

**City of San Leandro
Community Development Department
Planning Services Division
Staff Report**

DATE: December 20, 2012

TO: Planning Commission

FROM: Elmer Penaranda, Planner

SUBJECT: **PLN2012-00039**, Rezone and Planned Development; for 16 residential units which include retaining four single-family residences and constructing six new two-family residences (12 new units) at 13533-13547 Aurora Drive and to rezone the properties from RO Residential Outer District to RO(PD) Residential Outer, Planned Development Overlay District. The proposed project also includes new on-site improvements such as driveway access, visitor parking spaces, and landscaping. Assessor's Parcel Numbers 79A-584-18-1, 79A-584-18-2, 79A-584-19-1 and 79A-584-19-2; S. Fagalde, Aurora Partners, LLC (applicant and property owner).

SUMMARY AND RECOMMENDATION

On September 20, 2012 the Planning Commission conducted a work session and reviewed this matter (attached Planning Commission minutes). The property owner proposes to develop the property at the west side of Aurora Drive, north of Fairway Drive, with a 16 unit planned development that would retain four existing single-family homes and include six new two-story duplexes. The subject property is adjacent to the Marina Golf Course and walking distance to the City's shoreline area.

At the work session the Planning Commission and public speakers commented and asked questions about the project's site planning, exterior design, units' amenities and density. The Commission made recommendations related to enhancing the exterior design by adding windows to the new building's end elevations and varying the exterior paint colors of each building from one another. It also recommended providing additional storage space within the new units. Since the work session with the Planning Commission, the applicant and architect have refined the plans for the Planning Commission's review; the number of proposed units remains the same at 16.

Staff recommends that the Planning Commission forward the rezone and the Planned Development to develop the residential project to the City Council with a recommendation for approval subject to the attached recommended findings and conditions.

APPLICANT'S SUPPORTING STATEMENT

See attached.

RELATIONSHIP TO SURROUNDING AREA

Surrounding the subject property is the Marina Nine Hole Golf Course to the west, 14 unit condominium development to the north, and single-family homes to the east and south. The existing zoning includes CR Commercial Recreation for the golf course and RO Residential Outer District for

the single-family homes, and RO(PD) Residential Outer, Planned Development Overlay District for the condominiums.

DETAILS OF THE PROPOSAL

The proposed plans remain very similar to the plans that were presented at the September 20 Planning Commission work session with a few refinements as recommended by the Commission.

Site Plan and Parking

The subject property, comprising four parcels totaling 56,000 square feet (see Vicinity Map), would be combined into one parcel containing a total of 10 residential buildings that includes four existing single-family residences and six new duplexes (16 units total). The existing single-story, single-family homes would remain at their existing locations. On the attached exhibits they are shown as SF1, SF2, SF3 and SF4. The six new duplexes are shown as TF1 through TF6. All of the units would be market rate rental housing.

A centrally located driveway via Aurora Drive would serve access to the residential units that flank it, except for SF1 which is already served by another curb-cut on Aurora Drive. The central driveway would access the attached garages to the residences, and the uncovered driveway spaces in front of the garages and the guest/visitor spaces. The architect and civil engineer plans show that scored concrete would be the decorative paving that is proposed for the entry of the central driveway and driveways along the central driveway. The guest spaces will be permeable pavers. The central driveway will be asphaltic concrete.

The proposal includes 44 parking spaces that include 16 garage spaces, 16 apron/driveway spaces in tandem along the central driveway, 10 guest/visitor spaces, one carport space and one space in tandem in the Aurora Drive driveway. The guest spaces have been reduced two spaces. The two visitor spaces at the western end of the driveway were deleted to bring the design of the hammerhead turn around into compliance with the Fire Code. Upon further review of the site plan the Fire Department found that the hammerhead required 70 feet of length when measured from the centerline to the west end of the hammerhead.

Another revision to the plan is the deletion of the bocce ball court in order to make way for a larger turf area. The applicant feels this would address the Planning Commission's concern about providing adequate play area for children living in the development.

The development would be gated and served with an automatic gate along the frontage. It would maintain a 20 foot setback from the Aurora Drive back-of-sidewalk.

Existing Single-Family Homes

The existing single family homes are single-story and as follows:

1. SF1 is three bedrooms and two bathrooms comprising 1,882 square feet and one carport parking space. It maintains a 23 foot front yard setback from the Aurora Drive right-of-way line. Its carport maintains a five foot side yard setback from the southerly side property line and five to eight feet from the central driveway.
2. SF2 is three bedrooms and one bathroom comprising 1,938 square feet and an attached two-car garage. It maintains a 23 foot front yard setback from the Aurora Drive right-of-way line, an

eight foot side yard setback from the northerly side property line, and a seven to 11 foot setback from the central driveway.

3. SF3 and SF4 are identical units that include two bedrooms and one bathroom comprising 1,050 square feet and an attached one-car garage. Respectively these units maintain a setback of 150 feet and 198 feet from the Aurora Drive front property line. They both maintain a 10 foot setback from the northerly side property line.

Proposed Two-Family Homes (Duplexes)

The six proposed duplexes are two-story. Each unit has a living area of 1,280 square feet (see attached Sheets A.3.1 and A.3.2). The ground floor comprising 690 square feet would include a living room, dining room, kitchen, one-half bathroom, and a stacked washer and dryer closet. The second floor would comprise 590 square feet and include three bedrooms and two bathrooms. Not included in the living area is the attached one-car garage having a floor area of 246 square feet.

The proposed plans include additional storage space as recommended by the Planning Commission. They are provided overhead in the duplex's garage spaces. The additional storage space was included without having to revise the elevations or the interior floor plans.

Elevations

The existing homes are post-war construction that has stucco exterior walls and composition shingle roofs. The proposed duplex elevations are designed similarly with stucco walls, trimmed windows and low-pitched roofs with composition shingle. In addition, the proposed elevations include covered front porches, Craftsman-style front doors, decorative lamps/light fixtures, bracketed and trimmed gables, and exposed rafter tails. The garages are appointed with decorative sectional roll-ups and a trellis element above. The front elevations of the duplexes facing the central driveway have the second floors tiered back to lessen the bulk and mass of the elevations.

The proposed elevations were revised to include windows at the building ends as recommended by the Planning Commission. Specifically, windows have been included in the second floor bedrooms that face the ends (see Exhibits D and E).

In addition, the proposed color palette for the building exteriors was revised to include three body colors that vary in range from tan to warm gray (scanned and attached; the actual color board will be presented at the Planning Commission meeting). The trim colors, Navajo white and dark warm gray, will remain uniform on all of the residential buildings.

Landscaping

The proposed landscape plan shows the applicant's intent to provide a palette containing a variety of canopy trees, flowering trees, shrubs, ground covers and vines for the project.

STAFF ANALYSIS

At the Planning Commission work session, the Commission asked the applicant to provide an explanation for the reason why an exception for a higher density is necessary for the proposed residential project. The proposed project exceeds the maximum allowable density in the RO Residential Outer District by approximately two units. The Commission discussed a reduction in unit(s) could make for a more interesting project as it would free up space on the property for additional on-site amenities. In its formal application the applicant explained in the supporting

statement that the removal of even one unit from the plan would be a significant financial hardship since there is a substantial investment being made to fully develop the property. The ability to recover the amount invested is improved with the greater amount of units on the property. The applicant promises that the project will be held as market rate rental units. The ownership is committed to holding on to its property and managing and maintaining it for the long-term.

Land Use/Density

The General Plan Land Use Map designates the subject property for Residential Garden Density. This designation is intended for detached single family homes in a country or semi-rural environment. Lots typically exceed 8,000 square feet and overall densities range from 1-4 units per gross acre (up to 5.4 units per net acre). In some cases, additional dwellings on a single lot may result in densities that are higher than this range. In this case, the proposed development of 16 units on the 56,000 square foot site equals a density of one unit per 3,500 square feet or 12 dwelling units per acre. Thus the appropriate rezoning of the property for the project would be from RO Residential Outer to RO(PD) Residential Outer, Planned Development Overlay District. This would subject any proposal on the property to the City's discretionary review process, which will ensure that the new development will be compatible with the existing area. As stated in the General Plan, a single lot may result in densities that are higher than the four units per acre range.

The proposed exception to density is not unprecedented. There are three properties north of the subject property that was developed with greater than 4 units per gross acre. They are as follows:

- A. 13461 Aurora Drive (three sites north of the subject property); 11 units on 45,900 square feet which is equivalent to 10 units per acre. Built in 1957.
- B. 13471 Aurora Drive (two sites north of the subject property); eight units on 35,088 square feet which is equivalent to 10 units per acre. Built in 1982.
- C. 13517 Aurora Drive (adjacent to the north of the subject property); 14 units on 56,103 square feet which is equivalent to 11 units per acre. Built in 1982.

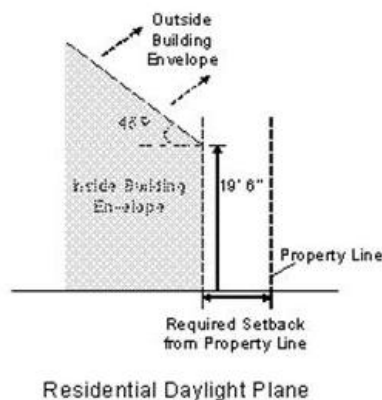
The proposed density having a mixture of detached single-family and attached two-family development could be considered a compatible development proposal. The detached unit design lessens any impact of the project appearing overdeveloped to the adjacent residential area and appears less bulky and massive than larger attached multi-family buildings with a greater number of units.

Reasons for Planned Development

The RO District is unique in its myriad of various zoning requirements (i.e., lot size, lot width, density formula, setbacks, coverage, etc.). The applicant feels the zoning requirements are too restrictive for a residential project that combines the four parcels. Thus the Planned Development allows for flexibility and more imaginative design that results in a careful and well conceived plan that includes access, light, open space, and amenities and a plan that is compatible with the existing adjacent neighborhood. See the attached table which summarizes the reasons for the Planned Development.

1. The density formula in the RO District is 8,000 square feet for the first single-family dwelling, 5,000 square feet additional for each additional single-family dwelling, and 7,000 square feet additional for each additional two-family dwelling. In this case, 65,000 square feet is required for four single-family and six two-family dwellings. The project site is 56,000 square feet.

2. SF1 would maintain a five feet setback from southerly side property line; SF2 would maintain approximately eight feet from the northerly side property line. Both are existing conditions and encroach into the 12 foot setback requirement. It would be impractical to move or partially remove a portion of SF2 to comply with the setback requirement. SF1 can be partially reduced since the structure that encroaches is not living area but a covered carport, however full compliance would make the carport impractical and impassable by placing the posts in the middle of the driveway. In addition, TF6 would have an eight foot setback from the northerly side property line.
3. The new additional dwellings will have a minimum 10 foot separation from one another instead of 20 feet that is required in the RO District (see Site Plan, Dimensioned Plan Sheet A.2). Furthermore, additional dwelling TF6 will have an eight foot setback from the side property line where the minimum setback from the side property line is 10 feet for an additional dwelling.
4. Buildings TF5 and TF6 would have a 13 foot setback from the rear property line where 25 feet is the minimum requirement from the rear property line in the RO District. This exception to the setback is comparable to the setback of the 14-unit planned development adjacent to the north.
5. All the buildings comply with the 30 foot maximum height requirement since the existing homes are one-story and the proposed duplexes are 20 feet tall. However there is an additional height requirement in the RO District where the maximum height of the building is 15 feet for the portions that are within 20 feet from the rear property line. Thus, an exception is necessary for TF5 and TF6 which exceeds 15 feet in height and encroaches seven feet into the 20 foot setback.
6. In the RO District there is a daylight plane requirement not to encroach outside a horizontal line 19 feet, 6 inches above the grade of each side setback line and slope inwards at a 45 degree angle. TF6 is proposed to have an eight foot setback, thus this one building would encroach four feet outside the building envelope.



7. The RO District requires the following for off-street parking spaces: a) Single-family Dwellings: two covered spaces per unit; and b) Two-family Dwellings: 2 spaces, including 1 covered space, per unit. The total required for this project is 32 spaces including 20 covered spaces and 12 uncovered spaces; however required parking is typically provided as independently accessible spaces and not in a tandem arrangement. The proposal includes 44

spaces: 17 covered spaces, 17 uncovered spaces in tandem to the covered spaces, and 10 guest/visitor spaces.

Although the proposed plan includes the seven previous listed exceptions to the RO District requirements it appears to be a comprehensive and a reasonable development proposal.

Private Yards

Private yard areas are intended for all of the units at the rear of the homes which range from 10- to 13-feet. These depths are comparable to the neighboring planned development to the north and have been found to be practical usable space in other residential planned developments in the City.

Common Outdoor Area

Common outdoor area is provided between SF4 and TF6. As stated previously in this report the common space has been revised to an open turf area.

Property Line Improvements

The applicant will work with the City and American Golf Corporation to improve the rear property line with a new six foot fence with vine planting and decorative wood arbors and create a view corridor between the two properties. The tall fencing that was erected when the adjacent portion of the golf course was a driving range will be removed.

The northerly and southerly side property lines will be improved with six foot tall solid wood fencing. There will also be six foot tall fencing to enclose and secure the private rear yards to the units.

Vehicle Access and Circulation

The Engineering and Transportation Department and Fire Department have found vehicle access acceptable for standard passenger vehicles and for fire trucks, respectively.

Parking

The proposed off-street parking spaces exceed the basic requirement in a creative and unique way. The applicant promises strict enforcement in managing its private property rules such as maintaining the visitor parking for guests, and prohibiting storage in the garage, carport or uncovered parking spaces. These requirements will be listed in the recommended conditions of approval. With strict enforcement of these requirements the proposed parking should be adequate for the project.

Architecture/Design/Building Height

The revisions to the architecture for the new homes have enhanced their appearance. Windows have been added to the second story end elevations. The exterior paint colors will have variation from one another instead of being one set of colors for all 10 of the residential buildings. The proposed duplexes will be appointed with the use of visual details previously mentioned in this report. The height, bulk and mass also was considered in the design of the new two-family buildings with the slab on-grade design, low pitch roof, and stepped-back (tiered) second-story design. The height of the proposed two-story duplexes is approximately 20 feet (average of the plate line, 18 feet; and the ridgeline, 22 feet). The exterior of the existing homes have been refurbished or repaired.

Landscaping

The landscape plan supplements the architectural plans with a comprehensive palette that complements the proposed residential project. The plan specifies tree sizes ranging from 24-inch box to 15 gallons. It intends a pallet of plants with colorful flowers or colorful foliage, some turf and ground cover planting. The shrubs will be five gallons to one gallon and the ground cover would be one-gallon or from flats with the necessary spacing to cover the planter areas in a growing season. Paved patio areas and walkways are shown the plans.

Engineering Requirement

A condition of approval will be that prior to issuance of a Building Permit, a lot line adjustment shall be submitted and processed through the San Leandro Engineering & Transportation Department for the merger or combining of four parcels in to one parcel.

American Golf Corporation Comments

Being adjacent to the nine-hole executive golf course that is owned by the City and operated by American Golf Corporation (ACG), the applicant is agreeable to addressing ACG's comments regarding the projected.

1. The applicant will disclose to future residents/tenants that they will be living very near the golf course corporation yard which begins operations by 6:00 a.m. in the morning for scheduled daily maintenance on the golf course. This disclosure requirement is similar to the one given to potential residents that will live next door or near Kraft General Foods (Halcyon and Washington). They are made aware that the Kraft has late or early morning noises and traffic which has occurred on the site prior to the residences.
2. In addition ACG recommends another disclosure that the residences will live next door to large eucalyptus trees which can be very messy with its leaves, fruit and pollen. The area beneath the eucalyptuses and adjacent to the proposed residential project will be left natural and unmaintained. There should be no expectation by the residents that this area will be improved in the future.
3. ACG requests that it has no liabilities (be indemnified) with regards to the new fence and landscape treatment along the shared property line (i.e., maintenance or repair of the proposed fence, damage by errant golf balls, etc.).

ENVIRONMENTAL ANALYSIS

This project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guideline Article 19, Categorical Exemption, Section 15332 In-fill Development projects. Furthermore, the rezoning is exempt from CEQA, per CEQA Guideline, Section 15061(b)(3), where it can be seen with certainty that there is no possibility that the rezoning in question may have a significant effect on the environment.

PUBLIC OUTREACH

Notices for the public hearing were mailed to the property owners within 300 feet of the subject property and the Mulford Gardens Improvement Association and the Marina Action Committee

(Homeowners Associations). Placards were posted on the utility poles adjacent to the subject property. A legal advertisement was published in the Daily Review newspaper.

At the time of this staff report, there have been three persons that provided comments opposing the project.

1. Ms. Lau, a resident at 13517 Aurora Drive, called to object to the two-story design of the proposed development.
2. Ms. Davidson, a property owner in the vicinity, called and stated her objection to having new development that creates more units on Aurora Drive and in the immediate area.
3. Karen Werth, property owner of 13483 Aurora Drive and representative for the Aurora Gardens Homeowners Association (an eight family all owner occupied condominium unit on 13471-13485 Aurora Drive), submitted an email opposing the project (see attached). It states objection to the proposed project due to the additional traffic and increased on-street parking demand in the neighborhood. The project would set precedence in higher density projects. Additional residents would increase Police problems.

RECOMMENDATION

Staff recommends that the Planning Commission forward the rezone and the Planned Development to develop the residential project to the City Council with a recommendation for approval subject to the attached recommended findings and conditions.

ATTACHMENTS

Applicant's Supporting Statement

Vicinity Map

Planned Development Table

Findings of Fact

Recommended Conditions of Approval

Work Session Excerpts from the Planning Commission Meeting of September 20, 2012

Email from Karen Werth, dated December 11, 2012

Exhibit A - Aurora Cottages - Cover Sheet (Sheet A.1)

Exhibit B - Site Plan, Dimensioned Plan, Project Data (Sheet A.2)

Exhibit C - Two-family First Floor Plan (Sheet A.3.1)

Exhibit D - Two-family Second First Floor Plan (Sheet A.3.2)

Exhibit E - Two-family Exterior Elevations (Sheet A.4)

Exhibit F - Preliminary Landscape Plan

Exhibit G - Topographic Survey (Sheet P.1)

Exhibit H - Preliminary Grading, Drainage, and Utility Plan (Sheet P.2)

Exhibit I - Drainage and Treatment Areas (Sheet P.3)

Exhibit J - Color Board (Reduced; actual board will be available at the Planning Commission meeting)

For Information Only - Birdseye view of the 13533-13547 Aurora Drive and vicinity