



## STAFF REPORT

### Planning Commission

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**DATE:** November 23, 2021

**TO:** Planning Commission

**SUBJECT:** Regional Street Residential Project (PLPA-2021-00035)  
*Prepared by: Carla Violet, Contract Planner*

#### **EXECUTIVE SUMMARY:**

The Planning Commission will consider a Site Development Review Permit for a 1.33-acre site located at 6541-6543 Regional Street west of the West Dublin/Pleasanton BART Station within the Downtown Dublin Specific Plan Transit-Oriented District. The proposed project is a 113-unit affordable senior housing development intended for independent living, and includes indoor and outdoor amenity spaces, property management offices, and a surface parking lot. The Planning Commission will also consider an exemption from the requirements of the California Environmental Quality Act (CEQA).

#### **STAFF RECOMMENDATION:**

Disclose ex-parte contacts, conduct the public hearing, deliberate and adopt a **Resolution** approving a Site Development Review Permit for the Regional Street Residential project at 6541-6543 Regional Street in Downtown Dublin.

#### **DESCRIPTION:**

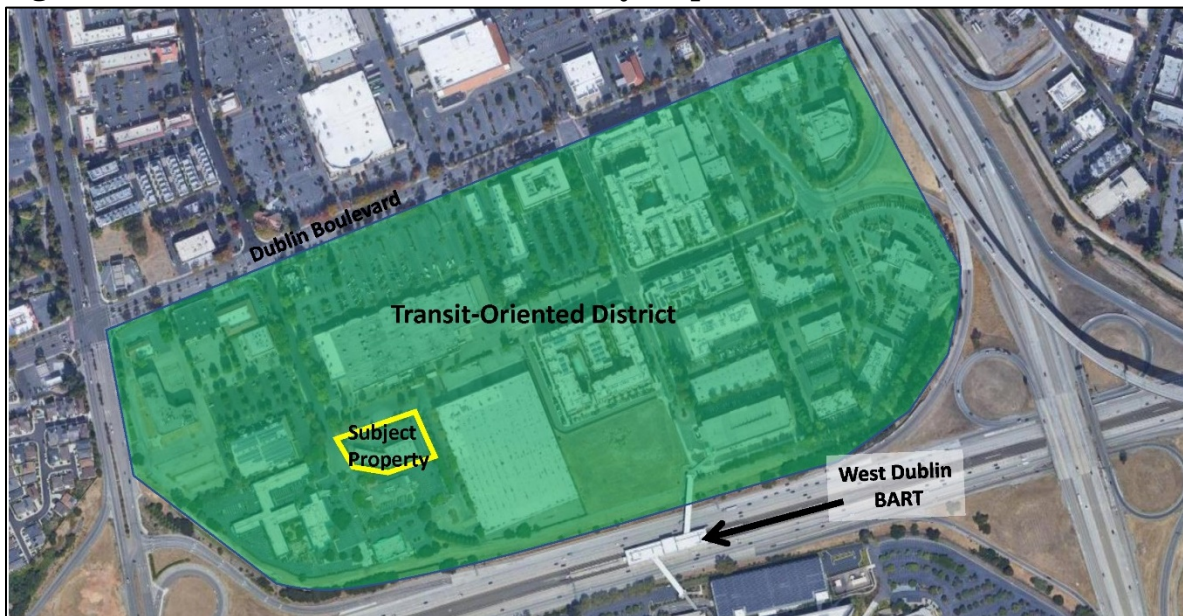
Eden Housing is proposing to develop a 1.33-acre site that is currently occupied by a one-story commercial building. The site is located at the corner of Regional Street and the future extension of St. Patrick Way west of the West Dublin/ Pleasanton BART station at 6541-6543 Regional Street as shown in Figure 1. The property is bound by commercial uses and I-580 to the south, the future 499-unit Avalon West project (formerly the St. Patrick Way Residential project) to the east, the future extension of St. Patrick Way and commercial uses to the north, and Regional Street and commercial uses to the west.

**Figure 1. Location Map**



The project site is located in the Transit-Oriented District of the Downtown Dublin Specific Plan (DDSP) as shown in Figure 2.

**Figure 2. Transit-Oriented District/Vicinity Map**



The DDSP identifies a pool of 2,500 residential units that may be constructed in the DDSP area. As part of the proposed project, the applicant is required to enter into a Community Benefit Agreement (CBA) in exchange for using units from the pool. The CBA is subject to review and approval by the City Council. Since the establishment of the pool, 783 units have been constructed. There are 804 units remaining in this pool as shown in Table 1 below.

**Table 1. DDSP Residential Development Pool**

Project	Address	Units	Status
<b>Total Units in Development Pool</b>		<b>2,500</b>	
Connolly Station	7550 St. Patrick Way	309	Approved 2012 – <i>complete</i>
Aster (Bay West)	7544 Dublin Blvd.	313	Approved 2013 – <i>complete</i>
Valor Crossing (Eden)	6707 Golden Gate Dr.	66	Approved 2013 – <i>complete</i>
Trumark Homes	7144 Regional St.	60	Approved 2015 – <i>complete</i>
Avesta Development	7601 Amador Valley Blvd.	35	Approved 2016 – <i>complete</i>
St. Patrick Way	6700 St. Patrick Way	499	Approved 2018
Amador Station (BRIDGE Housing)	Golden Gate Drive	300	Approved August 2021
Regional Street (proposed project)	6543 Regional St.	114	Reserved July 2020
Total Reserved Units		1,696	
<b>Remaining Units</b>		<b>804</b>	

### Background

#### *Land Transfer Pursuant to Bay View Group Development Community Benefit Agreement*

On May 1, 2018, the City Council approved a CBA between the City and Bayview Development Group, Inc. for a 499-unit residential project at 6700 Golden Gate Drive (the St. Patrick Way Residential Project). The CBA outlined what Bayview Development Group would contribute to the City in exchange for receiving residential units from the DDSP Development Pool, including the dedication to the City or its designee of the subject 1.33-acre property located at 6541-6543 Regional Street. The City Council approved an amendment to the CBA in April 2020 extending the term of the agreement and assigning it to Crystal Bay Development, LLC.

Staff selected Eden Housing as the City's third-party designee for the transfer of the subject property. On March 16, 2021, the City Council authorized the City Manager to enter into an Option Agreement with Eden Housing's controlled affiliate Corona/Ely Ranch, Inc. for the subject property. The Option Agreement ensured the City's interest in developing the subject property with affordable housing by requiring a Memorandum of Option be recorded against the property concurrently with the grant deed transfer from Crystal Bay to Corona/Ely Ranch. The Option Agreement gives the City an exclusive right and option to purchase the property from Corona/Ely Ranch if: a) they fail to enter into a mutually acceptable Affordable Housing Assistance Agreement within the time periods set forth in the contract; b) they attempt to transfer the property before recording a Regulatory Agreement; or c) construction financing for the project does not close within three years.

#### *Local Housing Trust Fund Grant*

On July 21, 2020, the City Council authorized the City Manager to submit a Local Housing

Trust Fund (LHTF) grant application to the California Department of Housing and Community Development (HCD) for the purpose of funding an affordable housing project on the subject 1.33-acre property. In conjunction with this authorization, the City Council reserved up to 114 residential units from the DDSP Development Pool and directed Staff to issue a Letter of Intent to Eden Housing to provide matching funds that were required to receive the grant. The matching funds identified in the grant application include the 1.33-acre site, valued at approximately \$5 million, plus \$5 million from the Alameda County Measure A-1 Bond.

Prior to submitting the grant application, Staff worked with Eden Housing on a preliminary proposal to develop between 70 and 114 units of affordable housing with a projected total development cost of between \$46 million and \$74 million. On February 10, 2021, the City received notification that a LHTF grant in the amount of \$3,333,333 had been awarded to the project.

#### *Alameda County Measure A-1 Bond Funds*

Alameda County Measure A-1 was passed in November 2016 and will fund three programs related to homeownership and two programs related to rental housing. Of the total amount allocated to the Rental Housing Development Fund, the City's Net Base Allocation is \$7,948,319. Cities have until December 31, 2021, to commit funds to specific projects. "Commitment" is defined as a City Council action to allocate funds to a project. Funds not committed before the deadline will be moved to the Regional Pool in which the city is located on January 1, 2022.

The City Council committed \$2.9 million of the City's Net Base Allocation to the BRIDGE Housing proposal on Golden Gate Drive on March 16, 2021. On October 5, 2021, the City Council authorized commitment of \$5,048,319 in Alameda County Measure A-1 Bond funds to Eden Housing to assist with development of the affordable rental housing project on Regional Street.

#### Proposed Project

Eden Housing proposes to develop a 1.33-acre property located at 6541-6543 Regional Street with 113 affordable rental units to serve very low- and low-income seniors. The project would include 55 studios, 57 one-bedrooms, and one unrestricted two-bedroom manager's unit. The studios and one-bedroom units would be restricted to senior households earning between 20 to 50 percent of Alameda County area median income (AMI).

#### Site Development Review Permit

The DDSP contains allowed uses, development standards, and design guidelines for all projects within its boundaries. The development standards contained in the DDSP are purposefully permissive to allow flexibility in project design and implementation. The proposed project would meet the development standards of the Transit-Oriented District (DDSP Section 4.2). An overview of those standards and a comparison to the proposed project

is provided in Table 2 below.

**Table 2. Overview of DDSP Development Regulations**

<b>Development Regulation</b>	<b>Standard</b>	<b>Proposed</b>
Density Range	30 to 85 units per acre (108-306 units)	84.9 units per acre (113 units)
Building Height	8 floors/ 90 feet	5 floors/60 feet
Setbacks: St. Patrick Way	5 feet min. 15 feet max. (80% of bldg. façade)	6 feet
Regional Street	5 feet min.	6 feet
Parking: Residential	1.5 spaces per unit	0.5 stall per unit (57 spaces) <sup>1</sup>
Guest Parking	Up to 15% of required parking	0

<sup>1</sup> Recent changes in State Density Bonus Law allow qualifying projects, as a matter of right, to obtain lower parking requirements than what would otherwise be required by local government standards. See Parking section below for additional information.

#### *Site Layout and Circulation*

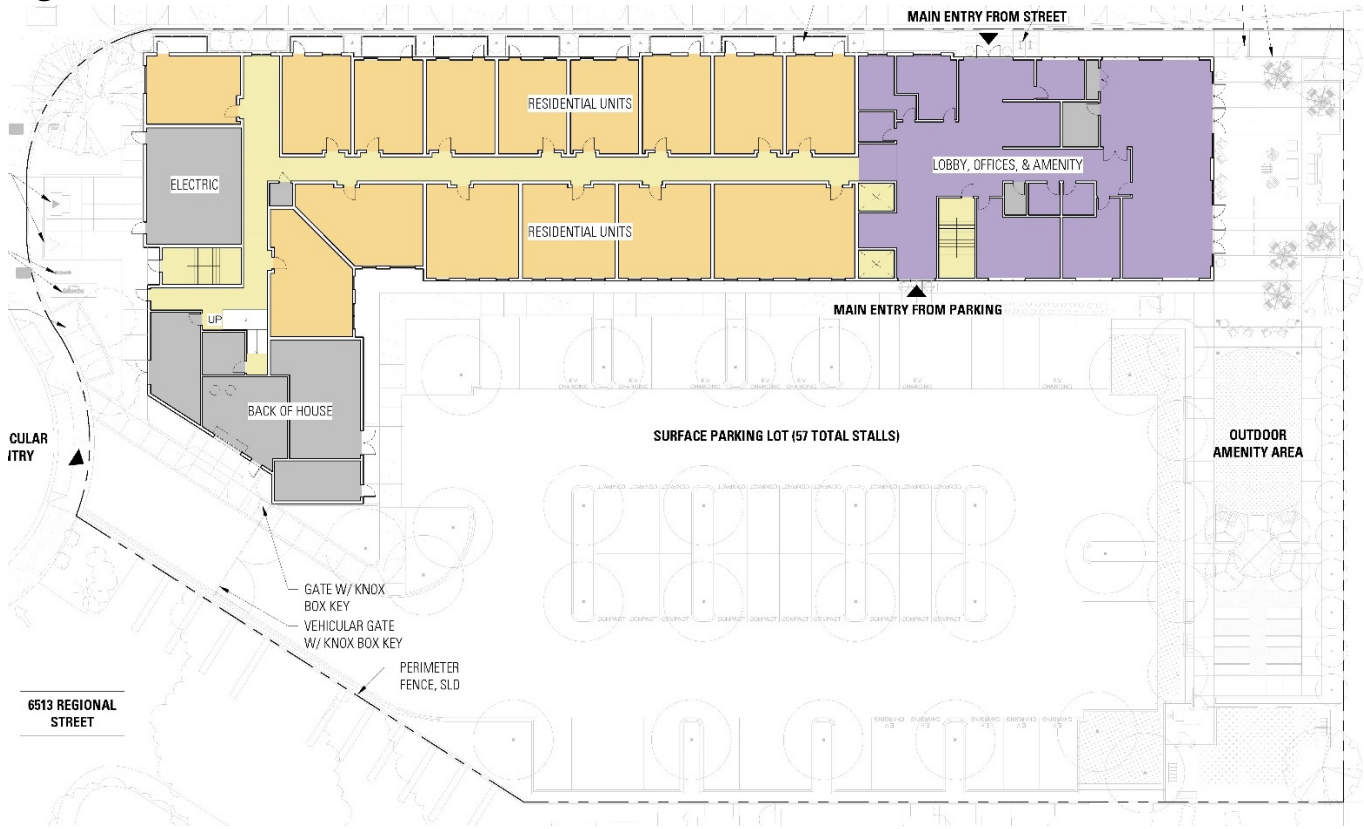
The proposed building would be sited on the north side of the parcel oriented along the future extension of St. Patrick Way. Refer to the site plan in Figure 3 below.

Vehicular access to the project site would be from the Regional Street cul-de-sac. The entry to the surface parking lot would be through a 20-foot-vehicular double gate providing access for residents and guests.

All amenities, including the lobby, mail room, manager's office, laundry room, fitness room and community room would be located on the ground level along the St. Patrick Way frontage. Two drop-off parking spaces are also proposed along St. Patrick Way.



**Figure 3. Site Plan**



### *Architecture and Materials*

The architectural concept for the residential development is a contemporary five-story building with four stories of wooden construction over one-story of concrete construction. The exterior finishes include a variety of contemporary building materials including, fiber cement lap siding, textured concrete base, metal laser cut railing panels, perforated metal window surrounds, and steel canopies. The building's massing is broken up by the stepping back and projecting forward of varying sections to appear more like a group of four smaller buildings. The building's articulation is further accented by the perforated metal window surrounds and various color and material changes that create visual interest at different levels (see Figures 4 and 5 below). The sections of the building are separated from one another through the use of varied colors of horizontal bands of cementitious panels. The building elevation along St. Patrick Way is highlighted with decorative balconies for individual residential units on the ground floor and three outdoor terraces on the upper floors that create additional visual interest.

Building perspectives and elevations are included in Attachment 2, Sheets A001-A002 and A301-A302, respectively.



**Figure 4. Partial North Elevation from Corner of Regional Street and St. Patrick Way**



**Figure 5. Proposed Entry along St. Patrick Way**





### *Landscape Design*

Project landscaping is designed to enhance the building's architecture. The landscape is also functionally designed to buffer the proposed building in key locations such as along the east property line to be shared with the future Avalon West project. The DDSP encourages the use of landscaping on all sides of buildings, along streets, walkways, driveways and private outdoor spaces. A combination of trees, shrubs and groundcovers are also encouraged which may be provided in planters, pots or in the ground. The DDSP supports the inclusion of shade trees along walkways and near buildings. These encouraged features are included in the proposed design.

The ground floor common area proposed along the easterly portion of the site would be the primary outdoor activity area with four distinct areas linked by a loop pedestrian path. The first is an outdoor lounge/event space, which would be an extension of the indoor community room with moveable tables/chairs, self-seating elements, and art panels mounted on the perimeter fences as focal elements. This courtyard area can also serve as a space for outdoor dining or fitness groups. The other three areas include a sports court, garden area, and pet relief zone (see Figure 7 below).

In addition to the ground level courtyard, the building would have four outdoor terraces with a unique theme and plant palette. They include an orchid garden at level 2, a scent garden at level 3, a perennial garden at level 4, and an edible garden at level 5. The conceptual landscape plan is included in Attachment 2, Sheet L-4, with details on Sheets L-1 through L-7.

**Figure 7. Landscape Plan**





### *Parking*

With the passage of Assembly Bill 2345 (State Density Bonus Law), an affordable housing project located within ½ mile of an accessible major transit stop is entitled to a reduced parking requirement of .5 space per residential unit.

As noted in Table 2 above, the DDSP requires 1.5 spaces per residential unit and up to 15% of the required parking for guest spaces. The project proposes a total of 57 spaces in a surface level parking lot at the rear of the project site for the residential units and guest parking (.5 spaces per unit).

### *Public Art*

The City's public art requirement does not apply to 100% low-income housing projects. If the affordability levels of the project were to increase, public art would be required pursuant to Dublin Municipal Code Chapter 8.58 Public Art Program Contribution.

### Consistency with General Plan, Specific Plan and Zoning Ordinance

The project is consistent with the General Plan land use designation of Downtown Dublin – Transit-Oriented District and the DDSP. The DDSP was written as a comprehensive plan for future development in the Downtown area. The Specific Plan contains the allowed uses, development standards, and design guidelines with which all projects within the boundaries must be in compliance. The proposed project, with the allocation of residential units from the Development Pool as described above, is consistent with the DDSP and the City's Zoning Ordinance. The proposed project has been designed to be compatible with surrounding residential and commercial properties, while encouraging the appropriate integration to activate this key area of Downtown Dublin. In addition, the proposed project will contribute to the implementation of the vision of the DDSP and the housing opportunities offered in the DDSP area.

### *Downtown Dublin Specific Plan Guiding Principles*

A set of guiding principles are included to help prioritize the direction and development strategy for Downtown Dublin as a whole (DDSP Section 3.3). The purpose of the guiding principles is to define a framework for future land uses, development standards and design guidelines.

In addition, guiding principles for Downtown Dublin as a whole, have been identified for the Transit-Oriented District:

- Promote transit-oriented development to create a distinctive and active district;
- Identify opportunity sites for future development that incorporate mixed-use and provide public and/or private plazas and outdoor gathering areas at strategic locations; and
- Encourage underground and/or above ground parking structures.

### *Downtown Dublin Specific Plan Vision*

The established vision of the DDSP is to make Downtown Dublin “a vibrant and dynamic commercial and mixed-use center that provides a wide array of opportunities for shopping, services, dining, working, living and entertainment in a pedestrian-friendly and aesthetically pleasing setting that attracts both local and regional residents.” The development of the subject property is an important incremental improvement to advance this vision.

The proposed project also supports the narrower vision for the Transit-Oriented District which is “to encourage the development of the area with land uses that support and complement transit uses, particularly the West Dublin BART Station. These uses include high-density multi-family residential and those that are generally more urban than the surrounding area.” In addition, a pedestrian-scale, walkable environment is encouraged through the development of plazas and connectively within the District and areas outside the District. The proposed project with its site design will further the vision of the Transit-Oriented District.

### *Downtown Dublin Specific Plan Design Guidelines*

The DDSP establishes design guidelines for development within the plan area (DDSP Section 4.4). The proposed project meets the key design guidelines of the DDSP (DDSP Section 4.4), including:

- Using high-quality building materials and treating all building facades that are visible from the public realm with similar architectural elements, materials, and colors;
- Incorporating treatments into the building design to ensure articulation and visual interest by utilizing techniques such as changing direction of the wall or façade, altering the height of the rooflines, providing projecting elements such as canopies, balconies, trellises, and breaking up large surfaces with logical changes in materials, texture, or colors;
- Use of bold colors as accent features only and maximizing the use of muted or soft colors;
- For residential uses, porches, balconies, and courtyards and providing ground-floor access to both individual and common building entrances; and
- Finishing materials and color used on all building facades should be complementary to one another and appropriate for the architectural style and character of the building.

### Review by Applicable Departments and Agencies

The Building Division, Fire Prevention Bureau, Public Works Department, and Dublin San Ramon Services District reviewed the project and provided Conditions of Approval where appropriate to ensure that the project is established in compliance with all local ordinances and regulations. Conditions of Approval from these departments and agencies have been included in the attached Resolution (Attachment 1).

## **ENVIRONMENTAL DETERMINATION:**

On February 1, 2011, the City Council approved the DDSP to guide development within the 284-acre Downtown Dublin area and create a vibrant and dynamic mixed-use center (Resolution No. 09-11). Pursuant to the requirements of CEQA, a Final Environmental Impact Report (EIR) (State Clearinghouse No. 2010022005) was prepared for the DDSP and certified by the City Council on February 1, 2011 (Resolution No. 08-11).

On May 6, 2014, the City Council adopted Resolution No. 49-14 adopting an Addendum to the DDSP EIR for changes to the DDSP. The changes included increasing the number of residential units permitted in the DDSP area by 1,200 units and decreasing the amount of commercial square footage permitted by 773,000 square feet, creating minimum density thresholds for the Transit-Oriented and Retail Districts, and restricting residential development on the west side of San Ramon Road in the Retail District.

On December 3, 2019, the City Council adopted Resolution No. 126-19 adopting an Addendum to the DDSP EIR for changes to the DDSP. The changes included an amendment to the General Plan and DDSP to allow an increase in the allowable commercial floor area ratio in the Transit-Oriented and Retail Districts to 2.5 and 2.0, respectively, combining the new residential dwelling unit allocation into one pool for all three districts, and amending the parking standards in the Village Parkway and Transit-Oriented Districts.

On July 21, 2020, the City Council adopted Resolution No. 79-20 adopting an Addendum to the DDSP EIR for changes to the DDSP to implement the Downtown Dublin Preferred Vision approved by City Council on November 5, 2019. The changes included a new street grid of both public and private streets in the Retail District, siting of the Town Square, combining the remaining allocation of new non-residential square footage from Transit-Oriented and Retail Districts into one pool for the two areas, adding lodging as a permitted use in the Retail District, and modifying the design guidelines in “The Core” area of the Retail District to encourage walkable and pedestrian-friendly development.

The DDSP EIR and subsequent Addendums analyzed the construction of approximately 2.2 million square feet of non-residential development and 2,500 residential dwelling units, included within the DDSP. Approval of the proposed 113-unit residential project would be within the development threshold of the 2,500 residential dwelling units allocated for the DDSP. In addition, the proposed project would conform with the development regulations and design guidelines established in the DDSP as discussed above.

As provided in Government Code Section 21166 and Section 15162 of the CEQA Guidelines, when an EIR has been prepared for a project (DDSP EIR), no new environmental document



shall be prepared for the proposed project, unless the Planning Commission makes one of the following determinations under Section 15162(a):

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR;
  - b. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternative; or
  - c. Mitigation measures which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure.

The City conducted a review to determine if the proposed project met any of the standards requiring the preparation of supplemental environmental review under CEQA and concluded that the project is within the scope of development analyzed by the DDSP EIR and subsequent Addendums. The circumstances under which the project is to be undertaken have not substantially changed since the DDSP EIR and subsequent Addendums were prepared and will not substantially change with approval of the project. The DDSP EIR adequately described the impacts of the project for the purposes of CEQA, and no mitigation measures or new alternatives are required other than those previously disclosed and analyzed in the DDSP EIR and subsequent Addendums. Approval of the project will not create any site-specific operations giving rise to environmental effects different from those examined by the DDSP EIR or requiring the preparation of an Initial Study. The proposed project is subject to the DDSP Mitigation Monitoring and Reporting Program. Consequently, pursuant to CEQA Guidelines Section 15182, the project impacts are covered by the DDSP EIR and its Addendums and no further environmental review is required for this project.

Furthermore, the proposed project is exempt from further environmental review pursuant to Government Code Section 65457 and CEQA Guidelines Section 15182(c)(Residential Projects Implementing Specific Plans), which states: "Eligibility. Where a public agency has prepared an EIR on a specific plan after January 1, 1980, a residential project undertaken pursuant to and in conformity to that specific plan is exempt from CEQA if the project meets the requirements of this section....If after the adoption of the specific plan, an event described in Section 15162 occurs, the exemption in this subdivision shall not apply until the city or county which adopted the specific plan completes a subsequent EIR or a supplement to an EIR on the specific plan." As identified in CEQA Guidelines Section 15162 and described above, supplemental environmental review is required only when there are new or substantially more severe significant environmental impacts which require major revisions to the EIR due to project changes, substantial changes with respect to circumstances under which the project is undertaken or new information of substantial importance. Therefore, no further environmental review is required.

#### **NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

Two City-led Community Meetings were held on October 12 and October 13, 2021, to provide Dublin residents with information about the proposed Regional Street residential project. Six residents attended the meeting on October 12 and two residents attended the meeting on October 13. Three members of the applicant team attended each meeting. Staff provided a presentation that included an overview of the new Community Meeting concept, the City's development review process, and the proposed project. Questions were asked about the age requirement for seniors, the total amount remaining in the City's Affordable Housing Fund, the construction schedule, Alameda County's specific income limits for low and very low-income households, and how to stay current with the project as it progresses through the entitlements process.

In accordance with State law, a public notice was mailed to all property owners and occupants within 300 feet of the proposed project to advertise the project and the upcoming public hearing. A public notice also was published in the East Bay Times and posted at several locations throughout the City. A Planning Application sign was posted on the project site and the project was also included on the City's development projects webpage. A copy of this Staff Report has been provided to the Applicant.

#### **ATTACHMENTS:**

- 1) Planning Commission Resolution Approving Site Development Review Permit
- 2) Exhibit A to Resolution - Project Plans