



PLANNING COMMISSION AGENDA REPORT

DATE: April 19, 2018

SUBJECT: **MIRAFLORES RESIDENTIAL DEVELOPMENT, PLN16-401:** Consider a recommendation to the City Council for a Major Amendment to a Planned Area Plan to increase the total number of residential units from 150 to 190 and increase building heights above 35 feet. The project includes a request for a Vesting Tentative Map for condominiums and a Design Review permit.

FROM: Hector Lopez, Senior Planner

LOCATION: The project area is bounded by South 45th Street to the west, Wall Avenue to the south, Interstate 80 to the east, and the BART tracks to the north (APNs 513-321-001, 513-321-003, 513-330-001 through -003, 513-330-005 through -007, and -012 through-014).

ZONING: Planned Area District

GENERAL PLAN: Medium Density Residential

APPLICANT(s): Miraflores Community Devco, LLC.

OWNER(s): Successor Agency To The Former Richmond Community Redevelopment Agency

CEQA REVIEW: The City certified an Environmental Impact Report (EIR) (SCH# 2007082154) for the Miraflores project in December 2009, including adopting a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program.

STATEMENT OF THE ISSUE/PROPOSAL:

Miraflores Community Devco, LLC, on behalf of the property owner, The Successor Agency to the former Richmond Community Redevelopment Agency (collectively, the "applicant"), requests approval of a Major Amendment to a Planned Area Plan to increase the total number of residential units from 150 to 190, including 30 moderate-rate income units, and to increase building heights above 35 feet on a 8.17 acre parcel ("Project") at the project area referenced above ("subject site"). The project also includes a Vesting Tentative Map for condominiums and a Design Review permit.

RECOMMENDED ACTION:

1. Hold public hearing; and
2. Adopt Resolution 18-17 (Attachment 1) recommending approval to the City Council of a Vesting Tentative Map, Design Review Permit, and a Major Amendment to a Planned Area Plan at the project site generally bounded by South 45th Street to the west, Wall Avenue to the south, Interstate 80 to the east, and the BART tracks to the north (APNs 513-321-001, 513-321-003, 513-330-001 through -003, 513-330-005 through -007, and -012 through-014) ("subject site") (PLN16-401), subject to conditions.

BACKGROUND:

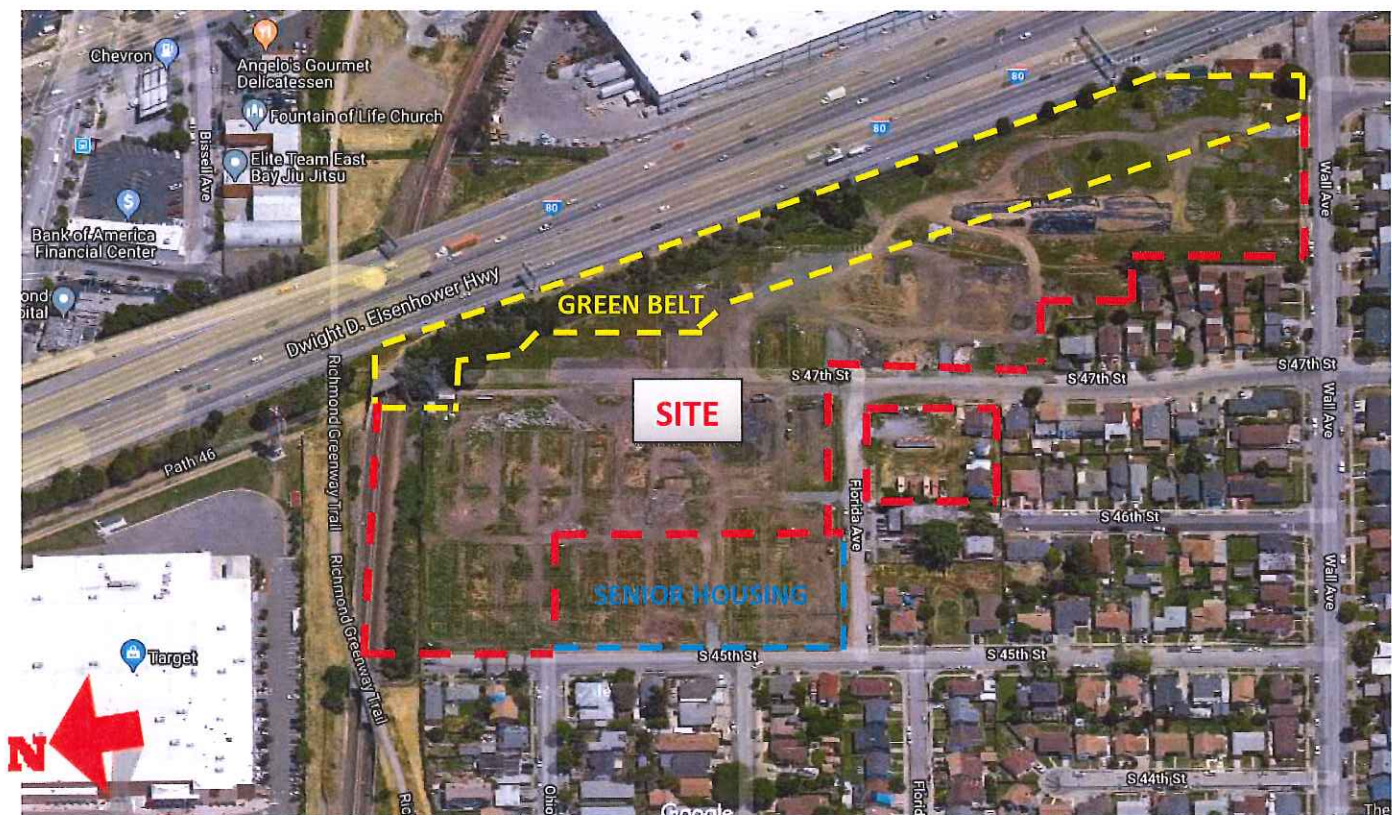
In June 2006, the former Richmond Community Redevelopment Agency purchased the 14-acre Miraflores project site that includes the approximate 8.17 acres project site with the intention of remediating the on-site contamination for housing development under the Polanco Act.

In December 2009, the City Council certified an Environmental Impact Report (EIR) for the Miraflores project, including adopting a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program. As part of the Miraflores project, the City Council approved a rezoning to Planned Area (PA) District. The Miraflores Project consisted of three major project components: 1) Senior Project: 80-units affordable senior housing development; 2) For Sale Housing Project: 150 units of detached and attached unit types; and 3) Greenbelt Park: a new greenbelt park, adjacent to Interstate 80 freeway, including the daylighting and realignment of Baxter Creek and the relocation and rehabilitation of certain historic structures. Pursuant to the Planned Area Plan, the Miraflores Project was to develop the site up to a density of 28 units per acre (see Attachments 2 to 5 for the original approvals).

The Senior Housing Project was approved on a 1.5 acre portion of the site located at the northeast corner of Florida Avenue and South 45th Street. The Senior Housing Project was approved by the Successor Agency Board on June 16, 2015 and a Design Review Permit was renewed in May 2015. This project is currently under construction. As part of the overall development of the Miraflores project, the Successor Agency will restore Baxter Creek and develop the greenbelt (approximately 4.2 acres) located at the eastern portion of the site. This creek daylighting and greenbelt project are also currently under construction.

On July 19, 2016, the Successor Agency approved entering into a Disposition and Development Agreement (DDA) with Miraflores Community Devco LLC to acquire approximately 8.17 acres of the 14 acre Miraflores site for the development and construction of a market-rate and affordable for sale housing development. The for sale development component was modified to allow a maximum of 190 residential units provided all entitlements, including modification of the original Planned Area Plan are approved.

Plans for the for sale development were subsequently revised and resubmitted for consideration as a Major Amendment to the approved Planned Area Plan. On February 14, 2018, the Design Review Board recommended approval to the Planning Commission of the Design Review permit and Major Amendment to the Planned Area Plan, subject to conditions which have been incorporated in the attached plans (Exhibit A).



PROPOSAL:

The proposed project consists of 22 detached multi-story buildings containing a total of 190 residential units, including 30 moderate-income units, on a 8.17-acre parcel. The proposed project includes modification of the Planned Area Plan to increase the total number of units from 150 to 190 and building increase building heights from 35 to 50 feet. This change is subject to approval by the City Council. The application also includes a request for approval of a Vesting Tentative Map for condominium and a Design Review permit. As proposed, building types are as follows:

Type	Number of Buildings	Total Units	Elevation Style	Total SF
5-Plex	4	20	A,B	8,952
6-Plex	1	6	A	10,594
8-Plex	1	8	C	13,972
9-Plex	11	99	A,B,C	15,614
11-Plex	3	33	A,B,C	18,992
12-Plex	2	24	C	20,634
Total	22	190		

The For Sale Project also includes relocation of the following historic resources: A) The Sakai house; B) A Water tank; C) A Water tower and building; D) Greenhouse 20; E) The Oishi house; and F) A greenhouse or representative sample greenhouse adjacent to the Oishi house. Some of these historic buildings will be located on the project site and other, will be located within the Greenbelt Park. The Successor Agency will be responsible for the rehabilitation of the structures.

The buildings will be constructed on 22 lots; the vast majority of the buildings are 9-plex consisting of 99 residential units. As proposed, Parcel A will be dedicated to the City for the placement of the Historic Sakai House. Parcels B to E will be used as water quality control and open space areas. Extension of right-of ways including Ohio Avenue, Florida Avenue, and South 47th Street will be dedicated to the City for public streets. A total of eight private roads are proposed off these public streets (Streets A to H).

The applicant will construct all public right-of-way improvements, including, but not limited to, new or upgraded utilities, streets, sidewalks, as well as the relocation of specific historic structures both on and off the project site. The applicant will also construct a tot playlot that would include several of the rehabilitated historic structures and a play structure (tot lot).

DISCUSSION:

Per Section 15.04.810.070(B)(2) of the Zoning Ordinance, an increase in the number of dwelling units of an approved Planned Area Plan is considered a Major Amendment and must be approved by the City Council. The proposed project will increase the number of units from 150 to 190 and building heights from 35 feet to 50 feet. In considering the change, the City Council will have to determine if the changes are consistent with the PA findings under Section 15.04.810.040 of the Zoning Ordinance.

The original PA Plan approved in 2009 designated the parcel as Medium Density Residential. Subsequently, a new General Plan was adopted in 2012. Under the 2030 General Plan, the subject site allows a density of up to 40 dwelling units per acre. The proposed density of 190 residential units is approximately 23 units per acre which is below the 40 dwelling unit per acre allowed. The 2030 General Plan also provides flexibility as it relates to building heights. If a project is part of an approved Planned Area Plan with a Medium Density designation and an appropriate environmental analysis is prepared, increase in building heights can be approved. In this case, the request represents a 15 foot increase in height from 35 feet to 50 feet. Buildings along the perimeter of the site adjacent to one-story buildings in

the neighborhood are stepped down in height to minimize bulk and mass, and preserve privacy to adjacent properties.

The majority of the PA findings under Section 15.04.810.040 are design related in order to encourage development projects with superior design. On February 14, 2018, the design permit was recommended for approval by the Design Review Board as well as the request for a Major Amendment to the Planned Area Plan.

The Planning Commission must adopt certain findings in recommending approval to the City Council of the Major Amendment per Section 15.04.810.040. Vesting Tentative Map, and Design Review permit. Statements of fact for supporting the required findings are contained in the Resolution in Attachment 1. The recommended Conditions of Approval for the proposed project are also attached to the resolution.

Conformance with the Subdivision Ordinance and Subdivision Map Act: The project includes a request for a Vesting Tentative Map for 190 residential condominium units. 22 buildings are proposed to be constructed on 22 separate lots. Each lot will provide individual condominium units ranging from 5 to 12 residential units on each lot. Parcel A will be dedicated to the City for the placement of the historic Sakai House. Parcels B to E will be used as water quality control and open space areas be maintained by the Home Owner Association (HOA). Extension of right-of ways including Ohio Avenue, Florida Avenue, and South 47th Street will be dedicated to the City for public streets. A total of eight private roads are proposed, off these public streets (Streets A to H), to be maintained by the HOA.

Engineering Services has reviewed the Vesting Tentative Map and determined that it satisfies the requirements of the City's Subdivision Ordinance. In addition, plans were routed to the Fire Department, utility companies, and outside agencies, and no comments of opposition or concerns were received.

The Planning Commission may approve or conditionally approve a Vesting Tentative Map if, on the basis of the application, plans, materials, and testimony submitted at the public hearing, the Commission adopts all of the required findings listed in Section 66474 of the Subdivision Map Act. The required findings are contained in the proposed Resolution 18-17 in Attachment 1. Each required finding is followed by a supporting statement of fact for the Commission to consider when adopting its findings.

CEQA REVIEW:

The City certified an Environmental Impact Report (EIR) (SCH# 2007082154) for the Miraflores project in December 2009, including adopting a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program. The proposed Project is a modification of the original for sale project evaluated in the EIR. The development program analyzed in the EIR assumed a project threshold of up to 226 for-sale market rate residences and 110 affordable rental units for seniors. The proposed density of 190 residential units and development characteristics are consistent with the analysis performed in the original EIR. Therefore, the Mitigation Monitoring and Reporting Program is still applicable and shall be incorporated into the proposed development (see Attachment 2).

NEIGHBORHOOD COUNCIL:

The subject site is located within the Park Plaza neighborhood council area. The applicant has been working closely with the Park Plaza Neighborhood Council. A letter of support has been provided (see Attachment 3).

CONCLUSION:

The proposed project would complete redevelopment of the former nurseries consistent with the General Plan. It will enhance the surrounding area and will further the objectives of the General Plan by construction of new housing. The project will promote and generate jobs and economic activity while also meeting the City's goal for construction of affordable housing units. A total of 30 moderate-income units

are provided. The proposed project is compatible with the immediate and surrounding area and is consistent with the Medium Density Residential General Plan land use designation. Based on the Findings and Statements of Facts (see Attachment 1), staff recommends that the Planning Commission adopt Resolution 18-17, and recommend approval to the City Council, subject to conditions.

DOCUMENTS ATTACHED:

Attachment 1: Resolution No.18-17

Exhibit A: Planned Area Plan

Exhibit B: Zoning District Map

Exhibit C: General Plan Map

Exhibit D: Project Plans and Vesting Tentative Map

Attachment 2: Mitigation Monitoring and Reporting Program

Attachment 3: Support Letter from Neighborhood Council

HL/LV

PUBLIC NOTICE AND APPEAL PERIOD: Public notification consisted of publishing a legal notice in the local newspaper and notification by mail of property owners within a 300-foot radius of the subject property. This is a recommendation item that cannot be appealed.