

Ord 1775
Aldersly Garden Retirement
308 & 326 Mission Avenue

ORDINANCE NO. 1775

AN ORDINANCE OF THE CITY OF SAN RAFAEL AMENDING THE ZONING MAP TO RECLASSIFY CERTAIN REAL PROPERTY FROM PLANNED DEVELOPMENT (PD) DISTRICT TO A REVISED PD DISTRICT WITH ADOPTED DEVELOPMENT PLAN AND ZONING REGULATIONS FOR THE ALDERSLY GARDEN RETIREMENT COMMUNITY AT 308 AND 326 MISSION AVENUE (APN 014-054-31 and 32) (ZC01-04)

WHEREAS, on June 15, 2001, NCB Development Corporation submitted an application to the City of San Rafael requesting approval of a Rezoning from Planned Development (PD) District to a revised PD District with an adopted Development Plan for the Aldersly Garden Retirement Community; and

WHEREAS, the Rezoning request was accompanied by related project applications which were processed concurrently; and

WHEREAS, upon review of the subject applications an Initial Study was prepared consistent with the requirements of the California Environmental Quality Act; and

WHEREAS, the City Council has approved a Mitigated Negative Declaration for the project by adoption of a separate resolution; and

WHEREAS, the proposed Planned Development (PD) District contains development standards for the Aldersly Garden Retirement Community, including a facility containing 30 assisted living units, as outlined in Exhibit A; and

WHEREAS, the application for Rezoning to a PD District includes a Development Plan consisting of project plans submitted for approval with the development standards, which contain the information required pursuant to Zoning Ordinance Section 14.07.060; and

WHEREAS, a notice describing the proposed Rezoning was: a) published in a local newspaper of general circulation in the area; b) mailed to property owners within 300 feet of the subject property; and c) mailed to special interest groups; and

WHEREAS, on November 13, 2001, the San Rafael Planning Commission held a public hearing on the proposed Rezoning and related project applications including a Master Use Permit and Environmental and Design Review Permit, accepting all oral and written public testimony and the written report of the Community Development Department staff and recommended approval to the City Council in Resolution No.01-56; and

Ord. 1775

WHEREAS, on December 17, 2001, the City Council held a public hearing and accepted all oral and written public testimony and the written report of the Community Development Department staff.

THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES HEREBY ORDAIN AS FOLLOWS:

DIVISION 1. The City of San Rafael Zoning Map is amended to incorporate the revised Planned Development District for the Aldersly Garden Retirement Community at 308 and 326 Mission Avenue, as presented in Exhibit A of this ordinance, based on the following findings:

1. The Development Plan and Planned Development District (PD) amendment are consistent with the General Plan, adopted Montecito/Happy Valley Neighborhood Plan and other applicable City plans and policies in that:
 - a) The project implements General Plan Land Use policy LU-9f by maintaining a density consistent with that allowed by the High Density Residential land use designation.
 - b) The project would implement Land Use Policies LU-19 through 36 by proposing high quality building design, and includes an appropriate level of site landscape treatment including landscaping along Mission Avenue. Furthermore, the Design Review Board considered the development plan, and after modifications were incorporated into the plans, voted to recommend that the design was compatible with the surrounding neighborhood.;
 - c) The project would be consistent with Circulation Policy C-18 by contributing appropriate traffic mitigation fee;
 - d) The project would comply with Housing Policies H-8 and H-9 which require the retention of rental units and that most of the City's existing stock of lower cost units be maintained. The project would comply with Housing Element Policy H-15, which requires that future development be planned based on public facility and service capacity, community needs, and sound neighborhood planning in that the project has been reviewed by the City and other public agencies with regard to public facility and service needs and conditioned accordingly. Housing Element Policy H-32 encourages a mix of housing units throughout the City, including those for lower income seniors and the disabled, and encourages accessible units in all projects. The proposed assisted living facility would provide a non-institutional, residential care setting for frail older persons who do not require skilled nursing care. The assisted living project would provide current Aldersly residents and residents of the surrounding community with a long-term care alternative that is specifically designed to maintain older person's privacy, dignity, and maximum independence.
 - e) The project would comply with Housing Policies H-19 and 21 by providing 30 assisted living units that would provide a continuum of care for the Aldersly residents, and would retain the existing residence at 308 Mission Avenue as a rental unit;

- f) The project design has been evaluated in a variety of technical reports, including a geotechnical and air quality study, and through implementation of conditions of approval and mitigation measures would be consistent with Health and Safety Policies S-1, S-3, S-4, S-5, S-6, S-9, S-11 and S-21.
 - g) The project design including conditions of approval would be consistent with the Noise Element policies for residential use N-1 through N-7;
 - h) The project would comply with Residential Neighborhood Policy RES-1, which requires that new developments be harmoniously integrated into existing neighborhoods in terms of density, intensity and design. The Design Review Board considered the development plan at three meetings, and after modifications were incorporated into the plans, voted to recommend that the design was compatible with the surrounding neighborhood.
 - i) The project would be consistent with the applicable policies of the Montecito/Happy Valley Neighborhood Plan in that proposed new buildings would be compatible with the existing buildings on the Aldersly campus. The proposed fenestration, brick wainscoting and architectural details of the assisted living facility would promote a residential character. Architectural elements such as towers and two-story bays would reduce the apparent scale of the building, and the increased setback of the upper levels on the east side of the building would help to reduce the building's prominence, as viewed from adjacent residential properties to the east along Union Street. Furthermore, trees and a variety of shrubs and ornamentals proposed along Mission Avenue, and retention of the existing sidewalk along Mission Avenue would provide a pedestrian friendly streetfront, as called for in the Montecito/Happy Valley Neighborhood Plan.
 - j) Conditions of approval are included in the accompanying project applications to ensure consistency with all applicable General Plan policies including policies discussed above by requiring that: 1) interior noise levels not exceed 40 dBA for bedrooms and 45dBA for other rooms; 2) exterior noise levels not exceed 60 dBA; 3) utility systems will be installed and designed to serve the site; and 4) traffic mitigation fees will be collected to contribute to long-term traffic improvements.
2. The applicant has demonstrated that public facilities would be provided to serve the anticipated population in that the project development is well within the density limits anticipated by the General Plan 2000, the site is served by San Rafael Sanitation District and Marin Municipal Water District, and the City's Police, Fire and Public Works Departments have reviewed the project and determined that services are available. The accompanying project applications are proposed to be conditioned accordingly.
 3. The development would be improved by deviations from typical Zoning Ordinance property development and parking standards by: a) increasing the number and conformity of on-site parking and circulation; b) providing improved loading facilities for the campus; and c) providing landscaping that enhances the project entry and parking areas.
 4. The auto, bicycle and pedestrian traffic system is adequately designed for circulation needs and public safety in that internal access and circulation meet City standards and walkways are provided from parking areas with handicapped parking available in the

proposed parking garage near the proposed elevator entrance to the assisted living facility and emergency vehicle access is provided to serve the proposed development, in compliance with City standards.

5. The public health, safety and general welfare are served by the adoption of the proposed amendment in that it implements the General Plan and the development plan conforms with City standards as discussed in Findings 1 through 4. Furthermore, a Mitigated Negative Declaration has been prepared and adopted for the project that evaluated potential environmental impacts of the project and determined impacts would be less-than-significant based on incorporation of mitigation measures.

DIVISION 2. A summary of this Ordinance shall be published and a certified copy of the full text of this Ordinance shall be posted in the office of the City Clerk at least five (5) days prior to the Council meeting at which it is adopted.

This Ordinance shall be in full force and effect thirty (30) days after its final passage, and the summary of this Ordinance shall be published within fifteen (15) days after the adoption, together with the names of those Councilmembers voting for or against same, in the Marin Independent Journal, a newspaper of general circulation published and circulated in the City of San Rafael, County of Marin, State of California.

Within fifteen (15) days after adoption, the City Clerk shall also post in the office of the City Clerk, a certified copy of the full text of this Ordinance along with the names of those Councilmembers voting for or against the Ordinance.


ALBERT J. BORO, Mayor

Attest:


JEANNE M. LEONCINI, City Clerk

The foregoing Ordinance No. 1775 was read and introduced at a Regular Meeting of the City Council of the City of San Rafael on the 17th day of December, 2001, and ordered passed to print by the following vote, to wit:

AYES: Councilmembers: Cohen, Heller, Miller, Phillips & Mayor Boro

NOES: Councilmembers: None

ABSENT: Councilmembers: None

And will come up for adoption as an Ordinance of the City of San Rafael at a regular meeting of the Council to be held on Tuesday, January 22, 2002.


JEANNE M. LEONCINI, City Clerk

EXHIBIT A: Aldersly PD Zoning Development Standards

EXHIBIT "A"

Aldersly PD Zoning Development Standards

Establishing a Planned Development (PD) zone for the Aldersly campus is intended to allow the Aldersly Board the flexibility to meet the future needs of their older residents with facilities designed to support evolving best practices in services and environments. This is likely to include a combination of facilities renovation, expansion, and new construction. The PD is also intended to maintain Aldersly's role as a community asset by maintaining the campus as a quiet, landscaped buffer between the single-family areas and the multifamily/commercial zone.

To this end, the PD proposes the following standards. Each is crafted to blend with the neighborhood at the campus' perimeter, while allowing reasonable flexibility in interior portions of the site.

A. Land Uses

Allow all land uses currently permitted in HR1.8 category with the following modifications:

- residential care for older persons
- adult day care, subject to approval of a use permit
- ancillary commercial, medical, and office uses incorporated into the buildings to serve residents' needs (e.g., laundry, beauty, dining, retail, recreation facility, clinic, offices, maintenance or storage buildings, etc.)

Any change in use of existing buildings on the site shall require an amendment to the Master Use Permit.

B. Minimum Lot Area

While the campus is intended to be considered as a whole for planning purposes, the minimum lot size shall be 6000 SF (same as HR1.8) where a separate lot must be created for financing purposes. The lot size established for financing shall not be used for the purposes of maximum unit number calculations.

C. Minimum Lot Area per Dwelling Unit

The Aldersly campus currently houses a unique array of housing types, including 64 independent senior housing units, 33 skilled nursing units, and 7 assisted living units. The proposed assisted living project will modify this to 62 independent senior housing units, 20 skilled nursing units, and 30 assisted living units. Only the independent senior housing qualifies as a "dwelling unit" for the purpose of this proposal. The minimum lot area per dwelling unit is proposed to be 1000 SF of lot area per unit. This figure is established using the 1000 SF of lot required for the HR1.0 designation as a guide.

D. Minimum Lot Width

Because of the existing configuration of campus and its compact, high-density character, no minimum lot width is established. In most cases there is not expected to be a separate lot for a specific project due to the campus structure of the site. However, separate lots may need to be established for financing purposes.

E. Set Backs/Minimum Yards

- i. Maintain a 15' building setback along the campus' front (Mission Avenue).
- ii. Maintain a 5 foot building set back along the campus' side property lines. The two upper levels of the assisted living facility shall be set back a minimum of 11 feet from the east property line.
- iii. Maintain a 3' parking and paving set back from campus side property lines or a 0' parking and paving set back and a privacy fence (5' minimum height) where a 3' set back is not provided. (The 0' set back with fence is necessary in some cases to maximize parking on the site.)
- iv. Maintain a 10 foot building set back along the campus' rear property line (Belle Avenue).
- v. Provide building set backs on campus (internal set backs) that conform to life-safety codes governing the Aldersly campus.
- vi. Existing Conditions: Buildings existing at the time this plan is adopted and out of compliance with set back standards established above shall be allowed to remain as "grandfathered" buildings.

F. Distance Between Residential Structures

Provide and maintain building separations at the interior and perimeter of the property which meet minimum building code standards for lifesafety in place at the time of construction permitting.

G. Maximum Height of Structure

Maximum height of structures are proposed to meet City standards (36') with exceptions for towers and other elements allowed as per the City exceptions process. Existing Conditions: Buildings existing at the time this plan is adopted and out of compliance with the height standards established above shall be allowed to remain as "grandfathered" buildings.

H. Maximum Lot Coverage

Lot Coverage: Total building footprints on the campus shall not exceed 60% of the campus' land area as previously allowed under the former HR1.8 land use designation. Maintaining the former 60% coverage is proposed to remain in keeping with the 40% to 60% coverages allowed on similar adjacent sites. The 60% lot coverage allows the campus to meet future community demand for independent, assisted, and nursing care housing as well as an opportunity to increase economies of scale over time to maintain a sound financial position.

I. Minimum Usable Outdoor Area per Dwelling Unit

Given the unique residential character and needs of the campus, no minimum shall be established for usable outdoor area per dwelling unit in order to maintain Aldersly's flexibility in locating projects in the most efficient and appropriate part of campus. Aldersly's garden campus provides communal outdoor areas for the use of all residents.

J. Landscaping/Yard Areas

- i. Landscaping and yard areas requirements will not be established for the Aldersly campus due to the single ownership of the facilities, the communal nature of exterior areas, and the desire to maintain planning flexibility.
- ii. Open Space: The current pattern of tightly landscaped pathways, terraces, large open courtyards, and garden areas will be replicated as feasible in future projects. A balance between parking needs and landscaping will be sought.

K. Paving Setback

The paving set back from campus boundaries will be 3 feet where possible to provide the required buffering and 0 feet where parking or access requirements prevent a 3 foot set back from being practical. In the event that the 3 foot set back is not practical, a privacy fence (minimum of 5 feet tall) will be erected anywhere the full 3 foot buffer is not in place.

L. Parking

Aldersly's historic land development patterns, starting in the early 1920's, and the campus' topography have severely limited parking availability on campus. These factors also make the introduction of additional parking difficult to achieve. Where parking can be introduced, it is often at the expenses of landscaping. For these reasons, parking is an area of the PD standards where substantial flexibility is sought. The following parking related standards are designed to provide the necessary flexibility.

Parking Capacity

At peak hours, the campus currently generates a demand for 78 spaces for residents, staff, visitors, and vendors. Aldersly's existing campus provides 39 parking spaces. During peak hours, 39 on-street parking spaces are utilized.

The new assisted living project will provide a net addition to campus of 18 spaces, while generating a need for 8 new spaces (see attached traffic study). The assisted living project will result in a net addition of 10 parking spaces to meet the current campus demand, reducing demand for peak hour on-street parking by 25%, or from 39 cars to 29 cars. In addition, the new loading area at Belle Avenue (see next section) will provide vendor parking, further improving on-campus parking capacity.

The current campus plan is not configured to allow the easy introduction of additional parking on site. As a result, the current campus has parking needs that will continue to require a combination of on-campus spaces as well as on-street parking. Future campus projects will attempt to reduce the current demand for on street parking where feasible.

Future projects, where they generate a net increased demand for parking on campus, will attempt to accommodate the increased demand in the new project site area or on campus. Where it is not possible to accommodate all increased parking at the new project site area or on campus, Aldersly will work with the City of San Rafael to identify acceptable strategies to accommodate the additional parking demand generated by the project under consideration.

Net new demand shall be determined by a traffic study and subject to acceptance by the City's Traffic Engineer.

Parking Space Dimensions

Parking space dimensions shall comply with City standards.

Allowable Compact Spaces

The allowable percentage of compact spaces shall comply with City standards.

Tandem Spaces

Tandem spaces will be allowed on campus per City standards.

M. Parking Lot Screening

Parking Visible from Public Right of Way

Parking visible from a public right of way shall be screened in accordance with the requirements contained in The City of San Rafael's Zoning Ordinance.

Parking Visible from Adjacent Private Property

Parking located next to adjacent residential properties shall be screened with a solid barrier and landscaping in order to shield headlight glare.

Canopy Trees at Parking

One tree for every four spaces will be provided within parking areas or at an alternate location as close to the parking area as feasible. Flexibility in the location of the trees is required in order to maximize the parking available. Innovative strategies for locating trees within parking areas without diminishing parking capacity will be implemented.

Planting Areas Between Spaces

No planting areas will be provided between parking spaces due to the need to maximize on-site parking. Alternate strategies for landscaping the parking areas will be implemented as feasible.

N. Off-Street Loading and Unloading

One off-street truck loading and unloading area will be provided for the campus along Belle Avenue and will be constructed as part of the 30-unit assisted living project. The proposed loading zone, sized to accommodate the current range of delivery vehicles, is shown on Drawing C3: "Proposed Site Development Plan" that is included in the plans submitted for the 30-unit assisted living project.

O. Phasing Plan

Currently, the assisted living building and a small 200 square foot addition to the campus dining room are the only identified development projects for the campus. The assisted living project is anticipated to break ground as soon as possible and be completed 12 months later. Planning for the dining room addition is not anticipated to begin until 2002.

While no additional projects are currently identified, Aldersly's mission to maintain best practice services for its residents will lead to future construction and renovation. When these projects are identified, they will be planned and integrated into campus based on the provisions contained in this PD proposal and as accepted by the city of San Rafael.