



STAFF REPORT

AGENDA NO: 9a

MEETING DATE: February 3, 2020

To: Honorable Mayor and City Council

Date: February 3, 2020

From: Kevin Gardiner, Community Development Director – (650) 558-7253

Subject: Public Hearing to Consider Introduction of an Ordinance Rezoning Property from C-1 to R-4 and Consideration of a General Plan Amendment to Designate Property from Shopping and Commercial to High Density Residential; a Mitigated Negative Declaration Pursuant to the California Environmental Quality Act (CEQA); Design Review; Conditional Use Permit; and Density Bonus (with Request for Waiver from R-4 Front / Rear Setbacks) for a New Six-Story, 150-Unit Residential Apartment Development Located at 1095 Rollins Road (Fattoria e Mare Site)

RECOMMENDATION

Staff recommends that the Council consider the project entitlements and environmental analysis described above. Further, staff recommends the Council consider an ordinance rezoning the subject parcel to high density residential as part of the project analysis. In order to do so, the Council should:

1. Receive the staff report and ask any questions of staff.
2. Request that the City Clerk read the title of the proposed ordinance.
3. By motion, waive further reading and introduce the ordinance.
4. Conduct a public hearing. During that hearing, Council should seek testimony related to the Ordinance; a General Plan Amendment to designate property from Shopping and Commercial to High Density Residential; a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA); Design Review; Conditional Use Permit (height), and a Density Bonus (with by right parking incentive - reduced parking; concession - use of parking stackers and tandem parking; waiver - lot coverage, 61.9% proposed where 50% is maximum) for a 150-unit residential apartment development at 1095 Rollins Road, which currently contains a restaurant and a tennis court with parking.
5. Following the public hearing, discuss the ordinance and determine whether to bring it back for second reading and adoption. If the Council is in favor of the ordinance, direct the City Clerk to publish a summary of the ordinance at least five days before its proposed adoption.

In addition to the ordinance, there are three Resolutions for Council consideration associated with this staff report.

BACKGROUND

Project Description: The project site is located adjacent to Highway 101 on Rollins Road, south of Cadillac Way and north of Toyon Drive. The site is composed of two separate parcels, including

a restaurant at 1095 Rollins Road (Fattoria e Mare) and the property to the south of the restaurant, which has a parking lot with a tennis court located above it. Both of the parcels are currently zoned C-1. The site is surrounded by a gasoline station directly north, a City pump station directly south, Rollins Road and Highway 101 directly east, and multifamily residential (Northpark Apartments) directly west, at the rear.

The proposed project includes merging the two parcels to create a new 46,827 square foot (SF) site, demolishing all of the existing structures on the parcels, and constructing a new, six-story 150-unit residential apartment building. The new parcel would have approximately 394 feet of street frontage along Rollins Road and an average depth of 114 feet. The project would include five parking spaces at street level (within the building) and one level of below-grade parking where 195 off-street parking spaces would be provided; 175 of the spaces would be provided in mechanical lifts, six in tandem, four standard, six electric vehicle (EV) and four accessible spaces (ADA). The parking would be accessed from a two-way driveway on the northern portion of the Rollins Road frontage.

The development would be six stories, with an overall height of 74 feet (measured above average top of curb). The new apartment development would contain 35 studio units, 74 one-bedroom units, 38 two-bedroom units, and three three-bedroom units. The project includes 10% of the units (15 units) offered at below market rate (BMR) to moderate income households; therefore, the applicant is seeking a density bonus. The average unit size is 840 SF, with studio units ranging from 491 SF to 655 SF, one-bedroom units ranging 728 SF to 1,010 SF, two-bedroom units ranging from 1,043 SF to 1,456 SF, and the three-bedroom units each 1,499 SF. The total gross floor area of the building would be approximately 194,000 SF, though the R-4 zoning district does not limit floor area ratio.

The two existing parcels that compose the project site are currently zoned C-1 with a prior General Plan designation of Shopping and Commercial. Multi-family residential uses are not allowed in the C-1 zoning district, so the application includes a request for a General Plan Amendment and rezoning to change the site to a high density residential land use designation with R-4 zoning. Design review is required for new multi-family developments.

In addition, the vesting tentative and final map to merge the two parcels is being requested with a waiver to the R-4 front and rear setback requirements. This item will be brought separately to Council if the project as a whole secures Council's approval.

Because the application includes 10%, or 15 of the units, being offered as BMR units for moderate incomes, the project is entitled to a density bonus. Consistent with the provisions set forth in Government Code Section 65915 through 65919, including BMR units in a development entitles projects to a by right parking incentive (reduction) as well as a request for one concession (for 10% moderate income units) and a waiver/modification to the development standards. This project includes a by right parking incentive that reduces the number of parking spaces required for multi-family, a development concession for relief of the parking standards by proposing the use of required parking in the form of parking stackers and tandem spaces, and a request for a waiver/modification to the development standards for lot coverage.

Application Elements:

- **Rezoning:** Required to change project site from Commercial (C-1) Zoning to High Density Residential (R-4) R-4 (high density multifamily residential) Zoning.
- **General Plan Amendment:** Required to change the land use designation from Shopping and Commercial to High-Density Residential.

- **Mitigated Negative Declaration:** A determination that with mitigation measures, there will be no significant environmental effects as a result of this project.
- **Design Review:** Required for the construction of a new six-story, 150-unit residential apartment building.
- **Conditional Use Permit:** Required for building height of 74'-0" proposed where any building exceeding 35'-0" requires a Conditional Use Permit with a 75'-0" maximum allowed.
- **Density Bonus:** Requested to utilize development standards incentives (concessions/waivers) because the project includes 10% of the total units (15) as moderate-income units.
 - By Right Parking Incentive - reduced parking with 247 spaces required/191 spaces proposed;
 - Concession - Use of parking stackers and tandem parking (independently accessible required);
 - Waiver - Lot coverage of 61.9% proposed where 50% is maximum allowed in R-4.
- **Vesting Tentative Map:** (to be considered at a subsequent meeting) Required to combine two existing parcels into one parcel with request for:
 - Waiver from the R-4 front and rear setback requirements.

A copy of the January 13, 2020 Planning Commission staff report is attached and provides a full discussion and analysis of the proposed project, including conditions of approval recommended by the Planning Commission on January 13, 2020.

Planning Commission Action:

On January 13, 2020, the Planning Commission reviewed the proposed project, including the Rezoning and General Plan Amendment. The Commission voted 4-2-0-0 to recommend approval of the applicant's requests for a Rezoning, General Plan Amendment, Mitigated Negative Declaration, Design Review, Conditional Use Permit, Density Bonus (by right parking reduction, concession to use of parking stackers/tandem parking, waiver for lot coverage) and Vesting Tentative Map (waiver from R-4 front and rear setbacks). Since the City Council is the final decision-making body regarding the request for Rezoning and General Plan Amendment, the Planning Commission's action was in the form of a recommendation to the City Council.

FISCAL IMPACT

None.

Exhibits:

- Proposed Ordinance - Rezoning
- Resolution – General Plan Amendment
- Resolution – CEQA
- Resolution- Entitlements
- Applicant's Project Narrative, dated January 28, 2020
- Map Showing Area to be Rezoned
- General Plan Map (Former General Plan), revised September 17, 1984
- Letter of Opposition, Marty Bye, dated January 17, 2020
- January 13, 2020 Planning Commission Minutes

- January 13, 2020 Planning Commission Staff Report
- January 13, 2020 Planning Commission Staff Report Attachments
- Project Plans

Separate Attachments:

Initial Study/Mitigated Negative Declaration (Appendices in CD at back of bound document), dated October 25, 2019

- Exhibit B – Mitigation, Monitoring and Reporting Program (MMRP), dated January 2020
- Exhibit C – 1095 Rollins Road Apartments Errata Memorandum, dated January 3, 2020
- Exhibit D – Response to Comments Memorandum, dated January 3, 2020