

**Item No. 9b  
Design Review Study**

**Item No. 9b  
Review Study**

ember 28, 2020

Density Bonus  
ndominium with

N: 029-112-350  
Zoning: R-4



**PROJECT LOCATION**  
1418 Bellevue Avenue

reas of potential  
project that they  
n as defined by  
ts which will be

for the project.  
ment required  
ed during the

1418 Bellevue  
arking) will be  
posed lot split  
l on the newly  
th an enclosed

**Design Review:** The proposed project is subject to Chapter 5 of the Downtown Specific Plan (Design & Character). Section 5.3 (pages 5-17 through 5-21) provides design guidelines specifically for residential projects within the Downtown Specific Plan area. Section 5.4 (pages 5-22 through 5-27) provides more general design guidelines that apply to all areas of the downtown, including residential and mixed use areas. These applicable sections of the Design and Character chapters of the Downtown Specific Plan have been attached for reference.

The materials proposed for the exterior of the building include cement plaster walls with grey anodized aluminum frames and panels, woodgrain metal vertical siding, brushed nickel aluminum windows, cement board in a stone pattern at the first floor, aluminum guardrails at the balconies, and a glass guardrail surrounding the roof terrace. A green screen landscape wall is proposed at the front facade of the first floor of the building. Please refer to the building elevations on sheets A5.1 and A5.2 and perspective renderings on sheets A5.3 and A9.0 through A9.3.

**Off-Street Parking:** Parking requirements are based on the number of bedrooms proposed per unit. Zoning Code Section 25.70.032 provides reduced residential parking standards specific to properties located within the boundaries of the Downtown Specific Plan. In the R-4 District, the minimum parking requirement is 1 space for each studio unit or one-bedroom unit and 1.5 spaces for each two-bedroom unit. The proposed project includes 10 one-bedroom units and 5 two-bedroom units, and therefore the total number of required parking spaces for the residential units is 18 spaces. In addition to the parking required for the units, the code requires that residential condominium developments provide an area or parking space for deliveries. No guest parking is required on-site for properties located within the Downtown Specific Plan area (no guest parking provided).

A total of 19 parking spaces are provided on-site, where a total of 19 spaces are required. All the proposed parking spaces are located in an enclosed parking garage at grade. A puzzle stacker system would provide 16 parking spaces, and there are two standard and one van accessible at-grade parking spaces. All vehicles would enter and exit the project through the proposed shared driveway entrance on Floribunda Avenue that is proposed to be located on Parcel 2.

The proposed puzzle stacker parking system is manufactured by CityLift (see sheet A3.3 for specifications). The system accommodates eight vehicles stacked vertically in three levels (one empty slot required for each automated unit). The finished floor of the proposed vehicle stacker pits is 11 feet below average top of curb elevation and 8'-5" below the grade elevation adjacent to the garage.

The Municipal Code does not include specifications for automated parking systems, so the City currently does not have a standard mechanism for review and approval. However, as a policy the Downtown Specific Plan encourages "creative approaches" to providing on-site parking including automated parking systems. To date, several City-approved commercial and residential projects with parking lifts/automated parking systems have been built and are operational.

The Downtown Specific Plan notes that "new development should provide safe, secure facilities for bicycles. This can be accomplished in a number of ways, depending on the type of development. Where possible, secured, indoor parking space (i.e. lockable, caged space) for bikes should be provided in all new residential and commercial buildings. New projects should include bike stalls to allow users the opportunity to securely store their bicycles. The applicant proposes that bicycles can be stored in the storage units on the first floor that would be assigned to each residential unit.

**Common and Private Open Space:** A total of 1,918 SF (128 SF/unit) of common open space is proposed for the condominium project where 1,500 SF (100 SF/unit) is required. The common open space is provided at the rear of the lot in a landscaped yard and dog play area, and also on the rooftop terrace with landscaped planters and a 750 SF covered trellis that will be available for use by residents with a reservation.

The applicant is proposing to provide private open spaces (balconies) for each of the 15 units; the balconies range in size from 75 SF to 110 SF (75 SF/unit is the minimum total SF required for the project).

**Landscaping:** The existing site has four landscape trees on site, none of which are of protected size. There are three protected size street trees in the right-of-way adjacent to Floribunda Avenue and in front of the site (see sheet SU1- Topographic Survey). None of the existing trees are proposed to be removed either on site or in the right-of-way.

Proposed landscaping is shown on the Landscape Plans (sheet L1 through L6). One landscape tree is required for every 2,000 SF of lot coverage and proposed Parcel 2 will have 4,483 SF of lot coverage and requires two landscape trees. A total of four landscape trees are proposed to be planted on site, three in the rear yard (two 24-inch box size Laurel Nobilis and one 24-inch box size Agonis) and one in the front yard (one 24-inch box size Cercis).

With the proposed project, there are a total of eight off-site landscape trees proposed to be removed. All eight trees are located along the shared property line between 1418 Bellevue Avenue and the City Hall property. The trees are located in the parking lot and exit driveway for City Hall and the surface surrounding the trees is asphalt. Of the eight trees proposed to be removed, six are of protected size (two Melaleuca and four Eucalyptus) and their removal would require Protected Size Tree Removal Permits from the Parks Division, along with replacement trees to be located on the City Hall property.

In a Certified Arborist Report dated June 5, 2019, the eight trees along the shared property line are identified and evaluated. At the time, the proposed project included keeping these trees and general tree protection measures were identified in the Arborist Report. After further City Staff evaluations of the existing trees, and in conjunction with the scope of work for the project that included a proposed right side setback of five feet to all six floors of the new building (Waiver/Modification request) and a partially below-grade parking area, it became clear that attempting to keep and protect the existing trees on City Hall would likely not be successful.

The City Arborist's memo dated June 4, 2020, makes the following observations given the species and condition of the trees and the proposed setback location and height of the new building on the subject site:

*The eucalyptus have a history of limb failure and require constant maintenance. The melaleuca have decay, lean, and both species have multiple co-dominant leaders.*

*These [tree protection] measures all have good intentions, but in my opinion, these trees will not survive and cause maintenance problems for the City in the future.*

*In my experience, a significant amount of roots will be damaged and lost during construction. Few roots are presumed under the asphalt driveway to City Hall. The roots on the Bellevue side will be lost during construction.*

*My recommendation is to have the project remove the trees... and plant new 24-inch box size replacement trees on the Bellevue side of the property that will... grow in an area 5 feet from the proposed building and in a shaded environment.*

The applicant made the decision to revise the proposed landscape plan for the project to show the removal of the trees on the City Hall property and to replace them with six 24-inch box size Carpinus trees that will grow to approximately 35 feet in height. The trees will be planted in the exact same locations as the removed trees and would have at-grade protective grates; the project site would have a below grade root protection wall installed at the right side foundation of the proposed new building on Parcel 2 (refer to sheet L2, dated August 9, 2020). A new five-foot high screen wall is proposed to be installed along the shared property line between



the subject site and City Hall, and the last 20 feet as the fencing approaches the front property line will be a green wall.

**1418 Bellevue Avenue**

**Parcel 1 Lot Area:** 18,951 SF

**Plans date stamped:** September 18, 2020

	EXISTING	PROPOSED	ALLOWED/REQUIRED
<b>Right Side Setback (flr 1):</b>	52'-0"	9'-1"	7'-0"
<b>( flr 2):</b>	56'-0"	5'-1" <sup>1</sup>	8'-0"
<b>(flr 3):</b>	56'-0"	5'-1" <sup>1</sup>	9'-0"
<b>( flr 4):</b>	56'-0"	5'-1" <sup>1</sup>	10'-0"
<b>Lot Coverage:</b>	10,935 SF 38.6%	10,935 SF 57.7% <sup>2</sup>	14,167 SF (for existing lot) 50% 9,476 SF (after lot split) 50%
<b>Parking Aisle and Parking Access:</b>	21'-8" <sup>5</sup>  On-site access to parking spaces with driveway at right side	24'-0" with cross access easement <sup>3</sup>  Access to parking spaces at right side is located on Parcel 2 <sup>3</sup>	24'-0" with cross access easement  Access to parking on first floor provided with off-site driveway and cross access easement
<b>Parking Spaces:</b>	49 total spaces <sup>5</sup>	42 total spaces <sup>4</sup>	49 total spaces

<sup>1</sup> Density bonus waiver/modification requested for right side setback requirements for floors two through four.

<sup>2</sup> Density bonus waiver/modification requested for lot coverage requirements.

<sup>3</sup> Density bonus waiver/modification requested for providing code required aisle width and site access to the right side parking spaces with a shared driveway and a cross access easement.

<sup>4</sup> Density bonus waiver/modification requested for parking requirements. Seven uncovered parking spaces for the existing multifamily building will be eliminated with the proposed lot split.

<sup>5</sup> Existing and non-conforming condition.

*This space intentionally left blank.*

New Address TBD Bellevue Avenue

Parcel 2 Lot Area: 9,832 SF

Plans date stamped: September 18, 2020

	PROPOSED	ALLOWED/REQUIRED
<b>Front Setback (flr 1):</b> <b>(flrs 2-6):</b>	18'-2" 15'-0" (all upper floors)	15'-0" (all floors)
<b>Left Side Setback (flrs 1-6):</b>	15'-0" (for all floors)	7'-0" on first floor + Additional 1'-0" for each floor above the first floor
<b>Right Side Setback (flrs 1-6):</b>	5'-0" (for all floors) <sup>1</sup>	7'-0" on first floor + Additional 1'-0" for each floor above the first floor (12'-0" for 6 <sup>th</sup> floor)
<b>Rear Setback (flrs 1 &amp; 2):</b> <b>(flrs 3-6):</b>	15'-0" 15'-0" <sup>2</sup>	15'-0" 20'-0"
<b>Lot Coverage:</b>	4,483 SF 45.2%	4,916 SF 50%
<b>Building Height:</b>	71'-5" to top sixth floor parapet 75'-0" to top of trellis	75'-0" maximum CUP required to exceed 35'-0" <sup>3</sup>
<b>Front Setback Landscaping:</b>	61% 495 SF	50% 406 SF
<b>Private Open Space:</b>	75 SF – 110 SF/ each unit has a balcony	75 SF per unit
<b>Common Open Space:</b>	1,918 SF	1,500 SF
<b>Parking Aisle:</b>	24'-0" with cross access easement <sup>4</sup>	24'-0"
<b>Off-Street Parking:</b>	16 spaces provided in automatic puzzle stacker + 2 standard spaces + 1 van <u>accessible space</u>  <b>19 spaces total</b>  100% covered	5, 2-bdrm units x 1.5 space = 8 spaces 10, 1-bdrm units x 1 space = 10 spaces Guest spaces = 0 spaces <u>Service or delivery space = 1 space</u>  <b>19 spaces</b>  80% must be covered

- <sup>1</sup> Density bonus waiver/modification requested for right side setback requirement for all six floors.  
<sup>2</sup> Density bonus waiver/modification requested for rear setback requirement to floors three through six.  
<sup>3</sup> Density bonus concession applied to a Conditional Use Permit requirement for a building height between 35-75 feet.  
<sup>4</sup> Density bonus waiver/modification requested for providing code required aisle width with a cross access easement.

**Density Bonus Concession and Waivers/Modifications - Affordable (Below-Market Rate) Units:** The Density Bonus Ordinance is discretionary, and while projects are required to submit residential impact fees, they are not obligated to provide affordable units unless they seek to utilize development concessions and waivers/modifications of development standards offered by the ordinance, and/or provide affordable units in lieu of submitting residential impact fees. Code Section 25.63.40 allows development concessions and incentives where affordable units are offered, with more incentives offered when lower income levels and/or a higher percentage of BMR units are provided.

The Downtown Specific Plan and corresponding zoning do not provide for specific density limits (dwelling units per acre); therefore, a number of bonus units is not applicable. For this project the Density Bonus methodology for determining percentage of below-market rate (BMR) units was applied to a theoretical "base project", or what could have been built given a project that was compliant with code regulations. The City Attorney has reviewed this methodology for calculating the bonus and confirmed case law to support the application of the methodology.

The theoretical base project that could be built (nine total units) included 20% of the units to be offered to moderate income households (two of the nine total units that could be built with a standard code-compliant project), and therefore under Chapter 25.63 the project is eligible for two concessions and can request waivers/modifications received in building form of which, in practice, would allow the project to reach a higher density than what would have been able to under the regular development standards. An applicant may apply for a waiver or modification of development standards that will have the effect of physically precluding the construction of a development at the densities that would be allowed with the bonus. The developer must demonstrate that development standards that are requested to be waived or modified will have the effect of physically precluding the construction of a density bonus project permitted under the law. Please refer to the applicant's density bonus application, dated September 21, 2020, for additional information.

The application includes a request to utilize the Density Bonus Ordinance, consistent with the provisions set forth in Government Code Sections 65915 through 65915, which is the state density bonus law. The project includes 10% of the total base units (two unit of the nine units that could be built in a standard code-compliant project) as moderate-income units. In San Mateo County the "Moderate Income" category is defined as households earning between 81%-120% of the San Mateo County Area Median Income (AMI), which in 2019 corresponds to up to \$114,900 for a single-person household or \$164,750 for a family of four.

The applicant is requesting the following density bonus concession:

**Conditional Use Permit for a Building Height of 35 – 75 Feet:** Consistent with state density bonus law, C.S. 25.63.040(b) allows two concessions for projects with 20% of the base number of units offered as BMR units for moderate income levels and the applicant is requesting entitlement to the following concession: the requirement of a conditional use permit for a building height between 35 and 75 feet from average top of curb, where the proposed building measures 71'-5" to the top of the sixth floor parapet and 75'-0" to the top of the rooftop trellis.

The applicant is requesting the following *wavers* of the following development standards:

- **Existing Building Right Side Setbacks and Proposed Building Right Side and Rear Setback Requirements:** The project application includes requests for waivers from three setback requirements.

*Right Side Setback to the Existing Building:* The existing right side setbacks to the 49-unit building at 1418 Bellevue Avenue are 52 - 56 feet. With the proposed project, the new right side setback to the first floor podium parking will meet code requirements, but the right side setbacks to the existing walls on floors two through four will be 5'-1", where the code requires an 8'-0" setback for the second floor, a 9'-0" setback for the third floor, and a 10'-0" setback for the fourth floor. With the proposed lot split, the

existing units at the right side of the building on Parcel 1 will be 21'-8" from the wall of the new residential building on Parcel 2.

*Right Side Setback for the Proposed Building:* The proposed right side setback to all six floor of the 15-unit building on Parcel 2 is 5'-0", where the code requires a first floor setback of 7'-0" and an increase of setback by 1'-0" for each floor above (sixth floor required right side setback is 12'-0"). At the closest point to the right side property line, the new building on Parcel 2 will be 15'-0" from the left side wall of City Hall.

*Rear Setback for the Proposed Building:* The proposed rear setback to floors three through six for the 15-unit building on Parcel 2 is 15'-0", where the code requires a rear setback of 20'-0". At the closest point to the rear property line, the new building on Parcel 2 will be 35'-0" from the rear wall of the multifamily residential building to the rear (west) of the subject site.

- **Existing Building Lot Coverage:** With the proposed project, the lot coverage for the existing 49-unit residential building on Parcel 1 will increase from 38.6% to 57.7%, where 50% is maximum allowed.
- **Existing and Proposed Building Parking Aisle Width and Off-site Access for the Existing Building:** The code required aisle for 90-degree parking spaces is 24 feet. The existing aisle for the 49-unit building is non-conforming at 21'-8". With the proposed project both Parcel 1 and Parcel 2 will have a 24-foot parking aisle, and Parcel 1 will have access to the parking spaces on the ground floor, but only if the cross access easement is granted for a shared driveway access on Parcel 2 and for a shared vehicle circulation aisle.
- **Existing Building Number of Parking Spaces:** The existing building has 49 parking spaces for 49 units and this number of parking spaces is existing and non-conforming based on current code requirements for the bedrooms in each residential unit. With the proposed project, a total of seven uncovered parking spaces will be eliminated from the total number of spaces for the existing building on Parcel 1, reducing the total from 49 spaces to 42 spaces.

**General Plan/Specific Plan:** The General Plan designates the site as Downtown Specific Plan. In 2010 the City Council adopted the *Burlingame Downtown Specific Plan* (with amendments in 2014, 2015, 2016, and 2017), which serves as an element of the General Plan. The subject property is located within the boundaries of the planning area for the Downtown Specific Plan; the site is in the R-4 Base District. The Plan describes the R-4 Base District as follows:

*The R-4 Base District consists of properties on either side of Bellevue Avenue. The land uses for the High Density Residential District are predominantly higher density multifamily residential. These areas will continue to be regulated by the R-4 zoning standards that apply to R-4 properties citywide.*

**Public Facilities Impact Fee:** The purpose of public facilities impact fees is to provide funding for necessary maintenance and improvements created by development projects. Public facilities impact fees are based on the uses, the number of dwelling units, and the amount of square footage to be located on the property after completion of the development project. New development that, through demolition or conversion, will eliminate existing development is entitled to a fee credit offset if the existing development is a lawful use under this title, including a nonconforming use.

Based on the proposed 15-unit residential condominium development, the required public facilities impact fee for this development project is \$83,055.00.

**Residential Impact Fee:** The purpose of residential impact fees is to support and build new homes for lower-income residents. The fees can be charged to developers of new residential projects and used for land purchase, construction costs, or site rehabilitation related to providing workforce housing. The fees are waived if at least 10% of the units in a development are provided at rents or sales prices affordable to Moderate Income households for a period of 55 years. Because the project includes 10% of the total base units (2) as moderate-income units, the residential impact fee is waived.

**Staff Comments:** None.

**Planning Commission Action for the Scoping/Study Meeting:**

1. **Environmental Review:** The Planning Commission should review the proposed project for areas of potential significant environmental effects.
2. **Design Review Study:** The Planning Commission should comment on the design of the project as required by Chapter 25.57 of the Zoning Ordinance, Design Review, and to the following design criteria for multifamily projects (Code Section 25.57.030 f, 1-4):
  - (1) Compatibility with the existing character of the neighborhood;
  - (2) Respect the mass and fine scale of adjacent buildings even when using differing architectural styles;
  - (3) Maintain the tradition of architectural diversity, but with human scale regardless of the architectural style used; and
  - (4) Incorporate quality materials and thoughtful design which will last into the future.

Erika Lewit  
Senior Planner

c. Phillip Lesser, Project Manager

Attachments:

Application to the Planning Commission  
Applicant's Density Bonus Application, dated September 21, 2020  
Material Palette for New Building on Parcel 2  
Environmental Information Form, dated February 4, 2020  
Fire Approval of Alternate Materials or Methods, signed May 13, 2015  
Downtown Specific Plan Applicable Design Guidelines (reference only)  
Notice of Public Hearing – Mailed September 18, 2020  
Area Map

Separate Attachments:

Arborist Reports and Parks Division Comments (six documents), dated June 25, 2015, March 10, 2020, March 30, 2020, and May 27, 2020, and August 21, 2020

Geotechnical Investigation, dated February 18, 2020