



# CITY OF SAN MATEO

City Hall  
330 W. 20th Avenue  
San Mateo CA 94403  
[www.cityofsanmateo.org](http://www.cityofsanmateo.org)

## Agenda Report

---

Agenda Number: 2

Section Name: {{section.name}}

File ID: {{item.tracking\_number}}

---

**TO:** Planning Commission

**FROM:** Ronald Munekawa, Chief of Planning

**PREPARED BY:** Community Development Department, Planning Division

**MEETING DATE:** August 13, 2019

**SUBJECT:**

1218 Monte Diablo Ave. and 131, 139, and 145 N. Kingston St. Townhomes Pre Application (PA 2019-008)

**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 the project.

**BACKGROUND:**

**Project Description**

This pre-application submittal includes the demolition of an existing neighborhood market and eight (8) residences to construct 35 townhomes totaling 80,526 gross square feet. The project proposes six (6) three-bedroom and 29 four-bedroom units ranging from three (3) to four (4) stories tall. Of the 35 units, four (4) would target low-income households earning no more than 80% of the area median income (AMI) for San Mateo County.

The project includes a total of 85 parking spaces. Twenty-two (22) units include two (2) garage parking spaces inside each unit, and the remaining 13 units would include three (3) garage parking spaces inside each unit. The parking spaces are provided through a combination of side-by-side and tandem parking configurations. The project site also provides for two (2) off-street, uncovered visitor parking spaces. This property is located within the flood hazard area where only vehicular parking is allowed on the ground floor; habitable spaces including residential spaces are allowed only on the upper floors.

The building design incorporates a variety of siding materials including shingles, board and batten, cement plaster, and horizontal lap siding. The rooftop is composed of composite shingles. Each unit includes a porch on the ground floor, and most units have a gable roof for a portion of the upper story. The project plans are included in Attachment 1.

The current tenants in the existing residences would receive relocation assistance and allowance to relocate, per SMMC 27.02.180.

**Site Description**

The project site is located at the intersection of Monte Diablo Avenue and North Kingston Street. The project site is comprised of four separate parcels totaling 53,737 square feet (1.23 acre). The site is bounded by Monte Diablo Avenue to the northwest, North Kingston Street to the northeast, a motel and residences to the southwestern property line, and residences to the southeastern property line.

The project site is zoned R4 (Multiple Family Dwelling – High Density). Various building heights and uses surround the project site. A three-story apartment complex in the R4 zoning district is located across Monte Diablo Avenue to the northwest. The project site abuts a three-story motel and residences in the R4 zoning district to the southwestern property line and two-story residences in the R2 (Two Family Dwelling) zoning district to the southeastern property line. To the

northeast across North Kingston Street are single-story single-family residences in the R2 zoning district, except for one two-story single-family residence. A location map is included in [Attachment 2](#).

## **Applicable Code and Policy Review**

### General Plan

The General Plan Land Use Plan designates the project site as High-Density Multi-Family. 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 formal planning application submittal will be required to provide clarification and/or documentation to ensure conformance with all applicable policies and guidelines. In addition, the project site is listed as Underutilized Site #10 in the General Plan Housing Element's Inventory of Sites Available for New Housing Development, which are underperforming sites that may be redeveloped for additional housing.

### Zoning Code

The project site is zoned R4 (Multiple Family Dwellings – High Density), which includes development standards such as building height, density, maximum floor area ratio (FAR), and setback requirements. The project proposes a building height of 43 feet and 8 inches, which is within the allowable maximum height limit of 45 feet. The project seeks a FAR of 1.49, which is within the allowable FAR of 1.5. The maximum allowed density on the site is 50 dwelling units per acre, which equates to 61.79 units on the 1.23-acre property. The development currently proposes 35 dwelling units on the project site, which is within the allowable density.

The project proposes to encroach into the required setback areas as part of a density bonus waiver. This encroachment into the setback area is a waiver requested via state density bonus law and the City of San Mateo density bonus ordinance, as the project provides at least 10% below market rate (BMR) units to low-income households. Further details are provided in the next subsection.

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 65915 provides for a density bonus (an increase over the otherwise maximum allowable residential density) for development projects that include specified percentages of affordable housing. This project would provide four (4) low-income units, which is 10% of the proposed 35 units, which both meets City requirements and makes the project eligible for provisions of Government Code Section 65915 State Density Bonus and Other Incentives Law.

In addition to a density bonus, this project is entitled to seek 1) incentives or concessions and 2) waivers of development standards. Section 65915(k) defines an "incentive or concession" to include a reduction in site development, zoning code, or architectural design standards, approval of mixed-use zoning, or other regulatory incentives or concessions proposed that result in cost reductions.

In addition, Section 65915(e) precludes cities from applying development standards that will have the effect of physically precluding the construction of a development that qualifies for a density bonus, in essence, a waiver of development standards. The development standards for which waivers are requested by the applicant are:

- Setbacks: The required front yard setback is 15', the required interior side yard setback is 15', the required street side yard setback varies from 14'-6" toward the front to 19'-9" toward the rear, and the required rear yard setback varies from 15' towards the right to 19'-6" towards the left. However, while the proposed project complies with

the front and a portion of the rear yard requirements by providing a setback of 15', the project proposes to only provide an interior side yard setback of approximately 12', a street side yard as little as 8'-3" towards the rear, and a rear yard as little as 15" towards the left. The porches will also encroach into the required yards, and provide varying front yard setbacks as little as 8'-6", a street side yard setback of 7', varying interior side yard setbacks as little as 6', and a rear yard setback as little as 9' for a portion of the project site. Please note, Building 4 will provide a large rear yard setback of 32'-7" measured to the porch, as the site provides for a common open space area and parking spaces at the rear of the property.

- Change of roof height: A change in roof height of at least two (2) feet is required for every building section, per the Multi-Family Design Guidelines. However, the applicant proposes to change the roof height by one (1) foot.
- Building transitions: A change in building height is limited to one (1) story from adjacent structures, or if changes in building height are greater, then the upper floors are to be stepped back. However, the applicant declines to step back the upper floors.

The applicant seeks the waivers to avoid a reduction in the size of the units. These requested waivers allow flexibility and relief from various code provisions to allow the BMR units to be set at affordable levels.

The City may deny an applicant's request for a waiver under certain circumstances. Please see [Attachment 8](#) for more information regarding the required findings.

It is important to note that Government Code Section 65589.5 defines a "specific, adverse impact upon health, safety, or the physical environment" as significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards" in effect when the application was deemed complete. Examples of "public health and safety standards" are regulations addressing traffic control and visibility, standards related exposure to hazardous wastes and vehicle emissions, and standards related to flooding or soil stability. "Public health and safety standards" do not include aesthetic concerns.

At this time, the applicant is not requesting any incentives or concessions.

Consistent with State law, the City allows use of statewide parking standards, as well as waivers of development standards for projects that provide BMR units, even if additional units are not proposed.

The project is eligible to utilize the statewide parking standards of two (2) spaces per three-bedroom unit, and two and a half (2.5) spaces per four-bedroom unit. The project provides an average of 2.42 parking spaces per unit, including tandem parking configuration, which is permitted for density bonus projects in accordance with Government Code Section 65915(p)(4).

#### Housing Accountability Act

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 review consultant for consistency with the Multi-Family Design Guidelines, General Plan Urban Design Element, and to address concerns expressed by the Planning Commission.

#### Historic Review

Upon formal submittal, the proposed project will be reviewed by a City historic consultant to determine whether the proposed buildings to be removed are historic.

### Citywide Pedestrian Master Plan

The project will be evaluated for consistency with the City's Pedestrian Master Plan, which the current project proposal substantially conforms with.

For the Monte Diablo Avenue frontage, the *City of San Mateo Pedestrian Master Plan, A.5 Sidewalk Standards – Residential Type C New Development* requires an overall minimum sidewalk width of 9'-6", which includes a minimum 5' through zone, a 4' planter/furniture zone, and a 6" curb. The project proposes an overall sidewalk width of 10'-6" with a 5' through zone, a 5' planter/furniture zone, and a 6" curb, which complies with the sidewalk standard requirements.

For the North Kingston Street frontage, the *City of San Mateo Pedestrian Master Plan, A.4 Sidewalk Standards – Residential Type B Constrained* requires an overall minimum sidewalk width of 7'-6", which includes a minimum 5' through zone, a 2' utilities/signage zone, and a 6" curb. The project proposes an overall sidewalk width of 7', which includes a through zone, a utilities/signage zone, and a curb, which is in substantial conformance with the sidewalk standard requirements. The proposed sidewalk will be reviewed in further details upon formal submittal.

The City's Pedestrian Master Plan, A.5 and A.6 Sidewalk Standards are included in [Attachment 5](#).

### **Items for Discussion**

#### Building Mass and Scale

The Multi-Family Design Guidelines contain design objectives pertaining to scale, architectural qualities, and neighborhood compatibility.

The proposed townhomes fronting North Kingston Street are three stories tall. The Multi Family Design Guidelines call to avoid changes in building height greater than one story from adjacent structures. Given the project's adjacency to one-story single-family homes across North Kingston Street, the Multi Family Design Guidelines call to step back upper floors to provide a transition between the proposed project and the existing single family homes. While the proposed townhomes include ground-floor porches which project from the building and provide some articulation, the third stories are not stepped back from the second stories. The North Kingston Street facades may benefit from building step-backs to provide a transition in building height.

The proposed townhomes at the rear of the property are four stories tall. Similar to above, given the project's adjacency to a two-story motel to the rear property line and two-story residences to the side property line, the Multi Family Design Guidelines call to step back upper floors to provide a gradual transition. While ground-floor porches are also provided, the third and fourth stories are not stepped back. The rear elevation may also benefit from building step-backs to provide a transition in building height.

As noted above, the applicant is seeking a development waiver from this building transition standard.

#### Building Design

The building design incorporates a variety of siding materials including shingles, board and batten, cement plaster, and horizontal lap siding. The corner unit at the intersection of Monte Diablo Avenue and North Kingston Street is 3-stories tall and predominantly composed of cement plaster siding, with a small portion of the walls between 2 windows proposing board-and-batten. The Multi Family Design Guidelines call to use a variety of siding materials to break up the appearance of a large mass. The corner unit may benefit from using more alternative siding materials such as board-and-batten, which may also appear more aesthetically pleasing and help to soften the appearance of the 3-story massing.

#### Parking, Traffic, and Vehicular Speed

During the neighborhood meeting, multiple concerns were raised about cut-through traffic, congestion, and vehicular speed at the Monte Diablo Avenue/North Kingston Street intersection (see [Attachment 6](#) Neighborhood Meeting Minutes of July 22, 2019). A Traffic Impact Analysis will 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 the nearby intersection at Monte Diablo Avenue and

North Kingston Street.

## **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 35 townhome buildings
- Vesting Tentative Map to merge the parcels and create townhouse units and associated common space

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 on July 22, 2019 in which approximately 42 community members attended. Questions and comments including the following were expressed:

1. Cut-through and neighborhood traffic
2. Parking congestion
3. Truck routes, noise and construction timeline

A summary of the July 23, 2019 formal neighborhood meeting is included in [Attachment 6](#).

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

## **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 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 Mass and Scale – Evaluation of the building form and mass, including the absence of stepping back the upper stories
2. Building Design – The overall architectural style and design approach, including the siding materials at the corner unit at the intersection of Monte Diablo Avenue and North Kingston Street
3. Parking, Traffic and Vehicular Speed – Traffic improvement measures.

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

Att 7 - Density Bonus Request Letter

Att 8 - Sample Findings for Project Approvals and Denials

Att 9 - Public Comments

**STAFF CONTACT**

Wendy Lao, AICP, Associate Planner

[wlao@cityofsanmateo.org](mailto:wlao@cityofsanmateo.org)

(650) 522-7219