Island Boulevard and Susan Court. Overall, the project proposes less than the recommended overall minimum width of 9'-6" in the Pedestrian Master Plan.

Additionally, the Zoning Code establishes buffer/setback requirements, which have direct impact on the pedestrian realm, specifically sidewalks and the means by which properties must widen them. While the C1 zone does not require setbacks along the S. Norfolk Street and Fashion Island Boulevard frontages, a 20-foot buffer/setback is required along the Susan Court frontage, due to the project's adjacency to single family uses along this frontage. It should be noted that the project is requesting a reduced setback of seven feet along its Susan Court frontage as allowed in Chapter 27.62 of the Municipal Code, if specific findings can be made. Incorporating a wider sidewalk would require a deeper building setback, which could result in the loss of residential units. Staff anticipates the applicant to further develop the site plan and sidewalk designs for greater consistency with the Pedestrian Master Plan and will conduct a more detailed review of the project's conformance during the formal planning application phase.

### Bicycle Master Plan

The 2020 Bicycle Master Plan provides policies and recommendations to implement citywide infrastructure improvements to support bicycle use. The Bicycle Master Plan also lays out a proposed bicycle network of various bicycle lanes, paths, and routes. Specific to the subject project site, the Bicycle Master Plan shows the existing buffered bike line and designated bicycle lane (both Class II) along the project's S. Norfolk Street frontage and proposes a separated bike lane (Class IV) along the Fashion Island Boulevard frontage. A full evaluation of the project's consistency with the Bicycle Master Plan will be completed during the formal planning application phase.

## **ITEMS FOR PLANNING COMMISSION DISCUSSION:**

### Proposed Use

As discussed above, the applicant proposes a multi-family residential use on a parcel in the C1 district. The parcel's Neighborhood Commercial land use designation, consistent with its C1 zoning designation, allows residential uses as a special use subject to the maximum density the R3 zoning district (35 units per acre). General Plan Policy PA 4.5, which governs this site specifically, encourages medium-scale, public-serving commercial uses, such as retail and restaurants. However, the proposed project only consists of residential uses without provisions for any commercial uses, potentially in conflict with the General Plan.

To allow for solely residential development and a higher density of 50 units per acre, the applicant is requesting a Special Use Permit for a Residential Planned Development. Planned Developments (PDs) are intended to enable and encourage flexibility of design and development of land to promote its most appropriate use and to allow diversification in the relationship of various uses, structures, and space. A Residential PD must also meet findings that the use is desirable and

appropriate for the neighborhood and must meet findings to obtain relief from certain development standards such as lot size, lot width, setbacks, or parking. A Residential PD must also provide permanently reserved useable open space.

Another path that the applicant may request in order obtain a maximum base density of 50 units per acre would be a General Plan Amendment and zoning reclassification to a land use designation and zoning district that permits multi-family residential uses by-right (such as R5 - High Density Multi-Family Dwellings). Should a redesignation of the site to R5 - High Density Multi-Family Dwellings be pursued, staff concerns regarding the concession request to exceed the maximum density provided by State law would still remain. Without a mechanism to achieve the proposed density that is consistent with state and local regulations, the total density of the project will likely need to be reduced.

At this time, staff is seeking Planning Commission input on the proposed use and whether findings can be made to support the requested Special Use Permit for a Residential PD, specifically regarding the compatibility of the proposed use with the surrounding one and two-story single family and neighborhood commercial uses. When evaluating the proposed use, staff recommends the Commission consider the following questions:

- *Are there any concerns regarding the findings for the proposed Residential PD, including compatibility with the existing neighborhood? Or, is a General Plan and zoning reclassification a more appropriate path than a Special Use Permit for a Residential PD?*
- *Should ground floor commercial uses be incorporated into the project to be consistent with Policy PA 4.5? Or, is there justification to support development of the site exclusively for residential uses?*
- *Are there any recommended project revisions if a reduction of density is necessary? Revisions to consider could include larger units, additional or reduced open space, parking and circulation patterns such as increased sidewalk widths, and/or reduced building height.*

#### Building Design and Site Plan

The design of the building, as described by the applicant, represents early Spanish Mission Revival and “Cannery” architectural styles. The Spanish Mission Revival architectural style is represented through the use of gable and hipped roof forms, smooth plaster walls, and large arches. The Cannery architectural style is incorporated through the use of low-pitched gable and parapet roof forms, rectangular building sections, industrial-inspired colored walls, and uniform window placement. The building is composed of smooth sand, cement plaster; cement lap siding; and, bronze-colored iron balconies and metal awnings. The use of round and flat arches is incorporated throughout the first and second floors to frame the main building entry and provide vertical and horizontal articulation at the pedestrian level. The use of cement plaster, iron balconies, and metal awnings are continued throughout floors three through five; however, to provide horizontal articulation, alternating sections of the three-story walls are either recessed or projected in contrasting colors. As recommended by the Multi-Family Design Guidelines, the two architectural styles allow for the incorporation of elements of the dominant neighborhood architectural style and common materials of the area. In consideration of the surrounding Eichler-inspired single family uses and the Park Plaza shopping center, the project has incorporated lap siding, plaster walls, clean lines, minimal decoration, and low-pitched gable and flat roofs, as found on the single family uses, and corrugated, standing seam metal hipped roofs, as found in the Park Plaza shopping center.

The single-family uses to the north of the project site are predominantly one story in height. The Marina Library, adjacent to the north of the site, and Parkside Plaza, to the west of the site, are also one-story in height. Currently, the proposed design is five-stories in height and has a total plateline height of 53’-8”, which is taller than the adjacent one- and two-story structures. The Multi-Family Design Guidelines state that when the proposed building height exceeds adjacent properties by more than one-story, a transition should be incorporated, or the taller sections should be built to a width that acknowledges the traditional building width pattern of the City. As described in detail above, the project incorporates this recommendation by utilizing contrasting colors and materials, along with round and flat arches to divide the building into smaller sections that are approximately 25’ to 50’ in width.

In compliance with the Shoreline Plan, the project proposes public access to the Slough through two pedestrian paths on Susan Court and Fashion Island Boulevard as well as through a large, arched opening at the center of the building. The central arch is the focal point of the building, which identifies the primary entrance of the building and provides an east-

west connection to the public open space along Seal Slough. The opening is emphasized on the front and rear facades by the use of expansive round arches and substantial square columns. It should be noted, however, that the preliminary site plan and renderings depict the use of the central arch in contrasting ways. The site plan shows the opening in the nature of an auto-oriented porte cochere. A 24' drive aisle with surface level parking spaces leads into the arch, where the building opens on the north and south to the parking garage, and to the public open space on the east. The project description states that the opening will accommodate pedestrian paths through to site to the Slough; however, these paths are not apparent on the site plan. As the site plan shows the opening on S. Norfolk Street as the only vehicular entrance to the site, the proposed pedestrian paths may be overlooked by the public or appear as paths only intended for residents of the building. In contrast, the renderings show the central arch as a pedestrian-oriented arcade with a public plaza that provides a prominent pedestrian connection from S. Norfolk Street to the Slough. They also show bollards placed at the property line to prevent vehicles from entering the site from S. Norfolk Street and floor to ceiling storefront windows flanking each side of arcade, along with outdoor tables, chairs, and umbrellas. These elements, as depicted in the renderings, make the arched opening and primary building entrance appealing to residents and creates a strong connection for the public to access the public open space along Seal Slough.

To guide revisions to the project's design before submittal of the formal application, staff is seeking Planning Commission input on the overall style, design elements, massing of the building, and the effect of the proposed building in relation to the surrounding neighborhood. It is important to note that for projects subject to the Housing Accountability Act (HAA), the Commission may provide recommendations; however, the project is only required to comply with objective design standards found in the General Plan, Zoning Code, and other adopted policy documents. Some components of the building design, such as height or footprint, may change to address density concerns related to the project's concession request. When evaluating the design of the proposed building, staff recommends the Commission consider the following questions:

- *Are there any design revisions that the applicant should consider to improve the building's application of the two architectural styles when compared to the existing buildings in the surrounding context?*
- *Are there any treatments and/or modifications that the applicant should consider to improve the overall building mass, scale, and its relationship to the lower scale surrounding context?*
- *Do the arched opening and site plan address the pedestrian realm and access to the open space appropriately?*

#### **PUBLIC COMMENTS:**

The applicant held a formal pre-application neighborhood meeting on June 22, 2022, that was attended by 59 members of the public. Participants commented on the following:

- Building height and scale;
- Lack of on-site parking and overflow into neighborhoods;
- Traffic impact and congestion;
- View Impacts for Harbortown residents;
- Desire for waterfront/ground level dining options;
- Negative impact on the Lagoon/Slough Wildlife and Water Quality; and,
- Noise amplification from The Slough/ Lagoon.

The applicant's summary of the neighborhood meeting is included in [Attachment 5](#). Public comments submitted to City staff during the pre-application review are included in [Attachment 6](#). Any public comments received after publication of this report will be forwarded to the Planning Commission for consideration at the study session and posted to this item on the [City's Agendas & Minutes Public Meeting Portal](#) as "Post Packet Public Comments."

#### **ENVIRONMENTAL DETERMINATION:**

In accordance with 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 any action at this time. An environmental review will be conducted as part of the formal planning application in conformance with CEQA.

**NEXT STEPS:**

Following this Study Session, the applicant and project architect will have an opportunity to revise the design based on feedback provided by the public and the Planning Commission. As currently proposed, the project would be subject to review by the Planning Commission and approval by the City Council since it includes an SUP for a Residential PD. The following planning applications will be required as part of the formal application:

1. Special Use Permit (SUP) for a Residential Planned Development subject to density of the R5 zoning district;
2. Site Plan and Architectural Review (SPAR) for the construction of a new multi-family residential building;
3. Site Development Planning Application (SDPA) for grading an area over 5,000 square feet and for removal of any major trees/vegetation.

**NOTICE PROVIDED**

In accordance with Government Code section 65091 and the City's Municipal Code public noticing requirements, this study session was noticed to the following parties at least ten (10) days in advance of the neighborhood meeting and 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;
- 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.

**ATTACHMENTS**

Att 1 – Location Map

Att 2 – Project Plans

Att 3 – Applicable General Plan Elements and Policies

Att 4 – Preliminary Data Sheet

Att 5 – Neighborhood Meeting Summary

Att 6 – Public Comments

Att 7 – Sample Findings for Approval

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