

RESOLUTION NO. 2018-130

A RESOLUTION OF THE CITY OF MARINA CITY COUNCIL APPROVING
A SPECIFIC PLAN (SP 2017-01) FOR A ± 0.243 ACRE PROJECT SITE
LOCATED AT 3108 SEACREST AVENUE (APN 032-201-138), SUBJECT TO
CONDITIONS.

WHEREAS, on April 4, 2017, Mr. Peter Taormina, applicant and property owner, submitted an initial proposal to construct a new multi-family residential development on a vacant site at 3108 Seacrest Avenue; and

WHEREAS, the property's General Plan land use designation for the property is Multiple Use, allowing 20-35 dwelling units/acre, and the Zoning Designation is C-R (Commercial/Multiple Family Residential District); and;

WHEREAS, the Specific Plan has been prepared pursuant to Government Code Sections 65450-6547, and;

WHEREAS, on October 11, 2018, the Planning Commission of the City of Marina conducted a duly noticed public hearing to consider Specific Plan (SP 2017-01) for a ± 0.243 acre project site located at 3108 Seacrest Avenue (APN 032-201-138), considered all public testimony, written and oral, presented at the public hearing; and received and considered the written information and recommendation of the staff report for the October 11, 2018, meeting related to the proposed use; and;

WHEREAS, on November 20, 2018, the City Council of the City of Marina conducted a duly noticed public hearing to consider Specific Plan (SP 2017-01) for a ± 0.243 acre project site located at 3108 Seacrest Avenue (APN 032-201-138), considered all public testimony, written and oral, presented at the public hearing; and received and considered the written information and recommendation of the staff report for the October 11, 2018, meeting related to the proposed use; and

WHEREAS, the City of Marina Planning Division has determined the project to be exempt from the California Environmental Quality Act (CEQA), per Article 19, Section 15195, which is applicable to residential infill development that provides less than 100 units, a project density above 20 units per acre, and provides affordable housing. There is no reasonable possibility that the project will have a project specific, significant effect on the environment due to unusual circumstances.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Marina that it hereby recommends City Council approval of the Specific Plan (SP 2017-01) to guide the development of a new three-story, eleven (11) unit apartment complex located at 3108 Seacrest Avenue (APN: 032-201-138) as currently sited and designed.

FINDINGS:

1. Specific Plan –

The Specific Plan for the “Seacrest Apartments” has been prepared in accordance with the requirements of the California Government Code, Sections 65450-65457. These sections establish the Specific Plan as a legal mechanism which allows a particular area's development,

design and infrastructure requirements to be established separately and to supersede any previously established zoning in a manner that is consistent with the goals, policies and implementation objectives of the City of Marina General Plan.

The Specific Plan for the “Seacrest Apartments” is consistent with and furthers the goals, policies and implementation objectives of the Marina General Plan in that it provides details regarding the development of an infill site near the Marina transit exchange to develop the site in a manner that will enhance both the image and the fiscal base of the City of Marina.

CONDITIONS OF APPROVAL

1. Substantial Compliance - The project shall be accomplished in substantial compliance with the “Seacrest Apartments” Specific Plan (“EXHIBIT A”) attached to this resolution.
2. Permits - The applicant shall obtain all required grading and/or building permits prior to initiating construction.
3. Indemnification - The applicant shall agree as a condition of approval of this project to defend, at its sole expense, indemnify and hold harmless from any liability the City and reimburse the City for any expenses incurred resulting from, or in connection with, the approval of the project, including any appeal, claim, suit or legal proceeding. The City may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the applicant of its obligations under this condition.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 20th day of November 2018, by the following vote:

AYES, COUNCIL MEMBERS: Amadeo, Morton, O’Connell, Brown, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None

ABSTAIN, COUNCIL MEMBERS: None

Bruce Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk



Seacrest Apartments Specific Plan

Project Applicant: Peter J. Taormina

Preparer: Peter J. Taormina

Date Prepared: June 25, 2018

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Chapter 1.0 - Introduction

The Seacrest Apartments Specific Plan outlines the development of a multi-family residential project for the .243-acre property located at 3108 Seacrest Avenue in the Downtown Vitalization Area of the City of Marina (Assessor Parcel Number: 032-201-138).

The property is zoned C-R (Commercial-Residential) with a General Plan Land Use designation of Multiple-Use. According to the Marina General Plan section 2.56, the function of multiple-use commercial in the city is to extend hours of activity in a specific area in order to increase surveillance and lower crime rate, contribute to visual and economic vitality of the area, and reduce the number of vehicular trips taken by inhabitants of the area, lowering vehicle emissions in the area and reducing traffic.

The allowed residential density for this site under the Multiple Use Land Use designation is 20-35 unit per acre which would allow up to 9 units. The project includes a provision for 12% or one affordable unit to low income residents. This provision entitles the development to a density bonus of up to 2 units (or up to 23%) for providing 12% of the base number of units as affordable to low income residents. The applicant is requesting one density bonus unit.

The development consists of three-story, 5962 square foot 11-unit apartment building. The proposed building includes a mix of 8 one-bedroom apartments and 3 studio apartments (lofts). Required parking is provided located at the rear of the building. Parking is uncovered. The project is also located within one half mile of the Monterey Salinas Transit Center, and qualifies as a transit oriented development. Covered parking requirements are waived by state law for residential developments within one half mile of a major transit facility.

The proximity of this empty lot to low income housing, local small business, and its location inside of the Downtown Vitalization Area make the proposed development an excellent way to support for a safer, more lively, more economically vibrant city through the implementation of additional affordable housing and residential uses in Commercial-Residential zones, which is the direct wish and intention of the General plan. Development of properties in this zone can be solely residential if the site measures less than one acre (17.21.035, line B).

The project is also located within one half mile of the Monterey Salinas Transit Center, and qualifies as a transit oriented development.

1.1 PROJECT LOCATION

The project site contains approximately ¼ acre of undeveloped land located in central Marina near the intersection of Carmel and Seacrest Avenues. Adjacent uses are an undeveloped lot to the north, commercial uses to the south multi-family residential to the west and assembly (church) use to the east. The site is located one half mile from the Monterey-Salinas Transit (MST) station.



1.2 GOALS AND OBJECTIVES OF THE SPECIFIC PLAN

Seacrest Apartments Specific Plan has been prepared to serve as an implementation tool to promote the goals and objectives of the City of Marina General Plan, incorporated herein by reference. Specific goals and objectives embraced by this Specific Plan are as follows:

1. Housing within the means of households of all economic levels, ages and lifestyles, and, therefore, a diversified and integrated housing supply in which new residential development emphasizes a mix of housing types and lot sizes at the neighborhood level.
2. A city within which the majority of the residences, businesses and community facilities are served by frequent, cost-effective transit.
3. Community development which avoids or minimizes to the greatest extent possible the consumption or degradation of non-renewable natural resources including natural habitats, water, energy, and prime agricultural land.
4. A city designed for and attractive to pedestrians, in which most of the housing, shops, businesses, and community facilities are within easy walking distance of each other.
5. Attractive, distinctive residential neighborhoods and commercial districts which contribute to the overall vitality, image and identity of the city.

1.3 REGULATORY AUTHORITY

THE CITY OF MARINA GENERAL PLAN POLICY 2.63.51 REQUIRES A SPECIFIC PLAN TO BE PREPARED PRIOR TO THE APPROVAL OF ANY DEVELOPMENT WITHIN THE DOWNTOWN VITALIZATION AREA UNTIL SUCH TIME AS A SPECIFIC PLAN IS ADOPTED FOR THE ENTIRE PLANNING AREA. THE SPECIFIC PLAN LEGALLY ESTABLISHED DEVELOPMENT, DESIGN, AND INFRASTRUCTURE REQUIREMENTS IN ACCORDANCE WITH GENERAL PLAN PRINCIPLES AND POLICIES.

1.4 STATEMENT OF CONSISTENCY WITH THE CITY OF MARINA GENERAL PLAN AND PLANNING DOCUMENTS

A specific plan implements, and thus, must be consistent with the city General Plan. A Specific Plan is an instrument for implementation of the goals, policies, and actions of the general plan. However, the Specific Plan provides a greater degree of detail and refinement for and may override general zoning, land use regulation and standards and criteria for building and site design.

In the event that any regulation, condition, program, or portion of the Seacrest Apartments Specific Plan is held invalid or unconstitutional by a California or Federal Court of competent jurisdiction, such portions shall be deemed separate, distinct and independent provisions. The invalidity of such provisions shall not affect the validity of the remaining provisions of the Specific Plan thereof.

1.4.1 City of Marina Interim Housing Element (2015-2023) (May 2016)

The interim Housing Element identifies this site in its inventory of vacant and underutilized infill parcels in Central Marina with residential development potential. Program 1.1 of the Housing Element requires that the City provide for a minimum of 27 acres that accommodate at least 20 units per site at a density of at least 20 units per acre within downtown Marina. The project proposes the maximum density of 35 units per acre with a 23% density bonus in exchange for designation of 12% of the base units as affordable.

1.4.2 Marina General Plan

The Seacrest Apartment Specific Plan furthers the goals of the Marina General Plan by:

- **Adding 8 additional one bedroom and 3 additional studio apartment units to the downtown area**

General Plan Goal 1.18.1 promotes housing within the means of households of all economic levels, ages and lifestyles, and, therefore, a diversified and integrated housing supply in which new residential development emphasizes a mix of housing types and lot sizes at the neighborhood level.

Primary Policy 2.4.8 calls for construction of a broad range of housing types to be permitted and promoted in order to provide greater housing choice and diversity.

Policy 2.31.6 requires that new housing shall be constructed at densities and in patterns which conserve land, reduce reliance on the private automobile and result in walkable, attractive neighborhoods.

Policy 2.63 allows sites of less than one acre in Central Marina with a land use designation of Multiple Use to be developed exclusively for residential use.

- **Providing housing in an appropriate location where residents can walk to transit, shopping, services and other destinations.**

Primary Policy 2.4.5 of the General Plan requires that all land development, including that involving infilling of existing neighborhoods or commercial areas shall be organized and have sufficient intensity to help ensure the longer-term feasibility of public transit for work and other purposes, and to create a pedestrian-oriented community.

1.4.3 City of Marina Downtown Vitalization Specific Plan and Design Guidelines and Standards

The Draft Downtown Vitalization Specific Plan Design Guidelines were developed as a follow-up to the Downtown Vision and received by the City Council in July 2005. The public planning process started in 2005 resulted in the Pedestrian and Bicycle Master Plan and the Draft Downtown Vitalization Specific Plan. These two documents, and the City of Marina Design Guidelines and Standards informed the Seacrest Apartments Specific Plan.

The following design guidelines were developed to enhance the architectural character of the project and guide the desired quality of architecture and sustainable site design concepts. Certain design features of this plan are consistent with the City of Marina's Draft Downtown Vitalization Specific Plan Design Guidelines (DVSP-DG), and are incorporated to this project as much as possible.

Site Planning and Design: In conformity to the DVSP-DG the building is oriented towards the street as much as possible and does not back onto any existing parks or plazas. The parking lot is located at the rear of the proposed building and is screened from the street view by the building. The enclosed refuse storage area is located at the southeast corner of the building. Private open spaces are provided for each unit via outdoor patios and decks to the north and south sides of the building.

Parking Location, Design, and Treatment: Adequate parking is provided onsite. The location, design and treatments of the parking lot are in conformance with the guidelines in Section 6.2.5 of the DVSP-DG. The parking lot is screened from the public right-of-way and is easily maneuverable by motorists and pedestrians alike. Parking areas includes landscaping, lighting and adequate spaces for pedestrian circulation. The project is also located within one half mile of the Monterey Salinas Transit Center, and qualifies as a transit oriented development, therefore covered parking is not required.

Trash and Recycling Enclosures: Trash and recycling enclosures are carefully designed, located and integrated into the building design. All outdoor trash and recycling bins are away from public view and fully enclosed. Trash and recycling carts are stored away from adjacent residential uses to minimize nuisances to neighboring properties.

Sustainable Design: Sustainable design and green building techniques are encouraged within the Plan Area in order to minimize the impacts to the environment through energy demand reduction techniques in site planning, design, and construction. The project is pedestrian-oriented and the residences are located within a quarter mile of MST transit facility. Monterey County native plant species will be used for landscaping. In order to improve storm water management, efforts to minimize impervious surfaces have been incorporated in the design. Partially pervious surfaces will be installed to allow water infiltration, reduce non-point source pollutants, and minimize erosion. **Design Guidelines by Land Use:** The architectural design guidelines for and use of the DVSP-DG are adhered to since the project is a high density residential building as designated in its C-R zoning.

Building Siting and Massing: The building form and massing is designed to create interesting architecture that relates to the pedestrian scale, and minimizes the appearance of large box-like buildings. In accordance with section 6.3.2.1 of the DVSP-DG, multi-family units are designed and detailed to correlate with the neighboring single-family residential areas and commercial centers. The

design also includes changes in wall planes on all facades visible from a public street. Our design incorporates architectural features such as balconies, patios, window proportions, fencing and a set color scheme to enhance building form.

Roof Form: The design of the Seacrest Apartments includes roof forms used to create an interesting roof line and help break up building massing. A residential appearance is reflected through use of materials. The roof forms of the Seacrest Apartments differ from the multiple use, office, commercial retail, and civic buildings by displaying the smaller individual dwelling units rather than the larger commercial storefronts, adding more variation in height. The visual impact of a large monolithic building has been reduced by creating the appearance of a series of smaller buildings. Guidelines in section 6.3.2.2 of the DVSP-DG call for multi-form roof combinations that break up long horizontal rooflines which have also been incorporated in this design. Architectural elements have been combined in the design to minimize long rooflines. Roof elements are continuously displayed throughout the building.

Articulation: The Seacrest Apartments will be well articulated on all sides. Articulation guidelines in section DVSP 6.3.2.4 encourage architectural elements such as balconies, window and door detailing to create shadow patterns and help articulate facades and blank walls. These elements have all been included in the design of this project and can be seen throughout the building. Stairways are designed as an integral part of the overall architecture of the building. The stairways complement the building's mass and form. Horizontal planes are emphasized through the use of awnings.

Landscape: Drought tolerant and deciduous landscape options will be used in order to promote water efficiency and help reinforce a unique identity for plan area. Plans will be selected to provide opportunity for shade, ease of maintenance, and climate compatible planting.

CHAPTER 2 – DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

LAND USE AND DEVELOPMENT PLAN

Property in the Specific Plan Area described herein is currently undeveloped and vacant. The area is zoned Commercial Residential (C-R). According to the zoning ordinance for the City of Marina, C-R zones are conditionally permitted to support “residential dwellings, including condominium and/or planned development projects” (17.21.030, line H). Reading further, development of properties in this zone can be solely residential if the site measures less than one acre (17.21.035, line B).

The design and construction of the proposed multi-residential dwellings shall adhere to this Specific Plan which shall follow the guidelines and support the goals described in the City of Marina General Plan and current Housing Element and City Zoning ordinance.

REQUIRED ENTITLEMENTS

The proposed project will require City approval of the following entitlements (planning applications) prior to starting grading or construction:

1. **Adoption of a Specific Plan** as required by General Plan Policy 2.63.51 whereby “Prior to approval of any development other than temporary projects/uses or projects already entitled to be built, a specific plan shall be prepared which legally establishes development, design, and infrastructure requirements in accordance with General Plan principles and policies” pending adoption of the Downtown Vitalization Specific Plan.

2. **Site and Architectural Design Review** - For the site plan, elevations, landscape, irrigation, lighting and fencing plans, and design of the proposed apartment complex.

The conceptual Plan Set for the subject property is attached in Appendix B.

DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

The primary objective for the site design of the property at 3108 Seacrest Avenue is to develop the lot to create livable space, within an already developed area in the City of Marina, in support of the community goals of the City's General Plan.

THE DESIGN OF THE SEACREST APARTMENTS IS BASED ON THE RESIDENTIAL DEVELOPMENT STANDARDS SET FORTH BY THE C-R ZONING DISTRICT AND SUMMARILY TABULATED BELOW:

DEVELOPMENT STANDARDS

		Conforms to C-R Zoning	
		Yes	No
Zoning District	Multiple Use Lot: Commercial and Multi-Family Residential (C-R)	N/A	
Lot Size (s.f.)	10,598	X	
Density	20-35 units per acre	X	
Setback	Front – 10ft	X	
	Side – 5ft	X	
	Rear – 10ft	X	
Parking	1 / unit per unit/bedroom	X	
	2 spaces located adjacent to building entry, ADA compliant	X	
	9'x19' standard stall	X	
	Minimum driveway width of 16'	X	
	Driveway aisles minimum of 24' in parking areas	X	
	13 spaces provided	X	
Open Space	Total Common space - 0 s.f.		X
Open Space Siting	Total Private space – 868 s.f.	X	
	Patios – 328 s.f. ea	X	
	Decks – 520 s.f. ea	X	
	11 apartments paralleling North and South of property lines	X	
Lighting	Post or wall mounted lighting fixtures	X	

AFFORDABLE HOUSING AND DENSITY BONUS

In our development plan, we make use of the state of California's density bonus provisions. Based on the current standards, we are allowed a density bonus of 2 units if we dedicate one unit to low income individuals.

The development plan includes:

- An Affordable/Inclusionary Housing Proposal to provide 12% of the units to low Income persons on-site.
- A Density Bonus up to 23% and one project incentives to allow development of a 11 unit three story apartment building

Per City Code and State law projects which provide 12% or more of low income units shall be granted a density bonus of 23% (2 units) and at least one project incentive. With a 23% density bonus, a maximum of 11 units is allowed. The Seacrest Apartments is proposing 2 additional units (23% density bonus) and one project incentive to allow for reduced common open space requirements.

Total Allowed Units (35 UPA)- 9	Max Density (UPA)	Max Allowed Units	Round Up (.5 and above)	Proposed Units
	35	8.505	9	11
Total affordable units (10%) - 1	% Mix			
	0 %Very Low	10% Low	0% Moderate	Total Affordable Units
Density Bonus - 2 units	0	12%		1
	Density Bonus			
Total allowed number of units - 10	% Low Income	Allowed Bonus (35% for 20% Low)	Round	
Total Proposed Units - 10	23%	2	2	11

Government Code Sections 65915 – 65918 provides for density bonuses and incentives to developers to encourage development of affordable housing. The Density Bonus is a state mandate. Cities and Counties are required to grant a density bonus and other incentives or concessions to the housing projects with provide for at least the % of affordable units as specified by the state for the density bonus and incentives requested. In this case, the provision of at least 12% of the units to low income persons entitles the developer to a density bonus. The provision of at 12% of the units to low income persons also entitles the developer to one incentive for the project. State law provides that a development qualifying for a density bonus shall also receive additional forms of assistance as an incentive(s) - “waiver or reduction of development standards”. If the city development standards would physically prevent the project from being built at the permitted density and with the granted incentives, the developer may propose to have the standard waived or reduced. The City is not permitted to apply any development standard which physically precludes the construction of the project at its permitted density and with granted incentives. The city is not required to waive or reduce the development standards that would cause a public or safety problem, cause an environmental harm, harm historical property, or that would be contrary to the law. The project as proposed does not cause public or safety problems, cause environmental harm, harm historical property, and is not contrary to the law.

CHAPTER 4 – SPECIFIC PLAN ADMINISTRATION AND IMPLEMENTATION

The Specific Plan project is not dependent on any public improvement or financing. All funding will be developer driven. On-site maintenance also will be developer financed.

Following the adoption of this specific plan, final architectural, landscaping, and lighting plans shall be reviewed by the City of Marina Planning Division in accordance with this specific plan.

Submittal requirements will include a model or visual simulation of the project to provide a better sense of the overall character of the proposed development, the orientation of the buildings and the relationship of general building heights within the projects.

RESOLUTION NO. 2018-131

A RESOLUTION OF THE CITY OF MARINA CITY COUNCIL APPROVING A COMBINED DEVELOPMENT PERMIT CONSISTING OF A CONDITIONAL USE PERMIT (CUP) (UP 2017-06) FOR A MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT EXCEEDING 25 UNITS PER ACRE AND SITE AND ARCHITECTURAL DESIGN REVIEW (DR 2017-06) FOR A NEW THREE-STORY, ELEVEN (11) UNIT APARTMENT COMPLEX AT 3108 SEACREST AVENUE (APN: 032-201-138).

WHEREAS, on April 4, 2017, Mr. Peter Taormina, applicant and property owner, submitted an initial proposal to construct a new multi-family residential development on a vacant site at 3108 Seacrest Avenue; and

WHEREAS, the property's General Plan land use designation for the property is Multiple Use, allowing 20-35 dwelling units/acre, and the Zoning Designation is C-R (Commercial/Multiple Family Residential District); and

WHEREAS, the overall project application is a Combined Development Permit consisting of:

- A Conditional Use Permit (CUP) (UP 2017-06) for a multiple family residential development exceeding 25 units per acre; and
- Site and Architectural Design Review (DR 2017-06) for a new three-story, eleven (11) unit apartment complex; and

WHEREAS, the property is located with the Downtown Vitalization area which is currently under a temporary moratorium on the issuance of Conditional Use Permits and any new or replaced square footage (initiated by the City Council on August 2, 2017 and extended until August 1, 2018); and

WHEREAS, on August 2, 2017, the City Council exempted from the moratorium the project at 3108 Seacrest Avenue currently under review and described herein, because the project application was substantially complete and the applicant is not requesting a zoning ordinance or General Plan amendment, however, the exemption from the moratorium does not obligate the City to approve the project; and

WHEREAS, the project is subject to Site and Architectural Design Review per City Code Section 17.59.040 (A); and

WHEREAS, on February 21, 2018 and March 21, 2018, the initial proposal was brought before the DRB for consideration and discussion. On March 21, 2018, the DRB recommended Planning Commission denial of the initial application, due to inconsistencies with the General Plan, Zoning Ordinance, and Citywide Design Guidelines; and

WHEREAS, on April 12, 2018, the Planning Commission recommended City Council denial of the initial development application (PC Resolution 2018-05), due to inconsistencies with the General Plan, Zoning Ordinance, and Citywide Design Guidelines; and

WHEREAS, on July 9, 2018, the applicant submitted an amended proposal for a new three-story, eleven (11) unit multi-family residential project on a vacant site located at 3108 Seacrest Avenue; and

WHEREAS, on September 19, 2018, the Site and Architectural Design Review Board conducted a duly noticed public meeting to consider the amended DR 2017-06 for the Site Plan, Building

Elevation, Landscape Plan, and colors and materials for a three-story, eleven (11) unit apartment; and adopted a Resolution recommending Planning Commission consideration of the amended site plan; and

WHEREAS, on October 11, 2018, the Planning Commission of the City of Marina conducted a duly noticed public hearing to consider a Combined Development Permit consisting of a Conditional Use Permit (UP 2017-06) for a multiple family residential development exceeding 25 units per acre and Site and Architectural Design Review (DR 2017-06) for a new three-story, eleven (11) unit apartment complex at 3108 Seacrest Avenue (APN 032-201-138), considered all public testimony, written and oral, presented at the public hearing; and received and considered the written information and recommendation of the staff report for the October 11, 2018, meeting related to the proposed use; and

WHEREAS, development standards and design guidelines pertaining to multi-family residential dwellings have been incorporated into the proposed project; and

WHEREAS, on November 20, 2018, the City Council of the City of Marina conducted a duly noticed public hearing to consider a Combined Development Permit consisting of a Conditional Use Permit (UP 2017-06) for a multiple family residential development exceeding 25 units per acre and Site and Architectural Design Review (DR 2017-06) for a new three-story, eleven (11) unit apartment complex at 3108 Seacrest Avenue (APN 032-201-138), considered all public testimony, written and oral, presented at the public hearing; and received and considered the written information and recommendation of the staff report for the October 11, 2018, meeting related to the proposed use; and

WHEREAS, the City of Marina Planning Division has determined the project to be exempt from the California Environmental Quality Act (CEQA), per Article 19, Section 15195, which is applicable to residential infill development that provides less than 100 units, a project density above 20 units per acre, and provides affordable housing. There is no reasonable possibility that the project will have a project specific, significant effect on the environment due to unusual circumstances

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Marina that it hereby approves the Seacrest Apartments/Taoromina Combined Development consisting of a Condition Use Permit (CUP) (UP 2017-06) for a multiple family residential developing exceeding 25 units per acre and Site and Architectural Review (DR 2017-06) for a three-story, eleven (11) unit apartment complex located on a +/- 0.243-acre project site (APN 032-201-138) located at 3108 Seacrest Avenue as reflected in the Specific Plan for the site.

Findings

1. The project must be consistent with the General Plan and Zoning Ordinance.

The project is consistent with requested General Plan Land Use designation of Multiple Use and “C-R” zoning designation in that the project proposed a multi-family development of 35 units per acre.

General Plan Goals and Policies

Community Goals

- Goal 1.17 states:

“The overall goal of the Marina General Plan is the creation of a community which provides a high quality of life for all its residents; which offers a broad

range of housing, transportation, and recreation choices; and which conserves irreplaceable natural resources.”

- Goal 1.18.1 states:
“Housing within the means of households of all economic levels, ages and lifestyles, and therefore, a diversified and integrated housing supply in which new residential development emphasizes a mix of housing types and lot sizes at the neighborhood level.
- Goal 1.18.5 states:
“A city designed for and attractive to pedestrians, in which most of the housing, shops, businesses, and community facilities are within easy walking distance of each other.”
- Goal 1.18.8 envisions:
“A city physically and visually distinguish-able from the other communities of the Monterey Bay region, with a sense of place and identity in which residents can take pride.”
- Goal 1.18.15 requires:
“Attractive, distinctive residential neighborhoods and commercial districts which contribute to the overall vitality, image and identity of the city.”

Community Land Use Policies

- Policy 2.4.5 states:
“Future land development, whether it involves development of new areas, infilling of existing neighborhoods or commercial areas...shall be organized and have sufficient intensity...to create a pedestrian-oriented community.”

Housing Policies

- Policy 2.31.6 states:
“New housing shall be constructed at densities and in patterns which conserve land, reduce reliance on the private automobile and result in walkable, attractive neighborhoods.”
- Policy 2.31.8 states:
“New housing shall be integrated into the fabric of the City in such a way that it complements existing housing areas and contributes to the overall stability, image, and sense of community of the City.”

The Project is consistent with the Goals and Policies contained within the Marina General Plan pertaining to provisions of housing at varying income levels, promoting of pedestrian oriented and friendly development, and establishing community character, vision and identity.

The Project is consistent with the applicable development standards within the Marina Municipal Code (Zoning Ordinance) and/or superseding state laws for multiple family developments, specifically to the requirements of density, parking, and the provision of private open space. The Project does request one development incentive, waiving/elimination of the provision of public open space, in exchange for the provision of “low income” housing.

Floor Area Ratio

The project proposes an FAR of .559 (55.9%). The minimum and maximum floor area ratio (FAR) is established by General Plan policy 2.57 which states:

“A minimum FAR of 0.25 shall be required, and FAR’s of up to 0.90 may be permitted for well-designed projects which achieve General Plan objectives such as effectively integrating two or more uses; providing for a pedestrian orientation, including landscaped courtyards, plazas and walkways; incorporating visually attractive or high-caliber architectural design, detail and materials; and providing for landscaping beyond the required minimum. The precise upper limit shall be determined by subsequent specific plans in areas subject to a specific plan requirement.”

In this particular case, the project is proposing a visually attractive design and materials; is providing for pedestrian friendly orientation by removing pedestrian movements from vehicular areas and providing direct access to the streetscape; and has maximized the available space on

the small lot. Based on these factors, staff believes that a 0.559 FAR is reasonable and supportable for this particular project.

2. *The project must be consistent with the Citywide Design Standards and Guidelines.*

The project is consistent with the Citywide Design Standards and Guidelines. The project site and parking plan provide for adequate and safe pedestrian and vehicular traffic. Vehicular routes are separated from pedestrian routes and the project is sited independently from the streetscape area. Parking stall sizes and circulation patterns allow for adequate vehicular movement. Landscaping is in common open space areas between paved areas to soften the hardscape development(s).

3. *That the establishment, maintenance or operation of the use will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons riding or working in the neighborhood and the use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.*

The use of the site as a higher-density development will not be detrimental to the neighborhood, as it has been designed to be pedestrian-friendly and reduce reliance on the automobile. In addition, the location of building at the street would begin to create a street wall which will visually connect the side streets to the future downtown and increase walkability.

4. *The project must be designed and constructed, and so located, that the project will not be unsightly, undesirable or obnoxious in appearance to the extent that they will hinder the orderly and harmonious development of the city, impair the desirability of residence or investment or occupation in the city, limit the opportunity to obtain the optimum use and value of the land and improvements, impair the desirability of living conditions on or adjacent to the subject site, conform with the standards included in the local coastal land use plan and/or otherwise adversely affect the general welfare of the community.*

The development has been designed as an upscale, multi-family landmark development just outside the City’s anticipated central business district (CBD). The modern/urban design

aesthetic is intended to set a new standard for similar and future development in the City. The project includes clear pedestrian access to the surrounding shopping centers/facilities.

Conditions of Approval

1. Substantial Compliance – The project shall be constructed in substantial compliance with the Specific Plan dated June 25, 2018 and project plans submitted to the Planning Office on July 9, 2018 attached hereto as “**ATTACHMENT 1**”, except as conditioned herein.
2. Permit Expiration (City Council) – This permit will expire 24 months from the date of approval by the City Council, unless a valid building permit has been issued and construction of the project has commenced prior to expiration. The applicant may apply for an extension of this permit, by submitting an extension request application and applicable fees, no less than 30 days prior to expiration date. No renewal notice will be sent to the applicant or property owner.
3. Lighting – Exterior Lighting Plan – All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated, and off-site glare is fully controlled. Prior to issuance of a building permit, the Owner/Applicant, shall submit three (3) copies of an exterior lighting plan (including a photo-metric analysis) which shall indicate the location, type, and wattage of all light fixtures and include catalog sheet for each fixture. The lighting shall comply with the requirement of the California Energy Code set forth in California Code of Regulation, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of Community Development-Planning.
4. Utilities–Underground – All new utility and distribution lines shall be placed underground.
5. Verification of Building Height – Prior to issuance of a building permit, the Owner/Applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Community Development Director and the Chief Building Official for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved and associate with the project.
6. Preconstruction Meeting – Prior to the commencement of any grading or construction activities, a preconstruction meeting shall be held on the site. The meeting shall include representative of each of the selected contractors, any consultant who will conduct required monitoring, the owner/applicant, Community Development-Planning, Community Development-Building, Engineering, Marina Fire, and/or any other appropriate departments/agency. The purpose of the meeting is to review the conditions of approval that are applicable to the grading and construction of the development.
7. Indemnification – The Owner/Applicant shall agree as a condition of approval of this project to defend, at its sole expense, indemnify and hold harmless from any liability, the City and reimburse the City for any expenses incurred resulting from, or in connection with, the approval of this project, including any appeal, claim, suit or legal proceeding. The City may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the application of its obligations under this condition.

8. Affordable Housing Agreement/Program – Prior to issuance of the first construction permit, the Owner/Applicant shall develop, sign, notarize and record an Affordable Housing Agreement with the City of Marina. Such agreement shall clearly identify the number of affordable units, the income level of affordability (very low income), the estimated rent to be collected for each unit, and the term (length) of all affordability restrictions. The Agreement shall be prepared in substantial conformance with the specifications mentioned and approved in the Specific Plan prepared for the project.
9. Landscape Surety Bond – Prior to the issuance of a building permit, the applicant shall provide a bond or other surety acceptable to the City to guarantee that the installed landscaping shall remain in a healthy and growing condition for a minimum of two years from the date of occupancy approval. The amount of the surety shall be a minimum of ten percent of the actual or estimated costs of the installation accepted by the Planning Services Division. An amount greater than ten percent may be required by the Planning Services Division if more exotic, less reliable plant material is specified in the approved planting plan. Two years after the approval of occupancy, the applicant shall contact the Planning Services Division to arrange for an inspection of the landscaping. If or when all landscaping shown on the approved plans is in place and is in healthy and growing condition, the surety shall be returned to the entity that provided the surety or to another entity upon proof of transfer. If plant material is dead, dying or missing and the applicant does not take steps to restore the landscaping, the City shall have the authority to use the surety for the restoration of the landscaping.
10. Bicycle Facilities – On the Site Plan the applicant shall show the location(s) of indoor and outdoor bicycle lockers, including but not limited to bicycle racks placed in a secure and prominent location.
11. Trash Enclosures and Maintenance Building - Prior to the issuance of building permits the applicant submit shall coordinate with the waste hauler and the Monterey Regional Waste Management District to ensure that adequate current and future waste services will be accommodated for the project site. Proof of adequate services shall be submitted to the CDD-Planning department.
12. Fire Department – The construction plans shall indicate that the sprinkler plans will be a deferred submittal for a system.
13. Fire Department – The construction plans will include the installation of a generator of the appropriate size to power an fire pump sized for the proposed structure(s), and emergency lighting and signage for the overall development.
14. Design Review Board – The applicant shall include the installation of an ornamental door/gate on both the rear and front of the first floor and such gates shall be clearly identified and labeled on the proposed construction plans.
15. Design Review Board – The applicant shall include a vertical architectural element to the north elevation utilizing a contrasting material/color. The new vertical architectural element shall be clearly identified and labeled on the proposed construction plans.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 20th day of November 2018, by the following vote:

AYES, COUNCIL MEMBERS: Amadeo, Morton, O'Connell, Brown, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None

ABSTAIN, COUNCIL MEMBERS: None

Bruce Delgado, Mayor

ATTEST:

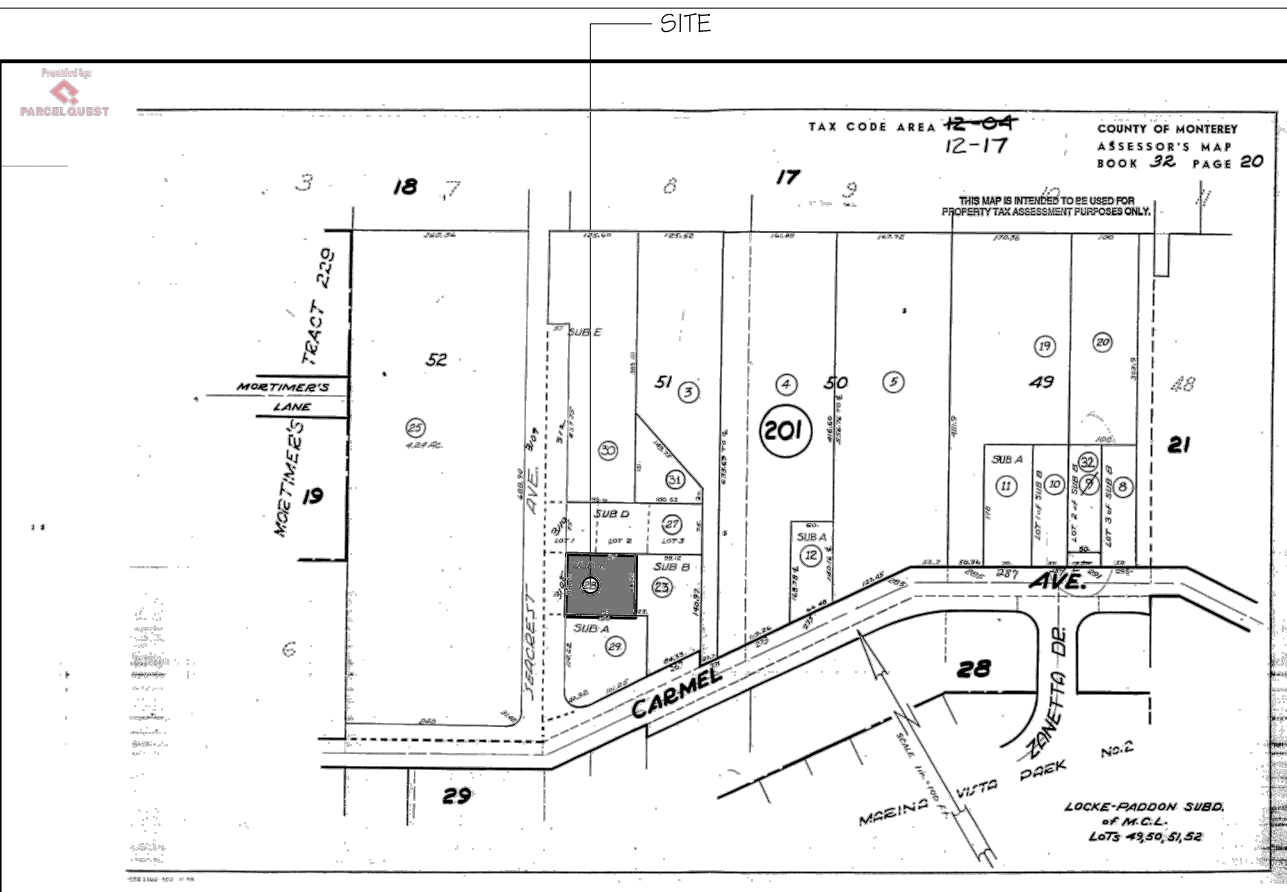
Anita Sharp, Deputy City Clerk

SEACREST APARTMENT

MARINA , CA



VICINITY MAP



STATISTICS

A.P.N. : 032-201-028-000	
LOT AREA : 10,596 S.F. +/-	
ZONING : CR	
UNIT DATA	
(11) 1-BEDROOM / LOFT APARTMENTS TOTAL BUILDING AREA :	
FIRST FLOOR (3 x 542)	1,626 S.F.
SECOND FLOOR (4 x 542)	2,168 S.F.
THIRD FLOOR (4 x 542)	2,168 S.F.
TOTALS	5,962 S.F.
SITE COVERAGE	
BUILDING COVERAGE	2,205 S.F.
	(LOT AREA) 10,596 S.F. = 20.8%
PRIVATE OPEN SPACE	
(8) DECKS	520 S.F.
(3) PATIOS	348 S.F.
TOTALS	868 S.F.
COMMON OPEN SPACE	
TOTAL AREA	0
PARKING	
	11 PROVIDED (1 ACCESSIBLE SPACE)

SCOPE OF WORK

CONSTRUCT NEW 11 UNIT APARTMENTS

CODE ANALYSIS

OCCUPANCY GROUP : R-3 / U
CONSTRUCTION TYPE : V-B
STORIES : 3
ENERGY METHOD : 2017 STANDARDS
CODES : 2017 C.B.C., 2017 C.M.C., 2013 C.P.C., 2017 C.E.C., 2013 TITLE 24, 2017 CRC, CEC (R1061.1 CRC)

SITE DATA

3108 SEACREST AVENUE
MARINA, CA 93955

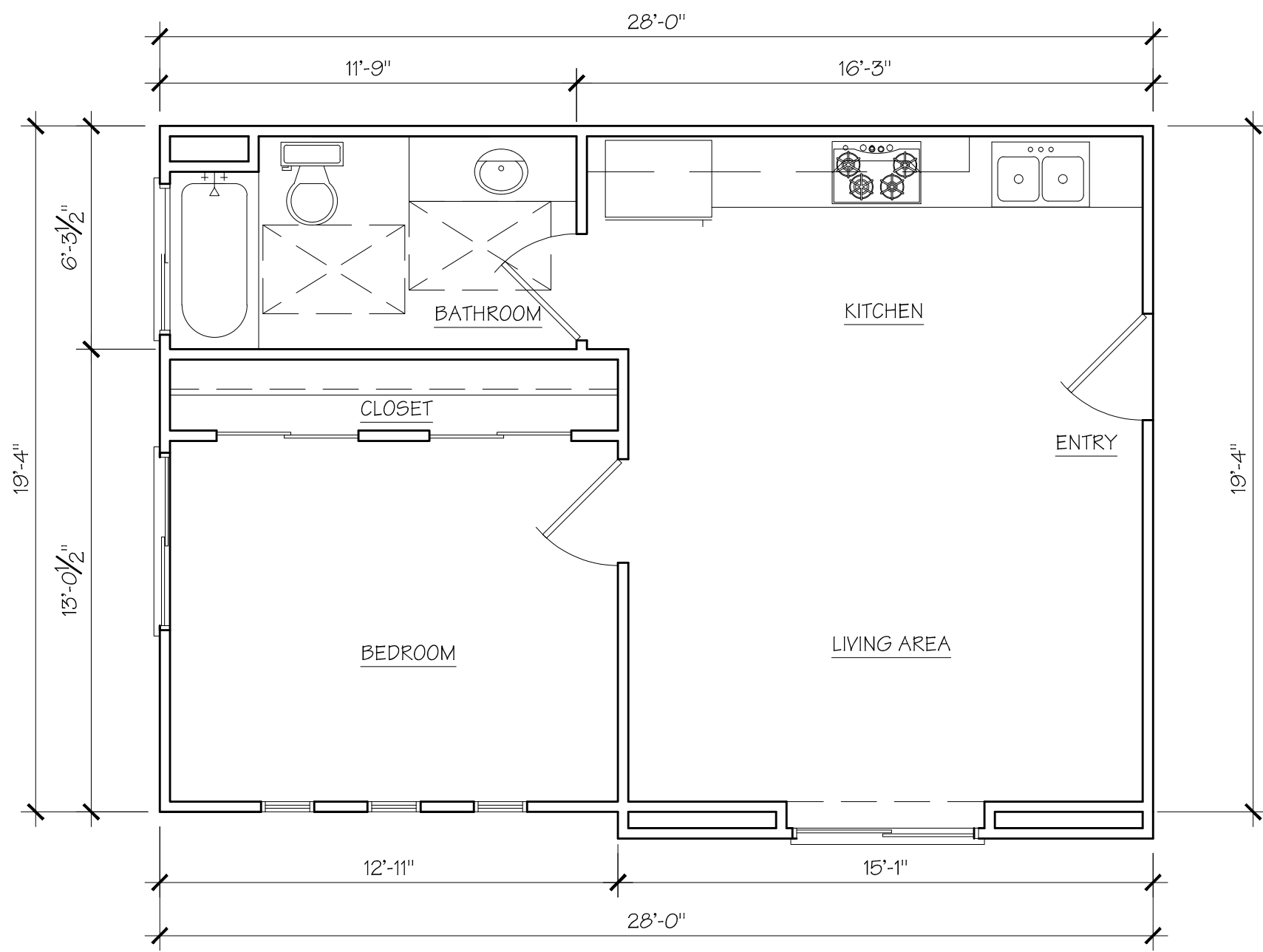
OWNER DATA

CYPRESS DEVELOPMENT
192 HEALY AVENUE
MARINA, CA 93955

SHEET INDEX

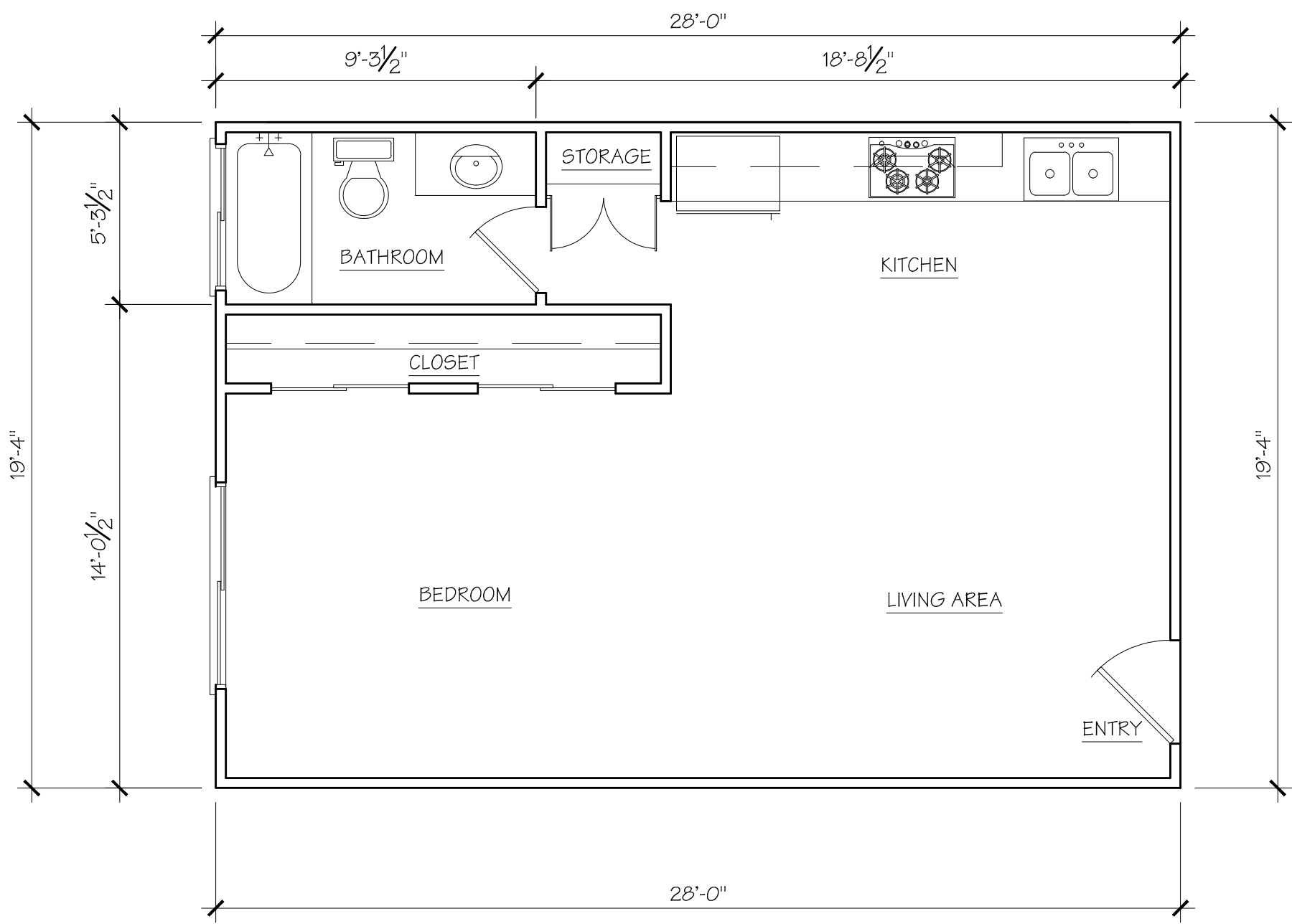
TITLE SHEET / SITE DATA / NOTES	A-0
SITE PLAN	A-1
FLOOR PLANS	A-2
ELEVATIONS	A-3
COLOR BOARD	A-4
DRAINAGE PLAN	A-5
LANDSCAPE PLAN	A-6

REVISIONS	BY
3-24-16	BT
7-10-17	BT
TISC DESIGN 109 B CENTRAL AVENUE SALINAS, CA 93901 Phone : (831) 320-1536	
SHEET TITLE: TITLE SHEET	
PROJECT NAME: SEACREST APARTMENTS 192 HEALY AVE. MARINA, CA 93955	
PROJECT CLIENT: CYPRESS DEVELOPMENT 192 HEALY AVE. MARINA, CA 93955	
DATE:	09-20-16
SCALE:	SHOWN
DRAWN:	BT
SHEET NO.	A-0



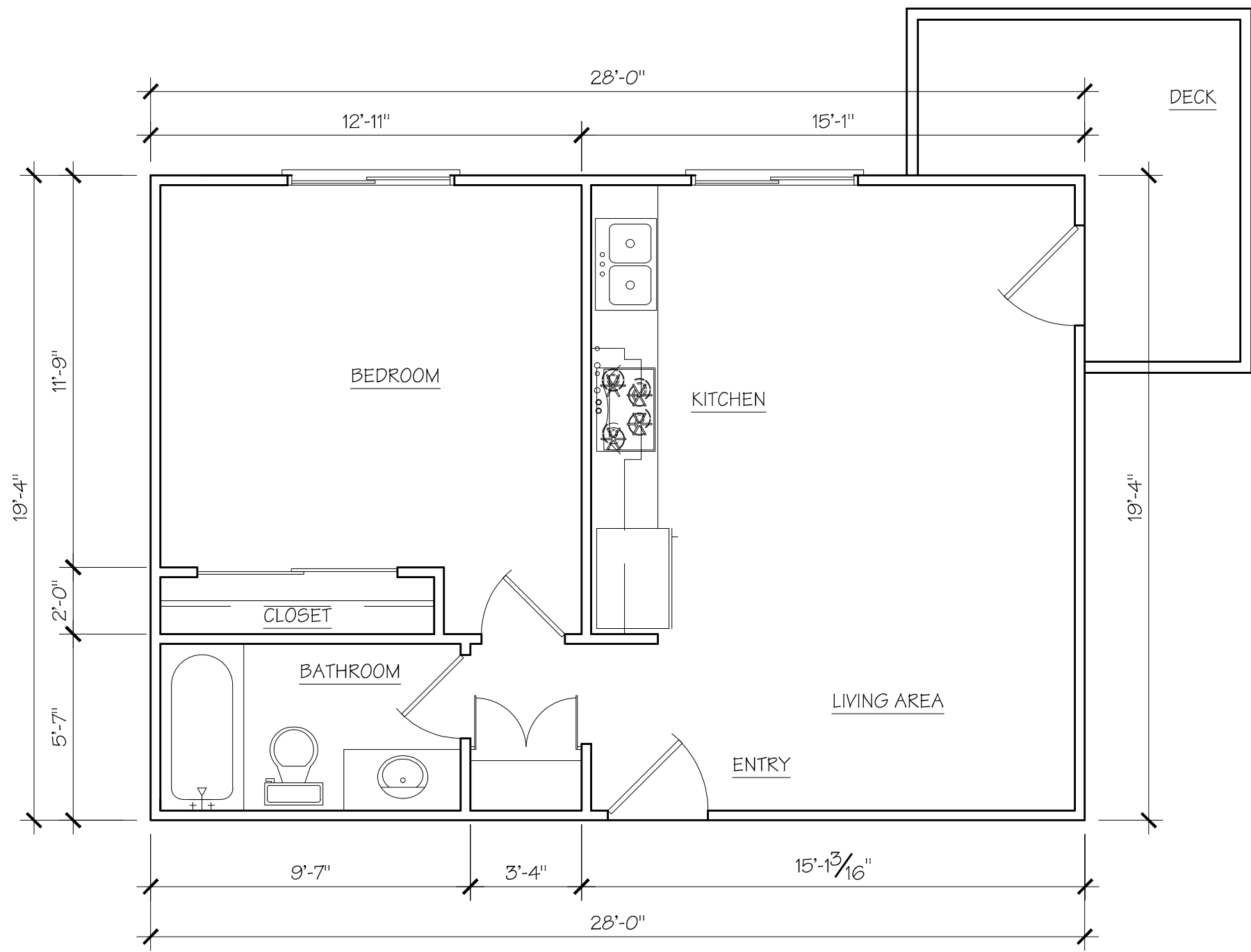
FIRST FLOOR/H.C. UNIT PLAN

1/4" = 1'-0" UNITS 1 542 S.F.



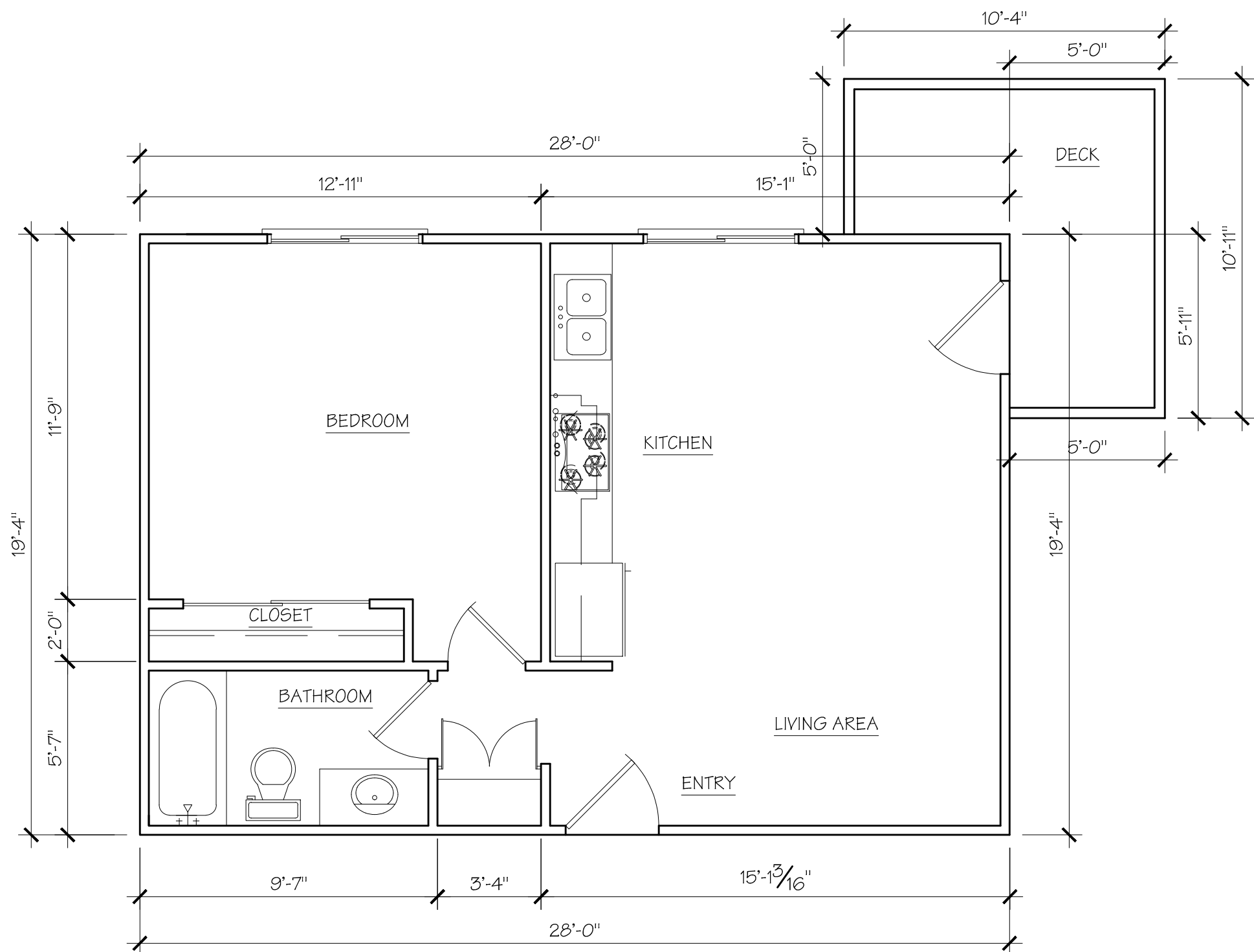
FIRST FLOOR LOFT UNIT PLAN

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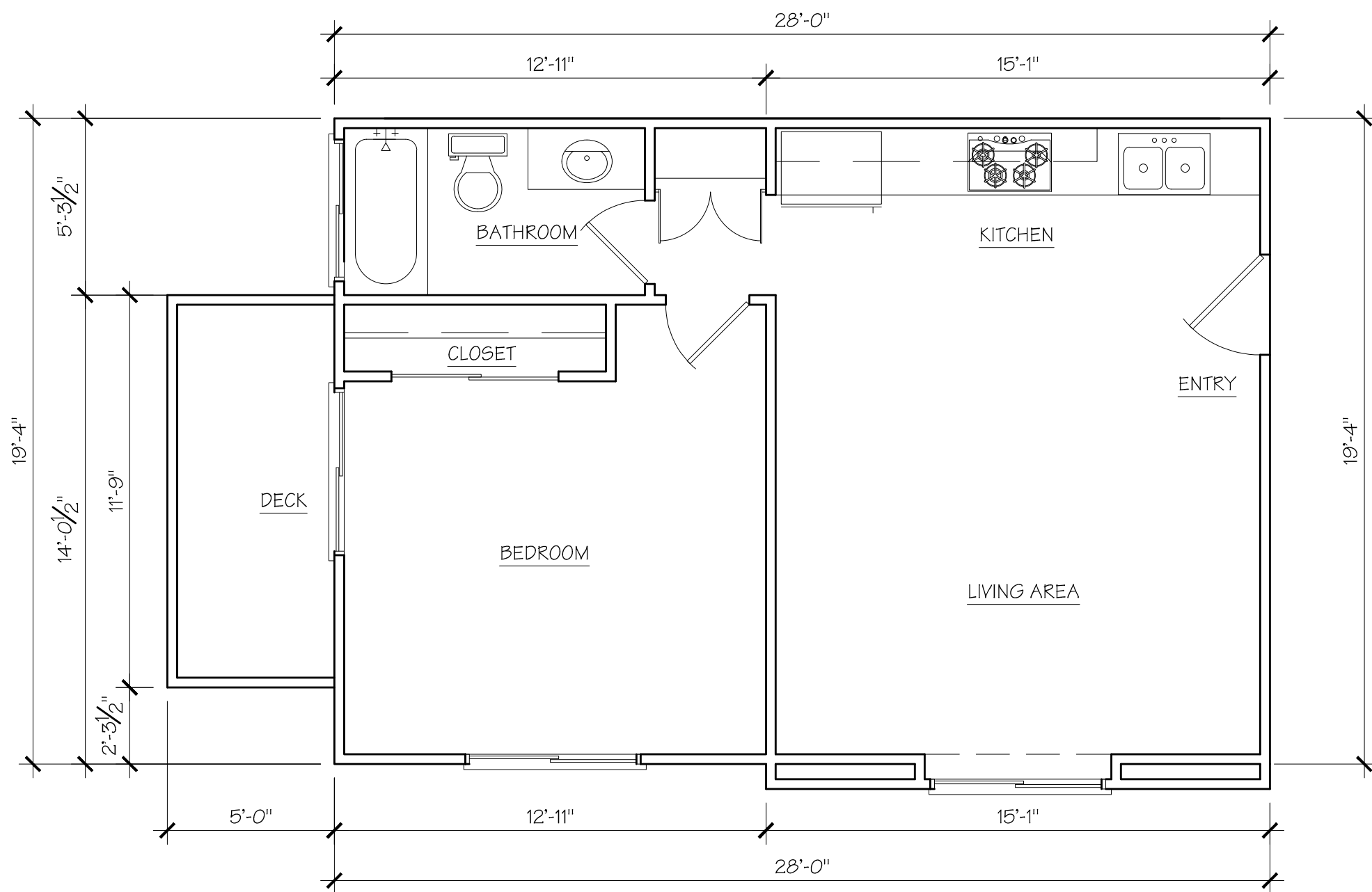
UNIT 3 1-BEDROOM UNIT PLAN

1/4" = 1'-0" UNITS 3 542 S.F.



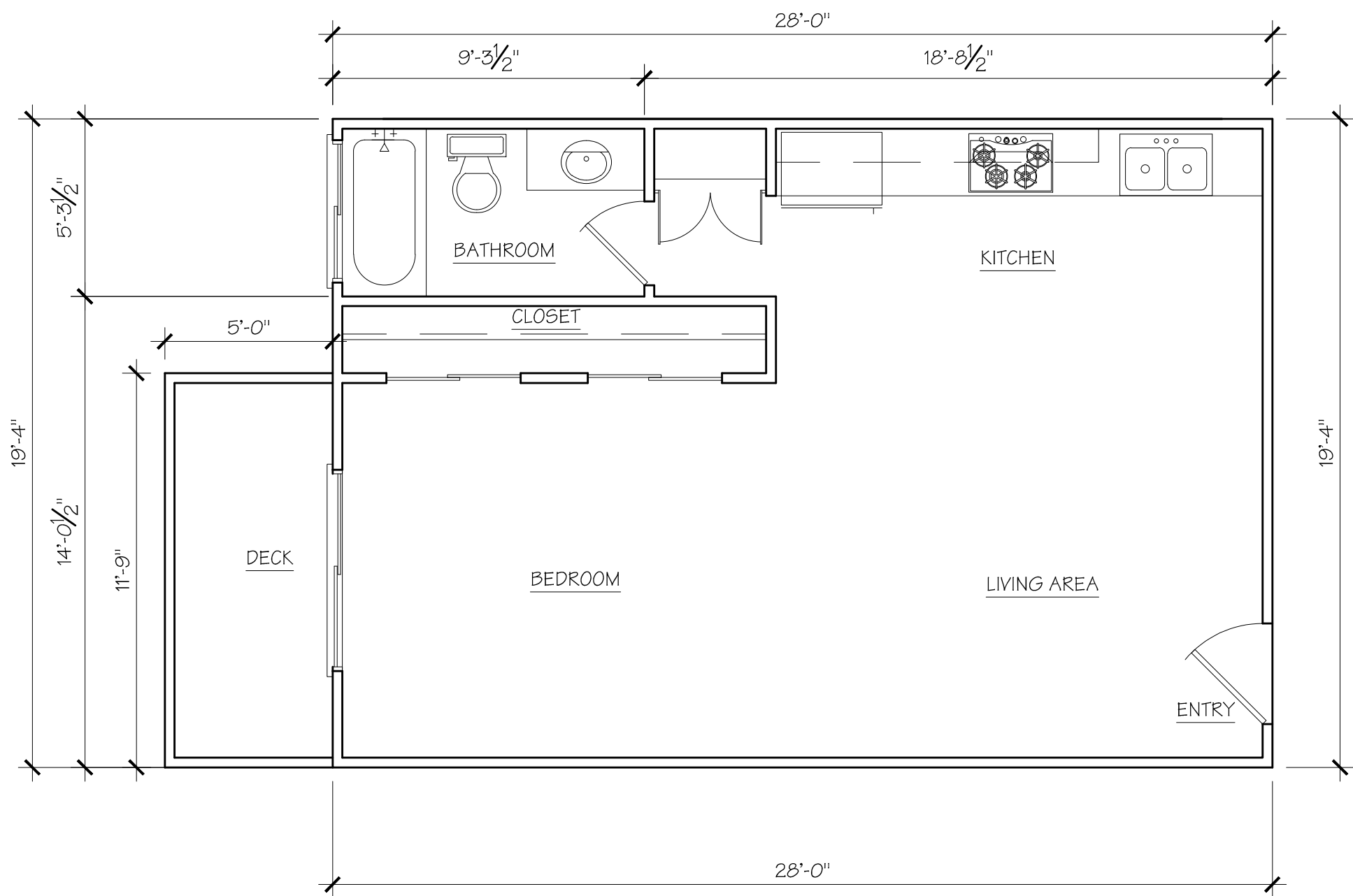
1 BEDROOM UNIT PLAN

1/4" = 1'-0" UNITS 7 & 11 542 S.F.



1 BEDROOM UNIT PLAN

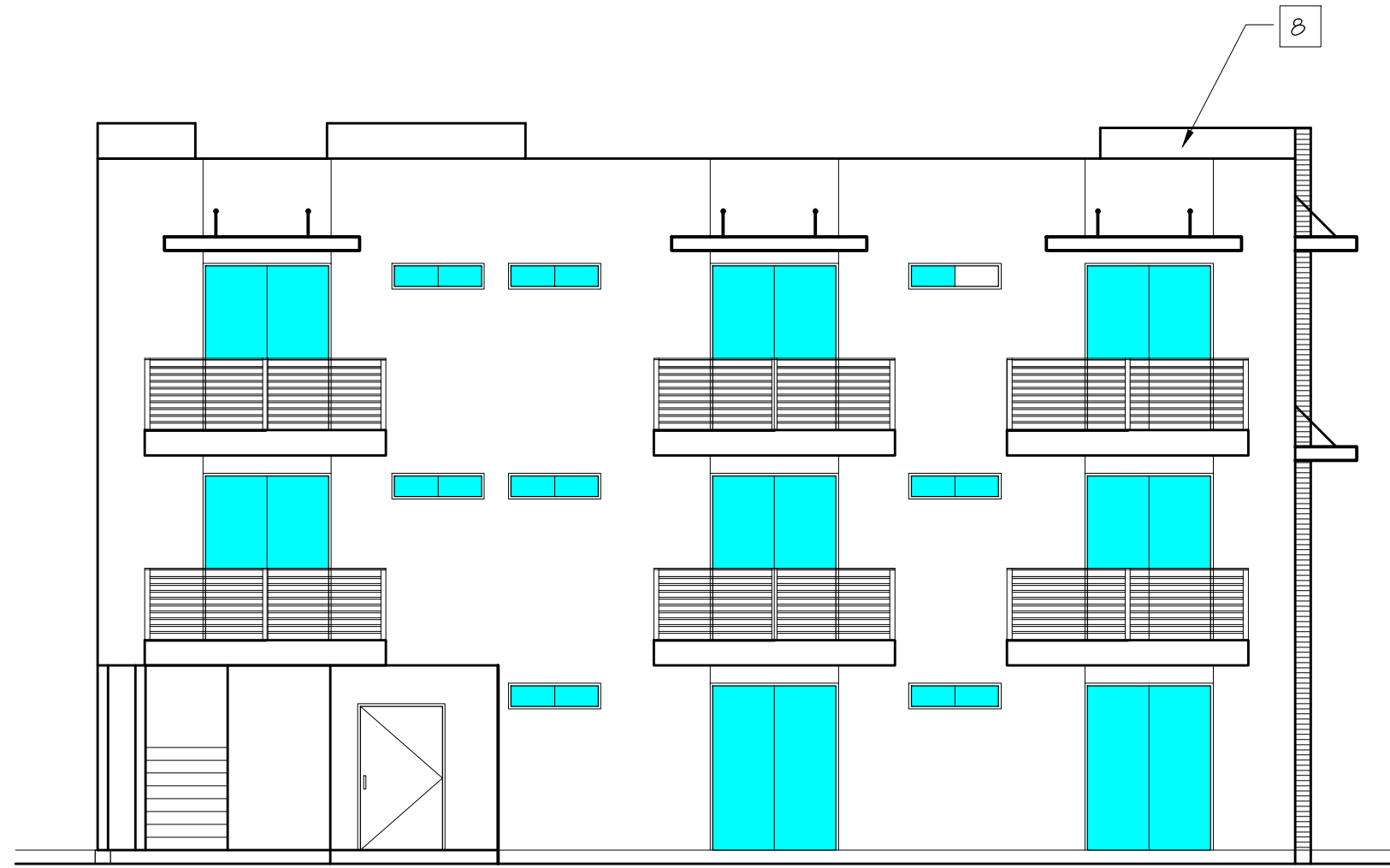
1/4" = 1'-0" UNITS 4,6 & 10 542 S.F.



LOFT UNIT PLAN

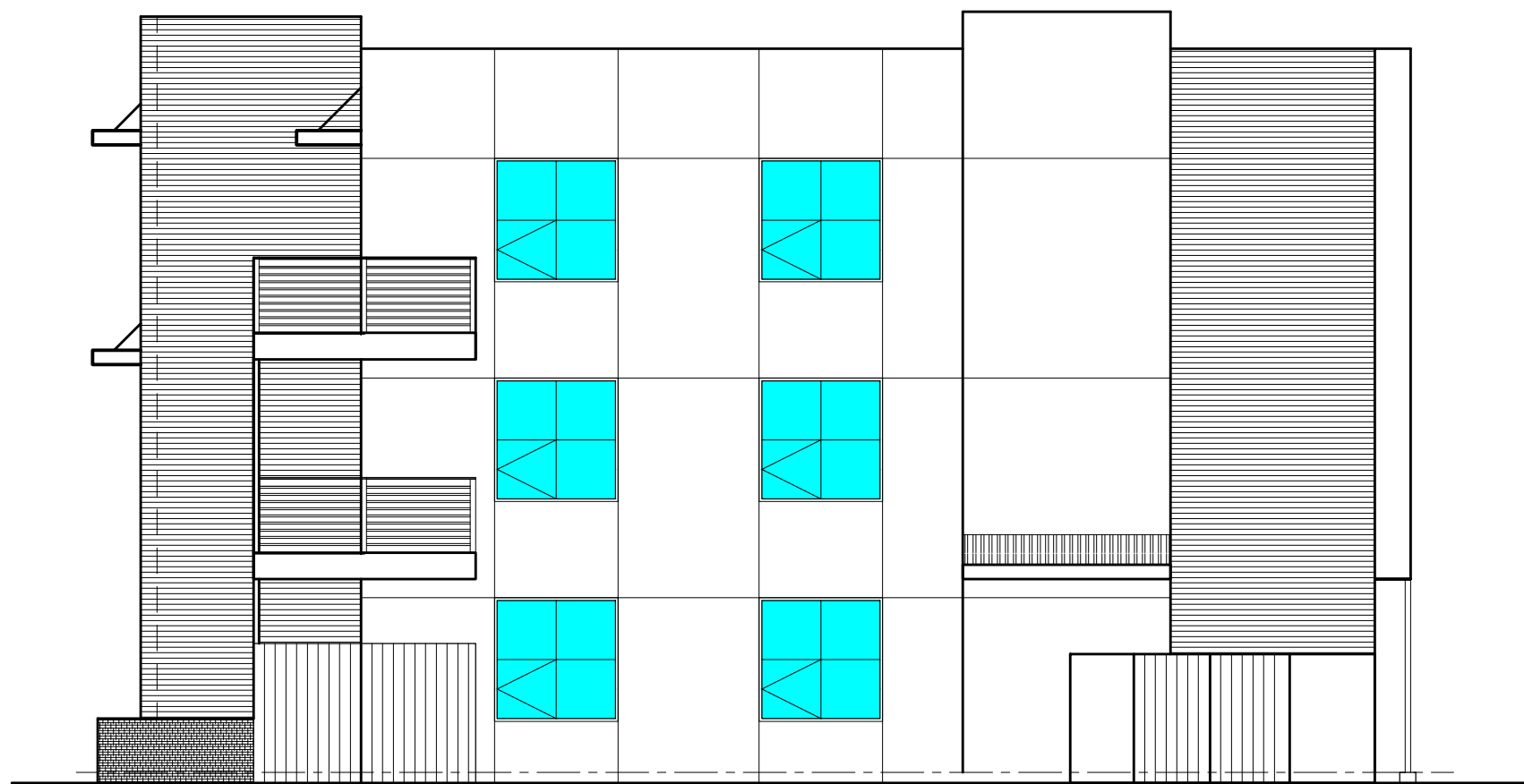
1/4" = 1'-0" UNITS 5 & 9 542 S.F.

REVISIONS		BY
7-10-17		BT
TISC DESIGN		
109 B CENTRAL AVENUE		
SALINAS, CA 93901		
Phone : (831)320-1536		
PROJECT NAME:		
SEACREST APARTMENTS		
192 HEALY AVE.		
MARINA, CA 93955		
PROJECT CLIENT:		
CYRESS DEVELOPMENT		
192 HEALY AVENUE		
MARINA, CA 93933		
DATE:		
01-06-17		
SCALE:		
SHOWN		
DRAWN:		
BT		
SHEET NO.		
A-2		



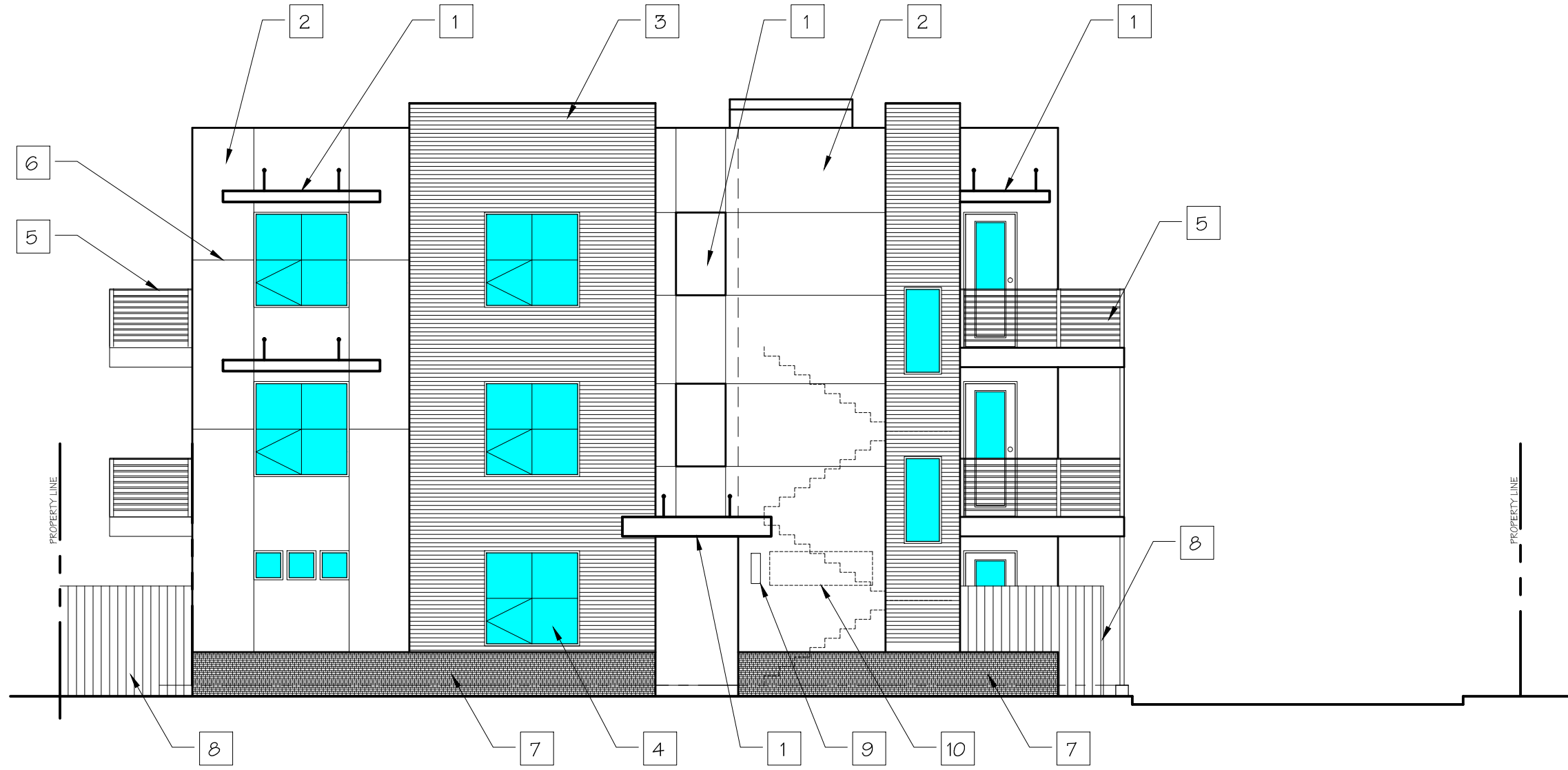
NORTH ELEVATION

1/8" = 1'-0"



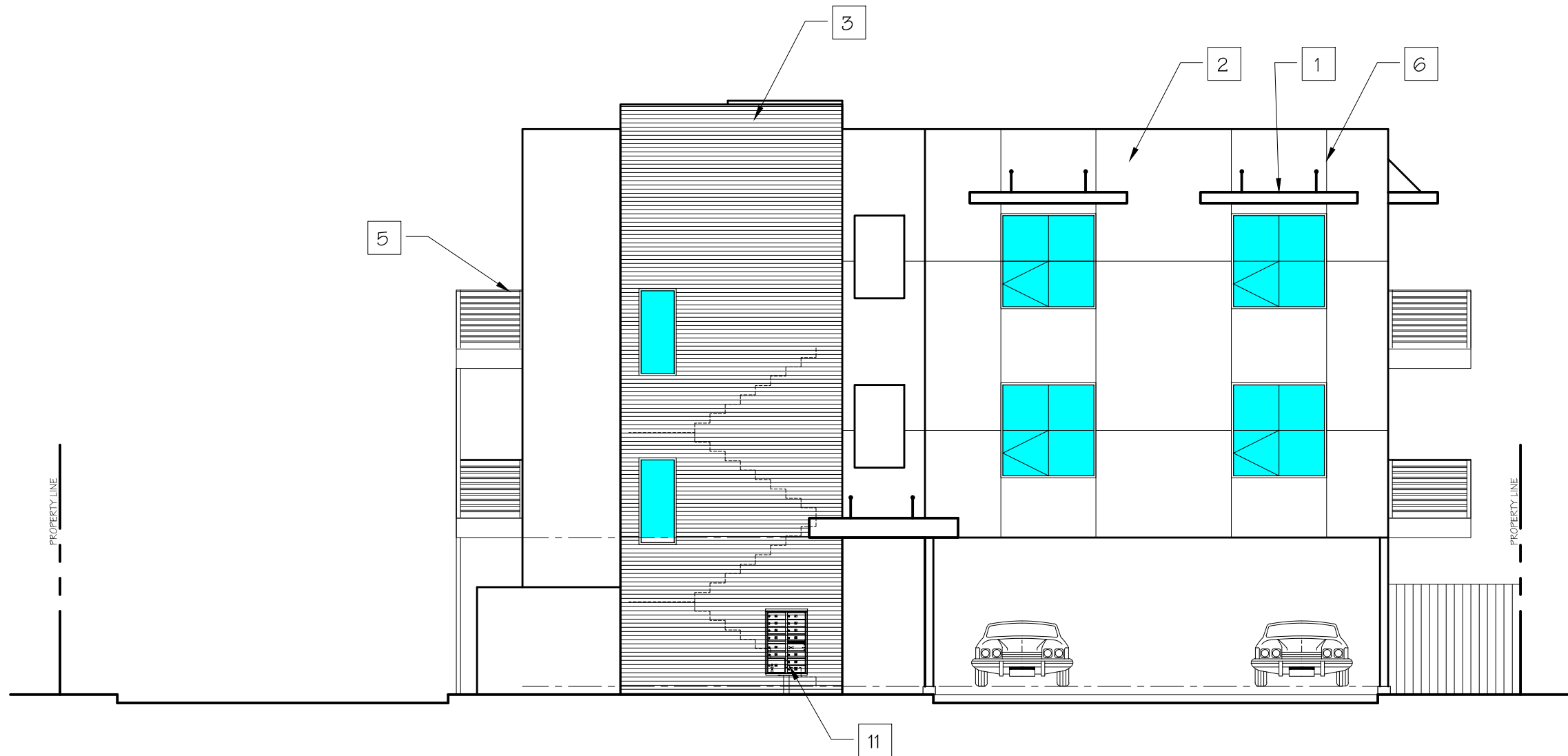
SOUTH ELEVATION

1/8" = 1'-0"



WEST ELEVATION

1/8" = 1'-0"



EAST ELEVATION

1/8" = 1'-0"

KEYED NOTES

- 1 AWNING
- 2 6" HORIZONTAL HARDI-BOARD SIDING
- 3 PLASTER FINISH
- 4 ALUMINUM DARK SOLAR BRONZE FRAME WINDOWS
- 5 HORIZONTAL METAL GUARD RAIL
- 6 1-1/2" EXPANSION JOINTS
- 7 PLANTER STACKED STONE VENEER
- 8 6 FT. HIGH WOOD FENCE
- 9 EXTERIOR LIGHTS
- 10 SIGNAGE
- 11 MAIL BOXES

REVISIONS

BY

7-10-17

BT

TISC DESIGN

109 B CENTRAL AVENUE

SALINAS, CA 93901

Phone : (831)320-1536

SHEET TITLE:

ELEVATIONS

PROJECT NAME:

SEACREST APARTMENTS

192 HEALY AVE.

MARINA, CA 93955

PROJECT CLIENT:

CYPRESS DEVELOPMENT

192 HEALY AVENUE

MARINA, CA 93933

DATE:

01-06-17

SCALE:

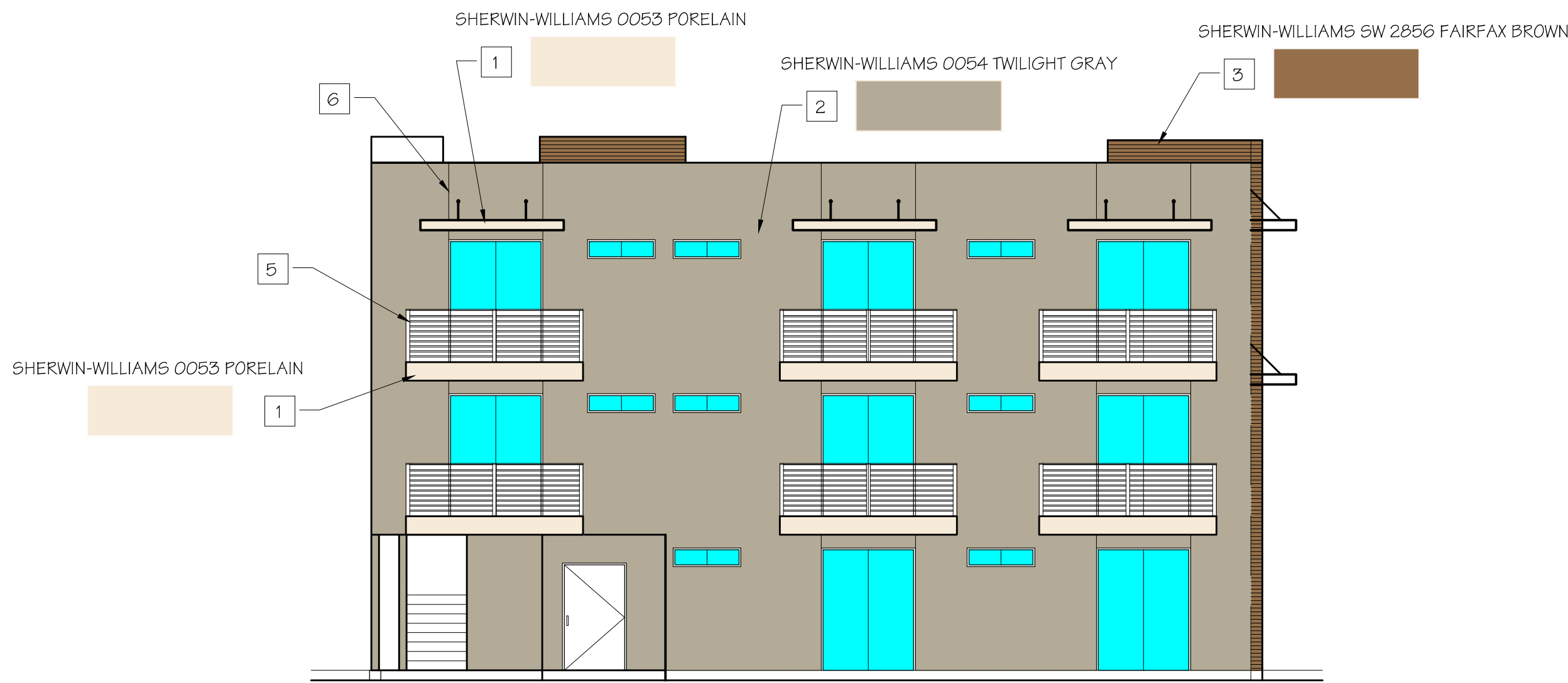
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DRAWN:

BT

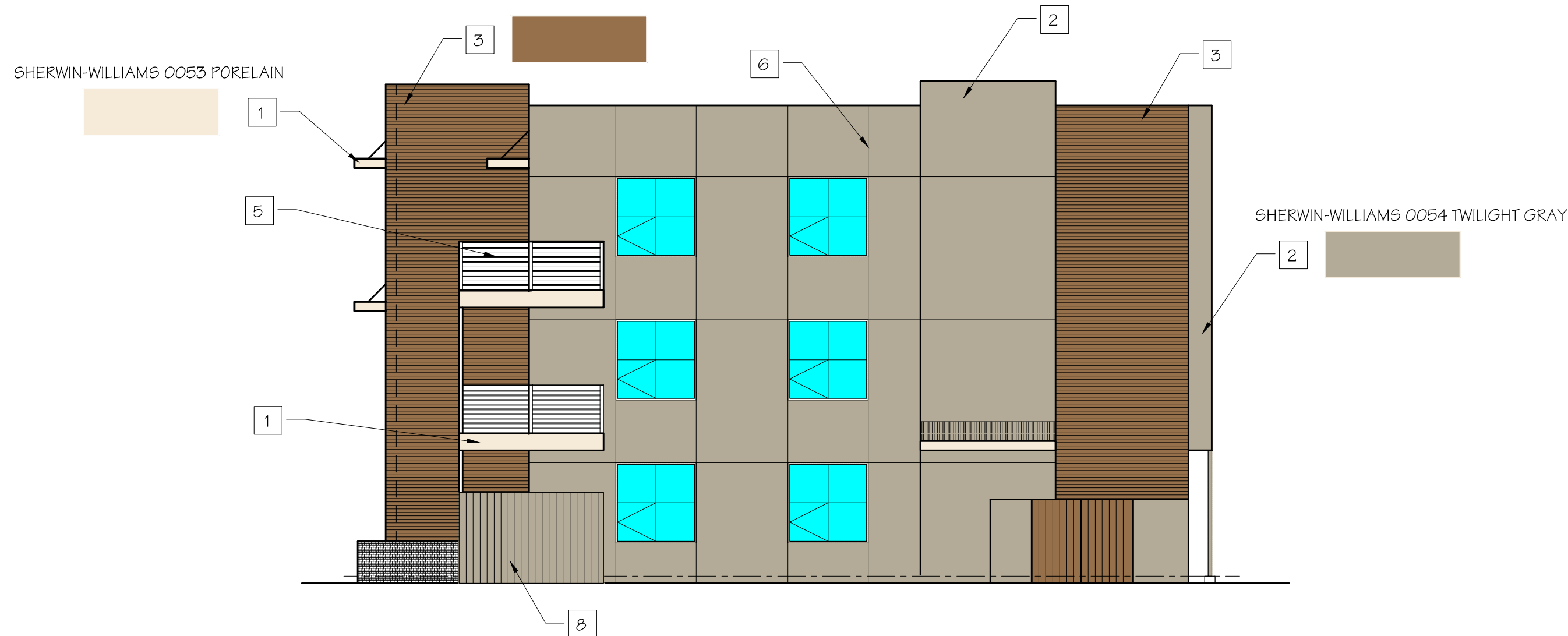
SHEET NO.

A-3



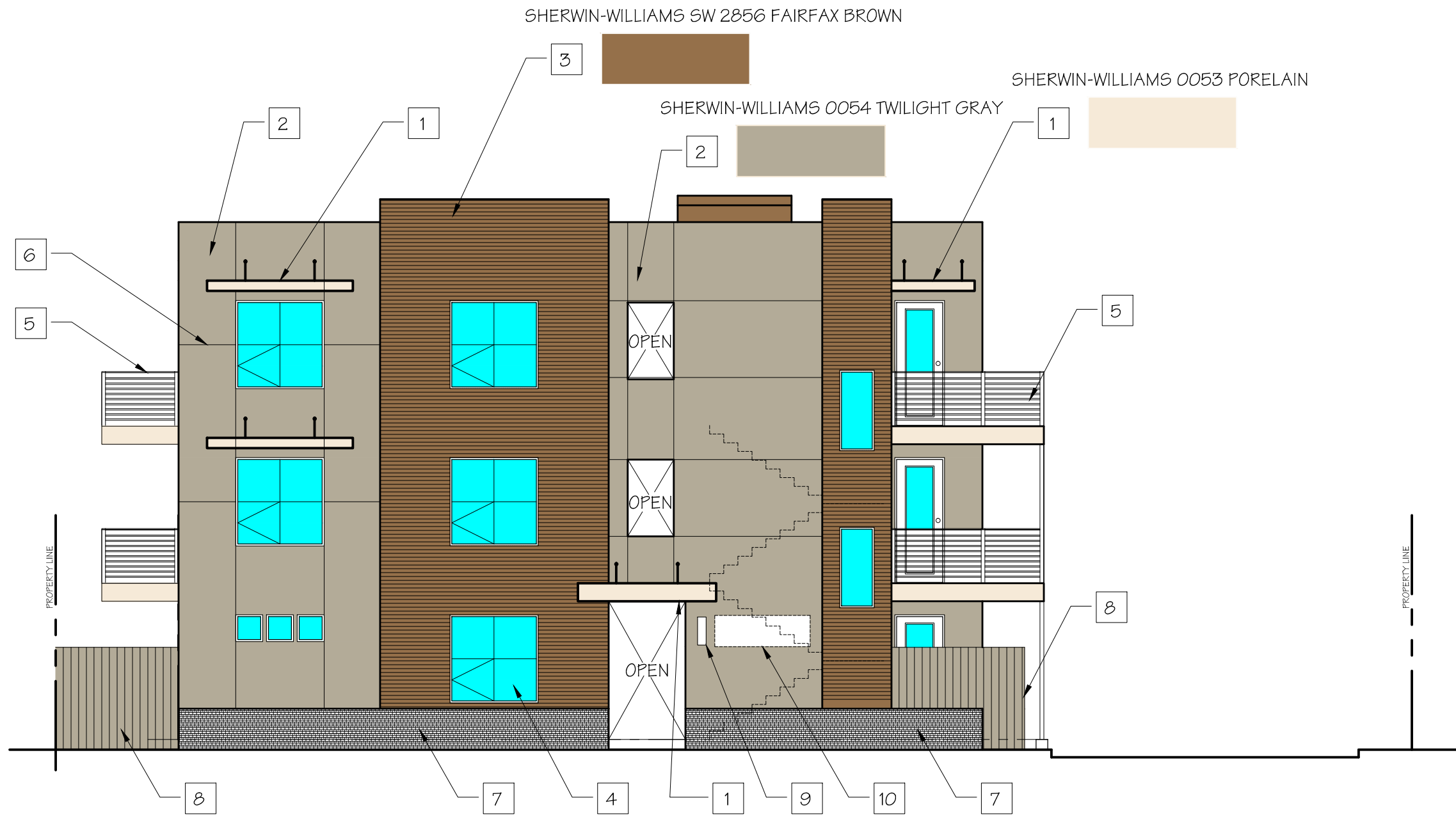
NORTH ELEVATION

1/8" = 1'-0" SHERWIN-WILLIAMS SW 2856 FAIRFAX BROWN



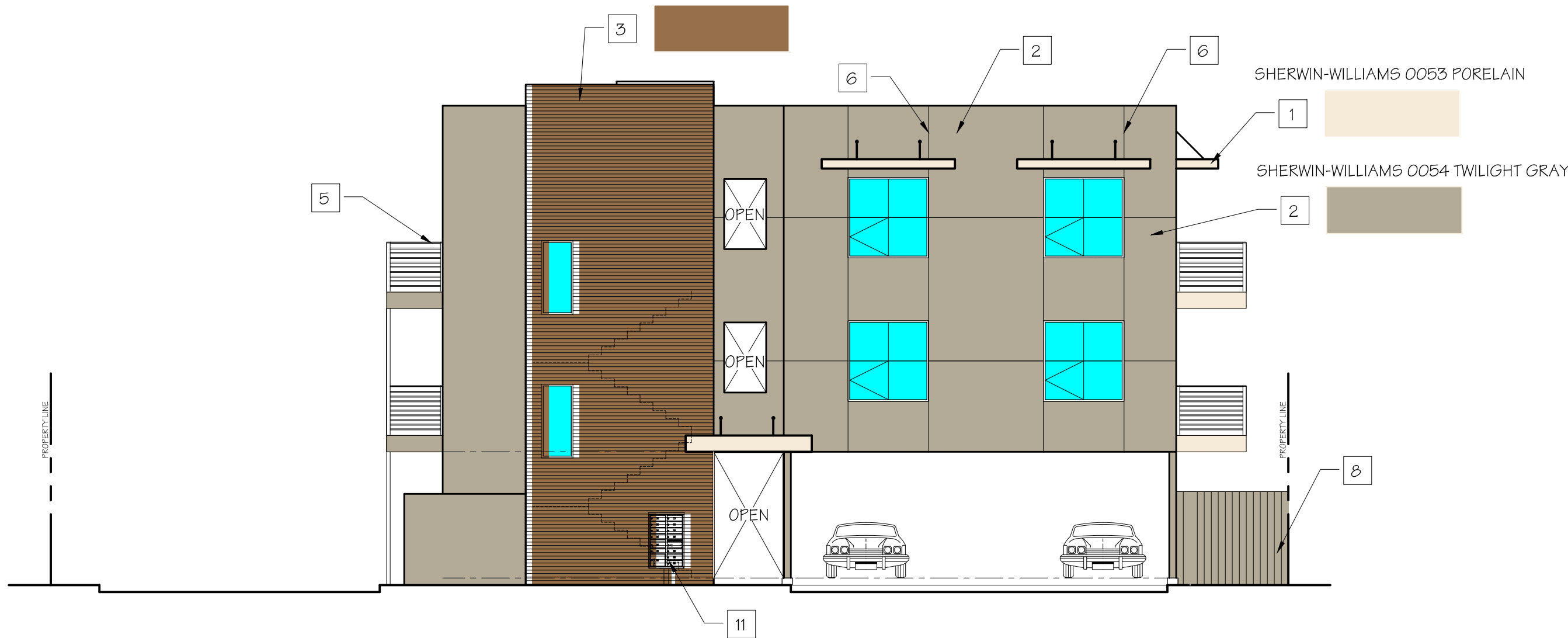
SOUTH ELEVATION

1/8" = 1'-0"



WEST ELEVATION

1/8" = 1'-0" SHERWIN-WILLIAMS SW 2856 FAIRFAX BROWN



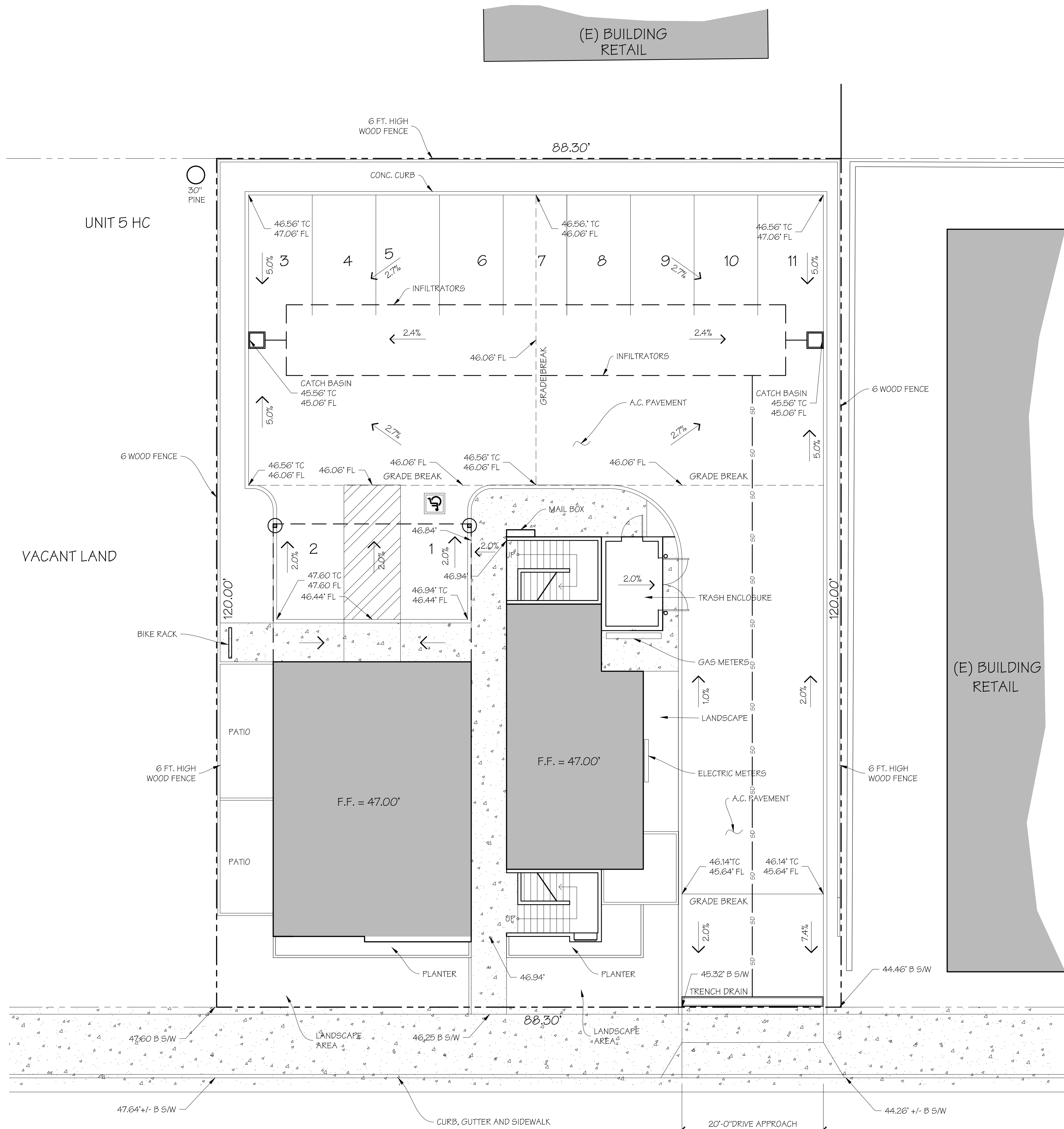
EAST ELEVATION

1/8" = 1'-0"

KEYED NOTES

- 1 AWNING
- 2 6" HORIZONTAL HARDI-BOARD SIDING
- 3 PLASTER FINISH
- 4 ALUMINUM DARK SOLAR BRONZE FRAME WINDOWS
- 5 HORIZONTAL METAL GUARD RAIL
- 6 1-1/2" EXPANSION JOINTS
- 7 PLANTER STACKED STONE VENEER
- 8 6 FT. HIGH WOOD FENCE
- 9 EXTERIOR LIGHTS
- 10 SIGNAGE
- 11 MAIL BOXES

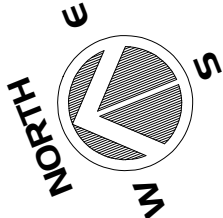
REVISIONS	BY
7-10-17	BT
TISC DESIGN 109 B CENTRAL AVENUE SALINAS, CA 93901 Phone : (831)-320-1536	
SHEET TITLE: COLOR BOARD	
PROJECT NAME: SEACREST APARTMENTS 192 HEALY AVE. MARINA, CA 93955	
PROJECT CLIENT: CYPRESS DEVELOPMENT 192 HEALY AVENUE MARINA, CA 93933	
DATE: 01-06-17	
SCALE: SHOWN	
DRAWN: BT	
SHEET NO. A-4	



DRAINAGE PLAN

SEACREST AVENUE

1/8" = 1'-0"



REVISIONS	BY
7-10-17	BT
TISC DESIGN 109 B CENTRAL AVENUE SALINAS, CA 93901 Phone : (831)-320-1536	
SHEET TITLE: PRELIMINARY DRAINAGE PLAN	
PROJECT NAME: SEACREST APARTMENTS 192 HEALY AVE. MARINA, CA 93955	
PROJECT CLIENT: CYPRESS DEVELOPMENT 192 HEALY AVE. MARINA, CA 93955	
DATE:	01-06-17
SCALE:	SHOWN
DRAWN:	BT
SHEET NO.	A-5

REVISIONS

BY

7-10-17

BT

TISC DESIGN

109 B CENTRAL AVENUE

SALINAS, CA 93901

Phone : (831)-320-1536

SHEET TITLE:

PRELIMINARY

LANDSCAPE PLAN

PROJECT NAME:

SEACREST APARTMENTS

192 HEALY AVE.

MARINA, CA 93955

PROJECT CLIENT:

CYPRESS DEVELOPMENT

192 HEALY AVE.

MARINA, CA 93955

DATE:

01-06-17

SCALE:

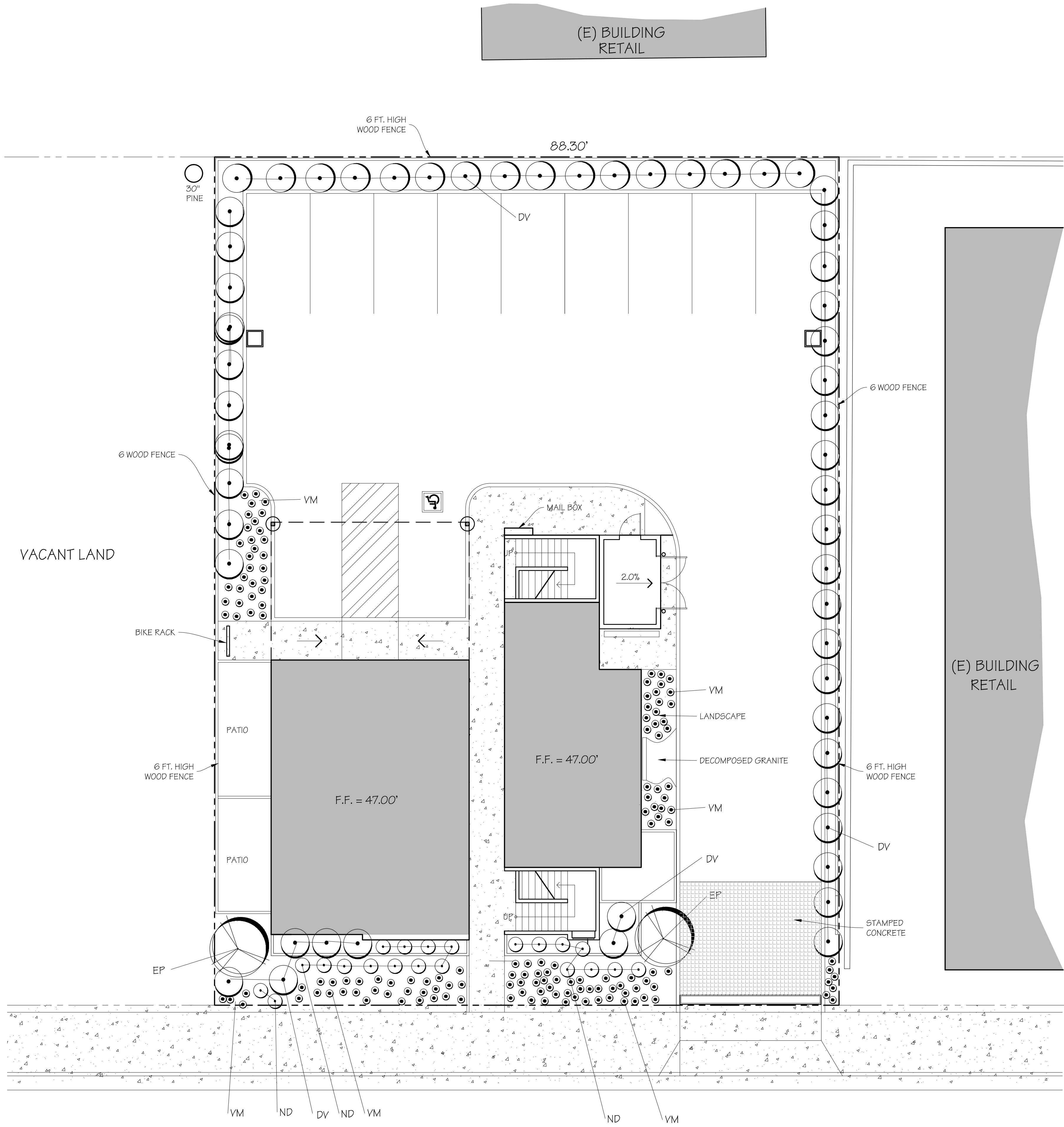
SHOWN

DRAWN:

BT

SHEET NO.

A-6



Plant Notes

- 1) Final working drawings to include automatic irrigation plan.
- 2) Exact location of plants on site to be adjusted so as to best coordinate with sprinkler head locations, lights, drainage features, and swales
- 3) Use 2-1/2 inch deep mulch in all planting areas. Provide owner with different mulch samples and prices. Use something that will not blow away in the strong wind.
- 5) Any plants with bubblers must have permanently maintained watering basins 4" high
- 6) Install plants for all plant circles shown on the plan even if they aren't labeled. Call for clarification. For bidding purposes, if no one is available to answer questions, assume that any plant circle scaled less than 8' wide is 5 gal. size and any circle scaled larger is 15 gal. size
- 7) The plan is schematic. Don't install plants too close to edges of paving or buildings. Be sure plants are not blocking sprinkler spray excessively. See irrigation notes about keeping valves and quick couplers away from trees.

Plant Legend

KEY	SIZE	water use	BOTANICAL NAME	COMMON NAME
TREES				
EP	15 @ 20'o.c.	Low	Pyrus kawakamii	Evergreen Pear
LARGE SHRUBS				
DV	5 @ 5'o.c.	Low	Dodonaea viscosa	Purple Hopseed Bush
MEDIUM SHRUBS				
ND	5 @ 3'o.c.	Low	Nandina Domestica "Compacta"	Dwarf Heavenly Bamboo
GROUND COVER				
VM	1 @ 12'o.c.	Low	Vinca minor	Myrtle

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of November 20, 2018

REQUEST TO OPEN A PUBLIC HEARING, TAKE TESTIMONY FROM THE PUBLIC AND CONSIDER ADOPTING RESOLUTIONS APPROVING A SPECIFIC PLAN AND A COMBINED DEVELOPMENT PERMIT TO ALLOW THE DEVELOPMENT OF A THREE-STORY, ELEVEN (11) UNIT APARTMENT COMPLEX AT 3108 SEACREST AVENUE (APN: 032-201-138). EXEMPT FROM CEQA PER ARTICLE 19, SECTION 15195.

RECOMMENDATION:

The City Council takes the following actions:

- 1) Adopt Resolution No. 2018-, approving a Specific Plan (SP 2017-01) to guide development of the project site at 3108 Seacrest Avenue (APN: 032-201-138); and
- 2) Adopt Resolution No. 2018-, approving a Combined Development Permit consisting of a Conditional Use Permit (CUP) (UP 2017-06) for a multiple family residential development and a Site and Architectural Design Review (DR 2017-06) for a three-story, eleven (11) unit apartment complex, as currently sited and designed, including the requested project incentive allowing for a decrease in common open space requirements at 3108 Seacrest Avenue (APN: 032-201-138).

BACKGROUND:

Hearing History

On April 4, 2017, Mr. Peter Taormina, applicant and property owner, submitted an initial proposal to construct a new multi-family residential development (two-story, 10-unit apartment complex) on a vacant site at 3108 Seacrest Avenue.

On February 21, 2018, and March 21, 2018, the initial proposal was brought before the DRB for consideration and discussion. On March 21, 2018, the DRB, following a recommendation from staff, recommended Planning Commission denial of the application, due to inconsistencies with the General Plan, Zoning Ordinance, and Citywide Design Guidelines. [NOTE: The Planning Commission recommended City Council denial of the initial development application on April 12, 2018 (PC Resolution 2018-05)]. Due, to the Planning Commission recommendation, Mr. Taormina significantly redesigned the project proposal. The redesigned project proposal is being analyzed and considered on its own merits.

On September 19, 2018, the Site and Architectural Design Review Board (DRB) considered the redesigned project and recommended Planning Commission consideration of the amended Site and Architectural Design Review 2017-06 based on a 4-0 vote (1 member absent), (DRB Resolution No. 2018-05 – Attachment 3) with two recommended conditions of approval: 1) installation of an ornamental door/gate on both the rear and front of the first floor; and 2) inclusion of a vertical architectural element to the north in a contrasting material/color. These conditions were added to the Draft Resolution of approval.

On October 11, 2018, the Planning Commission considered the redesigned project and recommended City Council consideration of the Combined Development Permit and associated Specific Plan via a 6-0 vote [PC Resolution No. 2018-14 (Specific Plan) and No. 2018-05 (Combined Development Permit) – Attachments 4 and 5 respectively].

Environmental Determination

The City of Marina Planning Division determined the project is exempt from the California Environmental Quality Act (CEQA) Guidelines (Article 12.5, Section 15195) applicable to residential infill development that provides: less than 100 units, a project density above 20 units per acre; and affordable housing. There is no reasonable possibility that the project will have a project-specific, significant effect on the environment due to unusual circumstances. No further environmental review is necessary.

FISCAL IMPACT:

All development application fees have been paid by the application and were included in the 2017-2018 FY budget. Actual construction permit fees, construction costs, and associated impact fees will also be paid by the developer and included in associated departments for the 2018-2019 FY.

ANALYSIS

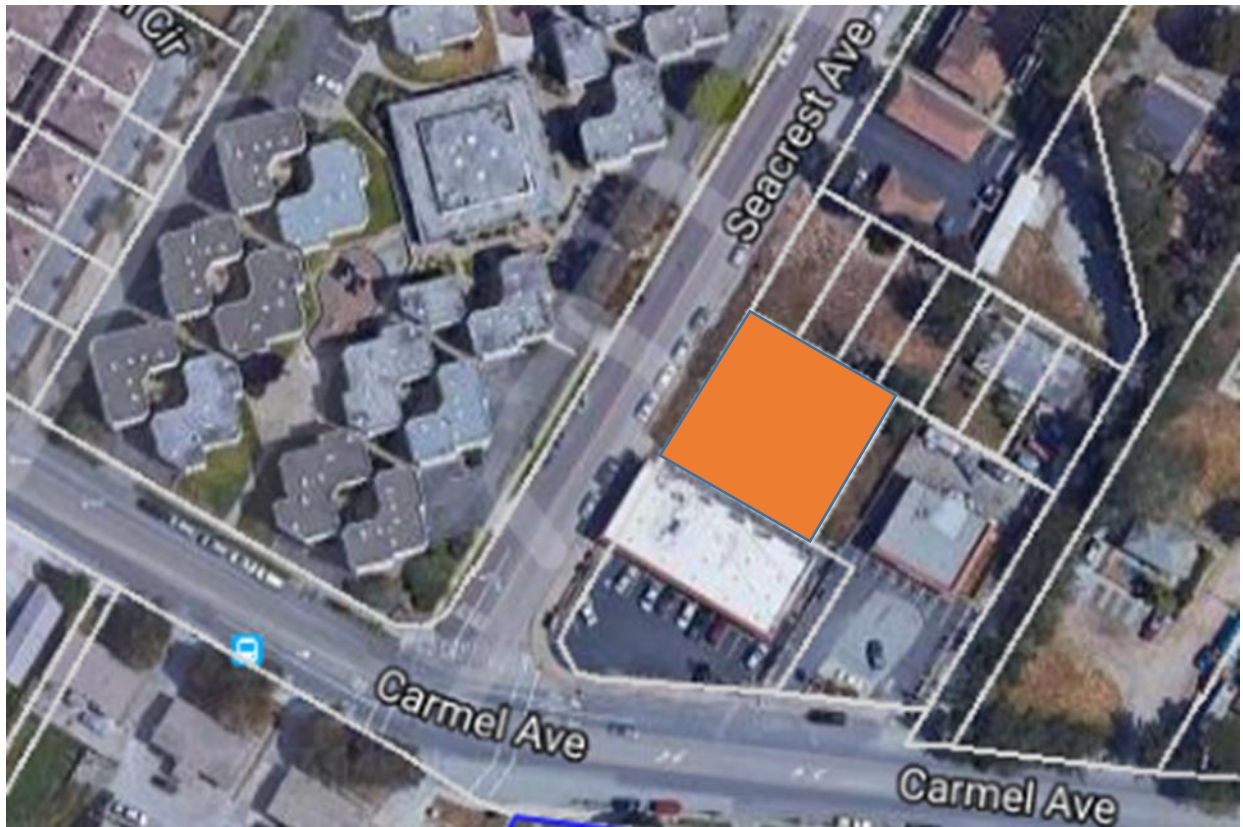
The overall project application is a Combined Development Permit application consisting of:

- A Specific Plan (SP 2016-01) to guide development of project site;
- A Conditional Use Permit (CUP) (UP 2017-06) for a multiple family residential development exceeding 25 units per acre;
- Site and Architectural Design Review (DR 2017-06)) for a new three-story, eleven (11) unit apartment complex;
- An Affordable/Inclusionary Housing Proposal to provide 12% of the units (1 unit) on-site as “low income”;
- A 23% Density Bonus and project incentives to allow development of a three-story apartment complex and modifications to development standards;
- Modified Parking requirements as specified for Government Code Section 65915(p)(2) – Transit Orientated Developments (TODs).

Note: The project does not require rezoning of the property to SP – Specific Plan because the project meets the development standards in the C-R zoning district.

PROJECT LOCATION

The 10,596 square foot (.243 acre) vacant site is located on the east side of Seacrest Avenue just north of the intersection of Carmel and Seacrest Avenues. The property is surrounded by a commercial building to the vacant site to the north, commercial buildings to the east and south and a large apartment complex to the west (Charles Apartments).



General Plan and Zoning: The General Plan Land Use Designation for the property is Multiple-Use which allows exclusively residential use on site of less than one acre. The Zoning Designation is C-R (Commercial/Multiple Family Residential District). Multiple dwellings at densities between 20 and 35 units per acre are permitted in this district with the issuance of a Conditional Use Permit. Site Plan and Architectural Design Review is required for projects that include more than one dwelling unit on a single parcel.

The location of the project within a one-half (0.5) mile of the MST Transfer Station qualifies the Project as transit-oriented development, as defined by government code Section 65915(p)(2). Pursuant to Section 65915(p)(4), *“...the development may provide onsite parking through tandem parking or uncovered parking, but not through onstreet parking”*, therefore, the requirement for “covered parking” is waived for projects classified as transit-oriented development(s).

TODs are a compact mixture of residential, employment, shopping and civic uses located within a short walk of bus or rail transit center. The Project is uniquely suited to qualify as TOD, in that it is located directly within one-half mile of the MST site and the downtown shopping and services district, which will encourage tenants to walk, bike, or use public transportation to complete many of their daily tasks.

The property is located with the Downtown Vitalization area which is currently under a temporary moratorium on the issuance of Conditional Use Permits and any new or replaced square footage (initiated by the City Council on August 2, 2017 and extended until April 1, 2019). The moratorium is an urgency measure to limit development within the planning area that may conflict with the City’s efforts to create a plan that will define the desired uses, circulation patterns, block standards and site and building development standards and guidelines within the downtown area. During this period, Planning Division staff will also be developing design standards for multifamily residential developments.

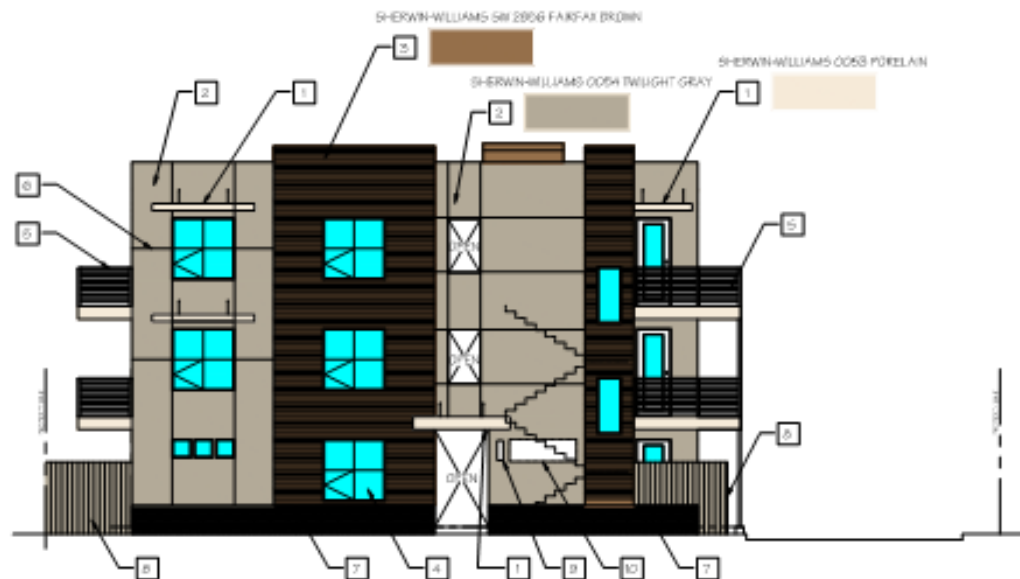
On August 2, 2017, the City Council exempted from the moratorium the project at 3108 Seacrest Avenue currently under review and described below, because the project application was substantially “complete” and the applicant is not requesting a zoning ordinance or General Plan amendment. The exemption from the moratorium does not obligate the City to approve the project.

PROJECT DESIGN/LAYOUT

The proposed project would develop an existing vacant site with a new multi-family, three-story 5,962 square-foot apartment complex, consisting of eight (8) one-bedroom apartments and three (3) studio apartments, for a total of eleven (11) units. Each unit is approximately 542 square feet in size. Room arrangement for the complex is: three (3) first floor units; four (4) second floor units; and four (4) third-floor units. Associated amenities include an on-site laundry facility and attached patio/porches for ranging in size from 58.75 square feet (standard units/studios) and 77.5 square feet (corner units).

The proposed project consists of one multi-level building orientated on the northwest portion of the parcel, an access driveway along the southern boundary of the parcel, and 11 parking stalls situated in the rear of the building along the south-eastern boundary of the parcel. Trash and recycling enclosures are located on the ground level of the building with access to the enclosure being provided from the central parking area. See Page A-1 of the project plans.

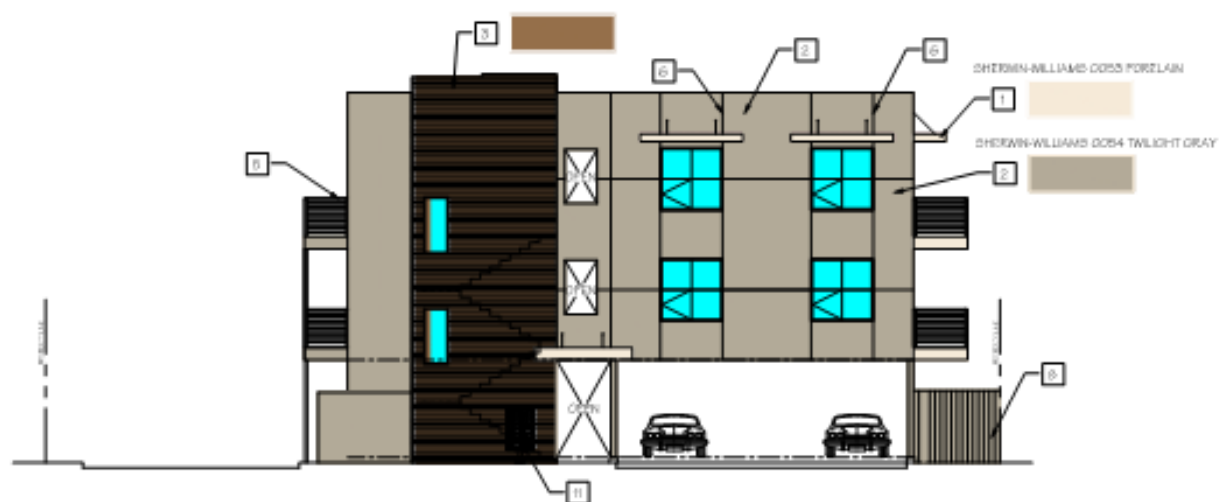
The “Seacrest Apartments” is proposed to be constructed of a “modern” architectural style, with bold straight lines, accented by large glass windows and walls. The design incorporates patios/decks on all sides, and a ground-level “breezeway” walkway.



WEST ELEVATION

1/8" = 1'-0"

SHERWIN-WILLIAMS SW 2806 FAIRFAX BROWN



EAST ELEVATION

1/8" = 1'-0"

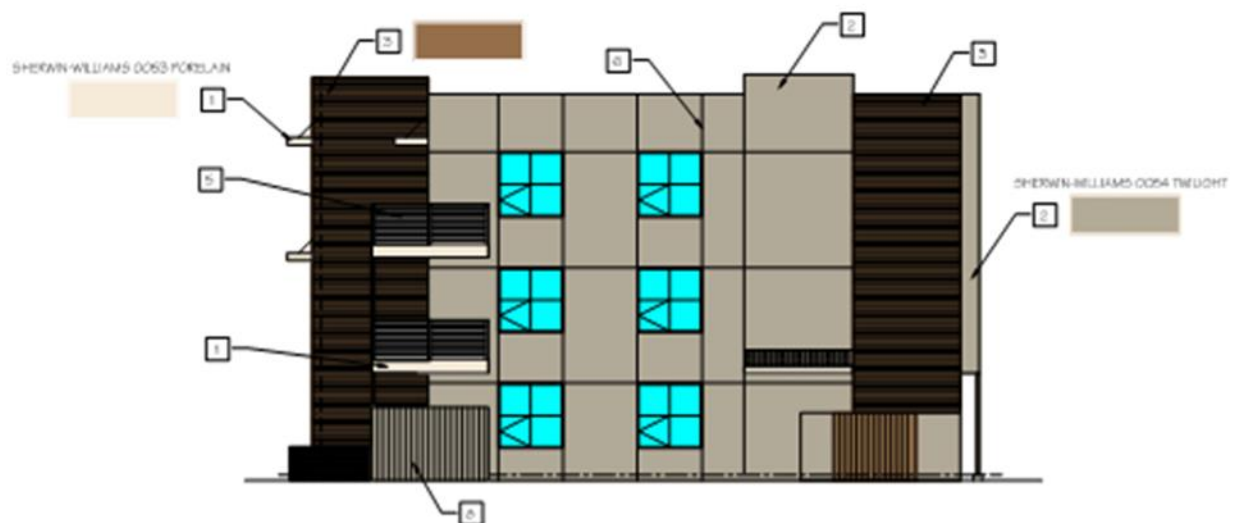
West Elevation (viewed from Seacrest Avenue) / **East Elevation** (view from back of lot)



NORTH ELEVATION

1/8" = 1'-0"

SHERWIN-WILLIAMS SW 2005 FAIRFAX BROWN



SOUTH ELEVATION

1/8" = 1'-0"

SUMMARY OF SITE STATISTICS – “C-R” (Commercial-Residential):

Zoning Standards	Standard	Proposed	Consistency Determination
Building Setbacks	Front 10 feet Rear 10 feet Sides 5 feet	Front 10 feet Rear 50+ feet Sides 8+ feet	Consistent Consistent Consistent
Density	20-35 units/acre	35 units/acre	Consistent plus a 23% Density Bonus for “affordable housing projects.”
Height	55 feet 4 stories	33 feet 3 stories	Consistent Consistent
Open Space	<u>Common Open Space:</u> 350 SF /1-bed unit (11 units) Total Required: 3850 SF (11 units) <u>Private Open Space:</u> 1st Floor – 80 SF min/unit (3 units = 240 SF) 2nd floor/3rd floor - 40 SF min/unit (8 units = 320 SF) Total Required: 560 SF	<u>Common Open Space:</u> Total Provided: 0 SF <u>Private Open Space –</u> 1st floor units: Patios (3) = 348 SF total 2nd/ 3rd floor units: Decks (8) = 520 SF total Total Provided: 868 SF	<i>Consistent due to provision of affordable housing.</i> (1 requested entitled concession) Consistent
Parking – Multiple Dwelling Units	11 total units; 3 – Studio units 8 – 1-bed units <u>Studio/Loft Units</u> 1space/unit (covered) plus 1 addition space/5 units. <u>One Bedroom Units:</u> 1 space/unit (covered) plus 1 additional space/5 units. <i>11 units = 14 parking</i>	11 spaces provided (all uncovered) NOTE: The project qualifies for a parking reduction for transit-oriented development, as defined under Density Bonus Law, due to being located within 0.25 mile of a major transit stop. <i>Per Government Code 65915(p)(2)...if a development includes</i>	<i>Consistent with Government Code 65915 applicable to applications with a requested density bonus.</i>

	spaces required (11 spaces covered). Total Spaces Required – 14 spaces (11 spaces covered)	<i>the maximum percentage of “low income” or “very low income” units and is located within one-half (0.5) miles of a major transit stop...and there is unobstructed access to the major transit stop from the development, then, upon request of the developer, a city, county, or city and county, shall not impose a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds 0.5 spaces per bedroom.</i> The project provides the required amount of “low income” housing and is located within 0.50 mile of the MST transit stop; therefore, the parking requirement is 0.5 spaces per bedroom. The includes 11 total bedrooms = 6 required parking spaces. The project proposal includes 11 parking spaces for 11 total units. Spaces measure 9’ x 17.5’ with an 18-inch overhang space.	
	Parking spaces shall be a minimum of 9’ x 19’. Parking spaces can also be designed to measure 17.5 feet in length with an 18-inch overhang.		Consistent

PROJECT ANALYSIS/CONCERNS:

Development Standards

The proposed project, as designed, is consistent with all applicable development setbacks except for the provision of common open space (see separate section below).

The Project has been designed to hold a front setback of 10 feet (10 feet is required), position buildings more than 8 feet from the side property lines (5 feet is required) and will maintain a rear setback exceeding 50 feet (10 feet is required). Furthermore, the proposed maximum height of the develop is 32.5 feet and 3 stories (55 feet and 4 stories allowed).

Site Density/Number of Units

The maximum allowable density in the “C-R” land use designation is 20 to 35 units per acre, for developments that are exclusively residential, and parcels less than one-acre can be developed for exclusively residential uses. Based on a parcel size of 10,596 square foot (.243 acre), this site is allowed to contain exclusively residential development, and would be allowed a total of 9 units (base density). The Project proposes the construction of 11 total units, of which 1 unit (12 percent) are proposed to be “low income”.

Per state law, project which provide 12 percent of low-income units shall be granted a density bonus of 23 percent and one project incentives. Based on a maximum density of 8 units for the site, the 23 percent density bonus would allow an additional 2 units for a total of 11 units on the site.

Open Space Requirements

The “C-R” development standards (Section 17.21.090 – Open Space) requires that multiple-family dwellings on a building site within the C-R district provide a minimum of three-hundred (300) square feet per one-bedroom unit, and fifty (50) square feet for each additional bedroom. Furthermore, a portion or all the required usable open space shall be private or shared; a minimum of eighty (80) square feet private open space shall be supplied for ground floor units and a minimum of forty (40) square feet private open space for units located on the second level or higher.

Based on a proposal of 11 units (8 one-bedroom; 3 studios/lofts) the total open space required is 3,300 square feet (11 x 300). Included in the total provision of open space, each ground floor unit is required to have 80 square feet of private open space, and each unit on the second level or higher shall be provided with 40 square feet of private open space.

The Project provides approximately zero (0) square feet of common open space and a total of 868 square feet of private open space through ground floor patios (348 square feet) and second and third story balconies (520 square feet).

As designed, the provision of common open space is not in keeping or compliance with the requirement found in the “C-R” zoning designation; however, the applicant taking the waving/reduction of the open space requirement as their one entitled incentive for providing “low income” housing (1 unit).

However, as the above table shows, each ground floor unit is allocated more than 80 square feet (average of 116 square feet/unit for a total of 348 square feet on the first floor); while units located on the second level or higher are allocated more than 40 square feet (average of 65 square feet/unit). The provision of private open space is in compliance with applicable regulations.

Parking Requirements.

Marina Municipal Code (Section 17.44.020.D – Parking Requirements) require that multiple-family dwelling projects (apartments) provide the following number of parking spaces per dwelling unit:

- One-Bedroom Units – 1 space (covered) for each unit, plus 1 additional space for every five units or fraction thereof;
- Visitor Parking Twenty (20) percent of required parking spaces shall be unreserved and labeled for visitor parking.

Based on a proposal of 11 units (8 one-bedroom; 3 studios/lofts) the total required parking spaces is 14 total spaces, of which 3 should be reserved for visitor parking. However, as mentioned above, the Project is located within 0.25 mile of the MST Transfer Station and qualifies as Transit-Oriented Development (TOD). As a TOD related project with a requested density bonus, the Project qualifies for parking provision reductions under Government Code 65915, which supersedes the Zoning Code parking requirements

Per Government Code 65915(p)(2)...if a development includes the maximum percentage of “low income” units and is located within one-half (0.5) miles of a major transit stop...and there is unobstructed access to the major transit stop from the development, then, upon request of the developer, a city, county, or city and county, shall not impose a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds 0.5 spaces per bedroom.

The project provides the required amount of “low income” housing for the proposed development and is within 0.5 mile of the MST transit stop; therefore, the parking requirement is 0.5 spaces per bedroom. The proposal includes 11 total bedrooms and is required to provide 6 parking spaces all of which can be uncovered. As designed the Project includes 11 total parking spaces, exceeding the 6-space requirement. The provision of parking spaces is compliant with applicable regulations.

REQUIRED FINDINGS:

1. The project must be consistent with the General Plan and Zoning Ordinance.

The project is consistent with requested General Plan Land Use designation of Multiple Use and “C-R” zoning designation in that the project proposed a multi-family development of 35 units per acre.

General Plan Goals and Policies

Community Goals

- Goal 1.17 states:
“The overall goal of the Marina General Plan is the creation of a community which provides a high quality of life for all its residents; which offers a broad range of housing, transportation, and recreation choices; and which conserves irreplaceable natural resources.”
- Goal 1.18.1 states:
“Housing within the means of households of all economic levels, ages and lifestyles, and therefore, a diversified and integrated housing supply in which new residential development emphasizes a mix of housing types and lot sizes at the neighborhood level.
- Goal 1.18.5 states:
“A city designed for and attractive to pedestrians, in which most of the housing, shops, businesses, and community facilities are within easy walking distance of each other.”
- Goal 1.18.8 envisions:
“A city physically and visually distinguish-able from the other communities of the Monterey Bay region, with a sense of place and identity in which residents can take pride.”
- Goal 1.18.15 requires:
“Attractive, distinctive residential neighborhoods and commercial districts which contribute to the overall vitality, image and identity of the city.”

Community Land Use Policies

- Policy 2.4.5 states:
“Future land development, whether it involves development of new areas, infilling of existing neighborhoods or commercial areas...shall be organized and have sufficient intensity...to create a pedestrian-oriented community.”

Housing Policies

- Policy 2.31.6 states:
“New housing shall be constructed at densities and in patterns which conserve land, reduce reliance on the private automobile and result in walkable, attractive neighborhoods.”
- Policy 2.31.8 states:
“New housing shall be integrated into the fabric of the City in such a way that it complements existing housing areas and contributes to the overall stability, image, and sense of community of the City.”

The Project is consistent with the Goals and Policies contained within the Marina General Plan pertaining to provisions of housing at varying income levels, promoting of pedestrian oriented and friendly development, and establishing community character, vision and identity.

The Project is consistent with the applicable development standards within the Marina Municipal Code (Zoning Ordinance) and/or superseding state laws for multiple family developments, specifically to the requirements of density, parking, and the provision of private open space. The Project does request one development incentive, waiving/elimination of the provision of public open space, in exchange for the provision of “low income” housing.

Floor Area Ratio

The project proposes an FAR of .559 (55.9%). The minimum and maximum floor area ratio (FAR) is established by General Plan policy 2.57 which states:

“A minimum FAR of 0.25 shall be required, and FAR’s of up to 0.90 may be permitted for well-designed projects which achieve General Plan objectives such as effectively integrating two or more uses; providing for a pedestrian orientation, including landscaped courtyards, plazas and walkways; incorporating visually attractive or high-caliber architectural design, detail and materials; and providing for landscaping beyond the required minimum. The precise upper limit shall be determined by subsequent specific plans in areas subject to a specific plan requirement.”

In this particular case, the project is proposing a visually attractive design and materials; is providing for pedestrian friendly orientation by removing pedestrian movements from vehicular areas and providing direct access to the streetscape; and has maximized the available space on the small lot. Based on these factors, staff believes that a 0.559 FAR is reasonable and supportable for this particular project.

2. The project must be consistent with the Citywide Design Standards and Guidelines.

The project is consistent with the Citywide Design Standards and Guidelines. The project site and parking plan provide for adequate and safe pedestrian and vehicular traffic. Vehicular routes are separated from pedestrian routes and the project is sited independently from the streetscape area. Parking stall sizes and circulation patterns allow for adequate vehicular movement. Landscaping is in common open space areas between paved areas to soften the hardscape development(s).

3. That the establishment, maintenance or operation of the use will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons riding or working in the neighborhood and the use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

The use of the site as a higher-density development will not be detrimental to the neighborhood, as it has been designed to be pedestrian-friendly and reduce reliance on the automobile. In addition, the location of building at the street would begin to create a street wall which will visually connect the side streets to the future downtown and increase walkability.

4. The project must be designed and constructed, and so located, that the project will not be unsightly, undesirable or obnoxious in appearance to the extent that they will hinder the orderly and harmonious development of the city, impair the desirability of

residence or investment or occupation in the city, limit the opportunity to obtain the optimum use and value of the land and improvements, impair the desirability of living conditions on or adjacent to the subject site, conform with the standards included in the local coastal land use plan and/or otherwise adversely affect the general welfare of the community.

The development has been designed as an upscale, multi-family landmark development just outside the City's anticipated central business district (CBD). The modern/urban design aesthetic is intended to set a new standard for similar and future development in the City. The project includes clear pedestrian access to the surrounding shopping centers/facilities.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

David J. R. Mack, AICP
Senior Planner, Planning Division
Community Development Department
City of Marina

REVIEWED/CONCUR:

J. Fred Aegerter, AICP
Community Development Director
City of Marina

Layne P. Long
City Manager
City of Marina

Attachments:

1. Draft City Council Resolution approving a Specific Plan dated June 25, 2018.
 - a. Exhibit A – Specific Plan
2. Draft City Council Resolution approving a Combined Development Permit.
 - a. Exhibit A – Project Plans.
3. Site and Architectural Design Review Board (DRB) Resolution 2018-05, dated September 19, 2018.
4. Planning Commission Resolution 2018-14 (Specific Plan) dated October 11, 2018.
5. Planning Commission Resolution 2018-15 (Combined Development Permit) dated October 11, 2018.

RESOLUTION NO. 2018-05

A RESOLUTION OF THE CITY OF MARINA SITE AND ARCHITECTURAL DESIGN REVIEW BOARD RECOMMENDING PLANNING COMMISSION APPROVAL OF AMENDED SITE AND ARCHITECTURAL DESIGN REVIEW 2017-06 FOR THE SITE PLAN, ELEVATIONS AND LANDSCAPE PLAN FOR A NEW THREE-STORY, 11-UNIT APARTMENT COMPLEX AT 3108 SEACREST AVENUE (APN: 032-201-138).

WHEREAS, on April 4, 2017, Mr. Peter Taormina, applicant and property owner, submitted an initial proposal to construct a new multi-family residential development on a vacant site at 3108 Seacrest Avenue; and

WHEREAS, on February 21, 2018 and March 21, 2018, the initial proposal was brought before the DRB for consideration and discussion. On March 21, 2018, the DRB recommended Planning Commission denial of the initial application, due to inconsistencies with the General Plan, Zoning Ordinance, and Citywide Design Guidelines; and

WHEREAS, on April 12, 2018, the Planning Commission recommended City Council denial of the initial development application (PC Resolution 2018-05), due to inconsistencies with the General Plan, Zoning Ordinance, and Citywide Design Guidelines; and

WHEREAS, on July 9, 2018, the applicant submitted an amended proposal for a new three-story, eleven (11) unit multi-family residential project on a vacant site located at 3108 Seacrest Avenue; and

WHEREAS, on September 19, 2018, the Site and Architectural Design Review Board conducted a duly noticed public hearing to consider DR 2017-06 for the Site Plan, Building Elevation, Landscape Plan, and colors and materials for a three-story, eleven (11) unit apartment complex located on a +/- 0.243-acre project site (APN 032-201-138) located at 3108 Seacrest Avenue; and

WHEREAS, the project is subject to Site and Architectural Design Review per City Code Section 17.59.040 (A); and

WHEREAS, development standards and design guidelines pertaining to multi-family residential dwellings have been incorporated into the proposed project; and

WHEREAS, the City of Marina Planning Division has determined the project to be exempt from the California Environmental Quality Act (CEQA), per Article 19, Section 15195, which is applicable to residential infill development that provides less than 100 units, a project density above 20 units per acre, and provides affordable housing. There is no reasonable possibility that the project will have a project specific, significant effect on the environment due to unusual circumstances.

NOW, THEREFORE BE IT RESOLVED by the Site and Architectural Design Review Board of the City of Marina that it hereby recommends Planning Commission approval of Site and Architectural Review DR 2017-06 for the Site Plan, Building Elevation, Landscape Plan, and colors and materials for a three-story, eleven (11) unit apartment complex located on a +/- 0.243-

acre project site (APN 032-201-138) located at 3108 Seacrest Avenue as currently sited and designed, including the requested project incentive allowing for a decrease in common open space requirements.

Findings

- 1) Consistency with City Policies and Plans – That as detailed within the staff report dated, August 28, 2019, Site and Architectural Design Review DR 2017-06 has been designed consistent with the policies in the Marina General Plan.
- 2) That the project has been designed and will be constructed, and so located, that the project, as conditioned, will not:
 - a. Be unsightly, undesirable or obnoxious in appearance to the extent that it will hinder the orderly and harmonious development of the City, in that the proposed project improves an existing building and site through structural and landscape enhancements that will transform this superblock in downtown Marina for the betterment of the neighborhood and community.
 - b. Impair the desirability of tenancy or investment or occupation in the City, in that the design modifications and landscape will improve and add value to the surrounding area and to the City as a whole.
 - c. Limit the opportunity to obtain the optimum use and value of the land and improvements, in that the site is currently developed and investment in updating the existing structures and landscaping will enhance the value of the property.
 - d. Impair the desirability of tenancy or conditions on or adjacent to the subject site in that the rehabilitated site will improve the conditions and quality of life for existing and future tenants.
 - e. Otherwise adversely affect the general welfare of the community, in that the project will have an overall positive effect on the general welfare of the community.

Conditions of Approval

1. Substantial Compliance – The project shall be constructed in substantial compliance with the Specific Plan dated June 25, 2018 and project plans submitted to the Planning Office on July 9, 2018 attached hereto as “**ATTACHMENT 1**”, except as conditioned herein.
2. Permit Expiration (Design Review) – This permit will expire 12 months from the date of approval by the City Council, unless a valid building permit has been issued and construction of the project has commenced prior to expiration. The applicant may apply for an extension of this permit, by submitting an extension request application and applicable fees, no less than 30 days prior to expiration date. No renewal notice will be sent to the applicant or property owner.
3. Access Gate – The applicant is required to add controlled ornamental access gates at the bottom floor corridor (both front and rear).

4. North Elevation Color(s) – The applicant is required to add vertical contrasting color on the north elevation of the building.

PASSED AND ADOPTED by the Site and Architectural Design Review Board of the City of Marina at a regular meeting duly held on the 19th day of September 2018, by the following vote:

AYES, BOARD MEMBERS: Marquard, Askew, Biala, Rinehart (4)

NOES, BOARD MEMBERS: None (0)

ABSENT, BOARD MEMBERS: Boynton (1)

ABSTAIN, BOARD MEMBERS: None (0)

Heather Marquard, Chair

ATTEST:

David J. R. Mack, AICP
Senior Planner
City of Marina

RESOLUTION NO. 2018-14

A RESOLUTION OF THE MARINA PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL APPROVE A SPECIFIC PLAN (SP 2017-01) FOR A ±0.243 ACRE PROJECT SITE LOCATED AT 3108 SEACREST AVENUE (APN 032-201-138), SUBJECT TO CONDITIONS

WHEREAS, on April 4, 2017, Mr. Peter Taormina, applicant and property owner, submitted an initial proposal to construct a new multi-family residential development on a vacant site at 3108 Seacrest Avenue; and

WHEREAS, the property's General Plan land use designation for the property is Multiple Use, allowing 20-35 dwelling units/acre, and the Zoning Designation is C-R (Commercial/Multiple Family Residential District); and;

WHEREAS, the Specific Plan has been prepared pursuant to Government Code Sections 65450-6547, and;

WHEREAS, on October 11, 2018, the Planning Commission of the City of Marina conducted a duly noticed public hearing to consider Specific Plan (SP 2017-01) for a ±0.243 acre project site located at 3108 Seacrest Avenue (APN 032-201-138), considered all public testimony, written and oral, presented at the public hearing; and received and considered the written information and recommendation of the staff report for the October 11, 2018, meeting related to the proposed use; and

WHEREAS, the City of Marina Planning Division has determined the project to be exempt from the California Environmental Quality Act (CEQA), per Article 19, Section 15195, which is applicable to residential infill development that provides less than 100 units, a project density above 20 units per acre, and provides affordable housing. There is no reasonable possibility that the project will have a project specific, significant effect on the environment due to unusual circumstances.

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Marina that it hereby recommends City Council approval of the Specific Plan (SP 2017-01) to guide the development of a new three-story, eleven (11) unit apartment complex located at 3108 Seacrest Avenue (APN: 032-201-138) as currently sited and designed.

FINDINGS

1. Specific Plan -

The Specific Plan for the "Seacrest Apartments" has been prepared in accordance with the requirements of the California Government Code, Sections 65450-65457. These sections establish the Specific Plan as a legal mechanism which allows a particular area's development, design and infrastructure requirements to be established separately and to supersede any previously established zoning in a manner that is consistent with the goals, policies and implementation objectives of the City of Marina General Plan.

The Specific Plan for the "Seacrest Apartments" is consistent with and furthers the goals, policies and implementation objectives of the Marina General Plan in that it provides

details regarding the development of an infill site near the Marina transit exchange to develop the site in a manner that will enhance both the image and the fiscal base of the City of Marina.

CONDITIONS OF APPROVAL

1. Substantial Compliance - The project shall be accomplished in substantial compliance with the "Seacrest Apartments" Specific Plan ("**EXHIBIT A**") attached to this resolution.
2. Permits - The applicant shall obtain all required grading and/or building permits prior to initiating construction.
3. Indemnification - The applicant shall agree as a condition of approval of this project to defend, at its sole expense, indemnify and hold harmless from any liability the City and reimburse the City for any expenses incurred resulting from, or in connection with, the approval of the project, including any appeal, claim, suit or legal proceeding. The City may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the applicant of its obligations under this condition.

PASSED AND ADOPTED by the Planning Commission of the City of Marina at a regular meeting duly held on the 11th day of October 2018, by the following vote:

AYES, BOARD MEMBERS: Berkley, Biala, Bielsker, Burnett, Mann, and Urrutia (6)

NOES, BOARD MEMBERS: None (0)

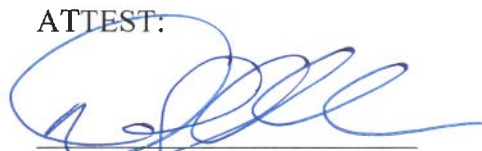
ABSENT, BOARD MEMBERS: None (0)

ABSTAIN, BOARD MEMBERS: None (0)



David Burnett, Chair

ATTEST:



David J. R. Mack, AICP
Senior Planner
City of Marina

RESOLUTION NO. 2018-15

A RESOLUTION OF THE MARINA PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL APPROVE A COMBINED DEVELOPMENT PERMIT FOR A MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT FOR A THREE-STORY, ELEVEN (11) UNIT APARTMENT COMPLEX LOCATED AT 3108 SEACREST AVENUE (APN: 032-201-138).

WHEREAS, on April 4, 2017, Mr. Peter Taormina, applicant and property owner, submitted an initial proposal to construct a new multi-family residential development on a vacant site at 3108 Seacrest Avenue; and

WHEREAS, the property's General Plan land use designation for the property is Multiple Use, allowing 20-35 dwelling units/acre, and the Zoning Designation is C-R (Commercial/Multiple Family Residential District); and

WHEREAS, the overall project application is a Combined Development Permit consisting of:

- A Conditional Use Permit (CUP) (UP 2017-06) for a multiple family residential development exceeding 25 units per acre; and
- Site and Architectural Design Review (DR 2017-06) for a new three-story, eleven (11) unit apartment complex; and

WHEREAS, the property is located with the Downtown Vitalization area which is currently under a temporary moratorium on the issuance of Conditional Use Permits and any new or replaced square footage (initiated by the City Council on August 2, 2017 and extended until August 1, 2018); and

WHEREAS, on August 2, 2017, the City Council exempted from the moratorium the project at 3108 Seacrest Avenue currently under review and described herein, because the project application was substantially complete and the applicant is not requesting a zoning ordinance or General Plan amendment, however, the exemption from the moratorium does not obligate the City to approve the project; and

WHEREAS, the project is subject to Site and Architectural Design Review per City Code Section 17.59.040 (A); and

WHEREAS, on February 21, 2018 and March 21, 2018, the initial proposal was brought before the DRB for consideration and discussion. On March 21, 2018, the DRB recommended Planning Commission denial of the initial application, due to inconsistencies with the General Plan, Zoning Ordinance, and Citywide Design Guidelines; and

WHEREAS, on April 12, 2018, the Planning Commission recommended City Council denial of the initial development application (PC Resolution 2018-05), due to inconsistencies with the General Plan, Zoning Ordinance, and Citywide Design Guidelines; and

WHEREAS, on July 9, 2018, the applicant submitted an amended proposal for a new three-story, eleven (11) unit multi-family residential project on a vacant site located at 3108 Seacrest Avenue; and

WHEREAS, on September 19, 2018, the Site and Architectural Design Review Board conducted a duly noticed public meeting to consider the amended DR 2017-06 for the Site Plan, Building Elevation, Landscape Plan, and colors and materials for a three-story, eleven (11) unit apartment; and adopted a Resolution recommending Planning Commission consideration of the amended site plan; and

WHEREAS, development standards and design guidelines pertaining to multi-family residential dwellings have been incorporated into the proposed project; and

WHEREAS, the City of Marina Planning Division has determined the project to be exempt from the California Environmental Quality Act (CEQA), per Article 19, Section 15195, which is applicable to residential infill development that provides less than 100 units, a project density above 20 units per acre, and provides affordable housing. There is no reasonable possibility that the project will have a project specific, significant effect on the environment due to unusual circumstances.

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Marina that it hereby recommends City Council approval of the Seacrest Apartments/Taoromina Combined Development Permit consisting of a Condition Use Permit (CUP) (UP 2017-06) for a multiple family residential developing exceeding 25 units per acre and Site and Architectural Review (DR 2017-06) for a three-story, eleven (11) unit apartment complex located on a +/- 0.243-acre project site (APN 032-201-138) located at 3108 Seacrest Avenue as reflected in the Specific Plan for the site.

Findings

1. *The project must be consistent with the General Plan and Zoning Ordinance.*

The project is consistent with requested General Plan Land Use designation of Multiple Use and “C-R” zoning designation in that the project proposed a multi-family development of 35 units per acre.

General Plan Goals and Policies

Community Goals

- Goal 1.17 states:
“The overall goal of the Marina General Plan is the creation of a community which provides a high quality of life for all its residents; which offers a broad range of housing, transportation, and recreation choices; and which conserves irreplaceable natural resources.”
- Goal 1.18.1 states:
“Housing within the means of households of all economic levels, ages and lifestyles, and therefore, a diversified and integrated housing supply in which new residential development emphasizes a mix of housing types and lot sizes at the neighborhood level.
- Goal 1.18.5 states:
“A city designed for and attractive to pedestrians, in which most of the housing, shops, businesses, and community facilities are within easy walking distance of each other.”
- Goal 1.18.8 envisions:

“A city physically and visually distinguish-able from the other communities of the Monterey Bay region, with a sense of place and identity in which residents can take pride.”

- Goal 1.18.15 requires:
“Attractive, distinctive residential neighborhoods and commercial districts which contribute to the overall vitality, image and identity of the city.”

Community Land Use Policies

- Policy 2.4.5 states:
“Future land development, whether it involves development of new areas, infilling of existing neighborhoods or commercial areas...shall be organized and have sufficient intensity...to create a pedestrian-oriented community.”

Housing Policies

- Policy 2.31.6 states:
“New housing shall be constructed at densities and in patterns which conserve land, reduce reliance on the private automobile and result in walkable, attractive neighborhoods.”
- Policy 2.31.8 states:
“New housing shall be integrated into the fabric of the City in such a way that it complements existing housing areas and contributes to the overall stability, image, and sense of community of the City.”

The Project is consistent with the Goals and Policies contained within the Marina General Plan pertaining to provisions of housing at varying income levels, promoting of pedestrian oriented and friendly development, and establishing community character, vision and identity.

The Project is consistent with the applicable development standards within the Marina Municipal Code (Zoning Ordinance) and/or superseding state laws for multiple family developments, specifically to the requirements of density, parking, and the provision of private open space. The Project does request one development incentive, waiving/elimination of the provision of public open space, in exchange for the provision of “low income” housing.

Floor Area Ratio

The project proposes an FAR of .559 (55.9%). The minimum and maximum floor area ratio (FAR) is established by General Plan policy 2.57 which states:

“A minimum FAR of 0.25 shall be required, and FAR’s of up to 0.90 may be permitted for well-designed projects which achieve General Plan objectives such as effectively integrating two or more uses; providing for a pedestrian orientation, including landscaped courtyards, plazas and walkways; incorporating visually attractive or high-caliber architectural design, detail and materials; and providing for landscaping beyond the required minimum. The precise upper limit shall be determined by subsequent specific plans in areas subject to a specific plan requirement.”

In this particular case, the project is proposing a visually attractive design and materials; is providing for pedestrian friendly orientation by removing pedestrian movements from vehicular areas and providing direct access to the streetscape; and has maximized the available space on the small lot. Based on these factors, staff believes that a 0.559 FAR is reasonable and supportable for this particular project.

2. *The project must be consistent with the Citywide Design Standards and Guidelines.*

The project is consistent with the Citywide Design Standards and Guidelines. The project site and parking plan provide for adequate and safe pedestrian and vehicular traffic. Vehicular routes are separated from pedestrian routes and the project is sited independently from the streetscape area. Parking stall sizes and circulation patterns allow for adequate vehicular movement. Landscaping is in common open space areas between paved areas to soften the hardscape development(s).

3. *That the establishment, maintenance or operation of the use will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons riding or working in the neighborhood and the use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.*

The use of the site as a higher-density development will not be detrimental to the neighborhood, as it has been designed to be pedestrian-friendly and reduce reliance on the automobile. In addition, the location of building at the street would begin to create a street wall which will visually connect the side streets to the future downtown and increase walkability.

4. *The project must be designed and constructed, and so located, that the project will not be unsightly, undesirable or obnoxious in appearance to the extent that they will hinder the orderly and harmonious development of the city, impair the desirability of residence or investment or occupation in the city, limit the opportunity to obtain the optimum use and value of the land and improvements, impair the desirability of living conditions on or adjacent to the subject site, conform with the standards included in the local coastal land use plan and/or otherwise adversely affect the general welfare of the community.*

The development has been designed as an upscale, multi-family landmark development just outside the City's anticipated central business district (CBD). The modern/urban design aesthetic is intended to set a new standard for similar and future development in the City. The project includes clear pedestrian access to the surrounding shopping centers/facilities.

Conditions of Approval

1. Substantial Compliance – The project shall be constructed in substantial compliance with the Specific Plan dated June 25, 2018 and project plans submitted to the Planning Office on July 9, 2018 attached hereto as “**ATTACHMENT 1**”, except as conditioned herein.
2. Permit Expiration (City Council) – This permit will expire 24 months from the date of approval by the City Council, unless a valid building permit has been issued and construction of the project has commenced prior to expiration. The applicant may apply for an extension of this permit, by submitting an extension request application and applicable fees, no less than 30 days prior to expiration date. No renewal notice will be sent to the applicant or property owner.
3. Lighting – Exterior Lighting Plan – All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Prior to issuance of a building permit, the Owner/Applicant, shall submit three (3) copies of an exterior lighting plan (including a photo-metric analysis) which shall indicate the location, type, and wattage of all light fixtures and include catalog sheet for each fixture. The lighting shall comply with the requirement of the California Energy Code set forth in California Code of Regulation, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of Community Development-Planning.
4. Utilities–Underground – All new utility and distribution lines shall be placed underground.
5. Verification of Building Height – Prior to issuance of a building permit, the Owner/Applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Community Development Director and the Chief Building Official for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved and associate with the project.
6. Preconstruction Meeting – Prior to the commencement of any grading or construction activities, a preconstruction meeting shall be held on the site. The meeting shall include representative of each of the selected contractors, any consultant who will conduct required monitoring, the owner/applicant, Community Development-Planning, Community Development-Building, Engineering, Marina Fire, and/or any other appropriate departments/agency. The purpose of the meeting is to review the conditions of approval that are applicable to the grading and construction of the development.
7. Indemnification – The Owner/Applicant shall agree as a condition of approval of this project to defend, at its sole expense, indemnify and hold harmless from any liability, the City and reimburse the City for any expenses incurred resulting from, or in connection with, the approval of this project, including any appeal, claim, suit or legal proceeding. The City may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the application of its obligations under this condition.

8. Affordable Housing Agreement/Program – Prior to issuance of the first construction permit, the Owner/Applicant shall develop, sign, notarize and record an Affordable Housing Agreement with the City of Marina. Such agreement shall clearly identify the number of affordable units, the income level of affordability (very low income), the estimated rent to be collected for each unit, and the term (length) of all affordability restrictions. The Agreement shall be prepared in substantial conformance with the specifications mentioned and approved in the Specific Plan prepared for the project.
9. Landscape Surety Bond – Prior to the issuance of a building permit, the applicant shall provide a bond or other surety acceptable to the City to guarantee that the installed landscaping shall remain in a healthy and growing condition for a minimum of two years from the date of occupancy approval. The amount of the surety shall be a minimum of ten percent of the actual or estimated costs of the installation accepted by the Planning Services Division. An amount greater than ten percent may be required by the Planning Services Division if more exotic, less reliable plant material is specified in the approved planting plan. Two years after the approval of occupancy, the applicant shall contact the Planning Services Division to arrange for an inspection of the landscaping. If or when all landscaping shown on the approved plans is in place and is in healthy and growing condition, the surety shall be returned to the entity that provided the surety or to another entity upon proof of transfer. If plant material is dead, dying or missing and the applicant does not take steps to restore the landscaping, the City shall have the authority to use the surety for the restoration of the landscaping.
10. Bicycle Facilities – On the Site Plan the applicant shall show the location(s) of indoor and outdoor bicycle lockers, including but not limited to bicycle racks placed in a secure and prominent location.
11. Trash Enclosures and Maintenance Building - Prior to the issuance of building permits the applicant submit shall coordinate with the waste hauler and the Monterey Regional Waste Management District to ensure that adequate current and future waste services will be accommodated for the project site. Proof of adequate services shall be submitted to the CDD-Planning department.
12. Fire Department – The construction plans shall indicate that the sprinkler plans will be a deferred submittal for a system that includes stand pipes on each floor.
13. Fire Department – The construction plans will include the installation of a generator of the appropriate size to power an electric fire pump sized for the proposed structure(s), and emergency lighting and signage for the overall development.
14. Design Review Board – The applicant shall include the installation of an ornamental door/gate on both the rear and front of the first floor and such gates shall be clearly identified and labeled on the proposed construction plans.
15. Design Review Board – The applicant shall include a vertical architectural element to the north elevation utilizing a contrasting material/color. The new vertical architectural element shall be clearly identified and labeled on the proposed construction plans.

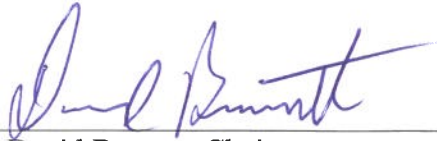
PASSED AND ADOPTED by the Planning Commission of the City of Marina at a regular meeting duly held on the 11th day of October 2018, by the following vote:

AYES, BOARD MEMBERS: Berkley, Biala, Bielsker, Burnett, Mann, Urrutia (6)

NOES, BOARD MEMBERS: None (0)

ABSENT, BOARD MEMBERS: None (0).

ABSTAIN, BOARD MEMBERS: None (0)



David Burnett, Chair

ATTEST:



David J. R. Mack, AICP
Senior Planner
City of Marina