

901-987 N. Rengstorff
Project Consistency Comments

On September 21, 2023, the following comments were provided to the applicant of 901-987 N. Rengstorff regarding the proposed project plans and materials submitted to staff. Although these items are not required to be addressed for the project application to be complete, they provide information to the applicant on which aspects of the project are inconsistent with City standards, regulations, and policies.

- 1. Floor Area:** As noted in the table below, the formal Planning application submittal includes residential floor area in excess of what is allowed under the R3-2sd zoning, and existing nonconforming and proposed residential floor area on parcel area with General Industrial designations. Additionally, the formal application submittal includes increased units (455 units) and floor area (499,624 square feet) as compared to the preliminary application submitted on April 4, 2023, which included 385 units within a building identified as 421,115 square feet.

In order for the formal application submittal to be deemed consistent with the preliminary application, it must be demonstrated the proposed square footage of proposed construction has not increased “by 20 percent or more, exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision. For purposes of this subdivision, “square footage of construction” means the building area, as defined by the California Building Standards Code (Title 24 of the California Code of Regulations).” Additionally, two rooms on (each level of) floors 11-14, appear to have been left out of floor area calculations and may result in additional floor area not captured by current square footage calculations.

- 2. Density Bonus:** Since the proposed project is not fully consistent with the R3-2sd and MM zoning districts and the General Plan, the project may apply State Density Bonus Law provisions that provide a mechanism for modifications to the development standards and requirements of the Zoning Code and the General Plan Medium-Density Residential (13 to 25 DU/ac) as concessions or waivers. However, each of the development standards needs to be listed as either a concession or waiver and it should be indicated in a table how the proposed development standards compare to or differ from the required development standards of the Zoning Code/General Plan. With the next submittal please indicate if you are making a State Density Bonus request, including a density bonus letter identifying the proposed density bonus, the number of bonus units and affordability levels, and requested incentives, concessions, waivers, and parking standards with graphic illustrations from plan set to support the requests.
- 3. Development Standards:** Please see the table below for inconsistencies with the development standards of the R3-2sd zoning district, MM zoning district, General

Industrial General Plan Land Use Designation, and Medium Density Residential General Plan Land Use Designation.

Sr. No.	Development Standard – R3-2sd Parcel(s)	Requirements	Proposed	Compliance
A.	Density	Residentially-zoned parcel(s): 10.7 DU/ac (13.85 units max.) per R3-2sd zoning district 13-25 DU/ac per General Plan. General Industrial/MM zoning district portion of site does not allow residential uses at any density.	362 DU/ac (455 units)	Non-compliant. The proposed density and unit count exceeds the maximum allowed per the R3-2sd zoning district and General Plan for the portion of the site where the General Plan/Zoning allows residential use.
B.	Max Floor Area Ratio (FAR)	1.05 FAR (R3-2sd zoning) No residential FAR allowed under MM zoning (Industrial Parcel).	9.21 FAR	Non-compliant. The proposed FAR exceeds allowed residential FAR.
C.	Lot Width	80 ft. or $\frac{1}{3}$ the lot depth (up to 200 ft. maximum), whichever is greater.	395' (approx.)	Non-compliant. The proposed parcel width exceeds the maximum allowed width.
D.	Lot Frontage	80 ft. or $\frac{1}{3}$ the lot depth (up to 200 ft. maximum), whichever is greater.	395' (approx.)	Non-compliant. The proposed parcel frontage exceeds the maximum allowed.
E.	Front Setbacks	15 ft. or the height of the adjacent building wall of the subject parcel as measured to the top of the wall plate, whichever is greater.	7'	Non-compliant. The proposed setback does not comply with the required setback.
F.	Interior Side Setback	15 ft. or the height of the adjacent building wall of the subject parcel as measured to the top of the wall plate, whichever is greater.	11'	Non-complaint. The proposed setback does not comply with the required setback.
G.	Exterior Side Setback	15 ft. or the height of the adjacent building wall of the subject parcel as measured to the top of the wall plate, whichever is greater.	7'	Non-compliant. The proposed setback does not comply with the required setback.
H.	Rear Setback	15 ft. or the height of the adjacent building wall of the subject parcel as	10"	Non-compliant. The proposed setback does

		measured to the top of the wall plate, whichever is greater.		not comply with the required setback.
Sr. No.	Development Standard – R3-2sd Parcel(s)	Requirements	Proposed	Compliance
I.	Setback Between principal structures	12 ft. or ½ the sum of the height of the nearest opposing walls on the subject parcel, including those portions of the same building separated by a court or other open space.	56' between the two towers of the building.	Compliant.
J.	Max Height	45' (36' top of wall plate) 3 stories per GP guideline	180-6", per plans. 15 stories	Non-compliant. The proposed building height exceeds the maximum height allowed on site. Also, the South Elevation exceeds the identified plan height at ~182'-7".
K.	Open Space	55% (30,130 sq.ft), which shall include a minimum of 40 sq. ft. of private open space (yards, decks, balconies) per unit. Private space- 455 units X 40 = 18,200 sq.ft	51.398 % 28,157 sq. ft. Private: 16,083 sq. ft.	Non-compliant. The proposed open space does not meet the minimum open space or private open space requirement.
L.	Personal Storage	500 cubic ft. of enclosed and secured storage area for bulky personal effects (such as recreational equipment) for each unit	Information not included.	Compliance could not be determined since the information was not provided.
M.	Bicycle Parking	1/unit: 455 (class I)	Total: 200 (class I)	Non-compliant. The proposed bicycle parking spaces are less than the minimum secure resident and guest spaces required.
		Guest: 1/10 units (46 spaces)	Guest: 18 x 2= 36	Non-compliant. The proposed bicycle parking spaces are less than the minimum secure resident and guest spaces required.

N.	Vehicle Parking	<p>Studio unit - 1 spaces per unit, one space shall be covered. (183 spaces required)</p> <p>1 bedroom greater than 650 sq. ft. - 2 spaces per unit 1 space shall be covered. (284 spaces required)</p> <p>2 bedrooms or more - 2 spaces per unit, 1 space shall be covered. (260 spaces required)</p> <p>Guest: 15% of total spaces; the zoning administrator may increase the parking requirement to 2.3 spaces per unit if needed to ensure adequate guest spaces. (110 required)</p> <p>Total parking req.: 837 spaces.</p>	<p>Residential Parking: 418 Guest: 11 Loading space: 1 Total: 430</p>	Non-compliant. The total proposed parking spaces are less than the minimum parking spaces required.
Sr. No.	Development Standard – R3-2sd Parcel(s)	Requirements	Proposed	Compliance
O.	Site Coverage	35% of site, maximum area covered by structures	42,708 (78% of lot)	Non-Compliant. The proposed project exceeds the maximum allowed site coverage.
P.	Pavement Coverage	20% of site, maximum outdoor area dedicated to automobile use	Information not included.	Compliance could not be determined since the information was not provided.

Sr. No.	Development Standard – MM Parcel	Requirements	Proposed	Compliance
Q.	Parcel Size/Lot Area	20,000 sq. ft (min.)	13,811 sq. ft.	Non-compliant. The proposed lot would not meet the minimum parcel size.
R.	Maximum FAR	0.35 FAR – 0.55 FAR (for industrial uses); no residential use/FAR allowed.	Information not included.	Compliance could not be fully determined

				since data was not provided.
S.	Front Setback	25'	Information not included.	Compliance could not be determined since information was not provided.
Sr. No.	Development Standard – MM Parcel	Requirements	Proposed	Compliance
T.	Height	3 stories, per General Plan and no structure may exceed 50' within 200' of an R district. Height limits do not apply to water towers provided they are not less than 50' from any lot line.	Existing structures and 15-story residential building	Non-Compliant. The proposed development does not comply with maximum allowed height. Existing structure compliance could not be determined since the information was not provided.
U.	Landscaping	Min. 10% of lot (total); 50% of front yard must be landscaped and a 10' landscaped side yard must be provided on corner lots.	Information not included.	Compliance could not be determined since information was not provided.
V.	Other Standards	- Exterior storage must be screened. - All roof equipment must be screened. - All trash containers must be within an opaque enclosure. - Fences and walls min setback areas may not exceed 7', except in front and street side areas (3' max.)	Information not included.	Compliance could not be determined since information was not provided.
W.	Land Use	Industrial land uses allowed on General Industrial Land. Existing and proposed residential use not allowed on MM parcel area.	Existing nonconforming residential use, and new residential use.	Non-compliant. The proposal to maintain existing and build new residential land uses on industrial land is inconsistent with allowed industrial land uses/zoning districts.