



COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: March 25, 2003
Staff Report #: 03-045
Agenda Item F-4

STUDY SESSION &

REGULAR BUSINESS: 1) Direction to Staff on Policy Issues Related to the Proposal to Demolish Two Office Buildings Located at 110 Linfield Drive and 175 Linfield Drive and Construct a Total of 59 Residential Units on the Two Properties, and 2) Adoption of a Resolution of Intention to Abandon a Portion of Linfield Drive and Homewood Place Along the Properties Located at 110 and 175 Linfield Drive.

RECOMMENDATION

Staff recommends that the City Council 1) provide direction on the policy issues related to the 59-unit residential development proposal at 110 and 175 Linfield Drive, and 2) adopt a Resolution of Intention to abandon a portion of Linfield Drive and Homewood Place along the property located at 110 and 175 Linfield Drive.

BACKGROUND

The City Council held a study session on August 27, 2002 to review a preliminary concept by Olive Hill Development to demolish two office buildings located at 110 and 175 Linfield Drive and to construct a total of 57 residential units. Prior to the study session, Olive Hill Development held a series of meetings with the greater Linfield Oaks neighborhood to obtain input into the development proposal. At the study session, the Council considered the following policy questions posed in the staff report:

- Is the Council comfortable with a General Plan change for the properties from Professional and Administrative Offices to Medium Density Residential?
- Is the Council comfortable with a Zoning Map change from C-1 to R-3?
- Is the Council comfortable with the X Conditional Development District and corresponding Conditional Development Permit as a mechanism to provide design flexibility?
- Is the Council comfortable with reduction of the paved roadway of Linfield Drive along the frontage of the 175 Linfield Drive property?

A majority of Council members expressed an affirmative response to these questions. With this direction, Olive Hill Development proceeded with the necessary steps to prepare a development application to the City of Menlo Park. Olive Hill Development decided to team with Taylor Woodrow Homes in pursuing this project and submitted an application on January 16, 2003 for a total of 59 units.

The application includes requests for a General Plan Amendment, Rezoning, Conditional Development Permit, Tentative Subdivision Map, Heritage Tree Removal, Street Abandonment, and Environmental Review. Various aspects of the applications require recommendations by the

Planning Commission, Housing Commission, Environmental Quality Commission or Transportation Commission and review and approval by the City Council.

On February 13, 2003, the City mailed reduced versions of the project plans and a notice of public meetings scheduled for this project to all property owners and occupants in the greater Linfield Oaks neighborhood. On February 27, 2003, the City held a community meeting to allow the public to learn more about the proposed project and to obtain some feedback from the community. In addition, the Planning Commission, Housing Commission, Environmental Quality Commission, and Transportation Commission all held meetings to review components of the project.

Staff has requested additional information from the applicant to complete the application submittal. The applicant is waiting to submit all of the requested material until they meet with Council. Therefore, staff has not yet verified all of the information in the application materials.

ANALYSIS

This staff report has two purposes. The first purpose is to gain Council direction on key policy issues that have arisen during the initial review of the project. Council direction on these policy issues will provide guidance for the remainder of the review process. The second purpose of this staff report is to begin the process for considering the applicant's request for abandonment of portions of Linfield Drive and Homewood Place along the properties located at 110 and 175 Linfield Drive. The report does not attempt to address every issue that has been raised to date nor any issue that may be raised in the future. Many of the issues are interrelated.

A detailed "Project Description" prepared by the applicant is attached to this report (Attachment D). The appendices to the project description are extensive and, therefore, have been excluded at this time. They are available for review upon request.

Policy Direction

Staff has grouped the policy issues into the following topics: 1) Below Market Rate (BMR) housing requirements; 2) recreational requirements; 3) vacation, abandonment and roadway width; 4) heritage trees; 5) open space, lot coverage, and landscaping; and 6) density, floor area ratio (FAR), and parking. The issues are discussed in more detail below.

BMR Housing Requirements

The proposed project includes 59 residential units ranging in size from 1,205 square feet to 2,319 square feet. Forty-seven of the units would be detached and twelve units would be attached with a single common wall in a "duet" configuration. Six of the 12 attached residences are identified as BMR units. Attachment E outlines how the applicant intends to meet the City's BMR requirements for the project. The BMR proposal requires review and a recommendation by the Housing Commission and review and approval by the City Council.

The City's BMR requirements are governed by the BMR Ordinance contained in Chapter 16.96 of the Zoning Ordinance and the BMR Housing Program Guidelines adopted by the City Council on December 17, 2002. The City updated the BMR Ordinance on May 15, 2001 to increase the

requirement for the number of BMR units from 10 percent to 15 percent, thereby requiring a total of nine BMR units. This is the first project subject to this increased requirement. The following are questions that the Council is requested to consider:

- Should the size (number of bedrooms and floor area) of the BMR units be proportional to the market rate units? (BMR Guideline Section 5.1)
- Should the BMR units be distributed more evenly throughout the development? (BMR Guideline Section 5.1)
- Should the income-restricted, privately subsidized units count as BMR units according to the City's requirements? (BMR Guideline Section 3.4)
- Should the City consider the provision of off-site BMR units in meeting the BMR requirements?
- Should the City contribute BMR Housing Funds to create additional BMR units in the project?
- Should the City give the project "credit" for the potential of eliminating a portion of the demand for affordable housing through the demolition of 56,000 square feet of office buildings (56,000 sq. ft. divided by 333 sq. ft. per worker = 187 workers)?

Recreational Requirements

Section 15.16.020 of the Subdivision Ordinance governs recreational requirements for residential subdivisions. For subdivisions of greater than 50 units, the City has the option of accepting dedicated land for open space (either privately owned or publicly owned), accepting payment of fees, or accepting a combination of land and fees. The recreational requirement is measured in acres based on multiplying the recreational area required per dwelling unit, a ratio established in the Subdivision Ordinance, by the number of units in the development. The fee is based on multiplying the amount of required recreational acres by the average fair market value per acre of land in the development based on an appraisal. The applicant has submitted a proposal for complying with the recreation requirements that includes dedication of privately owned, common open space. (Attachment H). The following is a question that the Council is requested to consider:

- Should the City accept the provision of dedicated open space areas in the development as meeting a portion of the recreation requirements?

Vacation, Abandonment, and Roadway Width

The project involves a request for the City to vacate and abandon portions of the Linfield Drive and Homewood Place right-of-ways. Along the property frontages, the Linfield Drive right-of-way is proposed to be reduced from 80 feet to 37 feet and the paved roadway would be reduced from 60 feet to 36 feet. The Homewood Drive right-of-way would be reduced from 50 feet to 37 feet and the paved roadway would remain unchanged except for a bulb-out associated with one of the proposed tree relocations and the on-street parking would shift from one side of the street to the

other. The proposed roadway modifications require review by the Transportation Commission and approval by the City Council. The vacation and abandonment require a three-step process with two reviews by the City Council and a Planning Commission finding of consistency with the General Plan. The total area of the project site is 5.77 acres. This is comprised of 3.29 acres at 175 Linfield, 2.09 acres at 110 Linfield for a total of 5.38. The area associated with the proposed abandonment totals 0.39 acres. The following are questions that the Council is requested to consider:

- Should the City abandon property to create a right-of-way width of 37 feet along Linfield Drive where the minimum standard is 40 feet? (A reduction to a width of less than 40 feet requires an affirmative vote by four-fifths of the Council per California Streets and Highways Code Section 1805).
- Should the City abandon property to create a right-of-way width of 37 feet along Homewood Place where the minimum standard is 40 feet?
- Is the curb-to-curb roadway width of 36 feet with the following components appropriate: two 10-foot-wide travel lanes and two eight-foot-wide parking lanes?
- Should the applicant submit conceptual designs for extending the proposed roadway narrowing from the project site to Waverley Street?
- Should the City contact the property owners of 8 Homewood Place, 200 Linfield Drive, 220 Linfield Drive, and 298 Waverley Street to explore their respective interest in pursuing abandonment and narrowing the roadway along their respective property frontages along Linfield Drive?
- Should the City allow a landscape bulb out in the Homewood Drive right-of-way to accommodate the relocation of a heritage oak tree?

Heritage Trees

The project would involve the removal of approximately 60 heritage trees and the relocation of approximately five heritage trees. Attachment F summarizes the Heritage Tree information. The proposal includes the planting of a total of 150 new trees, 115 of which would be of a species that would grow to a minimum mature height of 30 feet. Attachment G summarizes the proposed tree-planting plan, which is represented in the project plans. The proposed heritage tree removals/relocations and replacements will require review and a recommendation by the Environmental Quality Commission and approval by the City Council. Based on the information submitted by the applicant to date, staff has identified 13 trees that it believes should be considered for preservation absent site design issues. In addition, staff is awaiting information in order to analyze the potential impacts to the trees that the applicant designated for preservation. The following are questions that the Council is requested to consider:

- Should the project be redesigned to facilitate the preservation of more of the Heritage Trees on the site?

- Should the City require a performance bond to create an incentive to minimize the damage to trees designated for preservation during the construction process?

Open Space, Lot Coverage and Landscaping

The proposed project does not meet all of the development regulations of the standard R-3 district, but the project is eligible for consideration of a Conditional Development Permit and the corresponding "X" Conditional Development District zoning overlay. A Conditional Development Permit allows for flexibility in meeting all development regulations, except for density and FAR. The proposed lot coverage is 33 percent, where the maximum in the R-3 district is 30 percent. The proposed landscaping, is approximately 40 percent where a minimum of 50 percent is required in the R-3 district. The following are questions that the Council is requested to consider:

- Does the project provide an adequate amount of open space?
- What is the appropriate balance between private and common open space?
- Is the separation between buildings appropriate along the garden paths?
- Should more buildings be attached to create more useable open space and minimize potential privacy impacts associated with minimal setbacks?

Density, Floor Area Ratio and Parking:

The proposed gross density is approximately 10.2 dwelling units per acre, where a maximum of 18.5 dwelling units per acre is allowed in the R-3 district. The proposed FAR is approximately 44 percent, where a maximum of 45 percent is allowed in the R-3 district. All of the units have two-car garages, 14 of which are in a tandem arrangement. Guest parking is provided at a rate of one space for every two units. The Zoning Ordinance requires a minimum of two off-street parking spaces per unit, one of which needs to be in a garage or carport. There is no requirement for guest parking. The following are questions that the Council is requested to consider:

- Is the proposed zoning and density of 10.2 dwelling units per acre appropriate?
- If the number of units should be increased or decreased, should the FAR be modified accordingly or kept constant?
- Is the provision for guest parking at one space for every two units appropriate?
- Is the use of tandem garages appropriate?

Abandonment

The total area of abandonment requested is approximately 17,531 square feet, 11,615 square feet along Linfield Drive and 5,916 square feet along Homewood Place as shown on Exhibit "A" of the Resolution of Intention (Attachment I).

The applicant is requesting the street abandonment to allow the project to incorporate and install street improvements and landscaping within the space from the back of curb to the proposed residential units. All of the proposed street improvements and landscaping will be constructed by the applicant and maintained by the homeowners association created as part of this project. The project will create Public Utility Easements and Public Access Easements over the areas abandoned.

This action is a multi-step process that first requires that Council adopt a Resolution of Intention to abandon a public right-of-way. The Resolution of Intention forwards the abandonment request to the Planning Commission for its consideration and recommendation and sets the time and date for the public hearing. The Planning Commission will review the abandonment to determine if it is compatible with the City's General Plan. Then the Planning Commission will forward its recommendation to the City Council for approval of the abandonment at a public hearing set for June 17, 2003. The Engineering Division mails a notice of proposed abandonment to all the utility agencies and affected jurisdictions indicating the date of the public hearing, and posts notices of the hearing. The City Clerk then files an affidavit of posting. Should the utility agencies, affected parties, Planning Commission and ultimately the City Council consider the abandonment favorably, a Resolution ordering the vacation and abandonment of a portion of Linfield Drive and Homewood Place will be recorded.

Adoption of the Resolution of Intention at this time starts the process for abandonment, but does not create any future obligation for the City Council to approve the abandonment or the proposed project.

IMPACT ON CITY RESOURCES

The policy questions on the BMR housing requirements and the recreation requirements have potential to create a quantifiable impact on City resources. The other policy questions raised in this staff report have less potential to create a quantifiable impact on City resources. Staff time spent on the development review for this project is fully recoverable through fees charged to the applicant.

The operational law governing vacation and abandonment prevents the City from collecting compensation for the requested vacations and abandonment. If the abandonment is ultimately approved, the reduction of paved roadway and the placement of landscaping on private property will reduce the City's maintenance cost for Linfield Drive and Homewood Place.

POLICY ISSUES

The proposed project involves a number of policy issues that are the subject of this staff report, as well as an amendment to the General Plan.

ENVIRONMENTAL REVIEW

The proposed development project requires environmental review pursuant to the California Environmental Quality Act (CEQA). The level of environmental review will most likely be determined based on the results of a traffic study, which is being prepared. Other topics that will be examined in the environmental review process are potential impacts to biological resources, aesthetics, utilities, schools, recreation, and noise. If the project has potentially significant

impacts that cannot be mitigated, then an Environmental Impact Report would be required. Otherwise, a Mitigated Negative Declaration will be prepared.

The action of adopting a Resolution of Intention to abandon is not considered a project under CEQA. The action on the abandonment itself is subject to CEQA and will be examined during the environmental review process.

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PUBLIC NOTICE: Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting. In addition, notices were mailed to all property owners and occupants in the area roughly bounded by Middlefield Road to the east, San Francisquito Creek to the south, Alma Street to the west, and Ravenswood Avenue to the north.

ATTACHMENTS

- A. Location Map
- B. Project Plans (Landscape, Civil, Architectural)
- C. Tentative Subdivision Map
- D. Project Description (without appendices – available for review at City offices)
- E. BMR Proposal
- F. Tree Summary
- G. Proposed New Tree Palette
- H. Recreation Proposal
- I. Resolution of Intention to Abandon