



**DATE:** December 10, 2019

**CATEGORY:** Public Hearing

**DEPT.:** Community Development

**TITLE:** **Rowhouse Development at 1958 Latham Street**

## **RECOMMENDATION**

1. Adopt a Resolution Conditionally Approving a Planned Unit Development Permit and Development Review Permit to Construct a Six-Unit Rowhouse Development on a 0.39-Acre Project Site at 1958 Latham Street, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Adopt a Resolution Conditionally Approving a Vesting Tentative Map to Subdivide a 0.39-Acre Site for Six Residential Condominium Units at 1958 Latham Street, to be read in title only, further reading waived (Attachment 2 to the Council report).

## **BACKGROUND**

### **Project Site**

The 0.39-acre project site is located on the north side of Latham Street, between Escuela Avenue and South Rengstorff Avenue. The project site is surrounded by a two-story apartment complex to the north and an open area for this apartment complex (to the west). To the south (across Latham Street) and to the east are two-story apartment buildings. A three- to four-story residential condominium project is currently under review to the northeast, along Gamel Way.



**Location Map**

The project is site currently vacant. The site was previously developed with a residential home, a garage, and a 2,500 square foot warehouse which were built in approximately 1925 and were demolished in February 2018.

### **Previous Entitlement**

This project was previously approved on March 15, 2016 by the City Council. A one-year permit extension was granted in 2018, and the applicant demolished the existing buildings. Due to issues with utility designs, the applicant was unable to complete the building permit process, resulting in the expiration of their original planning permit.

The site design remains relatively unchanged from the previous approval as the site design and preservation of the two Heritage trees successfully met the design intent of the City's Rowhouse Guidelines and General Plan policy directions. However, minor building modifications to the massing, entryways, and end-units have been made to address previous staff comments and design conditions.

### **Public Meetings and Hearings**

#### *Development Review Committee (DRC)*

The project was reviewed by the DRC in August 2019. Revisions were made to the project based on DRC direction, and a recommendation of approval was provided at the meeting.

#### *Administrative Zoning/Subdivision Committee Public Hearing*

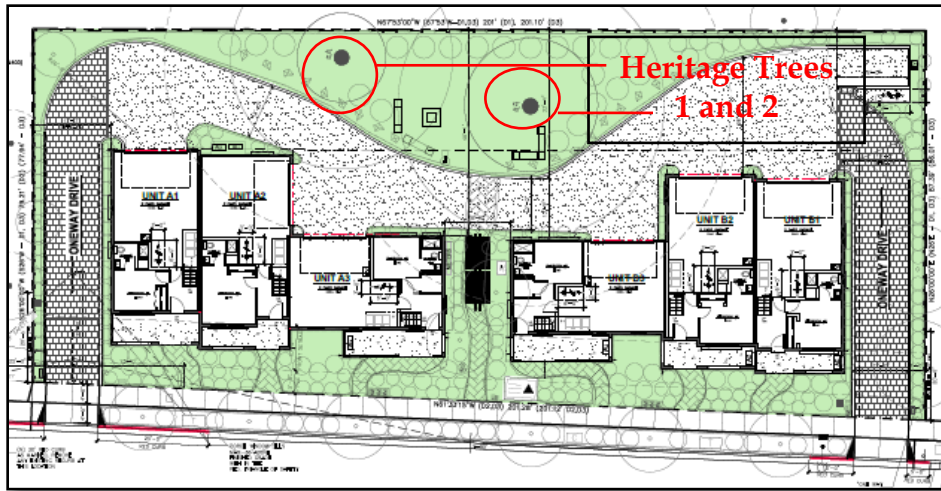
The project was reviewed by the Zoning Administrator and Subdivision Committee on November 13, 2019, where it was recommended for approval. No one from the public spoke at the meeting regarding the project, and no letters from the public were received regarding the project.

### **ANALYSIS**

This report outlines the project's consistency with the General Plan and Rowhouse Guidelines; describes the proposed development; covers issues related to open space, parking, height transitions, and architectural design; and provides a summary of the environmental review that was completed for the project.

## Project Description

The project proposes to develop the site with six ownership rowhome units. The proposal includes two buildings, each with three units. Each unit includes three bedrooms, ranging in size from approximately 1,900 square feet to 2,300 square feet.



Site Plan

The proposed site layout consists of all six rowhome units facing Latham Street with a one-way driveway located behind the buildings to access the private garages and guest parking. A pedestrian walkway is located between the two buildings and leads to the common open area located beneath the canopies of two Heritage trees (Coast live oaks). The site is designed to protect these two trees by limiting the amount of paving underneath the trees' canopies.



Street View

The traditional architectural style utilizes stucco, hipped and shed roof forms, wood trellises, and stone veneer bases. Each unit is differentiated through varied roof forms, projections, porch elements, and exterior colors.

### **General Plan Designation**

The site's General Plan designation is Medium-High Density Residential (26 to 35 dwelling units per acre) and is located in the San Antonio/Rengstorff/Del Medio Planning Area. This area allows for multi-family housing such as apartments and condominiums with shared common open space areas. The proposed project is consistent with the General Plan's vision for the area and complies with the following General Plan Policies:

- **LUD 6.1: *Neighborhood character.*** Ensure that new development in or near residential neighborhoods is compatible with neighborhood character.
- **LUD 6.3: *Street presence.*** Encourage building facades and frontages that create a presence at the street and along interior pedestrian paseos or pathways.
- **LUD 9.1: *Height and setback transitions.*** Ensure that new development includes sensitive height and setback transitions to adjacent structures and surrounding neighborhoods.
- **POS 12.1: *Heritage Trees.*** Protect trees as an ecological and biological resource.

### **Zoning Designation**

The site's Zoning Designation is R3-1 (Multiple-Family Residential) and allows a maximum of six units on this site. The R3 Zoning District allows rowhouse developments consistent with the Rowhouse Guidelines. The proposed development complies with most of the Rowhouse Standards, except for the guest parking requirement, minimum lot area, and minimum driveway width. The following table shows the project's compliance with the Rowhouse Development Standards.

<b>Standard</b>	<b>Requirement or Maximum Allowed</b>	<b>Proposed</b>
Maximum Units	Per R3-1 Zoning: 6	6
Maximum Floor Area Ratio	0.90	0.85
Minimum Front Setback	15' (not including porches)	15'
Minimum Side Setback	10' for first and second floors 15' for third floor	17'7" (left) and 18'5" (right) for the first, second, and third floors
Minimum Rear Setback	10' first and second floors; 15' for third floor	33'4"
Maximum Building Coverage	35% maximum	35%
Maximum Height	45' maximum; 36' maximum to wall plate	41'5"  30'9"
Minimum Open Area	35% 100 s.f. per unit private 100 s.f. per unit common minimum	42.1% 127 s.f. per unit (average) private 286 s.f. per unit common minimum
Minimum Private Storage	164 cubic feet/unit	164 - 189 cubic feet/unit
Minimum Parking	2 covered spaces per unit + 0.3 guest space (2 spaces)	2-car garages +1 guest space
Driveway Width	20'	11'
Minimum Lot Area	0.5 acre	0.4 acre

## **Circulation and Parking**

The Rowhouse Guidelines require a 20' wide driveway or "alley" for two-way vehicular circulation and parking access. The project proposes an 11' wide, one-way driveway which has an entrance on the eastern side of the property which loops around the back and exits on the western side of the property. The 11' width does not negatively impact vehicular circulation as it provides sufficient back-out distances for the garages and guest parking space. The narrower driveway also reduces the amount of on-site pavement and limits damage to the existing Heritage trees at the rear of the site.

The minimum parking requirement is 2.3 spaces per rowhouse unit (two spaces for each unit and 0.3 space for guest parking). Six units would require 12 parking spaces and two guest parking spaces. The project includes two parking spaces for each unit, but only one of the required two guest spaces. The parking exception is supported for the following reasons:

- An additional parking space may be located underneath one of the Coast live oaks, but would result in additional paving underneath the trees. Per the arborist report for this project, paving underneath the trees must be limited to prevent further damage to the trees' extensive root system. Therefore, creating an additional parking space would likely damage one of the preserved Heritage trees.

One bicycle parking space is provided in each garage, plus one bike rack in the common area.

## **Lot Area Exception**

The Rowhouse Guidelines indicate a recommended 0.5-acre lot size, but the project site is about 0.4-acre in size. The guideline is to provide direction of the minimum lot size that could feasibly meet Rowhouse Guidelines and policies. However, the lot's wide frontage and one-way driveway design that loops around the rear of the two buildings allows the project to creatively and effectively meet the design intent of the Rowhouse Guidelines, preserve the two Heritage trees at the site, and incorporate a large common open space area that exceeds the Rowhouse Guideline standards.

## **Open Space and Trees**

The project contains a large, 1,716 square foot common open area located at the rear of the site, underneath the canopy of the two preserved Heritage Trees. The common

open area includes passive seating and planters due to limitations on paving underneath the two existing Coast live oak trees.

A tree survey was completed and amended for the project site by Michael L. Bench and reviewed by the City arborist. The tree survey identified, measured, mapped, and rated the trees for preservation, which took into account the trees' age, health, structural condition, and proximity to the proposed structures and site development. The project site has a total of two existing trees, and both are Heritage trees. The applicant will preserve the two Heritage trees and plant 12 new trees.

The following table shows the existing and estimated future tree canopy coverage for the site:

	<b>Canopy Coverage</b>
Existing Trees	40%
Retained + New After 5 Years	42%
Retained + New After 10 Years	45%

### **Tenant Relocation**

One existing single-family home and garage was previously located at this site. However, the single-family residence was demolished in 2018. The Community Stabilization and Fair Rent Act is not applicable since single-family homes as specified in Civil Code Section 1954.52(a)(3)(A) are exempt (CSFRA Section 1704). The Tenant Relocation Assistance Ordinance is not applicable since this does not concern three or more units on a parcel and the site is currently vacant (Section 36.38.15 of the Municipal Code).

### **Tentative Subdivision Map**

The project proposes a Vesting Tentative Map to subdivide the existing lot into six condominium units and one common lot. Staff finds that the project is consistent with the requirements of the Subdivision Map Act and the General Plan with incorporation of the draft Conditions of Approval (see Attachment 2 – Resolution for Vesting Tentative Map).

### **ENVIRONMENTAL REVIEW**

The project qualifies as Categorical Exempt under the California Environmental Quality Act (CEQA), Section 15332 (“In-fill Development Projects”), because it is

characterized as an infill development which is consistent with the applicable General Plan and zoning designation; is on a project site that is less than five acres; contains no value as habitat for endangered, rare, or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can adequately be served by all required utilities and public services.

### **FISCAL IMPACT**

The subject site has a total assessed value of approximately \$1.76 million, and the City's share of property tax is approximately \$2,800 per year. If the site were developed, the City would receive approximately \$11,500 per year in additional property tax revenue.

The project is subject to the City's Below-Market-Rate (BMR) Ordinance, Phase I, as the project was submitted prior to the Phase II effective date. A BMR In-Lieu Fee of 3 percent of the gross sales price of each unit will be paid to the City upon the close of escrow of each unit as the required BMR-in-lieu fee results in a fractional unit. Based on an expected average sale price of approximately \$1.5 million for each unit, this would result in a total payment of \$270,000 to the City.

The estimated Park Land Dedication In-Lieu Fee will be approximately \$162,000 (or \$27,000 per unit) in accordance with Chapter 41 of the City Code, to be paid prior to the issuance of building permits. Because the project is less than 50 units, park land dedication cannot be required.

### **CONCLUSION**

The project is consistent with General Plan policies for neighborhood character and street presence and with the land use and development direction in the General Plan. The project requires driveway, lot size, and parking exceptions to the Rowhouse Development Standards. The proposal promotes a well-designed development that is compatible with and harmonious with surrounding uses and developments and is consistent with other existing, under-construction, and proposed projects in the area.

The proposed subdivision, together with the provisions for its design and improvements, is consistent with the General Plan Land Use Designation of Medium-High Density Residential, the R3-1 Zoning District, and the Subdivision Map Act.



## **ALTERNATIVES**

1. Approve the project with modified conditions.
2. Refer the project back to the DRC and/or Zoning Administrator for additional consideration.
3. Deny the project and/or deny the map.
4. Provide other direction.

## **PUBLIC NOTICING**

The Council's agenda is advertised on Channel 26, and the agenda and this report appear on the City's website. All property owners and tenants within a 750' radius were notified of this meeting.

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- Attachments:
1. Resolution for a Planned Unit Development Permit, Development Review Permit, and Heritage Tree Removal Permit with Conditions of Approval
  2. Resolution for a Vesting Tentative Map with Conditions of Approval and Vesting Tentative Map
  3. Project Plans