

Planning Commission Meeting
April 20, 2017
Agenda Item No. 1
Proposed Victory Village Project

Linda Neal

From: Larry Kennings <larry@lakassociates.com>
Sent: Sunday, December 04, 2016 1:15 PM
To: AKlein@rcdhousing.org; aklein@rcdev.org; Linda Neal; Pam Goode; Garrett Toy; Sean Kennings
Subject: Fwd: Victory Village

TOWN OF FAIRFAX

DEC 05 2016

Sent from my iPhone

Begin forwarded message:

RECEIVED

From: Susanne Chaney <susannechaney@me.com>
Date: December 4, 2016 at 2:08:46 PM MST
To: larry@lakassociates.com
Subject: Victory Village

Concerns re construction

I suffer from a very serious lung disorder and live very near to the construction of this project. I'm concerned that dust and other pollutants will seriously impact the daily walks and other activities I enjoy in my home and neighborhood.

How are you going to protect me from increased costs to me to have my home cleaned more often and perhaps having to power wash decks and patios to keep my home dust free.

Also I am concerned after inspecting the proposed project today that it's too large and that too many trees are being sacrificed. I'm also against it being three stories.

I would be more comfortable if it were two stories and less bulky

There also is not enough parking.

The design also doesn't fit into the woodsy cottage feeling of the neighborhood.

Everything else seems to fit into the surrounding landscape. This design feels more like a big city design than a design for Fairfax. I feel it changes completely the character of our town.

The colors proposed are also not pleasing.

I also object to having the little trees in front cut down as they were planted by children to remember 911.

Susanne Chaney

Sent from my iPad

To: FAIRFAX PLANNING COMMISSION
From: Board of Directors
Village West Homeowners Association (Fairfax)
Date: December 5, 2016
Subject: **CONCERNS ABOUT WATER MANAGEMENT PLAN for the
Victory Village Project (2626 SF Drake Boulevard in Fairfax)**

Village West is a planned unit development of 68 townhomes located at the west end of Fairfax, directly across the street from the Cañon Village complex and the Christ Lutheran Church property at 2626 Sir Francis Drake Boulevard—site of the proposed Victory Village project.

Members of the Village West Board attended the Victory Village Informational Meeting on November 29th at Christ Lutheran Church. We heard about the proposed plan for water management on the property and are concerned that the plan might be inadequate. You need to know that:

- Historically, Village West has had a problem with rainwater flowing across Sir Francis Drake Boulevard from the church property onto the lower-lying ground at Village West.
- Water flows through our complex toward Fairfax Creek, which runs through the center of Village West. In years of heavy rainfall, there has been flooding in garages as the rainwater flows through Village West toward the creek.
- In the flood of December 31, 2005, run-off from the hillside of the church property, combined with overflow of the storm drains at the church, contributed to the flooding of many homes at Village West.

We want to be sure that the Victory Village water management system is adequate to handle large volume of run-off from the hillside and prevent overflow across Sir Francis Drake Boulevard.

We would like this letter to be placed on record at the public hearing of the Fairfax Planning Commission on December 15, 2016.

Village West contact person:

Jean Moore, Village West Board Secretary (415-453-3021)

cc: Linda Neal (Fairfax Principal Planner)
Larry Kennings (LAK Associates) larry@lakassociates.com
Resources for Community Development (2220 Oxford Street, Berkeley, CA 94704)

Linda Neal

From: Patti Breitman <eatplants@earthlink.net>
Sent: Monday, December 05, 2016 3:12 PM
To: Linda Neal
Subject: Please say yes to Victory Village

Dear Linda and other planning commissioners, (Thank you for forwarding this to them, Linda.)

I wrote a similar letter to the town council members last week, and they suggested that I write to the planning commission as well. Since I wrote this, the tragic fire in Oakland reminds me that a lack of affordable housing leads people to live in unsafe spaces. I know a number of people who are sleeping in their cars, living on rickety boats as "anchor outs" in Sausalito, and sleeping in the hills or behind commercial buildings. Affordable housing is a public health issue, and lives are at stake.

I am writing as a 25 year resident of Canon Village to enthusiastically support the building of Victory Village (although I would prefer another name for the project). I like that a resident manager will live on site, and that the land is being used for people in need, not more luxury housing. I like having seniors as neighbors. We in the over 62 crowd tend to be more quiet, kind, and respectful than we were in our youth.

As to worries about traffic on Sir Francis Drake Boulevard, I hope you will share these ideas with those concerned:

1. The school that was on that property had far more people coming and going every day than these residents will.
2. Senior residents will, most likely not be traveling during peak commute hours and won't be driving children to and from school.
3. I will offer rides to the residents every time I have a regularly scheduled trip to San Rafael. Others in Canon Village can do the same, for our own neighbors here in Canon Village and for the residents of Victory Village. A simple website could allow us to post ride sharing offers and needs. We are all aging, and at some point, even if just for a temporary setback, we will all need rides.

As to construction concerns:

The need for affordable housing, especially for seniors, is enormous. A year (or less) of inconvenience for us in Canon Village is a small price to pay to enable seniors without means to live with dignity for the rest of their lives.

Like the rest of Marin and the Bay Area, Fairfax has become out of reach for the vast majority of people living on Social Security and a small pension. Our town's tradition of forward thinking and compassionate choices will be sustained by the addition of Victory Village.

The presentation by RCD Housing was very well done last week. Their design is thoughtful, efficient and quite attractive. I found myself wishing I could live there myself. Please add my voice to the chorus advocating for this building on the church site. And let me know how else I can be helpful in making it happen.

With all best wishes,

Patti Breitman

12 Rally Ct.
Fairfax, CA 94930
415 459 1666

kevin morris <kmorris1970@gmail.com>
To: kevin morris <kmorris1970@gmail.com>

Tue, Dec 6, 2016 at 11:21 AM

Town of Fairfax Planning Department

142 Bolinas Road

Fairfax, CA 94930

TOWN OF FAIRFAX

DEC 08 2016

RECEIVED

RE: Victory Village - Affordable Housing

I am writing to express to express my opposition to this project as it is currently proposed.

I am opposed to this project for 2 main reasons:

1. I believe that a 3-story structure of this size is not appropriate in this particular location. There are no other buildings of this height in the proximity of this proposed development. It simply does not fit into the neighborhood scheme and would be a true eye-sore.
2. I also cannot support this project where a 54-unit development is only allocated 39 parking spaces. I would think that at a minimum, 1 parking space per unit should be the plan. And that plan would not allow for any visitor parking. I understand that not all seniors are car-drivers, but I do believe that the majority of them still do drive. The lack of sufficient parking included in this building plan will result in a serious overflow of additional cars parking in the surrounding area.

For these reasons, I am voicing my opposition to this project in its current proposed form.

Thank you.



Kevin Morris
17 Rally Court
Fairfax, CA
[Quoted text hidden]

Linda Neal

From: Spirit L Wiseman <spiritji@aol.com>
Sent: Tuesday, December 06, 2016 1:05 PM
To: Council Member Barbara Coler; Mayor Renee Goddard; Council Member John Reed; Council Member David Weinsoff; Council Member Peter Lacques; Garrett Toy; Linda Neal; nfragoso49@gmail.com; laura@fdvinearchitects.com; bruce@laughingcrows.net; mimi.newton@gmail.com; phil@greenandgreen.com; meg-p@comcast.net; cindyswift@sbcglobal.net
Cc: spiritji@aol.com
Subject: Not sure my letter went through so second email please ignore if already received concerning support of senior housing

To the Town of Fairfax,

I have lived in Fairfax since the 1970's and well aware of the changes our Town has gone through since that time. I also presently live in Canon Village, next to the proposed project and work in Fairfax at Bradley Real Estate. So I know a bit more than most about housing and traffic in the immediate area.

I write in support of the project and basically beg you to do whatever you can to move forward with affordable senior housing. Do I want to live next to something that might look like the Marriott Hotel named "Victory Village"....well not really but this comfortable way of thinking is not an option.

As a Realtor it breaks my heart that people can no longer afford to live in my town. We have seen in recent years an influx of people from Silicon and the City bidding up some homes hundreds of thousands beyond the asking price because they received a one million dollar bonus from Twitter. Fairfax has become a very desirable location. We need and must keep the balance here

I nearly lost my little Condo in Canon Village in the housing crisis to foreclosure. So I know what it feels like to face homelessness, worry and concern about housing, The rents have been rising to a place that borders on unethical. It really is completely crucial that some balance is put into place.

As I live in Canon Village I know the traffic flow well and really the only time there is a problem is when school is in session as so many parents seem to drive the kids back and forth in a single car.

Seniors living in Senior housing are not likely to be driving kids to school, plus I know some seniors who live in Canon Village who do not drive much at all. We have bus stops nearby.

There appear to be some loud voices against the project which are fear based. Please do not let these voices run the show or think they represent the majority because they do not. My friends and neighbors very much support the project even if they are not appearing at meetings and writing letters. The voices I hear against it, I happen to know live in comfortable homes and seem to not understand the whole picture. They have not faced being a senior on limited income or near homelessness.

It dismays me when traffic is used as a road block argument but PLEASE don't buy it... I live right here....I see the situation everyday and it can easily handle the few cars extra on the road from Senior housingunlikely for all 62 cars to leave the parking lot at the same time.....We have 109 places here in Canon Village and we have no traffic issue outside of school time.

Please listen to reason not fear and help move this project forward, it is timely and crucial and the responsibility of the town to support senior housing at this time and in this place.

Thank you for reading my email,

Spirit Wiseman
9 Herrea Dr

Fairfax, Calif 94930
415-847-4828

Spirit L Wiseman
Bradley Real Estate
Chairman's Club 2013/2014/2015
415-847-4828

Spirit L Wiseman
Bradley Real Estate
Chairman's Club 2013/2014/2015

415-847-4828

<http://www.zillow.com/profile/spiritwiseman/>

Linda Neal

From: Stan Rosenfeld <vegstan2@ix.netcom.com>
Sent: Tuesday, December 06, 2016 2:51 PM
To: Mayor Renee Goddard; Council Member John Reed; Council Member David Weinsoff; Council Member Peter Lacques; Garrett Toy; Linda Neal; bcoler@townoffairfax.or; geomonley@earthlink.net
Cc: nfragoso49@gmail.com; laura@fdivinearchitects.com; bruce@laughingcrows.net; mimi.newton@gmail.com; phil@greenandgreen.com; meg-p@comcast.net; cindyswift@sbcglobal.net
Subject: A neighbor in favor

Dear Town Council and Planning Commission members:

I own two units in Canon Village: 12 Rally Ct. and 17 Deuce Ct. And I wish I could write you two letters in support of the new building planned for the Lutheran Church lot, but I know that one must suffice.

The only drawback to this very much needed affordable housing for seniors is that a number of trees must be cut down for the project. In other circumstances I'd be loudly protesting this, but housing that's affordable is so desperately needed, that I am strongly in favor of it despite the tree issue. I do hope that the town will hold the developer to its promise to replant at least one tree for every one being cut for the building.

Any complaints about traffic are not valid in my mind because most residents won't be driving during school commute hours, and that's the only time when too many cars are an issue.

Since moving to Canon Village in 1991, there was new housing built on June Ct. across from Canon Village; at Shadow Creek next to Lefty Gomez field; off Oak Manor, and now above the 7-11 on SFD Blvd. These are all luxury homes that were expensive when they were new and are now valued at astronomical prices. Our town – and the entire county – needs affordable housing. I cannot imagine a more attractive building plan or a more appropriate place than this new planned residence.

Thank you for doing the right thing. Thank you for supporting this project. (And for following up with the promised replanting of trees)

Sincerely,
Stan Rosenfeld
12 Rally Ct.
Fairfax, CA 94930
415 459 4668

Linda Neal

From: Elizabeth Greason <epgreason@comcast.net>
Sent: Wednesday, December 07, 2016 5:37 PM
To: Council Member Barbara Coler; Mayor Renee Goddard; Council Member John Reed; Council Member David Weinsoff; Council Member Peter Lacques; Garrett Toy; Linda Neal; nfragoso49; laura; bruce; mimi.newton; phil; meg-p; cindyswift
Subject: Senior Housing Project

Dear Town of Fairfax,

I am writing to urge you to approve the Senior Housing Project in Fairfax. I am a psychotherapist and live on Chester Ave. in Fairfax. It seems to me that a Senior Housing Project in Fairfax with affordable housing is an obvious need for our community as the housing market has sky rocketed and prices are astronomical and are far out of the reach of many us today.

I understand that the main objection is that there will be more problems with traffic but I do not believe this will be the case. Traffic is at it's highest when children are dropped off at school. Many seniors are not driving at that time of day and from what I hear from friends living at Cannon Village the morning are the only time this might be an issue.

I have not been to any of the town meetings but I feel strongly that this is the right thing for us to do.

I hope you will approve the project.

Thank you.

Elizabeth Greason, LCSW

Linda Neal

From: Garrett Toy
Sent: Monday, December 12, 2016 8:52 AM
To: Linda Neal
Subject: FW: Victory Village questions

Fyi: can't recall if I forwarded this to you.

Thanks

Garrett

From: Fees, Bridget [mailto:Bridget.Fees@smith-nephew.com]
Sent: Friday, December 09, 2016 1:13 PM
To: Garrett Toy <gtoy@townoffairfax.org>
Cc: Bridget Fees <btfees@gmail.com>
Subject: Victory Village questions

Hi I am writing to express my sincere concern that the Victory Village is at its final vote for our town. With traffic conditions as bad and complete congestion on our roads, the idea of bringing in housing at this scale is absurd! A very poor decision on the part of the city council. Who can I speak with directly about this situation. I want to be heard and updated about the community I live, work and own a home in. I feel that this project was brought in under the guise of something good for the community when it will be the complete opposite.

Thank you and I look forward to your response.

Bridget



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Bridget Fees | West Regional Sales Manager | ENT |

Bridget.Fees@smith-nephew.com |

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www.MyTonsils.com

www.RapidRhino.com

www.smith-nephew.com

Planning Commission
142 Bolinas Road
Fairfax, CA 94930

RECEIVED
DEC 13 2016
TOWN OF FAIRFAX

I am writing this letter in support of senior housing planned at Canon Village.

The need for affordable housing is crucial.

I like very much that property in Fairfax could be used for people in need of a residence rather than more luxury housing.

Thank you for your consideration,

Alice Lucas
130 Manor Road
Fairfax, CA 94930

P.S. I have lived in my Fairfax home since 1981. I have lived in Marin all my life.

Linda Neal

From: Michele Gardner
Sent: Wednesday, December 14, 2016 9:47 AM
To: Linda Neal
Subject: FW: Senior housing

Hi Linda.
For your records.
Thanks,
Michele

-----Original Message-----

From: Sue [mailto:suelamorte@yahoo.com]
Sent: Wednesday, December 14, 2016 9:16 AM
To: Michele Gardner <mgardner@townoffairfax.org>; Sue <suelamorte@yahoo.com>
Subject: Senior housing

I am writing to express my support for the idea and the plans. I have followed it closely via the newspapers. Senior housing is much needed. Thank you Fairfax for stepping in and participating. I am sure there are details but such a worthy project requires all our support.

Suellen Lamorte.

Commission on aging. Town of San anselmo. Writing as a private citizen.

Sent from my iPhone

Linda Neal

From: Danielle Salk <dvsalk@gmail.com>
Sent: Tuesday, December 13, 2016 1:32 PM
To: Council Member Barbara Coler; Council Member Renee Goddard; Mayor John Reed; Council Member David Weinsoff; Vice Mayor Peter Lacques; Garrett Toy; Linda Neal; nfragoso49; laura; bruce; mimi.newton; phil; meg-p; cindyswift
Subject: in support of senior housing

Hello,

I live very close to the proposed senior housing and I want to say that I am in support of it. We need it in our community and I do not feel it will too adversely impact the traffic (building it will, but not once the housing is in).

I sell homes in Fairfax and I live here. I hope we can keep Fairfax special by allowing for people to remain here.

Warm regards,

Danielle Salk, Broker Associate
Bradley Real Estate
Chairman's Club 2012, 2013 & 2014
DRE # 01279207
415-250-5361
dvsalk@gmail.com
<http://www.linkedin.com/in/daniellesalk>
<http://www.daniellesalk.com>

Trulia :

<http://www.trulia.com/profile/danielle-salk-broker-94960-4458882/reviews>

Zillow:

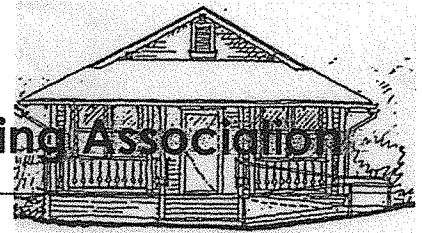
<http://www.zillow.com/directory/real-estate-agents/Danielle-Salk/?frmsrch=true>

Yelp:

<http://www.yelp.com/biz/danielle-salk-san-anselmo>

San Geronimo Valley Affordable Housing Association

P.O. Box 152 Woodacre, CA 94973 415-488-4890



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Suzanne Sadowsky, Chair
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Laura Sherman Joe Downey
Joe Walsh Maya Gladstern
Reede Stockton Mike Cusick

December 14, 2016

To: Fairfax Town Council
Fairfax Planning Commission

The San Geronimo Valley Affordable Housing Association is a nonprofit 501©3 organization that was established more than 40 years ago to address housing issues in our community. Its mission is to create, preserve and manage affordable housing in the San Geronimo Valley and beyond.

Marin County, including Fairfax and our local towns and villages in the Valley and West Marin, is now in the midst of a housing crisis that is affecting senior adults, families with children, young adults, working people and retirees. Affordable housing is essential to sustain the demographic, social and economic diversity our communities.

We strongly believe that the Victory Village project will be an important step in providing much needed housing for senior adults. The skyrocketing costs and scarcity of affordable rentals is forcing many seniors who have lived in Marin County for many years to be displaced from the support systems, friends and neighborhoods, and social services that they rely on for their health, longevity and well-being.

We fully support the Victory Village senior housing. This project has the ability to set an excellent example for other towns and villages to welcome and support our growing population of vibrant senior adults who enrich our communities in so many ways.

Sincerely,

Board of Directors
San Geronimo Valley Affordable Housing Association



December 14, 2016

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Tom Wilson

Elaine Lyford-Nojima,
Coordinator

PO Box 9633
San Rafael, CA 94912
www.MarinMEHC.org

Planning Commission
Town of Fairfax
142 Bolinas Rd.
Fairfax, CA 94930

Dear Chairperson Kehrlein:

The Marin Environmental Housing Collaborative (MEHC) is an organization of advocates who support affordable housing that respects environmental values and social justice. We strongly urge that your Commission recommend the Victory Village senior housing project to the Town Council for approval.

Victory Village is an extraordinary example of affordable housing that addresses a critical need while enhancing environmental resources.

The need for affordable senior housing is critical in Marin, and getting worse. Seniors are the fastest growing age group in the County. This is particularly true in Fairfax, where the number of persons 65 years or older rose from 693 to 950 from 2000 to 2010, a 30% increase. In 2012 more than 20% of Fairfax householders were 65 or older. Most seniors live on limited fixed incomes, and, as a group, they suffer disproportionately from poverty. Moreover, as seniors get older, many develop special needs relating to accessibility.

Victory Village will go a long way in addressing Fairfax's senior housing needs. About half of the units will be reserved for people earning up to 30% of the average median income (AMI), and the remainder will be for households making up to 50% of the AMI. The units will be fully assessable to residents with physical disabilities.

We know that when lower income households pay more than 30% of their income for housing, they have to cut back on food, clothing, and transportation resources. *Victory Village will save 53 senior households from poverty living conditions.*

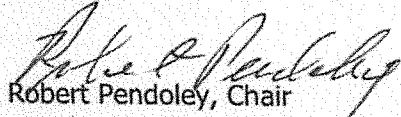
Aesthetically, the design is very attractive and appropriate at this gateway to West Marin. The building massing is nicely articulated, as are the facades. The design is harmonious with surrounding buildings and relates well with the total setting. The craftsman style is very appropriate to Fairfax, and is well executed. We strongly agree with the assessment in the staff report that the gradual step-up in height from 2 to 3 stories reduces the apparent massing of the project and avoids the appearance of a tall apartment building.

All donations go to MEHC's fiscal sponsor, EAH Housing, a nonprofit, non-stock corporation recognized by the IRS as exempt from income tax under Internal Revenue Code Section 501(c)(3). EAH generously contributes all donations to MEHC, pro bono. Your donation is tax exempt.

Victory Village will be an environmental asset to the community. The design is environmentally friendly, with drought tolerant landscaping, an upgraded drainage system to address potential flooding problems, and high quality construction materials. Construction will be limited to the two acres that are already developed, thereby avoiding disturbing any existing green space. The remaining 18 acres will be divided into two parcels with the potential for no more than one unit on each. We understand that there is a movement and general support to put these two remainder parcels in permanent open space, which MEHC would support.

MEHC stands for environmental protection, affordable housing, and social justice. It is unusual to have a development proposal that addresses these values so effectively. We strongly urge that you recommend Victory Village to the Town Council for approval.

Sincerely,



Robert Pendoley, Chair
Marin Environmental Housing Collaborative

All donations go to MEHC's fiscal sponsor, EAH Housing, a nonprofit, non-stock corporation recognized by the IRS as exempt from income tax under Internal Revenue Code Section 501(c)(3). EAH generously contributes all donations to MEHC, pro bono. Your donation is tax exempt.

Linda Neal

From: Michele Gardner
Sent: Wednesday, December 14, 2016 9:47 AM
To: Linda Neal
Subject: FW: Senior housing

Hi Linda.
For your records.
Thanks,
Michele

-----Original Message-----

From: Sue [mailto:suelamorte@yahoo.com]
Sent: Wednesday, December 14, 2016 9:16 AM
To: Michele Gardner <mgardner@townoffairfax.org>; Sue <suelamorte@yahoo.com>
Subject: Senior housing

I am writing to express my support for the idea and the plans. I have followed it closely via the newspapers. Senior housing is much needed. Thank you Fairfax for stepping in and participating. I am sure there are details but such a worthy project requires all our support.

Suellen Lamorte.

Commission on aging. Town of San anselmo. Writing as a private citizen.

Sent from my iPhone

Submitted at the 12/15/16 Commission meeting

December 15, 2016

To: The Fairfax Planning Commission
Ms. Laura Kehrlein, Chair
Ms. Norma Fragoso, Vice-chair
Mr. Philip Green
Ms. Esther Gonzalez-Parber
Ms. Cindy Swift
Mr. Bruce Ackerman
Ms. Mimi Newton

From: Sandy Claire (retired senior citizen and homeowner) - Village West, Fairfax, CA

"Victory" Village Senior Housing Proposal

Dear Planning Commission:

I was among several local residents who attended the informational meeting on November 29th at which the Resources for Community Development (RCD) presented their plan for "Victory" Village. I don't believe many people object to the construction of a low-cost senior housing development on the former Christ Lutheran Church property. However, I do believe there are several concerns about the *scale* of the project (especially the possibility of "bonus" concessions) and the failure of the RCD to grasp the *parking* and *traffic* situation in this part of Fairfax. I also feel that RCD is not particularly sensitive to the *local culture* and environment of the area.

Here is a breakdown of what surrounds the proposed "Victory" Village property.

Cañon Village	adjacent	100+ units	private parking	two story units
Village West	across SFD Blvd.	68 units	private parking	two story units
June Court	across SFD	8 units	private parking	two story units
Kingdom Hall of Jehovah's Witnesses	2600 SFD	n.a.	private (locked, gated parking)	one story bldg.
Creekside Apts.	2575 SFD	≈ 48 units	private parking	two story bldg.
Lanai Apts.	2555 SFD	≈ 33 units	private parking	two story bldg.
Drake Manor Apts.	2525 SFD	16 units	private parking	two story bldg.

Scale

The proposal to have senior housing on this site has been around for several years. Initially, I think I remember hearing that 6 units were planned. So it was quite a surprise when RCD said it was pushing for 54 units with only 39 parking spaces. The 54 units is the maximum (rather than 40 units) if RCD is allowed to receive "bonus concessions" -- which amount to an additional 14 units and also being allowed to build to a three-story height rather than complying with local height regulations.

I hope the Planning Committee will look long and hard at the "bonus concessions" possibility and decide to scale this building back to the basic 40 units -- a much more appropriate number of units for the area and a more appropriate height. Creating 40 units is still represents a high density number. Also there are no other buildings in this area that are three stories high.

Parking

I have lived in Village West for 17+ years. Parking has always been a problem in this area. There is no parking on Sir Francis Drake Blvd. from the west end of Olema back to the 7/11 at Manor. Parking was eliminated about 20 years ago to create bike lanes which are really used primarily by the road bikers that arrive on the weekends. All parking is private.

There was general consensus at the November 29 meeting that the number of parking places for the development is unreasonable. RCD (a business in Berkeley) seems to be unaware that this part of Fairfax is not in an urban area with frequent transit, BART, etc.). They tell us that seniors will not be driving or need cars, but rather will ride bikes and happily choose to use public transportation. This seems like an ideal life view, but one that may be a bit naive. People are not giving up their cars. And where will family, visitors, health providers, and residents park? We certainly hope they won't park at Village West, on June Court, in Cañon Village, etc. Parking is such an issue that the Kingdom Hall of Jehovah's Witnesses Church, just east of the proposed senior housing, blocked off the entrance of their parking lot with a locked gate a few years ago.

Traffic

Another concern is the amount of traffic that is almost a constant (especially morning and afternoon/evening) at this section of Sir Francis Drake Blvd. Anyone who lives in this area knows that there will undoubtedly need to a flashing light at the cross walk on SFD near the east end of Mitchell Drive. And let's not kid ourselves, there will probably need to be an actual stop light at some point. Please consider the amount of traffic when you are considering the addition of 40-54 units with the residents and their vehicles and their visitors and their service providers.

Local Culture

The promotional rhetoric used by RCD also seems a little manipulative. Let's remember that non-profits are still in business to make money and to support and grow their organizations. Construction companies are for profit operations. Selling the church property is the result of a church that could not financially sustain itself. The choice to make the property available for senior housing is admirable, but this ultimately is a business proposition.

RCD's crown jewel is located in Berkeley -- The Brower Center Complex that is coupled with the Oxford Plaza, an affordable housing project. Across the Bay in urban Berkeley, the Oxford Plaza provides a multi-story facility with 97 units and 40 residential parking spaces (below ground level with a parking lift system). Oxford Plaza is one block (a 3-minute walk) to the BART Station on Shattuck Avenue. There was a huge fight in Berkeley between RCD and Berkeley residents. Ultimately RCD got their "victory" with Oxford Plaza. RCD is going to fight for their "big" proposal as evidenced by the large number of staff and consultants present at the November 29th meeting. I want to point out again that West Fairfax is not a transportation hub. A large complex with inadequate parking is not acceptable.

Many of us sense that our local community is being bulldozed by an outside organization that doesn't really want serious input from long-term local residents. This was evident at the November 29 meeting when numerous attendees mentioned the parking and transportation issues, and RCD staff seemed to rush them along and just focus on their housing proposal as though it were a done deal.

Please think carefully about this project. It is too BIG. Don't let this be West Fairfax's own little Win-Cup eye-sore. You have an important responsibility to balance the need for senior housing with a respect for the local culture, more rural environment, and long-time residents. This site does not need to attempt to take on the whole senior housing quota for Fairfax.

Please recommend that this project be scaled back to 40 units with no third story. Insist that there be a requisite and realistic number of parking places.

Thank you for your consideration.

**Michael W. Graf
Law Offices**

227 Behrens St.,
El Cerrito CA 94530

Tel/Fax: 510-525-1208
mwgraf@aol.com

December 15, 2016

Via Email Submission

Town of Fairfax Planning Department
142 Bolinas Road
Fairfax CA 94940
Attn: Linda Neal (lneal@townoffairfax.org)
James Moore (jmoore@townoffairfax.org)

Re: Town of Fairfax's CEQA Review for Victory Village Senior Housing Project

To Whom it May Concern:

I am writing on behalf of Community Venture Partners, Charles Cornwell and other Fairfax residents in regards to the Victory Village Senior Housing Project. The Project proposes a lot split into three parcels, with a 53 unit housing project on the smallest parcel. The Project proposes General Plan and zoning amendments necessary for project approval and amendments to the zoning code proposing streamlined review process for all 'opportunity areas' identified in the General Plan.

We have concerns about the manner in which the Town is currently reviewing this Project under the California Environmental Quality Act ("CEQA") Pub. Res. Code §§ 21000 *et seq.* Currently, the Town is proposing to adopt the project along with a mitigated negative declaration ("MND") under CEQA. On November 30, 2016, the MND was circulated for a twenty day comment period, the minimum required under CEQA, *see* Pub. Res. Code § 21091(b), along with *456 pages of project materials*. That comment period for this massive amount of information is set to expire on December 20, 2016, in the middle of the holiday season. As far as we are aware, prior to this, there had been *no hearing* held by the Town, alerting the public about the Project.

Given these facts, we would request that the Town extend the CEQA comment period on the Project until into the second week January 2017, in order to allow citizens to get up to speed on what the Town is proposing, and not have to do so in the middle of the holidays when people are busy and distracted with a multitude of activities. Here, an extension is warranted, given that this project has apparently been in the works for years and that the Town's choice of a CEQA review period right in the middle of the holiday season at this time raises some troubling questions about its commitment to citizen input.

A further concern is the timing of tonight's Planning Commission hearing, at which staff is proposing the Commission adopt resolutions recommending to the Town Council approval of the Project and MND, as well as necessary amendments to the Town General Plan and zoning code. Here, the Commission is proposing to recommend adoption of the MND before the public comment process has been completed. How can the Commission make such a recommendation when it has not considered public comment pursuant to CEQA?

In *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, 130-131, the Supreme Court noted that to "be consistent with CEQA's purposes, the line [for conducting CEQA review] must [not] be drawn so...late that such review loses its power to influence key public decisions about those projects." In our view, the Planning Commission's proposed Resolutions are entirely premature given that the CEQA process is still underway and no one in the Town has even considered public input on the project or MND. See Pub. Res. Code § 21091(d)(1) (lead agency shall consider comments it receives on proposed mitigated negative declaration.)

Here, the Town's process violates a central purpose of CEQA that environmental review take place during and not after the agency planning process. See *Save Tara, supra*, 45 Cal.4th at 130 ("[T]he later the environmental review process begins, the more bureaucratic and financial momentum there is behind a proposed project, thus providing a strong incentive to ignore environmental concerns that could be dealt with more easily at an early stage.")

Finally, we have concerns about the substance of the Town's actions and project including traffic impacts, aesthetics etc. In particular we are concerned about the Town's proposal to amend the Town's Planned Development District Ordinance (Fairfax Town Code Chapter) to allow for a future streamlined review process for sites such as this one that are identified as Opportunity Sites in the Town's Housing Element. To our knowledge, the MND does not address the cumulative effects of developing these sites, nor does it direct the reader to any prior Environmental Impact Report that has done such an evaluation.

The need for affordable senior housing is clear, but in order to provide for such housing, the Town must retain the trust of its citizenry. The Town's procedure so far on this Project does not engender such trust. At this juncture we reiterate our request for a comment period extension until the second week in January. We also request that the Planning Commission hold off on any decision on this project until CEQA review is completed.

Yours Truly,


Michael Graf

On behalf of Community Venture Partners and Sustainable Tam/Almonte

cc: Town Council via email

Community Venture Partners, Inc.
A Catalyst for Sustainable Solutions

December 20, 2016

Via Email Submission

Town of Fairfax Planning Department
142 Bolinas Road
Fairfax CA 94940
Attn: Linda Neal (lneal@townoffairfax.org)
Garret Toy (gtoy@townoffairfax.org)

Re: Fairfax's CEQA Review for Victory Village Senior Housing Project

Dear Ms. Neal:

Community Venture Partners ("CVP") is submitting this comment letter on behalf of Charles Cornwell and other concerned residents of Fairfax. Our comments regard the proposal before the Fairfax Planning Commission to recommend the Victory Village Senior Housing Project (the "Project") for approval, its Initial Study and proposed adoption of a Mitigated Negative Declaration, and its requisite General Plan Amendment and the Planned Development District Ordinance, and approval of the zoning text and map amendments, a parcel map, a density bonus agreement, design review, and excavation permit and a traffic impact permit as first submitted to and heard by the Fairfax Planning Commission on December 15, 2016.

This letter is a companion letter to the previous correspondence on this project by our legal counsel, Michael Graf, dated December 15, 2016, and is incorporated herein, by reference.

Let me state from the outset that **our comments are not about senior housing, per se, or the need for affordable senior housing in Fairfax and Marin County. CVP fully supports the important goal of providing affordable senior housing.** However, we believe that any project proposed to meet that goal must be appropriate to its location and neighboring community, and its approval process must be transparent, equitable to all concerned, and consistent with the requirements of State Housing Law, the California Environmental Quality Act ("CEQA") and the town's municipal codes and regulations, and any decisions made regarding it must be evidence based and the result of adequate public input.

It is with regard to these issues that we have significant concerns.

Background

In recent years, the Town approved a General Plan Update and a new zoning ordinance that provided for "by right," high density residential use in downtown commercial zones and on sites identified as "opportunity sites." There was no environmental impact report ("EIR") or requisite analysis that would have been required under an EIR to support either

the General Plan Update or the proposed zoning ordinance. The CEQA process used was that of an Initial Study and Negative Declaration.

Subsequently, the residents of Fairfax brought a successful petition, signed by more than 1,000 Fairfax voters, to overturn the new zoning ordinance through a referendum. After much delay, this petition was endorsed by the Town Council, apparently because they knew that bringing it before the public for a vote would have only resulted in the same outcome.

The Town Council made no secret of its displeasure about this turn of events. A disconnect between the elected officials of the Town and a significant number of its residents appears to have persisted ever since.

The newly proposed Planned Development District Ordinance (the "Ordinance") and its "streamlining" review process appears to be an attempt to resurrect the provisions of the previous "by right" zoning ordinance in a way that ensures less public awareness of zoning changes in the future (fewer public notices) and fewer opportunities (public hearings) where the public can provide input on the Town's project review process. This brings into question the Town's commitment to transparency. As it stands, the public is faced with what can only be described a highly unusual public process for Victory Village that raises significant questions regarding CEQA and compliance with the Town's own municipal codes.

Inadequate Public Notice and Public Comment Period

There is no question that the proposed approval of the Victory Village project is major decision for the Town of Fairfax that will be precedent setting for decades to come. At the December 15th Planning Commission hearing, Town Manager and acting Planning Director Garret Toy stated that [there is]

No question the project before you, its 54 units, 53 affordable senior units, one manager unit... It's the largest project this town has seen in thirty years.

This statement considered, one would hope that the Town would make a significant effort to provide the Planning Commission and the general public with adequate time and opportunity to evaluate and comment on the proposal. Instead, the Town has pursued a fast track process that seems designed to do the exact opposite.

Although a public workshop on the project was held on November 12, 2016, the December 15th hearing was set to be the first and last opportunity the Planning Commission would have to review and recommend the final Project Proposal for approval. And, they were not only being asked to recommend the Victory Village project itself but to endorse a host of lengthy, interrelated and complex documents, including the Initial Study, a Planned Development District Ordinance, parcel and zoning map changes, a density bonus agreement, project design review, and a long list of formal Resolutions, in one fell swoop.

In our opinion, this was unreasonable and did not and does not allow sufficient time for public comment.

The Project's truncated public comment period violated CEQA

In my experience attending project planning hearings for 23 years in Marin, the type of expedited processing employed by Fairfax for this project is unprecedented. The documents to be reviewed, which were only released to the public in the Staff Report on December 9, 2016, were over 450 pages in length. Yet, in spite of this massive "data dump" by the Town on the Planning Commission and its citizenry, the public comment period was set at 20 days, six days after the Staff Report's publication. Technically, the Initial Study was published on November 30, 2016 with minimum public notice and a public comment period of 20 days: the bare minimum allowable under statute for comment under CEQA, *see* Pub. Res. Code § 21091(b). As has been expressed by many, coming right before the biggest holiday season of the year, the public comment period was truncated to the point of absurdity.

In addition, by scheduling the decision-making approval hearing on December 15th, a full 5 days before the end of the public comment period (allowing only 15 days to comment), the Town was not only in violation of the law under CEQA, but for all intents and purposes it suggests its decision to approve the project was already predetermined before all comments by the public would even be received, much less considered.

An objective observer would be hard pressed to conclude that the Town has been acting in good faith. It also raises serious legal and ethical questions about the integrity of this project's entire review and approval process. Under CEQA public comments are required to be an integral part of an agency's decision-making process, not an afterthought, as the Town of Fairfax has treated public comment on the Project.

To repeat the opinion voiced in Mr. Graf's comment letter,

In *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, 130–131, the Supreme Court noted that to "be consistent with CEQA's purposes, the line [for conducting CEQA review] must [not] be drawn so...late that such review loses its power to influence key public decisions about those projects." In our view, the Planning Commission's proposed Resolutions are entirely premature given that the CEQA process is still underway and no one in the Town has even considered public input on the project or MND. *See* Pub. Res. Code § 21091(d)(1) ("lead agency shall consider comments it receives on proposed mitigated negative declaration.").

Here, the Town's process violates the entire purpose of CEQA, which is that environmental review must take place during and not after the agency planning process.

[T]he later the environmental review process begins, the more bureaucratic and financial momentum there is behind a proposed project, thus providing a strong incentive to ignore environmental concerns that could be dealt with more easily at an early stage of the project. ... For that reason, "EIRs should be prepared as early in the planning process as possible to enable environmental considerations to influence project, program or design." *Save Tara, supra*, 45 Cal.4th at 130.

In essence, the Town of Fairfax has not complied with either the planning or the zoning process established in the Government Code or the CEQA process set out in the Public Resources Code. Specifically, Fairfax appears to be adopting an unprecedented truncated planning process which does not provide a legally adequate level of public review or impact assessment.

Under these rules, at a minimum, the entire Initial Study should be recirculated for a proper public comment period to occur and the previously drafted Resolutions reconsidered and redrafted and recirculated after all public comment has been received and considered.

The Project Description is defective under CEQA

Neither the Staff Report nor the Resolutions or the Initial Study provide a clear and complete Project Description, which is required under CEQA to assist the public in fully understanding the decisions the Planning Commission is being asked to make and the Project's environmental impacts.

"An accurate, stable and finite project description is an essential element of an informative and legally sufficient EIR under CEQA" (see CEQA Guidelines §15124, citing *County of Inyo v. City of Los Angeles* (1977) 71 Cal. App.3d 185, 199 [139 Cal. Rptr. 396]). Several courts have invalidated CEQA documents for their failure to provide an adequate Project Description. For example, in *Friends of the Eel River v. Sonoma County Water Agency* (2003) 108 Cal. App. 4th 859 [134 Cal.Rptr.2d 322], the California Supreme Court found that an EIR was invalid because it omitted a meaningful discussion of the conditions in the northern part of the proposed water supply system. (See also *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal. 3d 376.)

In fact, it appears that the Town has deliberately attempted to hide what is arguably the most significant and impactful aspect of the Project in what are essentially footnotes in the documents, regarding the required approval of an amendment to the General Plan, e.g.,

The existing Planned Development District Ordinance (Town Code Chapter 17.112) will require revision in order to reflect General Plan requirements and to allow a more streamlined review process for sites, such as this one, that are identified as Opportunity Sites in the Town's Housing Element.

As such, the Project Description is incomplete and inadequate because it does not sufficiently alert the reader to the significance and impacts of the proposed Ordinance.

The way the Project is described and presented forces the reader to attempt to sift through the voluminous and numerous documents to gain this important project information. This violation of this project description requirement is further demonstrated throughout the Staff Reports, the Initial Study and the other project documents in that the potential overall environmental impacts of the sum total of all the approvals sought for the project are never actually discussed, rendering reasonable environmental analysis impossible.

Cart before the horse decision-making

The Staff's recommendation to endorse the Planned Development District Ordinance and its requisite streamlining provisions are procedurally improper and inadequate under CEQA. As presented to the Planning Commission and the public, the "project" constitutes an improper attempt by Staff to "hide" the requisite streamlining approval inside the approval of Victory Village, an individual project, and sabotages the public process to achieve its approval.

Of the nine items included for approval only eight only pertain to the Victory Village project itself, while one other, the Planned Development District Ordinance impacts all of the identified "opportunity sites" that are located throughout the Town, in addition to Victory Village. As noted, the approval of Victory Village is fully contingent and solely dependent upon a prior approval of "streamlining." This fact is not clearly explained in the Staff Report's presentation to the public and the Planning Commission.

Further, the approval of the Ordinance and streamlining, and the appropriate public process that this would demand under the Town's own codes and regulations, is in no way similar to the eight approvals sought for the Victory Village proposal itself. This action by Staff, and the inclusion of the approval of other aspects of the Project, such as design review and granting specific entitlements, violates Chapter 17 of the Town's Code, regarding Planned Development Districts, and discards the public process required to make such General Plan and zoning changes. In addition, by bundling the Planned Development District Ordinance and its dependence upon a General Plan Amendment to allow for a streamlined approval process inside of the approval of the Victory Village project, the Town has entered into an improper and inadequate environmental review process under CEQA.

To an objective observer, by including the approval of the Planned Development District Ordinance within a single project approval, the Staff Report's recommendations to the Planning Commission appear to be an attempt to circumvent the Town Code in order to streamline the rezoning of all other opportunity sites in Fairfax, for future high density projects, without adequate public process or comment in the future, and without any analysis of the environmental impacts of those future projects.

Worse still, the Staff Report is not only recommending that the Planning Commission approve the Planned Development District Ordinance and assume the future approval of the streamlined approval process for all other opportunity sites in Fairfax, but it is

attempting to actually implement the streamlining process to gain approval of the Victory Village project before that streamlining process has even been considered or created by the lead agency (the Town Council).

This nonsensical and improper “cart before the horse” process alone potentially invalidates the Staff Report, its drafted Resolutions, and this project’s public review process so far, in its entirety.

Failure to comply with CEQA in considering the Ordinance

The Staff Report states:

Planned Development District ordinance (Town Code Chapter 17.112) will require revision in order to reflect General Plan requirements and to allow a more streamlined review process for sites, such as this one, that are identified as Opportunity Sites in the Town's Housing Element. This revision was specifically contemplated in the 2015-2023 Housing Element.

However, when Fairfax considered its General Plan Update and its prior “by right” zoning ordinance, the Town did not conduct an EIR or do the studies and analysis that would have required. The Town addressed CEQA requirements by conducting an Initial Study and the adoption of a Negative Declaration. Therefore, the Town has no prior document to tier off to satisfy CEQA requirements for Victory Village or for the recommendation of the Planned Development District Ordinance and streamlining.

The fact that streamlining was “contemplated” in the 2015-2023 Housing Element does not in any way satisfy the CEQA requirements for identification of significant impacts, their analysis and mitigation if needed, or for an evidenced based decision-making process for the Ordinance or any individual project subject to that Ordinance, including Victory Village..

Further, since the entire Initial Study and all its attachments and conclusions are based solely on the specific Victory Village project, and since there was no EIR conducted for the General Plan Update, the consideration of the Planned Development District Ordinance and the implementation of streamlining on the Victory Village project itself has not been properly or adequately analyzed or considered. To propose the Planning Commission recommend the Ordinance in absence of its compliance with CEQA clearly violates both the spirit and the letter of the law.

In summary, the Initial Study does not in any way assess the impacts of the Planned Development District Ordinance, despite clear CEQA requirements that the Initial Study do so. Instead, the Initial Study simply makes unsupported conclusions that impacts are not significant, without citing adequate data or qualitative analysis regarding those impacts.

In a situation such as this, a full EIR is required.

Failure to consider cumulative impacts

It is impossible for any agency to adequately identify, consider, analyze, or mitigate cumulative impacts on a project by project basis. Processing projects one at a time, as the Staff is recommending, would, therefore, *forever* ignore the cumulative environmental impacts. However, this appears to be precisely what Fairfax is proposing to do.

Segmentation

With regard to the Ordinance and streamlined approvals, CEQA prohibits the segmentation of related projects into smaller pieces in an attempt to avoid analysis of cumulative environmental impacts. A public agency may not divide several "projects" (e.g., opportunity sites) into smaller individual projects, such as Victory Village, in order to avoid its responsibility to consider the environmental impacts of the all the projects as a whole. See *Orinda Assn. v. Board of Supervisors* (1986) 182 Cal. App. 3d 1145, 1171.

Here, even though the Town is asking the Planning Commission to recommend a Planned Development District Ordinance and its requisite streamlined approval process, which will certainly impact the development, density and environmental impacts of other sites in Fairfax, the Initial Study fails to address or even mention those potential cumulative impacts in any way.

Worse, the Town is thereby indicating *its conscious intention to engage in inappropriate segmenting or piece-mealing* in considering of all potential cumulative impacts, for all future approvals of development projects on other opportunity sites, in addition to Victory Village. These potentially significant cumulative impacts that the agency has failed to consider, identify, analyze or mitigate include Aesthetics, Biological Resources, Greenhouse Gas Emissions, Land Use / Planning, Population / Housing / Traffic / Transportation / Mandatory Finding of Significance, Agricultural Resources, Cultural Resources, Hazards & Hazardous Materials, Mineral Resources, Public Services, Tribal Cultural Resources, Air Quality, Geology / Soils, Hydrology / Water Quality, Noise, Recreation, and Utilities / Service Systems.

Consideration of cumulative impacts is key to providing decision-makers and the public with a comprehensive view of the approvals being sought. It is clear that streamlining would provide significant incentives to build new high density, multifamily development. Some but by no means all of the concomitant impacts might include increases in housing density and population, traffic congestion and parking demand (irrespective of statistical density upper limits found in the code), public services and infrastructure demands, increases in permeable surfaces and subsequent polluted runoff, and floodplain and water resources impacts, to name just a few. All of these cumulative impacts require careful analysis and if found to be significant, require mitigation.

This fact alone potentially negates all of the finding of the Initial Study, because although dependent upon the approval of a new citywide Planned Development District Ordinance,

the Initial Study only looked at the Victory Village in isolation, and therefore is far too limited in scope, analysis or evidence, regarding the cumulative impacts that would result.

Future opportunity site proposals

To this observer, then, it appears that the Staff is shamelessly attempting to use public support for senior housing as a Trojan Horse, to slip a major city wide zoning change past the unsuspecting eyes of the Planning Commission and the public, thus opening the door to a series of major developments, for which there will be inadequate analysis or fact-based decision-making, and for which there will be extremely limited public input opportunities.

Much more importantly this subterfuge by Staff, this attempt to put in place a process whereby projects are approvable under a general zoning ordinance streamlining review, but which will allow them to be approved on a case by case, standalone basis, completely disregards and circumvents *ever* having to recognize, account for, analyze or mitigate the cumulative impacts of those projects as an outcome of the Ordinance. This proposed future process violates both the spirit and the letter of the law under CEQA.

As written and submitted for review and approval, the Initial Study is grossly inadequate in all aspects and provides no evidence whatsoever, either way, regarding the impacts or lack thereof from the adoption of streamlining. It is also important to note that although Victory Village may be an affordable senior housing project, as proposed, future projects on other opportunity sites, which will also benefit from the approval of the Ordinance and streamlining, are not guaranteed to provide a significant amount of affordable housing above and beyond the Town's inclusionary regulations. In fact, it is extremely likely the vast majority of new housing units proposed on other opportunity sites will consist of high priced, luxury units. The economics of development guarantee this outcome.

Based on the approval process Fairfax is attempting to put in place, facts such as this may never be addressed, adequately or otherwise, thereby denying the public their right to comment.

One example of inadequate impacts analysis: traffic

We have reviewed the Parisi Transportation Consultants Traffic Study dated October 16, 2016. We would note that a weekend day peak hour analysis was not conducted for existing conditions. It is the weekend, particularly in the good weather months, when recreational traffic would be highest on Sir Francis Drake Boulevard (S.F. Drake) that may result in greater traffic congestion in Fairfax than the Parisi Study indicates. Further traffic counts would need to be conducted to arrive at appropriate assumptions.

The Parisi analysis of the project impact is based on previous Parisi analysis of General Plan traffic volumes. Of the 11 intersections reported for the General Plan conditions, 5 are found by Parisi to operate at LOS "E" and "F." This LOS condition exists in spite of the fact that the Town of Fairfax has adopted LOS "D" as the minimum acceptable service

level standard. It is not clear why this condition exists in the General Plan when several intersections were reported to operate in clear violation of the Town's adopted LOS standard. Therefore, the General Plan and the Town's adopted LOS standards are inconsistent and demand clarification prior to any consideration of the Ordinance.

4 of the 5 intersections with substandard LOS traffic loads are also found by Parisi to now operate at LOS "E" and "F" for existing traffic. Oddly, because Parisi claims the addition of project traffic to these intersections does not degrade the already substandard LOS letter grade, the project is found by Parisi, and in the Initial Study and Staff Report, to have no significant impact on existing conditions, even though it is in violation of the Town LOS standards, and clearly even the addition of a single car will certainly *increase its lack of compliance* with that Town standard, and therefore must be identified as significant.

Nowhere does the Town, the Ordinance or the Staff Report acknowledge this truth or attempt to define at what point this creates a significant impact that requires mitigation, if that is even possible. Where is a plan for that and where is it identified and analyzed as required under CEQA.

As written, the logic being employed by Parisi and Fairfax would mean one could always continue to add more traffic to a failing intersection without the impact ever becoming significant. However, the CEQA test is rather, whether the addition is cumulatively significant; the worse the existing levels, the less traffic, not more, needs to be added to cause a significant impact.

Parisi finds that the addition of project traffic would degrade one intersection from an acceptable LOS D to an unacceptable LOS E, assuming General Plan traffic volumes. This intersection, S.F. Drake at Mitchell Drive/Alhambra Circle, is described by Parisi as having such a low traffic volume that it is not suitable to mitigate the substandard LOS with a traffic signal. No other mitigation measure is suggested. But why not, since it is in violation of the Town's LOS standard? Are the Town standards of Fairfax so fanciful and subject to political desires that they are essentially irrelevant? If so, how are the Planning Commissioners supposed to interpret or implement the standards?

All good questions, which remain unexamined.

Under commonly accepted interpretations of the standards for significant impact, the fact that a single project would add to an already unacceptable condition, e.g. the LOS "E" and "F" existing operation at 4 intersections, would be considered a significant impact of the project.

The awkward result of these procedures is demonstrated by the findings in the project Staff Report, which states that

... the proposed project would not cause the performance of intersection roadway linkages to fall below acceptable level of service or otherwise further reduce the system performance within the Town of Fairfax.

This is clearly not the case as found in the Parisi analysis of the intersection of S. F. Drake and Mitchell Drive/Alhambra Circle discussed above.

The Staff Report also finds

... the project's average daily traffic will not increase the traffic volume on any roadway segments or intersection approaches of the Town's principal circulation system by more than one percent or by more than 100 vehicles.

This is also incorrect because the Parisi study reports that the project would add 8 vehicles to the 10 peak hour vehicles projected for Mitchell Drive at its intersection with S. F. Drake (an increase of 80%). It appears that errors and miscalculations of this kind are found throughout the analysis of traffic impacts as well as other documents that purport to support the findings of the Initial Study. But, because the public comment period has been so extremely truncated and the documents so voluminous, it was simply impossible for us to go into this level of detail on all the information provided.

In addition, the issue of the cumulative impacts of Victory Village and all of the opportunity sites affected by the Planned Development District Ordinance and streamlining procedures being used to process the Victory Village project are never addressed or acknowledged by Parisi.

An EIR is required

There is little question that the Victory Village proposal and its Initial Study, as it has been presented, is inadequate for the purposes of asking the Planning Commission or the public to consider the Planned Development District Ordinance and the streamlined approval process being used for Victory Village and the approval of the Victory Village project itself.

The Town would be prudent to not allow any projects that are proposed on opportunity sites, including Victory Village, to be brought before the Planning Commission and the public until a thorough public process has been undertaken and completed with regard to the proposed streamlined approval process: to do otherwise would be both improper and in violation of the Town's own regulations.

Our analysis of the Staff Report, the Initial Study and all their appurtenant documentation as presented, indicates that a complete EIR adequately assessing the overall and cumulative impacts of such a proposal is required in order to move forward.

We ask that the Town carefully consider this requirement and all our comments before continuing its present approval process for Victory Village.

Respectfully submitted for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Silvestri', with a stylized flourish at the end.

Bob Silvestri
President
Community Venture Partners, Inc.

Linda Neal

From: Denise Ferry <dferry@earthlink.net>
Sent: Tuesday, January 03, 2017 4:16 PM
To: Linda Neal
Subject: Attempts to Change our Town

Dear Ms. Neal,

I have read Bob Silvestri's letter to you and I am in complete agreement with its content and sentiments.

It appears that Victory Village is being used as an opportunity to sweep away the ordinances that have protected our town and kept it the place we treasure and the envy of gentrified Marin.

I am not going to take up your time repeating what has been so well and clearly stated in his letter. And it would also be a waste of my time. It was clear from the great hostility expressed at the Oct 1st meeting that when the citizens of Fairfax realized what the town was planning (in that case closing off Bolinas or making it one way) they turn out to stop it.

The October 5th Town Council meeting minutes only record that closing Bolinas was "taken off the table." Sadly, I do not believe this was in response to the citizen's feelings on the matter but because it was pointed out that the town's plan was not possible because the road had to remain as it was to conform to Federal Standards.

I hope the Director of Planning positions will remain vacant, not refilled and in fact eliminated. A town of our size does not need such a position and it has lead to nothing but trouble, vast expense and financial burden. Every meeting I have attended people implore the town to turn their attention to the most basic issues such as fixing our deteriorating sidewalks. We dont need a Town Planning Director for that.

Sincerely,
Denise Ferry

Linda Neal

From: Michele Gardner
Sent: Wednesday, January 04, 2017 4:27 PM
To: Linda Neal
Subject: FW: Public Comment re: Victory Village

Hi Linda.
For your information.
Thanks,
Michele

Michele Gardner
Town Clerk | Assistant to the Town Manager
Town of Fairfax | 142 Bolinas Road | Fairfax, CA 94930 | 415.458.2343
www.townoffairfax.org

From: Denise Larsen [mailto:deniserlarsen@gmail.com]
Sent: Wednesday, January 04, 2017 2:53 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Fwd: Public Comment re: Victory Village

----- Forwarded message -----

From: Denise Larsen <deniserlarsen@gmail.com>
Date: Wed, Jan 4, 2017 at 2:49 PM
Subject: Public Comment re: Victory Village
To: bcoler@townoffairfax.org, rgoddard@townoffairfax.org, jreed@townoffairfax.org,
dweinsoff@townoffairfax.org, placques@townoffairfax.org, gtov@townoffairfax.org,
gardener@townoffairfax.org, lineal@townoffairfax.org

This is in regards to Public Comment due by 1/4/17 on Victory Village. Please forward to the Planning Commission members, as well. Thank you.

Hello Everyone,

I, like many citizens, have several concerns about the proposed Victory Village (VV) project. At this time, I will limit my comments to current the environmental impact and the probable change in the town of Fairfax itself.

The town has codes/laws/zoning carefully put in place over several decades designed to protect the town, its small town and unique character, and environment/wild areas. Although the VV project is noble in its intention, the town should not be changing its laws/codes/zoning to fit any project. Any project should come up with plans that fit the town's laws/codes/zoning. Of course, any small variances or changes to allow any project can be granted but the VV project is asking for major changes in several areas.

I am concerned about making major zoning changes to allow the VV property to be subdivided into 2 and possibly 3 parcels and allowing a major concentration of development/units on property zoned for 1 unit per 7 acres. This is a major change. Even if the property went against current laws/codes/zoning and was allowed to

subdivide and develop the 2 acre site, how would the town in the future ever be able to protect the remaining 18 acres? Or any other properties that are now and have always been fairly natural and wild? Why would some developer not come in and demand or sue to have the same exceptions/privileges on their property that the town seems so freely to want to give to VV? Does the town think that the remaining 18 acres could be subdivided into two 9 acres parcels and that the most that can happen is that two homes max will be built? Is the town willing to put itself into long and expensive litigation when some other developer wants what VV got?

It appears that the town is putting itself into a very dangerous situation and once precedent has been set, the floodgates will be open. Please at least be aware that could happen here. All one has to do is look at what happened in the Sacramento Valley where the small, individual, unique and cute towns like Fair Oaks, Orangevale, Rocklin, Folsom, Roseville, etc. became blurred or disappeared except in name only. Look at Sebastopol where the locals don't even try to go downtown anymore, drive through the neighborhoods to get around, and where a 6 story hotel is going in right in the heart of downtown while a huge two story building housing a CVS is being built across the street and high end businesses are moving in. Please do not think this cannot possibly happen here. Citizens settled in Fairfax, not a Daly City or a San Rafael, for a reason. Prove to us you could approve VV and protect the rest of the land/environment/feel here. I don't think you can.

The traffic study needs to be done at worst case scenarios times/days, not a light or mid-range. How about Wed am between 7:30-11am? How about a Friday afternoon or a Saturday? How about summer and Sunday afternoons? To have the report state there would be very little, if any impact, is not realistic. Considering how bad the traffic and parking has become over the last 10 or 15 yrs or so, how would 54 new units on the west end of town not have major impact, not just from the individuals or couples living in the units but from the workers, visitors for a myriad of reasons, deliveries, etc? Traffic and parking issues have continued to increase while there have not been any major developments for a very long time. But there have been lots of homes being remodeled into bigger ones, developments of 5 to 10 or more homes/units going in over the years, younger families with young children buying homes, etc. Look how bad traffic and parking have become without any major development projects. And the town is seriously considering and trying to force more major development projects on the town under the guise of transit oriented development and/or affordable housing. That people won't drive and only use non-car transportation in VV or any other developments in the works or future is only AN ASSUMPTION and does not take into account the visitors (service people, support/medical people, deliveries, friends and family visits, boy or girlfriend visits and staying over, Uber, etc.) who will be driving to any one resident here.

While the VV developers state their other properties average out as needing .7 parking spaces per unit, ALL of their other properties are not out "in the sticks" without walkable shopping, services, etc nearby. It does not matter if the state currently requires .5 parking spaces. Most affordable senior housing is built right near frequent, fast, reliable and affordable major transportation (which does not and will not exit here) and right near services, medical offices, grocery stores, etc. As someone in support of VV sarcastically stated at the planning commission in Dec., "Should we be building these along the 101 corridor?" YES!! VV is being billed as an active senior living development, not assisted living. Seniors drive and have visitors. They have needs beyond catching a bus, having one errand and nothing to carry from and back home but a small bag of groceries.

The sheer amount of trees being asked permission to remove and the amount of land that will now be covered with increasing water run-off is concerning. Even if 46 or so of the 70+ trees being asked for removal are replaced, a young tree does not provide the habitat or root system that holds the soil or uses water that a tree many decades old can. And speaking of water, where is all the water coming from to support more and more residents and developments?

As stated earlier, the town's codes/laws/zoning are trying to be being changed or seem to be ignored or interpreted "differently" to allow this kind of development. Changing zoning to allow a structure 40.5 ft high and 3 stories of development versus 2, and in actuality is 4 stories in height, again opens the door wide for

everyone else to want and expect the same and more. And sue if not given the same that VV gets. This height would also impact the environment and neighbors with blocking the sun and shading areas that were not experiencing that before. At their presentation, the developers touted their huge, dramatic, showcase entry as needed so people could find the entrance. A couple of low-cost, small signs stating "Entrance" with an arrow as ones drives onto and through the property would suffice. Plus the costs to heat and cool a two-story open lobby entrance area with an adjoining gathering place for residents would not make sense where a green design is considered. In short, it is not necessary or needed.

I found it very interesting that a person who appeared to be a rep of the VV project speak during the public comment time at the last PC meeting and went on about studies showing the huge positives of "aging in place." I found it ironic that this whole plan and how it is being financed does just the opposite. Aging in place??? If this project is approved, what is it going to be like for the seniors in other areas of the Bay Area and beyond applying for a unit out of necessity only to be uprooted from their family, friends, neighbors, doctors, dentists, neighborhood grocery stores, service people, support system, gym, seniors' groups, activities, church, etc, etc. at a very important time in their lives? If this developer was a "true" non-profit in reality (and not just meeting some minimum standards required by law), perhaps they would finance and build in a way that would respect the concept of the importance of "aging in place" and give priority to Fairfax seniors. This should be happening in towns and cities all over, people taking care of their own so they are not uprooted and having to start over just when they need help the most. Fairfax, by virtue of what it has represented in the past, could, with other cities and towns, lead the way.

Lastly, the spirit of any CEQA is the **accumulative impact** of a project and all the others coming forward through the town and county, as well as where the past has taken a town. The accumulative impact appears to be completely disregarded. Fairfax is limited in several ways, including water, infrastructure and open space/wild areas. And once the town changes its laws/codes/zoning to appease developers, we will not be able to turn back. Do not be under the illusion that Fairfax is in some magic bubble that will protect it from the worst of development once that door has been opened, even with deep pockets, which we don't have. Talk to some Sebastopol locals first. It appears that the VV project is putting Fairfax at a major crossroads/turning point for everything else in the pipeline now and in the future. I hope you all will look at the big picture and choose wisely.

Thank you for your time and consideration.

Respectfully,
Denise Larsen
Fairfax, CA

Linda Neal

From: Michele Gardner
Sent: Wednesday, January 04, 2017 4:46 PM
To: Town Council; Bruce Ackerman (Bruce Ackerman); Cindy Swift (Cindy Swift); 'Esther Gonzalez-Parber,'; Laura Kehrlein (laura@fdivinearchitects.com); Mimi Newton; Norma Fragoso; Phil Green
Cc: Garrett Toy; janet.coleson@bbklaw.com; Linda Neal
Subject: FW: Affordable Low Income Senior Housing

Mayor and Council, Planning Commissioners:
Below please find another letter, which some of you may already have received.
Michele

Michele Gardner
Town Clerk | Assistant to the Town Manager
Town of Fairfax | 142 Bolinas Road | Fairfax, CA 94930 | 415.458.2343
www.townoffairfax.org

From: Kathy Flores [mailto:k-flores@comcast.net]
Sent: Thursday, December 29, 2016 4:56 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Affordable Low Income Senior Housing

Hello Michele, I was not able to get everyone's email address. Can you please forward this email to the Planning Commission, Staff and Town Council. Thank you - K

December 29, 2016

Dear Planning Commission:

First of all, I would like to have my comments regarding 'Victory Village' development made a part of the record.

Secondly, I am not against Low Income Senior Housing, but I feel that it is important to be consistent with the requirement of State Housing Law, the California Environmental Quality Act ("CEQA") and the Town's Municipal Codes and regulations and any decisions made to have adequate public input.

The 450 page Developers document was released to the public on December 9, 2016. The Initial Study was published on November 30, 2016 with minimum public notice and a public comment period of 20 days: the **bare minimum** allowable under statute for comment under CEQA. After receiving the Lawyer's letter, Garrett Toy extended public comments to January 4, 2017, however it is an extremely busy this time of year and most do not have time to read the 450 page document within this time frame or be able to send in their comments. In order for all residents in our community to have the opportunity to send their comments, I am asking the Town Council to extend the comment period to **January 20, 2017**.

Thirdly, it seems the Planning Commission, with the backing of the Developers, is attempting to circumvent the Town Code in order to streamline the rezoning of **ALL** other **Opportunity Sites** in Fairfax- without adequate public process or comment and without any analysis of the environmental impacts of those future projects.

Some, but by no means all of the impacts might include increases in housing density and population, traffic congestion and parking demand, aesthetics, public services and infrastructure demands, increases in permeable surfaces and subsequent polluted runoff, and floodplain and water resources impacts, to name just a few. All of these cumulative impacts require careful analysis and if found to be significant, require mitigation.

It appears that the Staff is attempting to use public support for senior housing as a “Trojan Horse”- to slip a major city wide zoning change past the unsuspecting eyes of the Planning Commission and the public, thus opening the door to a series of major developments, for which there will be inadequate analysis or fact-based decision-making, and for which there will be extremely limited public input opportunities in the future.

There’s no turning back once our town laws, codes and zoning that have saved and kept Fairfax’s small town environment character are ignored or changed.

Thank you,

Kathy Flores

Kathy Flores
k-flores@comcast.net

Linda Neal

From: Michele Gardner
Sent: Wednesday, January 04, 2017 4:33 PM
To: Town Council; Bruce Ackerman (Bruce Ackerman); Cindy Swift (Cindy Swift); 'Esther Gonzalez-Parber,'; Laura Kehrlein (laura@fdivinearchitects.com); Mimi Newton; Norma Fragoso; Phil Green
Cc: Garrett Toy; janet.coleson@bbklaw.com; Linda Neal
Subject: FW: Fairfaxzoning changes and development

Mayor and Council, Commissioners:
Below please find a letter regarding Victory Village.
Thank you,
Michele

Michele Gardner
Town Clerk | Assistant to the Town Manager
Town of Fairfax | 142 Bolinas Road | Fairfax, CA 94930 | 415.458.2343
www.townoffairfax.org

From: Helen Fauss [mailto:hkfauss@gmail.com]
Sent: Wednesday, January 04, 2017 10:40 AM
To: Mayor John Reed <jreed@townoffairfax.org>; Michele Gardner <mgardner@townoffairfax.org>
Subject: Fairfaxzoning changes and development

To Fairfax Town Council and Planning Commission,

While I realize the need for more low income housing is of a pressing nature, I feel strongly that Victory Village is not the answer and has been rushed through the planning process without adequately informing or including the residents of Fairfax. I have read Bob Silvestri's letter and am in wholehearted agreement with it. This would be a project of unprecedented size for the Town, yet there has been little public notification or involvement. Not only is this a poor plan for meeting the needs of seniors, being so far from Town, but resulting additional traffic would clearly be a problem.

Deeply concerning in recent months has been a seeming isolation of the Council from the citizens of Town. Consultants are hired to propose plans which could have come from residents, who, after all, know best what is needed. Most often, however, it seems plans of consultants such as closing of Bolinas Road, parking meters and zoning changes require mobilization of residents to defeat them either by showing up in force to meetings or by referendum. The very costly consultant expense could more profitably go to repairing sidewalks or trails.

Lastly, I question the need for a Planning Director in addition to Linda Neal. Recent proposed housing developments and zoning changes have been the product of excessive planning. I believe Fairfax is able to grow organically within current building ordinances. As nearby towns of equivalent size do not have separate directors of planning, how is it we can afford such a position?

Thank you for your attention to these important concerns,

Helen Fauss

Linda Neal

From: Michele Gardner
Sent: Wednesday, January 04, 2017 5:04 PM
To: Bruce Ackerman (Bruce Ackerman); Cindy Swift (Cindy Swift); 'Esther Gonzalez-Parber,'; Laura Kehrlein (laura@fdvinearchitects.com); Mimi Newton; Norma Fragoso; Phil Green
Cc: Garrett Toy; janet.coleson@bbklaw.com; Linda Neal
Subject: FW: Letter to be forwarded to planning commission

Hello Commissioners:
Below please find another letter.
Michele

Michele Gardner
Town Clerk | Assistant to the Town Manager Town of Fairfax | 142 Bolinas Road | Fairfax, CA 94930 | 415.458.2343
www.townoffairfax.org

-----Original Message-----

From: Susanne Chaney [mailto:susannechaney@me.com]
Sent: Tuesday, December 27, 2016 1:25 PM
To: Garrett Toy <gtoy@townoffairfax.org>
Subject: Letter to be forwarded to planning commission

Dear Planning commission

I would like to have my comments regarding this victory village development made a part of the record. I think that it is a good idea to have senior housing but that it should for into fairfax design wise and I do not think the current plans accomplish this. I am very concerned about the height at the entrance which reaches way above Fairfax current two story limit. I think it is a bad precedent to have a building this large built in our neighborhood. I believe it would benefit the seniors and the neighborhood if instead of the fifty four units it were twenty five units and on two floors and the design would be a craftsman or cottage type that would fit into the area. As it is I also am concerned that the traffic study previously done is not correct as it does not include the increased traffic on weekends when it is often bumper to bumper almost every weekend day from may through October. It also doesn't provide for the relocation of the ross valley charter school to white hill school. The other thing I'd like to see the developer do is put something into the community like improve the sidewalks from the development all the way to the library and stores downtown. I may be a dreamer but doing this could go along way towards healing the negativity there currently exists in our town towards the developer. Also at the last town meeting during public comments there were paid employees of the Developer who spoke. Is this usual practice. And many people who would have spoken against the development were intimidated when they were told not to speak unless they had something to say that hadn't been already said. Yet the twenty four people who spoke for the project almost all repeated the same thing. Had the rest who also left early who live in canon village been allowed to speak your total would not have been lopsided pro. The first two hours of the last planning commission meeting was a repeat of the meeting that the developer had on November 29. People left because of this before the presentation ended. Also is there a way these meetings can be started earlier so they don't end at one am Thanks for listening

Susanne Chaney.
12 Ace Ct
Fairfax Ca 94930
Sent from my iPad

RECEIVED

JAN 04 2017

TOWN OF FAIRFAX

To the Planning Commission:

It seemed to me that the Planning Commission did nothing to clarify the zoning and housing issues, refused to listen to citizens' objections, did not address traffic problems, participated in overriding the CEQA and Fairfax existing restrictions on new building, And were bullied by the Planning Director. I am very disappointed.

Alice Ducayet

36 Claus

Linda Neal

From: Michele Gardner
Sent: Wednesday, January 04, 2017 5:29 PM
To: Bruce Ackerman (Bruce Ackerman); Cindy Swift (Cindy Swift); 'Esther Gonzalez-Parber,'; Laura Kehrlein (laura@fdivinearchitects.com); Mimi Newton; Norma Fragoso; Phil Green
Cc: Garrett Toy; janet.coleson@bbklaw.com; Linda Neal
Subject: FW: PROPOSAL AT LUTHERAN CHURCH SITE, "VICTORY VILLAGE"

Hello again.
Please find another letter below.
Thanks,
Michele

Michele Gardner
Town Clerk | Assistant to the Town Manager
Town of Fairfax | 142 Bolinas Road | Fairfax, CA 94930 | 415.458.2343
www.townoffairfax.org

From: Ellen Floyd [mailto:rosekushner@gmail.com]
Sent: Wednesday, January 04, 2017 5:11 PM
To: Ellen Floyd <rosekushner@gmail.com>
Subject: Fwd: PROPOSAL AT LUTHERAN CHURCH SITE, "VICTORY VILLAGE"

Dear Fairfax Planning Commission, Town Council, et al:

As a "conciierge" and fiduciary for seniors, one of the most important services I provide is locating appropriate and affordable housing for my clients. I am therefore well acquainted with the critical shortage of housing for low-income seniors, particularly for those who require assistance. I strongly feel that safe, affordable housing, close to public transportation and services, has got to be made available. At the same time, I strongly feel that any new construction must not aggravate already unworkable situations, and cannot degrade the surrounding environment and fabric of the community in which it is located.

In addition to being a passionate advocate for elders, I am also a 44-year Fairfax resident. In this capacity, and despite my advocacy for adequate housing for low-income seniors, I am horrified by the prospect of "Victory Village" in west Fairfax, as it is currently proposed, for the following reasons:

1) Traffic: By not rejecting the proposed "Victory Village" as it is currently planned, you will be increasing traffic on Sir Francis Drake Boulevard and Center Boulevard, both of which are already beyond capacity most of the day, particularly during commute hours. It is not possible to not make current conditions worse. I drive Drake Blvd. every morning, and traffic is so heavy that I turn off my engine and "park" in the gridlock at least two or three times during my drive between my home and San Anselmo (just over two miles). The traffic situation through Fairfax is currently out of control and unacceptable. With the construction of 54 additional units in west Fairfax, it is impossible not to further exacerbate this traffic nightmare, greatly diminishing the

quality of life for all of us who are forced to drive that route regularly. It is the responsibility of the Town of Fairfax and its officials to help alleviate traffic congestion, not intentionally increase it.

2) Blight: Victory Village is completely out of proportion for this area of Fairfax and wholly out of keeping with the character of the town. I have researched completed projects of RCD Development (pictured), and they are, without exception, eyesores. RCD and any Planning Department should be ashamed of subjecting any community to these glaring, unadorned, towering concrete boxes. Although I understand the design for V.V. is slightly different from the facilities pictured, it still does not come close to conforming to the surrounding area and will degrade the entire corridor. This project is too high, too invasive, and too destructive to the natural surroundings; e.g., destruction of *72 to 90 trees*. For the good of the town, its residents, and the preservation of Fairfax's historical beauty and heritage, this massive proposal must be rejected.

3) Lack of services: This proposal for senior housing is out of place for reasons other than the fact that it does not conform aesthetically; there are no services in the immediate area. The closest store (other than 7-11), is nearly a mile away, and the nearest pharmacy is close to two miles. In addition, public transportation is minimal and unreliable. If a facility designed specifically for seniors is planned, it should be located in an area that is convenient and accommodates the special needs of seniors. West Fairfax is an inappropriate setting for a senior housing development of this scope.

For these reasons, I am in firm opposition to this proposal, and respectfully appeal to you, as champions of our beloved Town of Fairfax, to insist to RCD Developers that this excessive and illogical project be significantly reduced in scope, or rejected altogether. I implore you to consider the serious and permanent damage our town will suffer with the approval of this "Victory Village" as proposed, and to additionally consider the devastation it will lead to; opening the door to unchecked urban sprawl and blight.

Yes, affordable housing for everyone is a human right, but at what cost to our land, our community, and our quality of life? There is a sensible and appropriate path to ensure that seniors and families are provided with affordable and safe housing, but this project is not it. Will this Planning Commission leave a legacy of thoughtful concern for conservation, or one of recklessly rubber-stamping shamefully inappropriate "development"?

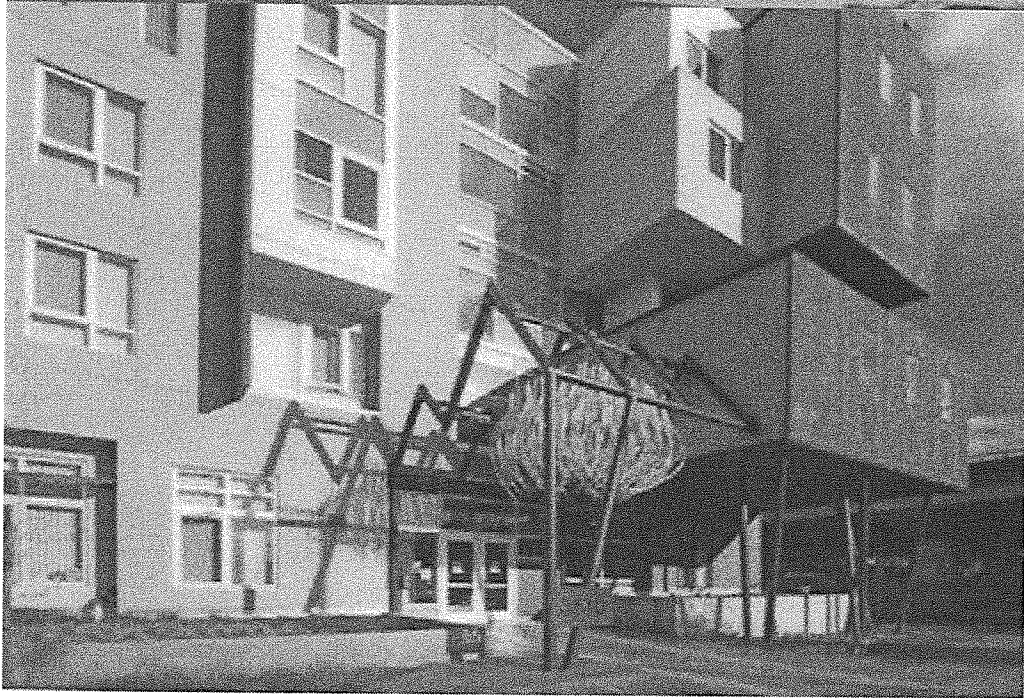
Thank you.

Ellen R. Floyd

2 Shemran Court

415.261.7992





Linda Neal

From: barbara coler <barbaracoler@gmail.com>
Sent: Wednesday, January 04, 2017 3:04 PM
To: Garrett Toy; Linda Neal
Subject: Fwd: Support for Victory Village project

Barbara Coler, Councilmember
Town of Fairfax

The opinions expressed in this email are those of this individual Council Member and are not representative of the entire Council or Town of Fairfax unless otherwise stated.

----- Forwarded message -----

From: Laurie Garrett <lauriegarrett.cc@gmail.com>
Date: Wed, Jan 4, 2017 at 2:56 PM
Subject: Support for Victory Village project
To: bcoler@townoffairfax.org, rgoddard@townoffairfax.org, jreed@townoffairfax.org,
dweinsoff@townoffairfax.org, placques@townoffairfax.org

Dear City Council Members of Fairfax,

I live in Cañon Village and am writing to express my positive feelings about the senior housing project proposed to go in next door.

With the tremendous senior population here in Marin we need more low income housing. This is a fact. I want to see that we will provide it.

I have worked with seniors my entire career and still do. I would love to be able to walk next door and donate some of my time each week to those seniors who would love some companionship and assistance.

Thank you for considering this important project.

Laurie Garrett
16 Penny Lane
Fairfax

Linda Neal

From: Michele Gardner
Sent: Wednesday, January 04, 2017 4:29 PM
To: Town Council; Bruce Ackerman (Bruce Ackerman); Cindy Swift (Cindy Swift); 'Esther Gonzalez-Parber,;'; Laura Kehrlein (laura@fdivinearchitects.com); Mimi Newton; Norma Fragoso; Phil Green
Cc: Garrett Toy; janet.coleson@bbklaw.com; Linda Neal
Subject: FW: Please forward to staff, planning commission and council

Mayor, Council, Commissioners:
Below please find a letter regarding Victory Village.
Thank you,
Michele

Michele Gardner
Town Clerk | Assistant to the Town Manager
Town of Fairfax | 142 Bolinas Road | Fairfax, CA 94930 | 415.458.2343
www.townoffairfax.org

From: Diane Hoffman [mailto:hoffman_diane@yahoo.com]
Sent: Wednesday, January 04, 2017 1:23 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Please forward to staff, planning commission and council

Dear Planning Commission,
It is not clear who is to blame but the town of Fairfax is not following the law in terms of the proposal at the Lutheran Church site. If the town is sued we all loose. Please read the paragraph below from the attorneys letter to the town. I am hoping you do the right thing.

Here, the Town's process violates a central purpose of CEQA that environmental review take place during and not after the agency planning process. See *Save Taro, supra*, 45 Cal.4th at 130 ("[T]he later the environmental review process begins, the more bureaucratic and financial momentum there is behind a proposed project, thus providing a strong incentive to ignore environmental concerns that could be dealt with more easily at an early stage.") Finally, we have concens about the substance of the Town's actions and project including traffic impacts, aesthetics etc. In particular we are concerned about the Town's proposal to amend the Town's Planned Development District Ordinance (Fairfax Town

Code Chapter) to allow for a future streamlined review process for sites such as this one that are identified as Opportunity Sites in the Town's Housing Element. To our knowledge, the MND does not address the cumulative effects of developing these sites, nor does it direct the reader to any prior Environmental Impact Report that has done such an evaluation.

Diane Hoffman
33 Porteous Ave.
Fairfax, Ca. 94930

Diane Hoffman
*REAL ESTATE, WITH INTEGRITY
AND ATTENTION TO DETAIL*
Bradley Real Estate
44 Bolinas Road
Fairfax, CA 94930
Bus: 415-482-3139
License # 01271342
hoffman_diane@yahoo.com
www.MarinHomeReview.com

Linda Neal

From: Michele Gardner
Sent: Wednesday, January 04, 2017 4:36 PM
To: Linda Neal
Subject: FW: Victory Village

FYI
Thanks, Michele

From: Laura Ralph [mailto:lauraralph44@hotmail.com]
Sent: Tuesday, January 03, 2017 6:36 PM
To: Garrett Toy <gtoy@townoffairfax.org>; Vice Mayor Peter Lacques <placques@townoffairfax.org>; Council Member Barbara Coler <bcoler@townoffairfax.org>; Council Member Renee Goddard <rgoddard@townoffairfax.org>; Mark Lockaby <mlockaby@townoffairfax.org>; Mayor John Reed <jreed@townoffairfax.org>; Michele Gardner <mgardner@townoffairfax.org>; Council Member David Weinsoff <dweinsoff@townoffairfax.org>; lineal@townoffairfax.org; bruce@laughingcrows.net
Subject: Victory Village

While I agree affordable senior housing is needed; I oppose the Victory Village project as it now stands. The letter from Community Venture Partners (CVP)/ Bob Silvestri clearly spells out the many problems with the project from inadequate traffic studies, public notice & comment period.

What I find particularly disturbing is that zoning changes were attempted to be made by placing the information in a footnote.

I believe we have town officials who cannot be trusted. Aside from the Victory Village project here is another example of town officials not being fully honest:

After the council officially declared they were taking changes to Bolinas Road "off the table"; the last meeting I attended D. Weinsoff brought up the issue of making changes to Bolinas Road. So what is it? Are the changes "off the table" or are you planning to make changes behind the backs of residents?

With the hidden zoning / code changes that were attempted to be pushed through in a footnote of the Victory Village document and TC continuing to discuss changing Bolinas Road; this leaves me with no confidence in our town officials.

Laura Ralph

Linda Neal

From: Diana Perdue <dperdue199@gmail.com>
Sent: Wednesday, January 04, 2017 11:43 AM
To: Garrett Toy; Linda Neal; Michele Gardner
Subject: Fwd: CEQA-Victory Village

Town staff, planning & town council,

Begin forwarded message:

From: Diana Perdue <dperdue199@gmail.com>
Subject: CEQA-Victory Village
Date: January 4, 2017 at 11:23:05 AM PST
To: Garrett Toy <gtoy@townoffairfax.org>, mgardner@townoffairfax.org

I would like to contest the victory village projects processing and approval procedures being used by the Town of Fairfax and the study that supports such.

It is my belief that a project such as this would harm Fairfax and set forth a pattern of development counter to what Fairfax expects and stands for.

It invalidates our building policies and rules as well as our zoning parameters. VV is inappropriate in both size and location.

It has not been properly vetted by the town citizens and the streamlined review being fast tracked is an affront to the public.

The required approval of a planned development district ordinance and other opportunity sites listed to be developed hidden in the VV information package was devious.

Thus far the process has violated the entire purpose of CEQA, which is that environmental review MUST take place during and not after the planning process. That not only are public comments required but that they are actually considered. That the impact assessments be genuine.

What you presented to the public was an article that suggests the project had predetermined approval.

This is not what I expect from town staff, the planning commission or the town council. You are in trusted roles and one would expect you to honor them.

Instead I see the entire group being deceitful.

It is positively a shame to disregard our town, do not give it away.

Diana Perdue
Fairfax

Linda Neal

From: Autumn Wagner <autumnchanges@comcast.net>
Sent: Friday, January 13, 2017 12:32 PM
To: Linda Neal
Subject: I Support Victory Village!

Categories: Red Category

Hi Linda,

As a volunteer raiser of awareness on cohousing, I am keenly aware of the growing need for housing for Marin County's seniors. Personally, I am approaching retirement age and own and live in a four bedroom home. I would love to sell it and be able to downsize within Marin, but just cannot do it with the available housing stock. I do realize there is vocal opposition throughout the county for the construction of anything but single family homes, but the burgeoning need is for smaller units in a community context.

Victory Village would be a very welcome addition to desperately needed housing for elders and should be supported.

Please pass along my comments of support for Victory Village to the Planning Commission and the Town Council.

Many Thanks,

Autumn Wagner
415 686 6237

<http://www.boomercohousing.com/>

Linda Neal

From: Jo D'Anna <jodanna69@hotmail.com>
Sent: Friday, January 13, 2017 7:20 PM
To: Linda Neal
Subject: Fw: A Victory (Village) in Fairfax is a Victory for Seniors

To: Linda Neal, Fairfax Town Planner

At the suggestion of MEHC, I am writing to urge you to move the Victory Village Senior Housing project forward. I also plan to come to the meeting on Thursday Jan. 19th @ the Fairfax Women's Club.

I have been living in Fairfax since 1989, when I was 39 years old. I lived in Fairfax a total of 15 years, in Sausalito for the following 7 years, and now for the last almost 7 years I've been living in a small, in-law cottage in Forest Knolls in San Geronimo Valley. So I'm a long-term resident, and I'll be age 67 in 3 months. In 2010 I lost my job and went on SSDI. Last year I was full-retirement age (66) so I discontinued SSDI and went on Social Security. As you well know, Social Security benefits do not come anywhere near paying for rent in Marin--even in Fairfax and San Geronimo Valley. I live alone, and I have no family to speak of who can help me out financially. I am also an artist--a songwriter and a dancer. Since I stopped working in 2010, I have looked hard, but have been unable to find sustainable employment to enable me to supplement my social Security benefits to be able pay for rent in Marin (I have been living mostly in West Marin, so this is where I would prefer to stay, but rents are very unaffordable). I have had a few low-paying grocery store jobs, but I have not been able to keep them past one month. It's very, very hard to get jobs as an older worker, even with my excellent skills (I was a former full-time Legal Secretary in San Francisco for 27 years).

When I lost my job in 2010, I cashed in my Roth IRA, which I had been saving since age 45. I needed this money available to me to be able to supplement my Social Security income to pay rent, utilities, yard maintenance and other bills (ie., dental, medical, car repairs, veterinary bills and cat supplies & food being the most important, and for which I have accumulated a debt of \$9,400.00, since I cannot really afford these things right now and this allows me to defer payment and make only minimum payments).

My total Social Security benefits net \$1,699.00 per month. My rent is currently \$1,400.00 per month, but it has been going up \$100 every year since 2012. I also pay for water, garbage, PG&E, propane, AT&T and yard maintenance (required per my Lease). On top of that, I pay Kaiser health premiums.

Since 2012, I started getting on several Affordable Housing waiting lists in Marin. So far, I'm still way down on the lists and it's already 5 years since signing up. It could take another 5-7 years or more before I get an eligibility interview. In the meantime, I only have \$10,000 left in my savings account which will last me until Fall 2017. I am getting very worried I won't be able to pay my rent and utilities in Forest Knolls, will not have any family to live with or to help me out, and I'll have nowhere to live, with two 9-year old adult male cats which are like family to me and who I could never part with (it's very hard to find rooms to share with 2 cats). Things were getting so bad for me financially, that last May 2016 I even set up a GoFundMe campaign online!

I never thought it would end up like this--once I was making \$64,000 annual salary, but since I went on SSDI in 2010 and then Social Security in 2016, I am now I'm on poverty-level income with my savings running out, no friends or family to offer financial or housing support, and NOT ENOUGH AFFORDABLE HOUSING OPTIONS FOR

SENIORS. I do know that I am not alone--there are many, many seniors living on poverty level income with nowhere to live--stuck in an unacceptable rising rent situation with no affordable housing options anywhere in Marin. I urge you to read the section in the MEHC message below entitled: "Here are the FACTS:" It shows the growing number of seniors in Marin, especially in Fairfax.

I wish to stay in Fairfax, because this has been my home since 1989. I therefore strongly urge you to please ensure that Victory Village moves forward to offer seniors affordable housing in Fairfax. I understand there is a great deal of opposition to this project, but I think the Fairfax citizens who protest are lacking the understanding of how dire the situation is, because all they are thinking about is their own money and how they like to see their town appear and how it will impact them (parking, traffic, etc.) to make their lives more difficult in some way. I, too, am a very concerned former Fairfax citizen and I care about environmental impact of such a project. HOWEVER, I urge you to read the section in the message below from MEHC entitled "MEHC says Victory Village is an environmentally friendly project. Here's why:"

Again, I plan to go to the meeting next Thursday. I strongly urge you to allow the Victory Village Affordable Housing project to move forward as planned to enable the growing number of low-income seniors in Marin to have an affordable place to live, which they deserve. I definitely feel I deserve to stay here, as a resident of Fairfax and San Geronimo Valley since 1989 (28 years), although sadly, the last 7 years have indeed been a harrowing struggle financially.

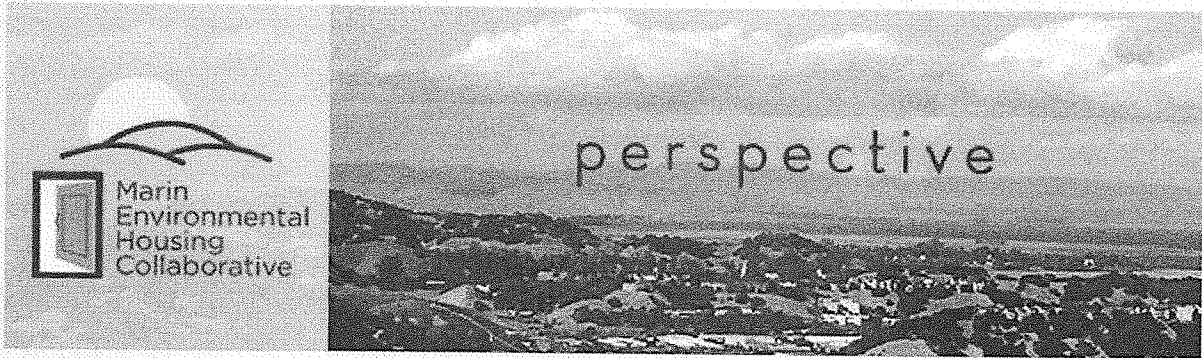
Thank you.

Jo D'Anna
P.O. Box 713
Forest Knolls, CA 94933-0717
(415) 488-9195

From: Marin Environmental Housing Collaborative <rpendoley=comcast.net@mail122.wdc01.mcdlv.net> on behalf of Marin Environmental Housing Collaborative <rpendoley@comcast.net>
Sent: Wednesday, January 11, 2017 11:33 AM
To: jodanna69@hotmail.com
Subject: A Victory (Village) in Fairfax is a Victory for Seniors

Now is the time for all good-hearted Marinites to stand with MEHC! *This is our perspective.*

[View this email in your browser](#)



Elevating the conversation at the intersection of housing & environment since 2006.

Vol. 2 No. 4 January 2016

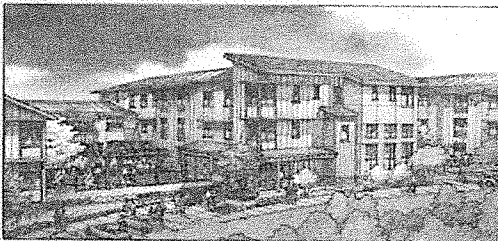
Welcome to our perspective

... Come to the Aid of Senior Housing in Fairfax!

On January 19, the Fairfax Planning Commission will consider *Victory Village*, a 54-unit affordable senior housing proposal. Marin Environmental Housing Collaborative – MEHC – is standing up for this badly needed environmentally-friendly affordable housing.

Victory Village needs your support now.

Here's how: 1. Attend and speak at the hearing. 2. Email a support letter to the Town planner, Linda Neal, at lneal@townoffairfax.org. **Even better, do both.**



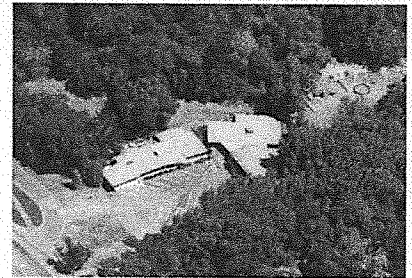
The Planning Commission needs to hear from you about the desperate need for affordable senior housing in Marin, especially in Fairfax. Many seniors, particularly single women, must move out of Fairfax and Marin because, once retired, they no longer have enough income to pay Marin's inflated market rents. **Please encourage retired folks who can't afford market rents to send a support letter and/or speak at the Planning Commission meeting, 7 pm on Thursday Jan 19 at the Women's Club (46 Park Rd., Fairfax).**

Here are the FACTS:

- *Seniors and young households, which tend to have the lowest income levels, are the fastest-growing groups in the county.*
- *The Marin Commission on Aging (MCA) predicts that by 2020, one out of every three Marin residents will be 60 or older.*
- *Three out of four people over 85 will be women.*
- *Fairfax's population is aging more quickly than the rest of the county. In 2010 about 17% of Fairfax residents were 60 years or older. By 2015 that figure had climbed above 24% and more than 63% of Fairfax residents who are 65 or older have a physical disability.*
- *Seniors often live on fixed incomes and suffer disproportionately from poverty and health problems.*
- *All of the Victory Village apartments will be adaptable for seniors with no bility impairments.*
- *Victory Village will provide affordable housing designed for seniors that Fairfax and all of Marin desperately needs.*

Brown space will be redeveloped; green space will be protected.

- Development will be confined to 2 acres, on a parcel currently occupied by Christ Lutheran Church and a vacant school building at the corner of Sir Francis Drake Boulevard and Mitchell Drive. The church and school buildings will be replaced by 54 apartments, 53 affordable to low-income seniors and one for the manager.
- The remaining 18 acres of steeply sloped woodlands could be subdivided into 2 single-family house lots or will be left undisturbed as open space.



Nature and views will be protected.

- There are no endangered plants or animals on the site
- The site will be monitored during construction to assure that plant and animal resources are protected.

In 2020
1 out of 3
Marinites
60+ WILL BE years old

3 out of 4
Marinites
85+ WILL BE WOMEN

In 2015
1 out of 4
FAIRFAXIANS
60+ WAS years old

nearly **2/3** of
FAIRFAXIANS
65+ have a
disability

Marin Commission on Aging

- The finished product will be well below the thresholds set by the Bay Area Air Quality Management District and the Town's Climate Action Plan for greenhouse gas emissions.
- Ridgeline views will be preserved.

Remember, location, location, location.

- The development will be compatible with nearby, similar apartments.
- The neighborhood is walkable.
- Downtown is a short walk away.
- The new apartments will be on a major transit route.

Flooding will be reduced.

- Flood mitigation and detention ponds, and an improved drainage system will reduce historic off-site flooding.

Traffic: not so much.

- Senior housing generates less than half as much traffic as standard apartments.
- During the morning and evening peak hours, the project will add only one vehicle *every five minutes* to the town's traffic.

Serving Seniors' Transportation Needs.

To support a car-free lifestyle, the project is developing a transportation demand management plan exploring

- Whistlestop services
- Advocacy with transit agencies for more frequent service
- A van shuttle
- Car-pooling and car-sharing options

There will be no negative service or utility impacts.

- Public services and utilities are already more than adequate to serve the project.

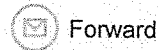
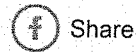
Well-located, environmentally friendly, and affordable housing proposals are sorely needed. When one like Victory Village comes along, we need to stand up and shout our support as often and as loudly

as we can!

Standing up for our seniors and facing up to Marin's aging demographics is yet another reason to support environmentally friendly affordable housing. MEHC will continue to spread the FACTS, and we'll keep exploring how to get it done, with your help. For more information about Marin Environmental Housing Collaborative and our work, please visit our [website MarinMEHC.org](http://www.MarinMEHC.org) and follow our [Facebook page](#) for updates. Thanks for reading.

Stick with us. Watch for our Perspective newsletters in your inbox and archived at www.marinmehc.org. If someone forwarded this email to you, you can get your own copy by joining [our email list](#). Encourage friends and colleagues to **stand with MEHC and** help grow the movement for environmentally-friendly affordable housing in Marin!

EMAIL LIST



We are volunteers with no vested interest except community benefit. We don't get paid, we don't have a staff, but we *do* have expenses. For example, it costs money to publish this newsletter.

You can help with a tax-deductible donation by clicking [here](#).

Or you can mail a check to us directly:

Marin Environmental Housing Collaborative

P.O. Box 9633

San Rafael, CA 94912



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You support environmentally friendly affordable housing

Our mailing address is:

Marin Environmental Housing Collaborative
31 Tan Oak Circle
San Rafael, CA 94903

[Add us to your address book](#)

Want to change how you receive these emails?
You can [update your preferences](#) or [unsubscribe from this list](#)



RECEIVED

JAN 17 2017

1/14/17

TOWN OF FAIRFAX

Dear Fairfax ~~Town Council~~, ^{Planning Commission} & Town Mgr. Garrett Toy

We moved to FF about 7 years ago. I had to be scraped off of our Sausalito houseboat (coincidentally across the channel from Jim Moore's boat residence) to move to this rural village. The move was all the more painful because I had a brutal commute to South SF. In the first few years I grew to love the town, but the commute was killing me. I vowed we would move out because of it. We purchased an old fishing shack in Larkspur that we could remodel, move in and sell this house in this extremely badly located town. Over time our remodel slowed accidentally on purpose, the neighbors in Larkspur proved to be invasive & judgmental and our neighbors here proved to be the most helpful live and let live minded people I have ever met. In not too long we fell head over heels in love with Fairfax, a love so great I let my career wither to avoid the killer commute.

I assumed good old neighbor Jim Moore was letting this heaven on earth stay as it was, so I never paid the town government much mind. When he muttered disparaging comments about NIMBY's in our few encounters, I laughed it off as those silly planning people who are a bit patronizing to the people who pay their salary, but I never thought it meant anything. Besides, I was busy commuting and had not one shred of energy for long evening meetings. It wasn't until the Nextdoor post about not fixing what is not broken was uploaded that I woke up to the horror of a town government throwing open the doors to a complete upheaval of Fairfax.

Now, here we are with developments lined up all over town. It would seem, the Town Council and the Planning Department & Commission have a vision to remake Fairfax into a Walnut Creek with apartment complexes throughout; upMarining the downtown with a European style plaza; and inviting (by demanding our charity) those on the Marin Housing Authority list to live in a very remote prison with a plaza. You all know if you need to go anywhere beyond San Rafael, and don't have a car, this town is a prison. All this is to be accomplished by ignoring current laws and zoning. The TC, Town Manager & Planning apparently consider the General Plan to be the vehicle for which they can with a wave of their hand remove all legal procedure and oversight and turn this town into something completely different than it was, but the General Plan was conceived and executed by consultants who have NO SKIN in the game and without the knowledge of most of the people in town. I would like to see the noticing for the General Plan meetings. Why did I not receive anything in my mail or email? If the town can afford \$300k on consultants, why not on informing taxpaying citizens?

This is not why we are living here. We love nature, walking to an old style downtown with reasonable rents so businesses can thrive. We love brats at Gestalt Haus, petting the kitties at Patties, checking out the books outside on the table at Rose's, listening to Neil Young's doppelganger while sipping our coffee at the Roastery. We love the open space; walking from our house to the trails in Deer

Park or Tamarancho, or the countless other hills that can be climbed on a warm summer's day. This town is not a suburb, it's not a good candidate for condos (downtown rezoning) or apartment buildings (Victory Village) or tacky mansionettes on ridgelines (Wall Property) it's a precious unique environment that IS NOT THE VISION OF THE STATE OF CALIFORNIA OR SOME PLANNER WHO NEVER OWNED A HOUSE HERE (OR ANYWHERE FOR THAT MATTER). Because of this, it has traditionally had the lowest priced housing in Marin with many options for lower income people in shared houses or inlaw units. We have housed 3 low income men since moving here for over a year each. Each of them had terrible challenges with transportation to their jobs, or anything really. They all had marginal vehicles and the bus system did not take care of their needs.

By not really doing due diligence some very basic elephants sitting in the living room are being ignored.

1. TRAFFIC--The traffic all the way to 101 is soul killing. We cannot add one more car without major mental illness killing the population.
2. PUBLIC TRANSIT—This town has no drug store and minimal services. To purchase many things one has to go out of town. The only way without driving is by Marin Transit. The concept that SFD is a "transit corridor" has no real basis in fact. Fairfax is not served well enough with public transit to be able to live with any kind of ease without a car. Period.
3. OPEN SPACE—It's obviously a priority with townspeople, but the Town Council would rather pay \$3 mil for an overpriced bridge with \$1 mil going to consultants, or hundreds of thousands to consultants from all over to redesign things that just aren't going to fly than to put some money into Open Space or the upkeep of trails and stairs in town. Allowing houses on the ridge line on the Wall property is against our current zoning laws; allowing 4 story buildings (at the current height of the the Victory Village project) destroys the visual dominance of nature in this town.

I appreciate your consideration of my views.

I know that many people living in this town share them. We love it here, we don't want it to morph into something else.

Sincerely,



Stephanie Burns

28 Mountain View Road
Fairfax, CA 94930

415-261-9868

January 15, 2017

Michelle Gardener, Town Clerk
Town of Fairfax
gardener@townoffairfax.org

Dear Planning Commissioners/Councilmembers,

I write you to express my support for the Victory Village development at Christ Lutheran Church in Fairfax.

Debate around this development has invited comment about three stories or transportation. But, from my perspective, you should concentrate on the needs of the people of Fairfax. We desperately need affordable options restricted for low-income seniors.

With so many units reserved for seniors with incomes capped at either \$25,830 annually or \$49,200 annually, this development will help current residents age in this community. As Treasurer of Fairfax Community Church, our church has seen aging members face that age, or that health crisis, or that income failure and be forced to leave Ross Valley and all of Marin to find a place to live. Older Fairfax residents are already vulnerable to rising fees and prices. This is no longer the affordable community that my parents moved to in 1987.

Time has a way throwing plans and preparations to the wind, so the demographics indicate that a greater proportion of our seniors meet those moments where the old home or the long-term rental no longer work. Lower incomes and older residents cannot adjust, and they deserve the opportunity to stay close to neighborhood friends, family, familiar community services and clergy. The income restrictions will serve to make Victory Village appeal mostly to local seniors, even if other seniors might see this as an opportunity. Specifically, lower income seniors are far more dependent on local resources that they cultivate over a lifetime, so Fairfax will not look attractive to outsiders when these units become available.

Without an increase in these types of facilities in Fairfax, we fail our Fairfax residents who grow older and face the all-too-predictable personal crisis. This is an essential change to the mix of housing needs for an aging population. That others can't see this does not represent the Fairfax ethic that is much more far-sighted.

Sincerely,

Kris Organ
99 Redwood Road
Fairfax, CA 94930
kris@civilrightsca.com



PETITION SUPPORTING VICTORY VILLAGE

I, the undersigned, join those supporting Victory Village, the development proposed at Christ Lutheran Church. Personally, I have read the letter from Fairfax Community Church Treasurer, Kris Organ and support the points made in favor of that development.

Name & Address

Signature

<u>Elise Oser</u> 203 Scenic Ave San Anselmo 94960	<u>Elise Oser</u>
<u>Dean Hanson</u> Box 1194 Woodacre CA 94973	<u>Dean Hanson</u>
<u>Eugene LaChance</u> 209 AB SFD Blvd.	<u>Eugene LaChance</u>
<u>Lynn Bauer</u> 47 Mt View Rd 1474-A Lurien	<u>Lynn Bauer</u>
<u>Buck Kelly</u> San Rafael 94901	<u>Buck Kelly</u>
<u>Joe Wari</u> 114 D St 208 Forbes Ave San Anselmo, CA 94960	<u>Joe Wari</u>
<u>Elizabeth Heitner</u> 11 Hampton Av San Anselmo CA	<u>E Heitner</u>
<u>Gilda Selcham</u> 13 ALHAMBRA CIRCLE	<u>Gilda Selcham</u>
<u>Justin Dowlen</u> FAIRFAX CA 94930	<u>JUSTIN DOWLEN</u>

Lisel Blash
22 Pacheco Avenue
Fairfax, CA 94930

January 15, 2017

Town of Fairfax Planning Commission and Town Council,

I am strongly in support of the proposed Victory Village low-income senior housing development. The need for low-income housing is desperate across the US, and more so in the Bay Area. The ability to provide subsidized housing will likely become less and less possible in the increasingly conservative political climate in the US. We in Fairfax should seize our chance to be a beacon of hope and an example to the rest of Marin that we can both be a humane and liberal community AND stay a small town by selectively welcoming a project that truly fits our town's character.

I have spent some time biking, walking, and driving around town to think about how this project would fit into our local landscape. This 54 unit, 2-acre project seems in keeping with developed properties at the west end of town and is well-designed and aesthetically pleasing. For comparison, West Fairfax developments include these apartments and condominiums:

- Creekside Apartments, 48 units, 1.65 acres¹
- Fairfax Woods, 32 units, 1.2 acres
- Lanai Apartments, 33 units, 1.27 acres
- Redwood Glade, 22 units, 1.06 acres
- Cañon Village, 87 units, 6.23 acres
- Village West, 68 units, (acreage unknown)
- Drake Manor/300 Olema, total of 26 units between the two, 0.9 acres

In addition, there are two other apartment developments in town that are larger. These are:

- Bennett House, 70 units, (acreage unknown)
- Sherwood Oaks, 80 units, 2.9 acres

There are also already a number of 3-story structures in Fairfax, including:

- Bennett House, 53 Taylor Drive
- Sherwood Oaks, 200 Bolinas Road
- Center Oaks, 780 Center Blvd
- 1780-1790 Sir Francis Drake
- Redwood Glade, 351 Olema Road
- 300 Olema Road behind Drake Manor (virtually across the street from the proposed Victory Village project)

¹ Acreage is from parcel maps at the Marin County Assessor's Office. Units are from online real estate sources such as apartments.com. The number of stories were collected from direct observation.

- 40 Taylor Drive
- Several buildings on Live Oak including 103 Live Oak
- Miscellaneous other buildings in the hills around Deer Park

Most of these structures seem to have included the third story to allow parking under the building, or to accommodate the slope of a hill, as the proposed project would. The 3-story building at 300 Olema can be seen from Sir Francis Drake and yet seems to pass largely unnoticed. Although a two story limit in general feels more “human-scale”, in the right situations these three story structures seem to fit in to their landscape. The three-story wing of Victory Village would not set a precedent for three story buildings in Fairfax, and it would have no visual impact on the overall low-rise character of our historic downtown.

While Fairfax has had a preference for lower and more spread-out development, the more compact nature of the proposed Victory Village development offers some advantages. It is on infill property—property that was already developed for another purpose. Its relatively compact nature will help minimize landscape disruption, allow residents to move about more easily, and limit the amount hardscape and roof surface. The initial study of the design and impacts of this proposed project have been extensive (456 pages). The attention to local environment including drought resistant plantings, 1:1 tree replacement, and storm water retention seem to fit in with our town’s desire for green building that is sensitive to its natural setting. In fact, it appears that the proposed improvements to the property would decrease storm runoff. I have ridden and walked all around the proposed project. The story poles help demonstrate that it would not impede the view of the ridgeline from Sir Francis Drake. In fact, the initial study of the proposal concludes that the project “has been designed to vary the heights and facades facing Sir France Drake Boulevard and is thus consistent with this policy” (of minimizing the visual mass).

Finally, we should think about our town’s culture. We are a socially active and left leaning town with an informed citizenry. We are proud of being different from much of the rest of Marin and California. Embracing this project will set us apart as a community that understands that the measure of a society is found, as Jimmy Carter once said, in how it treats its weakest and most helpless citizens. The vision for this project grew out this inclusive aspect of Fairfax culture.

As the UC Berkeley Urban Displacement researchers note, building new affordable housing is a necessary if insufficient solution to stabilizing communities in face of increasing gentrification and displacement pressures. Let’s take this step to embrace this project by zoning the property to accommodate it and take other measures to make sure that our community retains its diverse income mix and its heart.

Lisel Blash

Linda Neal

From: Betty Pagett <bettypagett@gmail.com>
Sent: Monday, January 16, 2017 3:41 PM
To: Linda Neal
Subject: Support for the PD Zoning amendment and for Victory Village

To the Planning Commissioners of Fairfax,

I was a renter in Fairfax for 12 years, a total of 31 years in Ross Valley. I retired to Petaluma where there is a diversity of housing choices. I support Victory Village. 30% of seniors are renters, not home owners, people who have been part of our community and contributed to it for years and who want to remain near family and friends. Our community is all the richer for keeping them here.

Victory Village is on a site that had all the impacts of a school and a church, and now will have minimal impacts with the reduced car trips we know seniors take. Senior units are small, without the footprint of a large home. Victory Village is surrounded by multi-family housing and by a bus stop. Changes in the PD zoning are minimal to allow this very important use.

Betty Pagett

--

159 Wilson St. Petaluma, CA 94952
707-981-8636

Vision without action is fruitless. Action without vision is pointless. Action with vision can change the world. Author unknown

The future belongs always to the believers, who are for something; never to those who are only against something.

Linda Neal

From: Liz Froneberger <lizardrock50@hotmail.com>
Sent: Monday, January 16, 2017 4:39 PM
To: Linda Neal
Subject: Support for the PD Zoning amendment and for Victory Village

I live on San Gabriel Dr. I completely support Victory Village. I've been a resident of Fairfax for 30 years.

I would ask only that the traffic people take another look at the driveway from the angle of a driver wanting to exit the driveway and enter SFD, heading east. The road is deceiving as it is canted away from the driver/viewer and hides the merge lane there.....I could easily see this being confusing to people, particularly older drivers. And night.....I really think work needs to be done there to make it safe.

I also think there needs to be more parking.

Thank you, Liz Froneberger, 120 San Gabriel Dr., 454-0464

Linda Neal

From: Carl Diehl <carlchristoffer@me.com>
Sent: Monday, January 16, 2017 4:43 PM
To: Linda Neal
Subject: Support for the PD Zoning amendment and for Victory Village

Dear Ms. Neal:

I am writing to add my support for the Victory Village project and for the zoning amendment that will permit an expedited and more rational planning process to make it happen.

For decades, instead of remaining a place where middle and low income people could find a home, Fairfax has become yet another Marin enclave for the wealthy and privileged. Instead of taking care of our elderly and providing housing for those who have spent their lives building this community, Fairfax increasingly has forced lower and even middle income people to move farther and farther away, gobbling up Sonoma farmland and increasing traffic congestion everywhere as those who are displaced from our community are forced to spend more and more time driving to their jobs and their friends in Marin. The Victory Village project represents one small and terribly overdue step towards rectifying the disheartening gentrification and homogenization of Fairfax.

The forces of "Not in My Back Yard" have raised every possible objection to the project: there is not enough parking; there is too much parking. It is too close to the center of Fairfax; it is too far away from the center of Fairfax. There are too many units, there are not enough units. The objections are limitless!

The opponents claim that they are not opposed to some kind of senior low income housing: just this project. But that assertion rings hollow. The opponents have demonstrated no interest in actually getting any senior housing whatsoever. They are only interested in stopping every single senior housing project or suggestion in Fairfax. To them I would say, loudly and clearly: YES, In Our Back Yard! We need to take care of our low income seniors. We can start with this project.

We know that the opponents will use every procedural roadblock they can to stall and halt this and every other proposal. That is why it is critically important that the Town adopt a rational procedure that will give residents a fair chance to comment and make helpful suggestions and improvements. The proposed zoning amendment will allow for a fair as well as expedited review. I urge its adoption.

Very truly yours,

Carl Diehl
156 Toyon Drive, Fairfax

Linda Neal

From: Lenore Alford <lenore.alford@gmail.com>
Sent: Monday, January 16, 2017 6:13 PM
To: Linda Neal
Subject: re: Victory Village proposal

Dear Linda,

I have been a Fairfax resident since 2010 and my family and I are active members of this community. We bought our house here in 2014 (in Canon Village) and our children attend local schools.

I want you to know that our family strongly supports the senior housing development. I'm proud that Fairfax is a leader in the county for this important and vital service. Please don't let this opportunity be derailed by vocal, yet misinformed people who want to impede progress that is necessary and will make a big difference in some needy people's lives.

Thanks for your consideration.

best,
Lenore Alford

--

Lenore Alford
Front-End Web Developer
www.linkedin.com/in/lenore-alford

Linda Neal

From: Gregory Nudd <gregnudd@me.com>
Sent: Monday, January 16, 2017 9:03 PM
To: Linda Neal
Subject: Fairfax has a moral obligation to support affordable housing

Ms. Neal -

Please pass the following on to the Planning Commission:

Fairfax has a moral obligation to support affordable housing.

I'm writing this note on the day we remember Martin Luther King, Jr. He fought for fair and humane housing his whole life. The Fair Housing Act was a direct result of his efforts. We should honor his memory this week by moving forward boldly in support of humane housing in the Bay Area. We are in a crisis. People are suffering and Fairfax needs to step up and do its fair share.

The General Plan has identified three locations for affordable and workforce housing in Fairfax. Item 1 in the Planning Commission agenda is an important step toward Fairfax doing it's part in addressing the housing crisis in the Bay Area. I strongly urge the Planning Commission to support the ordinance. These locations were considered in the general plan and are excellent locations for additional housing.

I'm also writing specifically in support of Victory Village. As a resident and owner in Canon Village, I look forward to an opportunity to share this beautiful slice of Fairfax with my new neighbors. I urge the Planning Commission to support the project as proposed. I've heard a lot of complaints and concerns about the project. These concerns seemed to be based in fear of change and blind opposition to any development, rather than rational consideration. I support the proposed height and footprint of the project, as it will maximize the number of people who are helped and minimize impervious cover. The development is tucked nicely into the little valley and is not out-of-place with the neighborhood. I support the level of parking provided. We need to start designing our town for people, not cars. Again, this minimizes impervious cover. Also, I can say from experience that there is no way that the traffic impact will be worse than when the school was there.

The housing crisis has a real human toll. People are losing their homes and are forced into homelessness. Lower wage workers spend hours commuting every day, polluting the environment and missing out on time they need to spend with their families. This is unjust and immoral - we need to help. We need affordable housing in Fairfax and we need it now.

Greg Nudd
15 Deuce Ct.
Fairfax

Linda Neal

From: Sheri Joseph <fivejosephs@gmail.com>
Sent: Tuesday, January 17, 2017 10:30 AM
To: Linda Neal
Cc: Louise Trudeau
Subject: I Support Victory Village!

Dear Ms. Neal,

I'm the Executive Director of Tamalpais Pacific, a Marin based nonprofit, California public benefit corporation that supports the development of affordable housing and related services in Marin County. I listened to the previous Commission hearing, and believe the need for such housing of our most vulnerable population is beyond dispute. Tamalpais Pacific has supported many carefully considered Marin affordable housing projects and providers, including Habitat for Humanity, Homeward Bound, Whistlestop, EAH and others, by granting significant pre-development funds and other financial support. We have been in communication with RCD for years now regarding the Victory Village project, and have been impressed with their professionalism, the nature and success of their other projects, and their vision and commitment to making the Victory Village complex a good fit for both the residents and the town and community of Fairfax. We hope to contribute to the construction of the project, and urge the Commission and the Town Council to approve the plans and application.

Yours truly,

Sheri Joseph

Sheri Joseph
Executive Director
Tamalpais Pacific
415-606-5308



www.tampacific.org

January 17, 2017

To: The Fairfax Planning Commission Laura Kehrlein, Chair; Norma Fragoso, Vice-chair; Philip Green; Esther Gonzalez-Parber; Cindy Swift; Bruce Ackerman; Mimi Newton

I am writing to express my strong support for the Victory Village project that will provide affordable housing for low income seniors in Fairfax and beyond. Two decades ago, we were able to secure a small number of units for low income seniors in San Geronimo and it hasn't even come close to filling the need. Marin in general and the Bay Area as a whole are in desperate need of low-income housing. This is especially true for seniors. There are over 300 seniors living in Fairfax alone. A quarter of Marin's population is over 60 and a large number of seniors in Marin and beyond are paying more than a third of their income for their housing. These housing challenges are especially hard for those living on a fixed income and experiencing rising healthcare costs. Many live in fear of becoming homeless or living in unsafe areas while facing decreased mobility and health challenges.

This is a locally generated project that is a gift to Fairfax from the members of the Lutheran church and a gift from Fairfax to the community at large. It's a beautiful design that fits nicely into the character of Fairfax. It is surrounded by apartments, town houses and condominiums some with a higher density than what is proposed.

As someone who specializes in reducing transportation for school children, I am well aware of the traffic issues in Fairfax. However, this project will produce less traffic than the Cascade Canyon School which has now vacated the property. Seniors do not usually take to the road during peak commute times. And low income people, seniors in particular often do not even own cars. I support any effort that would improve public transit and pedestrian safety in the west end of Fairfax.

It is time for Fairfax to step up and say yes to desperately needed housing. As the most progressive town in Marin, I urge you to lead the way in approving this project and showing the rest of Marin and the Bay Area, that when a project really meets affordable housing needs, then the answer is Yes in My Back Yard.

Wendi Kallins, Forest Knolls

Linda Neal

From: David G. Snyder <dsnyder@legalaidmarin.org>
Sent: Tuesday, January 17, 2017 2:27 PM
To: Linda Neal
Cc: David Levin
Subject: Supporting Senior Housing

Dear Fairfax Planning Commission,

I write on behalf of Legal Aid of Marin to support Planned District Zoning by the Fairfax Planning Commission. Our organization regularly sees seniors unable to find affordable housing in Fairfax and other nearby communities, and we understand this proposed change will help make the process for reviewing senior housing projects more effective and efficient. As you know, Marin's population is aging rapidly, and we have not kept pace with the need for affordable housing units by our seniors – especially those with limited incomes.

For example, one of our attorneys recently met with a senior facing displacement from the home she has rented for more than 30 years in Fairfax – and she could not find any place to live nearby. Many of our senior clients have no options at all for housing that will meet their needs – and some have even been forced to live in their vehicles. Fairfax, like all of Marin, needs to help provide a range of housing options that will adequately serve our seniors.

We appreciate your work that will serve seniors and the entire Fairfax community by ensuring appropriate review for these desperately needed housing options.

Sincerely,
David Snyder

David G. Snyder
Executive Director
Legal Aid of Marin
30 N. San Pedro Rd., Suite 220
San Rafael CA 94903
ph: (415) 492-0230 ext. 310
fax: (415) 492-0947

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Linda Neal

From: Gladys Gilliland <gladys16@icloud.com>
Sent: Tuesday, January 17, 2017 2:12 PM
To: Linda Neal
Subject: I support Victory Village and the PD Zoning amendment

Please approve the PD zoning change to make housing for Seniors more available. I am a senior and I know how desperate our county is for housing that will accommodate our growing senior population.

Thank you to Fairfax for leading the way. I serve on the San Rafael Citizens Advisory Commission and I hope we can obtain for senior housing as well.

Gladys C Gilliland
Sent from my iPad

Linda Neal

From: Nancy Gump <nancyigump@gmail.com>
Sent: Tuesday, January 17, 2017 11:45 AM
To: Linda Neal
Subject: Text change

Dear Linda

I am writing to express my support for the text change describing the PD zoning district. I support it because it will streamline the process and hopefully lead to the creation of more low income housing (in this case senior housing) for the residents of Fairfax. The proposal of a one-step review process will allow for evaluating a proposed project as a whole rather than in parts. The proposed text change is used in other Fairfax zoning districts and in other towns in Marin and elsewhere in California. It makes sense and simplifies the process, which currently makes the creation of low income housing unlikely if not impossible!!

There is a tremendous need for low income senior housing in Fairfax. I do not want to see retired people have to leave friends and families, simply because they can no longer afford to live in Fairfax! We have an opportunity to be leaders in this county, thanks to the generosity of the proposal from the Lutheran Church members. I ask the Planning Commission to recommend that the town council adopt the Planned District zoning text change.

Thank you
Nancy Gump

Nancy Ilene Gump, LMFT
Psychotherapy: www.nancygump.com

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COALITION FOR A LIVABLE MARIN

...TO CREATE AND MAINTAIN VIBRANT, INCLUSIVE, AND SUSTAINABLE COMMUNITIES

To: the Fairfax Planning Commission

The Coalition for a Livable Marin strongly supports the Victory Village Senior Housing project which would occupy the spot formerly used for Christ Lutheran Church on Sir Frances Drake on the west end of town.

- The Village will be the home of 54 units of senior housing affordable to low and very low income seniors.
- This would be on the already developed two acres of this 20 acre property.
- The plans call for some two-story buildings in front and one three-story building in the back.

One thing great about this proposal is that it uses infill property – space that was already developed for another purpose – rather than building on open land.

The more condensed building design reduces the amount of hard-scape and roof-scape – which reduces the amount of storm water runoff and is less environmentally damaging than more spread-out structures such as the 68-unit Village West townhouses.

Marin in general and the Bay Area as a whole are in desperate need of low-income housing. This is especially true for seniors. A quarter of Marin's population is over 60 and a large number of seniors in Marin and beyond are paying more than a third of their income for their housing. These housing challenges are especially hard for those living on a fixed income and experiencing rising healthcare costs. Many live in fear of becoming homeless or living in unsafe areas while facing decreased mobility and health challenges.

The decision to streamline the project procedure makes perfect sense for PPD developments. These developments require far more paperwork and procedures than other zoning already and allowing the applicant to do this in one step does not impede the public from participation in the process but does help the project to move more smoothly. We support this recommendation by the staff.

Wendi Kallins on behalf of the CALM Steering Committee

Linda Neal

From: Larry Bragman <bragmanlaw@gmail.com>
Sent: Wednesday, January 18, 2017 1:33 PM
To: Linda Neal
Subject: Lutheran Church Project

Hi Linda:

Could you please provide copies of the below email to all members of the Planning Commission for the meeting tomorrow night? Thanks,

Larry:

Dear Commissioners:

I am writing in support of the affordable senior housing project at the Lutheran Church site and to encourage you to narrow the issues under consideration in order to ensure full and fair evaluation of the application itself.

At the height of the clash between opponents and supporters of the Fairfax Housing Element, both sides agreed that the Lutheran Church proposal was a worthy expression of our Town's commitment to social equity. More recently, the public response has been mixed at best.

Whether this project is a success or not will depend in large part on rebuilding the *trust* that the community has in the planning process. I believe that the proposed simultaneous amendment of the Planned District Development (PDD) code (Fairfax Municipal Code, Chapter 17.112) and consideration of the Lutheran Church's application is unnecessary and will likely undermine its chance of success.

The combining of the PDD Code Amendment with the application is based upon the Fairfax Housing Element's discussion of changing the PDD chapter of the Fairfax Code in order to expedite approval of proposed "opportunity sites" including the Lutheran Church and 10 Olema Road. See Housing Element pages H-9 and forward. http://www.town-of-fairfax.org/pdfs/planning_comm/housing_element/Fairfax%20Adopted%202015-2023%20HE.pdf In my opinion, amending the code is not required or necessary at this point because the existing code provides the authority to accommodate the entitlements and variations from standards that the Lutheran Church proposal entails.

For example while the current code limits PDD minimum size to 5 acres, the Lutheran Church project is two acres. Such deviation from code requirements usually requires a variance which can also be a time consuming distraction. Under Fairfax Town Code Chapter 17.028 governing variances, however, PDD applications are *exempt* from variance proceedings. Fairfax Town Code section 17.028.130 provides that the granting of a variance is *not required* for ..."variations of site standards approved by the Town Council in connection with approval of a preliminary development plan or master development plan in accord with the provisions

of Chapters 17.112 and 17.120." Hence, the size, design and density issues that need to be resolved can all be considered under the *existing* PDD Chapter.

Tying approval of this first and most time sensitive of the affordable housing sites to approval of a code amendment will likely slow the process (it will take at least 90 more days to go through a first and second reading plus 30 additional days from time of enactment), distract attention from the actual planning and design elements of the projects and foster further community dissent. On the other hand, considering the application through the existing PDD chapter eliminates the inherent complexity of pursuing a major code amendment in concert with a project that would likely benefit by those changes.

Proceeding under the existing code will also assure residents that the process will be consistent with past projects and not set blanket entitlements on known and unknown future projects. Lastly, the existing code provides the discretionary flexibility to consider the design, entitlement and density issues that need to be resolved. This includes providing a forum for community input on the entitlement concessions (including height) that the applicant has requested under Government Code 65915. These concessions need not be dictated by the applicant without a full and fair hearing.

I would therefore urge you to decouple the consideration of proposed PDD code amendments from evaluation of the Lutheran Church application. Instead, the existing application should proceed under the existing PDD chapter *without delay*. This will focus the community and decision makers on the issues involved with the actual project itself and not procedural controversies that can only detract from the substantive issues. If the Lutheran Church project is a success, it will not prevent the Town Council from later amending the PDD chapter as discussed in the Housing Element. On the other hand, success may just prove that there is no need to fix it in order to accomplish the Town Council's long stated goal of creating homegrown affordable housing.

I hope you'll consider taking this path. I believe that eliminating the extraneous issues will increase community trust and simplify a planning process that has so roiled our town.

Respectfully yours,

Larry Bragman

--

Law Office of Lawrence Bragman

912 Lootens Place, Second Floor

San Rafael, CA 94901

(415) 459-6060

(415) 459-6067 (Fax)

NOTE

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Linda Neal

From: 1lotushand <1lotushand@gmail.com>
Sent: Wednesday, January 18, 2017 8:34 PM
To: Linda Neal
Subject: I do NOT support the proposed housing

Sent from my Verizon, Samsung Galaxy smartphone

Linda Neal

From: Valerie Taylor <v_taylor_94903@yahoo.com>
Sent: Wednesday, January 18, 2017 11:02 AM
To: Linda Neal
Subject: Zoning Amendment - SUPPORT

Dear Ms. Neal,

I am writing to express my support for the amendment to Fairfax's proposed zoning ordinance text amendment. I think this will streamline the process and bring projects online faster without diminishing opportunities for public input. Like many of my fellow Marin seniors, I am looking to downsize in the near future. This amendment may help create more appropriately-sized housing for seniors who no longer want to mow lawns, and would prefer to live in walking distance to services.

I look forward to the Town Council applying its provisions to approve Victory Village when the proposal comes before it.

Thank you,
- Valerie Taylor
San Rafael

Linda Neal

From: Lorrie Goldin <lorriegoldin@sbcglobal.net>
Sent: Wednesday, January 18, 2017 11:03 AM
To: Michele Gardner; Linda Neal
Subject: In support of Victory Village and the small text change required to support streamlining process

Dear Planning and Town Council Members,

I am writing to support the proposed Victory Village project, an attractive, environmentally and community-sensitive development that sorely meets the need for affordable housing in Marin, especially for seniors. I attended the December 15 meeting, and was impressed by the thoroughness and thoughtfulness that have gone into this project over the past several years, from Christ Lutheran Church's careful deliberations and selection of a known and excellent developer of affordable housing, to the care and attention to detail in the plan itself.

I fully support it, and urge you to vote in favor of the small text change needed for the PD rezoning. There has already been exhaustive review, and claims that there has not been enough time or that we need to stick with a byzantine, drawn-out process are stalling techniques designed to delay this much-needed project.

Thank you for your consideration,

Lorrie Goldin
Your neighbor just a mile away in San Anselmo
415-652-0287

Linda Neal

From: Mary Kay Sweeney <mksweeney@hbofm.org>
Sent: Wednesday, January 18, 2017 11:18 AM
To: Linda Neal
Subject: I support the proposed amendment to the PD zoning ordinance

Dear Linda,

I would like to go on record supporting the proposed zoning ordinance text amendment and to the Town Council approving its provisions for Victory Village.

This is a great opportunity to provide essential senior housing in Fairfax and in Marin. We applaud all of your efforts to move this project forward!

Thank you!

Mary Kay

Mary Kay Sweeney

Executive Director
Homeward Bound of Marin
1385 N. Hamilton Parkway
Novato, CA 94949
Phone: (415) 382-3363
Fax: (415) 382-6010
www.hbofm.org



Linda Neal

From: michael sands <msandsarch@gmail.com>
Sent: Wednesday, January 18, 2017 11:41 AM
To: Linda Neal
Subject: I support the proposed amendment to the PD zoning ordinance

Please express my support for this text change, and for the Victory Village proposal itself, to the Planning Commission and the Town Council.

--

Sent from Gmail Mobile

Linda Neal

From: Paul Fordham <pfordham@hbofm.org>
Sent: Wednesday, January 18, 2017 11:47 AM
To: Linda Neal
Subject: I support the Zoning Ordinance Amendment

Dear Linda Neal,

I support the Zoning Ordinance Amendment being considered at this Thursday's Fairfax Town Council meeting and I look forward to final approval of the Victory Village Senior Housing proposal. As a developer of affordable housing in Marin County, I support anything that can be done to streamline the somewhat time-consuming approvals process, while allowing for public comment and review.

With best regards,

Paul

Paul Fordham
Deputy Executive Director - Homeward Bound of Marin
(415) 382-3363 x.211 - www.hbofm.org - www.thekeyroom.com – www.WagsterTreats.com

P.S. We made some videos that I think you'll like:

Lamar's Story – from living under the bridge to managing a team - https://youtu.be/quejF_DQHM

June's Story – now a college graduate, June reflects on her journey out of homelessness -

<https://youtu.be/bHALmHI761s>

Wagster Treats – You won't regret watching this 1-minute video about social enterprise - <https://youtu.be/wJSON-uC6yg>

Phil's Story – A veterans journey - <https://youtu.be/nK3rWngEeag>

January 18, 2017

Town of Fairfax, Attn. Linda Neal

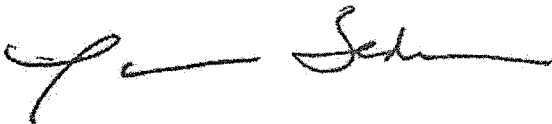
To whom it may concern,

Marin County – known for its natural beauty and as a desirable place to live – it also known as one of the least affordable housing markets in the nation. Marin's high cost of living causes anxiety for lower income families, and many of these workers – our nurses, schoolteachers, first-responders and others critical to economic vitality in Marin – are forced to pay increasingly unsustainable rents or move to outlying suburbs. For this reason, Marin County is one of the core geographic regions that Habitat for Humanity Greater San Francisco serves. Habitat Greater San Francisco builds and sustains homes and community in partnership with thousands of annual volunteers, hard-working families, donors, civic leaders and other engaged community members in Marin, San Francisco and on the Peninsula.

As an affordable housing provider, Habitat Greater San Francisco is supportive of Victory Village, a 54-unit affordable senior housing proposal. There is critical need for a wide-range of affordable housing in Marin. Among senior citizens, once retired, many seniors, particularly single women, must move out of Fairfax and Marin because they no longer have enough income to pay Marin's inflated market rents. The need is timelier than ever before with the Marin Commission on Aging (MCA) predicting that by 2020, one out of every three Marin residents will be 60 or older.

We hope that you join Habitat Greater San Francisco is supporting senior housing in Fairfax by supporting Victory Village.

Sincerely,



Maureen Sedonaen

Chief Executive Officer

Linda Neal

From: Esther Rosha-Stadtler <rstadtler@sbcglobal.net>
Sent: Wednesday, January 18, 2017 6:04 PM
To: Linda Neal
Subject: I support the Zoning Ordinance Amendment

Hello Linda,

I think that the Christ Lutheran Church is an ideal location for senior citizen housing. i support the Zoning ordinance amendment and look forward to final approval of the Victory Village Senior Housing proposal.

Sincerely, Esther Rosha-Stadtler

Linda Neal

From: jodytimms@comcast.net
Sent: Wednesday, January 18, 2017 9:33 PM
To: Linda Neal
Cc: Teri Dowling; Dietz, Amy
Subject: Support for the Proposed Zoning Ordinance text Amendment

Hi Linda--Please let the Planning Commissioners know that I support the proposed zoning ordinance text amendment and I look forward to the Town Council applying its provisions to approve Victory Village when the proposal comes before it.

Thanks so much, Jody Timms, Fairfax Representative to the Commission on Aging

Linda Neal

From: Jonathan Marshall <jvmarsha1@yahoo.com>
Sent: Wednesday, January 18, 2017 9:46 PM
To: Linda Neal
Subject: Victory Village

Dear Planning and Town Council Members,

I am writing as a friendly and concerned neighbor (living in San Anselmo) to support the proposed Victory Village project. It is an attractive, environmentally sensitive community development that will help meet the dire need for affordable housing in Marin, especially for seniors. A great deal of thought has gone into this project over the past several years, thanks to work by Fairfax church members and the selection of a well-regarded developer of affordable housing.

I fully support it, and urge you to vote in favor of the small text change needed in the PD zoning category. Now is the time to move forward on this plan, not to stall this much-needed project.

Thank you for your consideration,

Jonathan Marshall

(415) 652-9086

Linda Neal

From: Rachel Ginis <rachel@lilypadhomes.org>
Sent: Wednesday, January 18, 2017 10:11 PM
To: Linda Neal
Cc: Ellen Nicosia
Subject: I support the proposed amendment to the PD zoning ordinance

Hi Linda,

Please express Lilypad Homes support for this text change, and for the Victory Village proposal itself, to the Planning Commission and the Town Council.

If you think it could make a difference I will make the effort to attend! We have made great strides in simplifying the permitting process around infill housing in the past year. Creating smart, affordable solutions is so important and this seems like a wonderful opportunity to house the people who have been the heart and soul of Fairfax.

It is so important that we expedite this process and make a singular conversation where all interested parties can weigh in, in a timely, sensible manner. This change will insure a sensible system for creating the stable, secure and affordable housing we need.

Thanks so much,

Rachel

Rachel F. Ginis
Executive Director, *Lilypad Homes*

Rachel@LilypadHomes.Org
415•250•9317

Linda Neal

From: Michele Gardner
Sent: Wednesday, January 18, 2017 12:13 PM
To: Linda Neal
Subject: FW: Victory village rebuttal to letter from Alicia Klein re transit from west Marin

Hi Linda.
For the Planning Commission.
Thanks,
Michele

-----Original Message-----

From: Susanne Chaney [mailto:susannechaney@me.com]
Sent: Wednesday, January 18, 2017 11:58 AM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Victory village rebuttal to letter from Alicia Klein re transit from west Marin

Please forward copies of this letter to the town council and town planning commission and the town attorney.

I wish to rebut the statement made by Alicia Klein of rdc regarding there being seven bus lines servicing the bus stop near Victory village proposed development.

There is no resident more qualified in all of Fairfax to address this issue as I am 73 and do not own any car and am completely dependent on transportation of the public kind.

My concerns first of all it is extremely dangerous to cross the street to get to the bus stop . Once you get there there is no shelter from rain at all. Recently I have been completely soaked just trying to get to the grocery store. There really are only two bus lines servicing the area from 8:30 am until 3:00 pm weekdays. The 24 is a commuter line which runs to San Francisco financial district.

In the evenings it returns from the financial district to manor. It sometimes doesn't stop to pick up passengers as it is considered a commute express bus so once it leaves San Francisco it is not obligated to take on passengers. The 25 shuttle bus goes to the ferry. It only runs mornings and just to the ferry from manor. In the evenings it runs from the ferry to manor. However it does not meet the later ferries and as the 228 also does not meet the last ferry people,taking that ferry must drive or take a cab.

Neither of these buses run on weekends or holidays.

The 228 is very inconvenient. It is the main source of bus service and on weekends to get to downtown San Rafael you get off and transfer in downtown Fairfax and have about a forty min wait for the 23. After 7:10'pm it does not run either weekends or weekdays so you have to use the 68 stage which sometimes is full and you have to stand The 23x only has three runs in mornings all before 10. Midday you also have to transfer from the 228 to the 23 in Fairfax downtown.

There are many evening programs at the Fairfax library town council meetings and movies and other events in Fairfax I would like to participate in but as there are no buses after 7:10 I either hitchhike or walk without adequate sidewalks and lighting from downtown. Or beg rides from strangers.

So there are really not seven buses and there are not as many trips as Alicia intimates in her letter Please be advised that when I attend a town council meeting I will give a copy of the current Marin transit schedule to the clerk for inclusion as an exhibit.

During the recent storms also the transit was subject to delays and even cancellations of some runs with no public notice. I recently waited fifty five minutes before a bus arrived I suggest in planning this transit oriented development you actually speak to an expert who actually takes this transit on a daily basis.

Susanne Chaney

Sent from my iPad

Linda Neal

From: Paul Fordham <pfordham@hbofm.org>
Sent: Wednesday, January 18, 2017 11:47 AM
To: Linda Neal
Subject: I support the Zoning Ordinance Amendment

Dear Linda Neal,

I support the Zoning Ordinance Amendment being considered at this Thursday's Fairfax Town Council meeting and I look forward to final approval of the Victory Village Senior Housing proposal. As a developer of affordable housing in Marin County, I support anything that can be done to streamline the somewhat time-consuming approvals process, while allowing for public comment and review.

With best regards,

Paul

Paul Fordham
Deputy Executive Director - Homeward Bound of Marin
(415) 382-3363 x.211 - www.hbofm.org - www.thekeyroom.com - www.WagsterTreats.com

P.S. We made some videos that I think you'll like:

Lamar's Story – from living under the bridge to managing a team - https://youtu.be/queiJF_DQHM

June's Story – now a college graduate, June reflects on her journey out of homelessness - <https://youtu.be/bHALmHI761s>

Wagster Treats – You won't regret watching this 1-minute video about social enterprise - <https://youtu.be/wJSON-uC6yg>

Phil's Story – A veterans journey - <https://youtu.be/nK3rWngEeag>

Linda Neal

From: Ipainc <slh1ipa@aol.com>
Sent: Thursday, January 19, 2017 8:08 AM
To: Linda Neal
Cc: rpendoley@comcast.net
Subject: I support the proposed amendment to the PD zoning ordinance

Linda,

Please express my support for this text change, and for the Victory Village proposal itself, to the Planning Commission and the Town Council.

The code change is needed to facilitate timely due process of planning applications in the PD zone.

Lastly, its way past time for redevelopment of under utilized and blighted properties in Fairfax. Affordable housing and site redevelopment with low impact solutions to existing drainage and blighted environmental conditions, at three selected affordable housing sites including Victory Village , is consistent with the community planning (GP) vision, goals, objectives and programs.

All the Best,

Scott L. Hochstrasser, President
IPA, Inc. 415-572-2777
(Sent from iPhone please excuse spelling and grammar errors)

Linda Neal

From: Diana Bell <diana.christine.bell@gmail.com>
Sent: Thursday, January 19, 2017 10:30 AM
To: Linda Neal
Subject: Victory Village/zoning

Dear Ms. Neal,

I want you to know that I support the proposed zoning ordinance text amendment and that you look forward to the Town Council applying its provisions to approve Victory Village when the proposal comes before it.

Thanks,
Diana

Fairfax resident

Linda Neal

From: Valerie Taylor <v_taylor_94903@yahoo.com>
Sent: Wednesday, January 18, 2017 11:02 AM
To: Linda Neal
Subject: Zoning Amendment - SUPPORT

Dear Ms. Neal,

I am writing to express my support for the amendment to Fairfax's proposed zoning ordinance text amendment. I think this will streamline the process and bring projects online faster without diminishing opportunities for public input. Like many of my fellow Marin seniors, I am looking to downsize in the near future. This amendment may help create more appropriately-sized housing for seniors who no longer want to mow lawns, and would prefer to live in walking distance to services.

I look forward to the Town Council applying its provisions to approve Victory Village when the proposal comes before it.

Thank you,
- Valerie Taylor
San Rafael

Linda Neal

From: Chris Francisco <christinefrancisco@gmail.com>
Sent: Thursday, January 19, 2017 12:09 PM
To: Linda Neal
Subject: I support the proposed amendment to the PD zoning ordinance

Please express my support for this text change, and for the Victory Village proposal itself, to the Planning Commission and the Town Council.

Christine Francisco
303 Cascade Drive
Fairfax, Ca. 94930

Linda Neal

From: Leslie Klor <LKlor@jtm-esc.org>
Sent: Thursday, January 19, 2017 1:01 PM
To: Linda Neal
Subject: re: Fairfax's Victory Village Affordable Senior Housing proposal

Hi Linda,

My name is Leslie Klor and I am the Director of a Shared Housing Program for seniors for Episcopal Senior Communities with an office at Whistlestop Senior Center in San Rafael. In this capacity, I get roughly 200 calls a month from seniors inquiring about housing options for them. The need is great for additional building of senior housing. Having made over 100 placements, I am strongly aware that we need many more options for seniors facing homelessness if they do not find affordable housing.

I wholeheartly support the proposed zoning ordinance text amendment and look forward to the Town Council applying its provisions to APPROVE VICTORY VILLAGE when the proposal comes before it.

Sincerely, Leslie Klor

p.s. Let me know when a Town Council meeting comes up where you would appreciate people appearing in person.

Linda Neal

From: Michele Gardner
Sent: Thursday, January 19, 2017 1:09 PM
To: Linda Neal
Subject: FW: tonight's meeting.

From: jack hayes [mailto:jhayes321@comcast.net]
Sent: Thursday, January 19, 2017 1:04 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Fwd: tonight's meeting.

Begin forwarded message:

From: jack hayes <jhayes321@comcast.net>
Subject: tonight's meeting.
Date: January 19, 2017 11:38:29 AM PST
To: mgardner@townoffairfax.com

Dear Planning Commission members,

My name is Jack Hayes and my views are meant to represent the Saint Vincent dePaul Society Conference at St Rita parish. Last year, we helped over 500 people in Fairfax, San Anselmo and the Sam Geronimo Valley. The vast majority of our visits are made in Fairfax and we aid with food, clothes, rental assistance, utility bills and other very basic needs.

What we have seen in the past three or four years is an increase in the number of seniors requesting our help. Many can no longer afford to stay in their homes, have deep ties to Marin County, or to the Fairfax area, and seek a new start. It is THE most difficult issue for us to solve. While there are many affordable units built in the county for seniors, they are subject to long waiting lists and may cost more than many can afford.

Among the visits we made this month are two worth mentioning. One senior, single woman resides in a garage, with no kitchen, running water only for a small sink in a tiny bathroom with only a toilet. She pays \$1450.00 monthly. She once owned a home in Fairfax, is widowed, and her pension no longer allowed her to maintain her home.

Another couple we visited live in a small room with no running water except from a hose rigged to a "portable sink". Their kitchen is a hotplate. Their toilet is in an adjacent building. Their rent is \$950.00 a month. They are also longtime Fairfax residents. She was born here.

This couple and the single woman mentioned above are longtime Marin residents and have been on waiting lists for housing in the County for a long time....years!

We have reviewed the current proposal for "Victory". We will go over the papers again today at the Town's office and try to understand more fully the bases for any opposition to the project.

We applaud the work, and the careful consideration, by the staff and the commission. We appreciate your consistent efforts to separate the valid concerns you hear and read from the hysterical. I know we are subject to lots of misinformation concerning the project and must constantly re-check the proposal and supporting staff documents to determine what is valid and not. However, I am sure we hear only a small portion of what you experience.

The project helps satisfy a great need, perhaps the most difficult to accommodate and does so in the most reasonable fashion possible.

We want to support any accelerated process that will create affordable senior housing in Fairfax.. It is much needed. We support the steps you are taking tonight to speed up consideration of the Victory housing proposal and still leave ample time for public input and consideration.

Jack Hayes

Linda Neal

From: Michele Gardner
Sent: Thursday, January 19, 2017 11:30 AM
To: Linda Neal
Subject: FW: Victory Village

Hi Linda.
For the Planning Commission meeting tonight, I believe.
Thanks,
Michele

-----Original Message-----

From: Susanne Chaney [mailto:susannechaney@me.com]
Sent: Thursday, January 19, 2017 10:17 AM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Victory Village

In case I am unable to attend tonight's meeting I wish this to be read aloud by one of the members of the council.
It's short and to the point

Esteemed council members

I am not unopposed to senior housing. I would welcome senior housing in Fairfax.

However I feel that the current design and location and size of the project do not fit into an ideal of good sustainable attractive and welcoming senior housing in Fairfax.

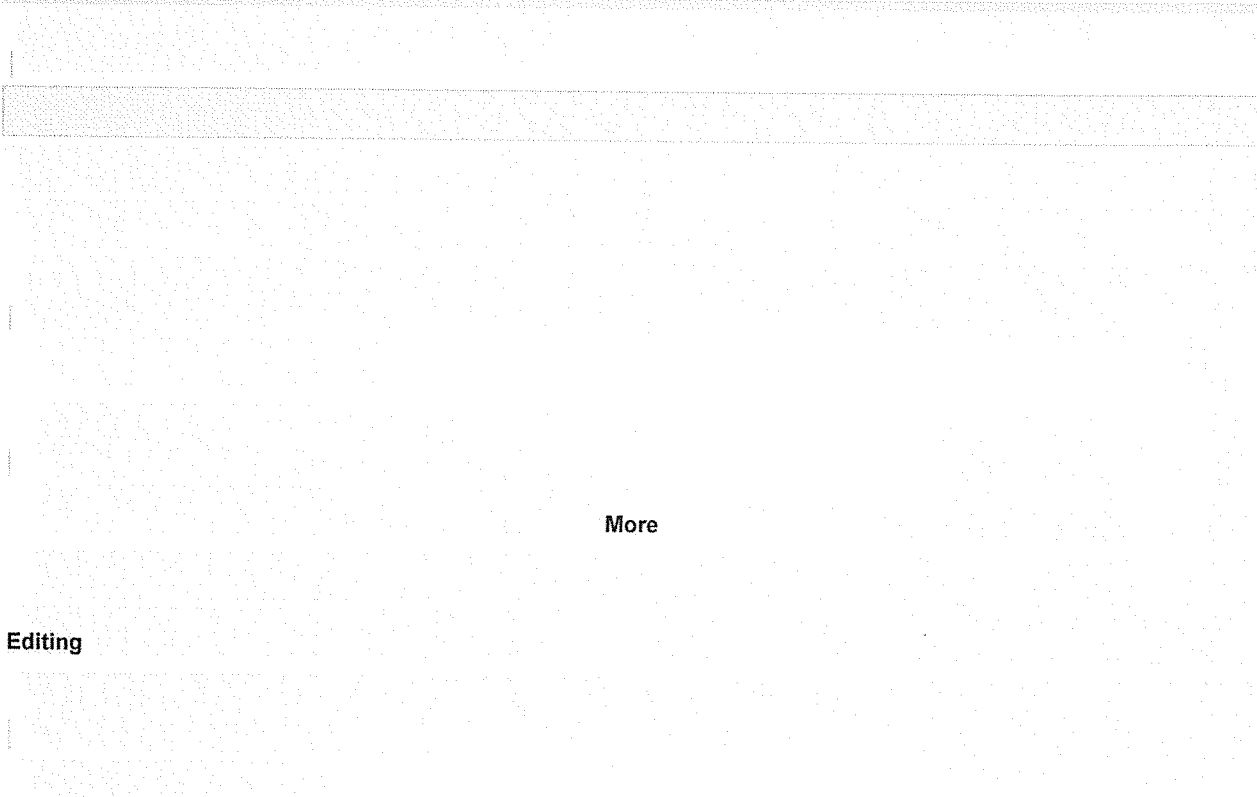
The design and materials of the project do not seem to fit in well with everyone's favorite little town in Marin. What is presented to us is something more in fitting with downtown San Rafael. It's too large to far away from services for seniors.

As a senior myself dependent on public transit I also think that the parking limitations will lead to a already untenable parking situation in this area becoming much much worse. I am also concerned that the project being so far from downtown and saying that the residents will bike and walk downtown is not being realistic. As a senior who occasionally bikes downtown I can attest that the current bike paths at times are not safe and I often ride on the sidewalks to avoid the speeding spandex clad bicyclists who often times yell at me to go faster. In several places there are mere inches between cars and myself on my bike and I feel unsafe. Walking is problematic as in many spots there either is no sidewalk at all which currently is a muddy mess or broken pavements or other tripping hazards such as tree roots growing under the cement or actual obstructions such as cars parked in driveways that block the sidewalks forcing a pedestrian into the actual bike path to get by. I feel in the very least if this developer is given this site the project should be scaled back to no more than 25 residences of a pleasing Fairfax type design and should be required to mitigate the sidewalks at least to the library so that people using walkers or elderly walkers are not subjected to potential trip and fall hazards leading to the city of Fairfax becoming liable for injury claims.

There are no close by stores and never will be although by rereading the proposal I see where the rezoning could provide stores on the first floor. I really think that this should never be allowed to happen. This area has been and should always remain purely residential. At the very least the developer should redesign the project to meet the current height limits and design limits of Fairfax and be only two stories and should be required to provide as in past projects parking for each unit

Thank you
Susanne Chaney
12 Ace Ct

Purdice



More

Editing

To enable screen reader support, press shortcut ⌘+Option+Z. To learn about keyboard shortcuts, press shortcut ⌘slash.

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Town of Fairfax
 1-19-17
 Planning Commission

Please share with the following at tonights meeting

TO: Linda Neal, Mimi Newton, Bruce Ackerman, Laura Keh
 rein, Norma Fragaso, Philip
 Green, Esther Gonzalez-Parber, Cindy Swift

I am opposed to the PDD, (planned development district zo
 ne), and the proposed
 zoning ordinance amendment as it applies to the 3 parcels
 called opportunity sites.

I do not support any rezoning in the town.

I am not in favor of the idea of streamlining review and or a pproval of these or any other multi unit developments.

As a matter of fact I believe all such projects proposed in F airfax should have extra scrutiny at every phase.

Regards,

Diana Perdue
199 Scenic Road
Fairfax

Toggle screen reader support

"Victory Ct" / Mitchell Dr / SFD Blvd Intersection Danger

To Fairfax Planning Commission,

The recent addition of a dedicated exit road to the design of Victory Village may put residents at a higher risk of car accidents. I don't think the new design feature has been analyzed by experts.

Let's call the recent design addition "Victory Court" for simplicity.

Mitchell Dr and Victory Ct will be basically next to each-other (approx. 20 ft apart) feeding onto 35 mph SFD Blvd. Both serve a considerable number of units: approximately half of Canon Village (approx. 55 units) uses Mitchell Drive and 54 units will use Victory Court.

Thus, it's not hard to imagine a line of cars turning left from Victory Court and a line of cars turning left from Mitchell Drive. The clear majority of cars coming from both streets will be turning left to reach essential services. Imagine that a space in the traffic eventually arises. The space technically reaches the Mitchell Dr car first, but basically reaches them at the same time. If the Victory Ct car doesn't see the Mitchell Dr car, then you may have an accident when both cars go for the same space.

It appears that this new feature would create a dangerous intersection. It seems that more space is necessary between these two busy roads.

Sincerely,


Charley Cornwell

77 Mitchell Dr

01/19/2017

Linda Neal

From: Kathryn Rile <kathryn@pogodesign.com>
Sent: Tuesday, January 24, 2017 8:47 AM
To: Michele Gardner
Cc: bcoler-gmail; rgoddard-gmail; Mayor John Reed; dweinsoff-weinsofflaw; placques-aol; Linda Neal
Subject: Opposition to Zoning Changes

Dear Michele Gardner, Members of the Fairfax Town Council, and Members of the Fairfax Planning and Building Services Committee*,

I am writing to voice my opposition to the zoning changes being proposed and voted on in this evening's town council meeting. I am not able to attend in person, and would like my voice to be counted.

Please do not begin the slow destruction of our town's unique character by approving these changes. I am living Fairfax precisely because it does not reflect the growth and commercialization of the rest of the Bay Area. Fairfax is a gem, and the community is closely knit. Let's keep out this development, which will also drive up housing prices. Our less-wealthy residents need secure housing.

It would be a shame to see this pass.

Sincerely,
Kathryn Rile
Pine Drive
Fairfax

*Mark Lockaby has not supplied an email address on the Fairfax website.

Linda Neal

From: Young, Tish <TYoung@dvc.edu>
Sent: Sunday, January 22, 2017 12:39 PM
To: Linda Neal
Subject: support for zoning ordinance text amendment and for Victory Village

As a long time resident of Fairfax and an advocate for diversifying our housing stock, particularly to provide housing to our low to moderate income citizens and our seniors, I support the proposed zoning ordinance text amendment and that you look forward to the Town Council applying its provisions to **approve Victory Village** when the proposal comes before it.

Tish



Tish Young, Ph.D.
Dean of Biological & Health Sciences and
Physical Sciences & Engineering Divisions
Diablo Valley College
321 Golf Club Drive
Pleasant Hill, CA 94523
925-969-4229 or ext. 2-4229
tyoung@dvc.edu
fax:925-687-2503

Residents for Sustainable Affordable Housing and Preservation of Community Values

February 1, 2017

Fairfax mayor and town council
Town of Fairfax
142 Bolinas Rd.
Fairfax, California 94930

RECEIVED

FEB 01 2017

TOWN OF FAIRFAX

Re: Town council agenda item #4, meeting of Feb 1, 2017. The elimination of safeguards in the current Planned District Development (PDD) rezoning procedures that have historically protected our community's values regarding potential over-development for three sites, the former Lutheran Church property, 10 Olema (former Asian restaurant site) and School Street Plaza.

Dear Mayor and Councilmembers:

We strongly support affordable housing solutions and community enhancing development that reflects our town's character. We feel that the proposal before you, to approve a new "streamlining" process for reviewing development applications will encourage adversely impactful developments and severely limit public participation and community voices, and is therefore unacceptable.

In addition, such a proposal is unnecessary. Fairfax has had a Planned District Development ("PDD") zoning process in place since the 1960's, which has served the public well in protecting our shared community values and preservation goals.

For these and other reasons described herein, we respectfully ask that you reject the so-called streamlining proposal and retain and reinforce our town's commitment to the PDD process, government transparency, and public engagement in all local planning decisions.

Unfortunately, a great deal of institutional knowledge has been lost in recent years due to the turnover of planning and Town staff, and the seemingly endless series of third party consultants and outside agency representatives that have influenced public policy and planning decisions. As a result, our town council has been basing its decision making on a great deal of misinformation, biased input and incorrect legal advice.

For example, the consulting attorney who advised the Planning Commission about the existing Fairfax PDD projects, at their meeting of Jan 19, 2017, stated that Village West, Canon Village, Meadow Land and Bennett House were not processed by Fairfax using its PDD zoning three hearing process because it was basically too time consuming and cumbersome. She said the Fairfax PDD projects were processed by Marin County and annexed to Fairfax. That is totally false. A number of projects have been processed using Fairfax's PDD zone requirements and they were all processed in a timely fashion.

Also, none of Fairfax's four approved PDD zones and existing projects, including the Bennett House, have ever been considered "Spot Zoning" according to Fairfax's previous town attorneys. Simply applying special zoning to a parcel is not spot zoning. The California Supreme Court, in their discussion of spot zoning, as cited in *Avenida San Juan Partnership v. City of San Clemente* (2011) 201 Cal.App.4th 1256, noted that, "The essence of spot zoning is irrational discrimination." In other words, it typically has to do with favoritism, prejudice, discrimination, private inurement, or otherwise done without proper findings, public benefit or merit. None of this applies to PDD zoning or any of the proposed projects in Fairfax.

In addition, that Planning Commission meeting went to 1 AM and the planning commissioners never saw all of the changes they made to the 14 page ordinance in print before they voted on it. The video makes it clear the commissioners did not vote on a finished document. This was improper and state regulations require that under such circumstances, a meeting must be continued so that commissioners can review the amended zoning ordinance as a finished product and allow the public to be able to read the final document before the vote can be taken.

At the Fairfax town council meeting of Jan 24, 2017, the Fairfax town attorney advised the town council and planning commission on the State Density Bonus Law and Condominium Conversions regulations.

The attorney incorrectly stated that even if a parcel is not zoned for density "by right" and a proposed development application is made (for example in the current Highway Commercial (CH) zone), with a request to trigger the State Density Bonus Law, and needing a Conditional Use Permit for residential development, that project cannot be denied. However, that is not correct. That project can be denied for a wide variety of reasons including environmental and public health and welfare, State Density Bonus Law or not. What the law says is that if a project is otherwise approved or approvable by all other tests, and it qualifies for the State Density Bonus, that project cannot be denied for the impacts of the Density Bonus.

The same attorney is also contradicting existing town policy on Condominium Conversions with her legal advice on approving Condo conversions in Fairfax, which is incorrect and contrary to case law (see page 23 of the written Staff Report, dated January 24, 2017).

The existing PDD zoning, with its three step process, has served our Town well for over five decades. It provides Fairfax residents a hearing process that allows public participation to guarantee projects are consistent in scope and scale with Fairfax's character. It is also expedient and does not cause undue delays in processing. For example, the senior Bennett House was processed in less than a year.

The three step hearing process has also allowed Fairfax to protect the interests and future rent structure for Bennett House seniors to guarantee low income senior housing and low income rents in perpetuity.

Fairfax residents are protective of our small town values and have historically used both the referendum and initiative process to guarantee compatible zoning and so that the scale of development projects meet strict height, bulk and massing limits.

Property owners, business owners and residents in the neighborhoods which will be impacted by this new streamlining process, including the School Street Plaza and 10 Olema areas, two of the three “opportunity” sites identified in the Fairfax Housing Element, have not been adequately informed about its potential impacts, cumulative impacts and unintended consequences. Those streets include Park, Merwin, School, Olema, Manor, San Miguel and SF Drake.

The County Board of Supervisors has very quietly rezoned the Oak Manor 7-11 Shopping Center, an unincorporated island in Fairfax, for Mixed Use-30 units per acre which allows 42 units, not counting any Density Bonus, at the corner of SF Drake Blvd and Oak Manor Dr., adding to the cumulative traffic impacts on SF Drake.

With regard to the Brown Act and adequate public notice, the agenda for your February 1, 2017 hearing, for item #4, is misleading and does not clearly or fully describe the scope of the decision being discussed. For example, consider the description of Item #4.

4. Public Hearing. Consideration of an ordinance revising the Planned District Development Ordinance (Town Code chapter 17.112) to amend the process for three (3) sites identified in the adopted Housing Element - Town Manager

Here, the agenda only refers to three opportunity sites, whereas a new streamlining ordinance could potentially affect all six “opportunity sites” noted in the Fairfax Housing Element, and once in place might be applicable to other future opportunity sites as well. State law requires that an agenda must clearly inform the public about what is being deliberated.

Finally, no councilmember with a conflict of interest or any type of beneficial interest can be allowed to vote on this streamlining proposal. Fairfax has recently removed the map with the 500 foot "conflict of interest spheres for each councilmember" from the Town's website so we can no longer tell if any conflicts exist. However, Mayor Reed lives close to 10 Olema, council member Coler lives close to the former Lutheran church property and council member Goddard is employed by a local non-profit, who rents a School Street Plaza building, and she works at the School Street Plaza site.

In closing, we ask that the Town Council reject the proposed streamlining ordinance and process all applications for development on these three opportunity sites using the town's existing town codes with its well tested PDD process available.

Thank you,

Residents for Sustainable Affordable Housing and Preservation of Community Values

S/ Niccolo Caldararo, Diane Hoffman, Valerie Hood, Deborah Benson, Jessica Green, Rich Cerick, Todd Greenberg, Helen Fauss, Frank Egger, Gina Farr, Denise Larson, Marc Hammerman, Laura Ralph, Kathy Flores, Charles Cornwell, Stephanie Burns, Diana Purdue, Denny Ferry and Suzanne Chaney.

Linda Neal

From: Charles Cornwell <ccornwell@gmail.com>
Sent: Wednesday, February 01, 2017 8:51 AM
To: rgoddard-gmail; bcoler-gmail; Mayor John Reed; dweinsoff-weinsofflaw; placques-aol
Cc: Linda Neal
Subject: Please Vote No on Streamlining

To Fairfax Town Council,

I recommend against streamlining any of the 3 parcels for 2 reasons

1. Transparency has/will suffer. The planning of these 3 parcels has gone on for a long time. However, streamlining only requires one meeting with the planning commission. Consequently, all the other planning can take place in back channels. Whether that planning was/is done appropriately will likely never be known.

2. The required "detailed design" has too much momentum by the time of the one planning commission meeting. For example, at what was to be the one planning commission meeting for Victory Village, planning commissioner Green suggested lowering one roof panel. He didn't like that it jutted out above the rest of the building. However, the architect rejected his idea for reasons including that equipment behind the roof-panel would be exposed. When the design is so refined, it becomes difficult to make simple changes like this. Design elements have become inter-linked. This change would have been possible in the preliminary meeting that didn't happen.

Sincerely

Charles Cornwell

77 Mitchell Dr

Linda Neal

From: Susanne Chaney <susannechaney@me.com>
Sent: Monday, February 06, 2017 10:23 AM
To: Linda Neal
Subject: I do not Support Victory Village unless changes made

Please pass along my comments of support for Victory Village to the Planning Commission and the Town Council.

This development is not on major transit route unless you are commuting to and from San Francisco. The local transit is quite substandard and would require the town to do a major sidewalk and transit development renewal project. I have previously forward photographs of pitfalls of this stop and given the true transit picture to both the town council and the planning commission. Do not be swayed by the repeated lies that this is major traffic stop. It is not. The non commute traffic is serviced by local route 228 and involves major wait times to get anywhere in Marin other than sf general hospital. The trip there runs once an hour. To get to anywhere else one must first change at San Anselmo hub to a different route. The service does not run after 7:10 pm on any night precluding a social life after dark for an active senior such as myself. Marin county residents and Fairfax residents have to apply be put on a wait list after passing credit checks and background checks and have no guarantee that they will be among the ones chosen in the actual lottery of successful applicants. Therefore this doesn't solve the problem of seniors who live in Fairfax at this time and who are being priced out of their current housing.
Susanne Chaney
12 Ace Court
Fairfax Ca 94930

Sent from my iPad

Linda Neal

From: Roger Stoll <number.six@mac.com>
Sent: Tuesday, February 07, 2017 8:22 PM
To: Michele Gardner; Linda Neal
Subject: senior housing

TO: Fairfax Town Council and Planning Commission

Marin has a severe shortage of affordable housing, especially for seniors. The workings of the real estate market in combination with Marin's inadequate housing policies are on the way to making nearly every last corner of Marin available only to the affluent.

Fairfax has a chance to contribute to solving this problem by building Victory Village, the 54-unit low income senior housing complex planned for the west end of Fairfax on Sir Francis Drake Boulevard.

Please see this project through to completion. The housing crisis is not just a Fairfax issue, but a county-wide and Bay Area-wide issue that Fairfax should do its part to address.

Thank you for your consideration of this matter.

Sincerely,

Roger Stoll
231 Laurel Place Apt. #6
San Rafael, CA 94901

Linda Neal

From: Joseph Walsh <josephwalsh@hotmail.com>
Sent: Wednesday, February 15, 2017 10:47 AM
To: Linda Neal
Subject: We support Victory Village

As a former resident of the beautiful town of Fairfax, we would like to pass along to Town Council this message supporting the necessary language change to the ordinance governing the Lutheran Church property. This desperately needed affordable housing for seniors should be built as soon as possible.

Geraldine and Joe Walsh
Lagunitas

Linda Neal

From: lynette carlton <rlcarlton@gmail.com>
Sent: Wednesday, February 15, 2017 10:59 AM
To: Mayor John Reed; bcoler-gmail; rgoddard-gmail; dweinsoff-weinsofflaw; Linda Neal; placques-aol
Cc: Garrett Toy
Subject: Housing Development

Dear Mayor John Reed, Council Members Barbara Coler, Peter Lacques, Renee Goddard, David Weinsoff, Principal Planner Linda Neal, and Town Manager Garrett Toy:

In regard to new housing development in Fairfax, I'd like to make some comments:

- "Streamlining" is unacceptable. Each new development should be handled individually, as the neighborhood impact, parking and transportation issues, and infrastructure support are unique to each site. The general public and especially those close to the development site should be given clear information about what is proposed, and time to absorb the details and make their views heard.

- Victory Village: I support AFFORDABLE housing for seniors. I would like to see the affordability guaranteed in perpetuity.

- Parking: Please allow for adequate parking in each development. While we would all love to live in that utopian world where cars are scarce, the reality is that people - even old people - will have cars that they will drive and have to park somewhere.

- Transportation: Please negotiate an inter-agency agreement to increase public transportation and para-transit services to Fairfax residents. When my husband and I first moved to Fairfax ten years ago, the bus came every 30 minutes; now it's every hour outside of commute times. That 30 minutes is HUGE when you are planning a trip. A shuttle service for all residents could greatly relieve traffic congestion if it runs frequently and reliably enough for folks to be confident they could move around Marin County and get to San Francisco and back without it taking hours and hours. Developers should share the burden of the cost for transportation support to residents.

- Building heights: Three stories at Victory Village seems reasonable to me. The building should blend in well enough with the hillside and surrounding trees and added landscaping, and we will eventually get used to it. The benefit of having extra housing at this particular site should out-weigh any negative esthetic impact. HOWEVER, to allow three stories or more at the other proposed development sites would detract from Fairfax's visual town character. Each site should be addressed individually.

Thank you for taking these comments into consideration as you make plans that will affect Fairfax long into the future.

Sincerely, Lynette Carlton

14 Aureo Way

--

Lynette Carlton
415/785-8590
415/261-7458 cell

Linda Neal

From: Jessica Powell <eastergirl@comcast.net>
Sent: Thursday, February 16, 2017 10:33 AM
To: Linda Neal
Subject: I support the zoning ordinance amendment and Victory Village

Dear Ms. Neal,

I wholeheartedly support the construction of senior housing at Victory Village. My husband and I live on Porteous Ave., and I can hardly imagine a more environmentally-friendly, senior-friendly use of that land. As a couple in our 60s and 70s ourselves, I would hope that the town we love and have lived in for 26 years would make it possible for us and others like us to continue to live here.

Sincerely,
Jessica Powell
415-456-3014

Linda Neal

From: talk2tpk <talk2tpk@sonic.net>
Sent: Sunday, February 19, 2017 4:44 PM
To: Linda Neal
Subject: I support the zoning ordinance amendment and Victory Village

Please pass along to Town Council this message supporting the necessary language change to the ordinance governing the Lutheran Church property.

This desperately needed affordable housing for seniors should be built as soon as possible.

Our town is sought after because we reflect a community that many would like to live in, or recreate elsewhere. Both arguments are trying to do the right thing from their perspective. As a community we have focused on affordable housing options, FOR ALL, as a primary concern. We should do all that we can to help those living here have the possibility of staying. It's imperative that we make housing options available to the children and seniors that have made this community their home. We cannot lose our view of the complexity of the larger picture and "over protect" by avoiding change at all costs. Fairfax can not only be available to those with financial resources or a livin' large way of life. We are not, and I hope we never become 'Little Mill Valley". Many of us have a reaction to change, I am one of them, but Fairfax can be a leader in creating change (with everyone in mind) and becoming a town that acknowledges the inevitability of change; inviting seniors, ethnic and economic diversity, service providers, etc. by rolling out plans and growth thoughtfully. We cannot act like the future is not coming. We can role model effective change and preserve our lands, spirit, and the wildlife we love by acting responsibly now.

Teresa Ashby-Burchard
33 Meernaa Ave.
Fairfax, Ca 94930

Marinite 60 yrs.
Fairfax 25 yrs.

From: Denise Larsen [mailto:deniserlarsen@gmail.com]
Sent: Thursday, February 23, 2017 1:35 AM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Streamlining and the 5 Year Story

Hi Michele,

Please forward my email to both the members of the Town Council and the Planning Commission. Thank you!

Dear Members of the Town Council and the Planning Commission,

As I have stated at the mic at various meetings, I have lived in Fairfax for 33 yrs and only got involved in town politics since learning of the proposal to close Bolinas Road last July. I always voted for the familiar names that I trusted would be more progressive and protective of this town and the environment we are so blessed to live in, and frankly was not paying too much attention to what was actually going on. The town's general plan, downtown element, opportunity sites, state density bonus laws, affordable housing push, transit oriented development, CC and CH zoning, etc. were all unknown to me like many, if not most, in town. I noticed and was upset by things like the Center Blvd "beautification" project that lost parking and created hell getting in and out of parking lots and wondered who or what was in charge, what were they thinking and how much money was wasted. But for the most part I thought things were basically okay.

I did not see the Bolinas Rd closure as a good thing (and all the time and money that went into it all), except that it woke me, and some others, up. So I got involved, tried to go from most things being Greek to me to digging deep and learning a lot, looking at the history, and finding out where this town appears to be headed. I have attended lots of meetings, put my questions, thoughts and concerns out there, and listened more than once to the recordings of many of the meetings. I am clearer now about all the power structures in town, who is pushing what, and how money, outside players and organizations, including individual beliefs, values and motives of town reps and staff, play into things, along with who/what goes on behind closed door meetings and conversations. And this is what it looks like from here:

I now understand (I'm not claiming to be an expert, by any means) the current 3 step ordinance process that has worked well for past developments, including Bennett House where it took one year. If the Step 1 is simply a checkoff list to see if the project meets the General Plan, as stated by Garrett and the attorneys at the 2/1 TC meeting, and can actually be done administratively, then get rid of it. As Mimi stated, if there are redundancies and an order of presentation of a project that does not make sense, then fix just those. But at a Step 1 process, especially with affordable housing and all the perks a developer gets that others don't, it would be a great time to remind any developer of the town's height limits, creek setbacks, need for parking, inadequate transportation, traffic concerns, focus on protecting trees, the environment and ridge-line views, desirability of green building (like materials and solar panels), esthetics in design and color, etc. and to work with the citizens of the town and their concerns and feedback (and not just town officials) so it is well supported and a win win for all. Maybe this could be done when the check-off list is happening administratively.

I believe Step 2 is critical because when a project is being "fleshed out", as stated at the TC meeting, this is the perfect opportunity to be involved to help develop a better project. Here it can be said, "Hey, what if you make it two stories instead of 40.5 ft in height? Show us how you can reduce the entrance height. Can you angle the entrance so you don't feel the need to cut down a big redwood tree that was protected a couple of years ago? Please look into some private funding so Fairfax citizens can be given priority like other towns do for their citizens and seniors can truly age in place. Talking to Whistle Stop is not enough. What are plans for para-transit or onsite shuttle van? Are the drainage plans for average or worst case scenario? Why are you supporting on your website comments that imply it is for Fairfax seniors or that it is "a short walk to town or that it is an "environmentally friendly" project when none of those things are true"? If you say this project will cost 29 mil to build and your accounting/taxes show 64 mil in reserves, why can't you donate the rest of the property? Please make it affordable into perpetuity. The ridge top is blocked if walking, biking or driving in a smaller car than an SUV when traveling westbound on SFD Blvd...change it. Do you really have to cut down 119 trees? Parking is tight in the neighborhood and the beginning of downtown is over a mile away so please having parking for all units." I could go on...

With the proposed streamlining ordinance, a developer can skip Step 2 and come with Step 2 and 3 combined, bringing Precise, Exact Plans for a **first look ever** by the PC and public, including all the details such as landscaping plans which state which plant will go into which spot. Garrett said that the RCD developers already know exactly what is going in and what they want so they are bringing all their details so why put them through Steps 1 and 2? My response is that because it is much more difficult to give push back on a basically fully completely plan after so much time and money has been spent and they can play the "We've been waiting so long and seniors are going homeless" card. Fees are waived, problems are ignored and the town ends up handing them what they want on a silver platter. For example, it was only when citizens spoke up about parking issues and losing access to the rest of the property that the developer found 4 more parking spaces and a trail to access popular hiking areas. The opportunities to help mold a better project happens with Step 2 and 3 being separate. The citizens are heard and things that have made this town special can be considered. But that is unlikely to happen with a complete, precise plan and comments that the clock is ticking. The developer gets to leverage more pressure then, which RCD appears to be doing at this time. They appear to already be at Step 3 when their first major PR roll-out to the public was at their dog and pony show at the church only last fall.

I can only speculate because it has never been publicly revealed to my knowledge, but because RCD was apparently told something by someone (Jim Moore and/or Garrett Toy behind closed doors?) that they did not need to go start the Preliminary Development Plan (so it wasn't their fault), they feel they are already behind in their project/funding, seem to have plans at or close to a Step 3 level and are ready to go. And the TC seems to want to help them but does not think they can separate VV out from the other two sites for streamlining. RCD have made a couple of concessions since public push-back, with parking spaces and a trail. **ALL** of this and so much more could have been handled in Step 2. So instead there is the push for streamlining. And lack of transparency with behind closed doors meetings and deals ends up creating more problems, is not fair or equal to all, and results in a huge lack of trust by citizens. By the way, why should RCD with their reserves have a what, \$7500? fee waived when my neighbors (a young family who bought a home still in summer cabin mode) had to pay a \$4000 fee simply to remodel their

kitchen? What is going on? How is this fair? What about the well-paid consultants hired by the town with connections (board member?) to MEHC? None of this looks good and creates distrust.

The 5 Year Story: Many of us are frankly tired of the propaganda of the 5 Year Story to get sympathy for streamlining, waiving fees, etc. If you ask some people who bought into this story, they think that the current town ordinance has forced RCD into a grueling 5 year process, and now citizens "with no compassion for seniors" are adding to it. The issue with the "long" process has **nothing** to do with the process of our current town ordinance. Cascade Canyon School was on the site for 22 yrs and the church had its congregation. When the church started losing money in 2013, it started looking for other options. They decided to have the school, church and add some low income senior housing, while also considering selling the property. But they saw low income senior housing as their "mission". RCD may have become involved during this time. Because Cascade Canyon School still had several years left on their lease, the church (with only 10 members left) began to negotiate with the school later in 2013 with RCD involved. People involved in this process felt that RCD was not open to hearing how their new development would impact the school and were not very communicative, such as saying they would get back with the school after a meeting but then didn't for several months. Overall, people did not get a good feeling about RCD. There was a town meeting (TC??...not sure) in 2015 about the plans. Cascade Canyon School was being pressured, called NIMBYS and decided let go of their lease and move to St Rita's in Sept 2015. Now RCD could move full steam ahead but never put in a proposal, starting the official process with the town, and apparently have been mostly operating on a PR and a public support campaign to move this development forward. So they have **ONLY** been honestly involved for about a year and a half, not the often-touted 5 years. It was a problem with the church losing money in 2013 that started the process and having a several year lease still with the school, **not** the town's process. Frankly, the church would have been better off to sell the property with one big house going in and then their buying a smaller lot near walkable services, needs, major transportation, etc, where a very large and taller building could be build and actually serve more seniors.

The 100% affordable clause: Just because something is 100% affordable does not mean the town needs to throw out a process that has worked for others and can be done within a year. Just because they are not gigantic, several hundred unit developments, does not mean there are major impacts and issues that need to be addressed. And if Step 1 is truly not needed, then fine. **BUT** require Step 2 and 3 be separate and tell any developer the desires of many citizens re: any housing here and that they may need to be prepared to go back to the drawing board and/or be encouraged to not take advantage of state laws but work with the town and residents to get broad support. Many citizens support affordable housing but think it is wrong and dangerous to trade away the farm to provide it. Even 100% affordable housing is not a good enough reason to throw the baby out with the bath water.

And the height issue: To have a list handy of about 10 other 3 story buildings in town read off at a PC meeting after I expressed my concerns was not very helpful or a good argument to allow more 3, 4 or higher story buildings. The only reason that this town does not already look like downtown San Rafael is that decades ago when taller buildings started going in, the height limit was put in by the TC. And it has served this town well. To have a TC member say that they "think" going along with 3 or 4 stories would not set a precedent, I say, "Prove it. Show

us. Guarantee it!" But you can't. Many of us understand state density bonus laws much better now but do not support giving so much up for the sake of affordable housing.

Many who support the Victory Village project don't even live here and/or they are unaware of the many issues or are in denial of the issues or frankly don't care because when it comes to affordable senior housing, the mantra is to turn a blind eye and just push for it. I am rather surprised that these pro-VV supporters are not fighting for adequate parking, onsite shuttle/van, it being affordable in perpetuity or the issue of it being far from town, like many of us. How can one go on and on about the "poor seniors" and not want or fight for things that would really help seniors? And hey, if RCD does not make its HUD funding, then maybe they will seriously look for some private funding so this project can give preference to Fairfax seniors. After all, other towns give preference to theirs so that begs the question, "Then where are our seniors suppose to go?"

Overall, many are confused why the town and its reps are not fighting for this town and what makes it special. Other towns fight or don't change their zoning or leave ABAG or organize with other towns who are stressed since the state only looks at demographics and numbers when it comes to affordable housing with NO considerations re: land and infrastructure (especially roads, parking, traffic and water) that are limited. Read about the nightmares with traffic and parking that are going on in Anaheim since affordable housing went in (and yes, low income people drive). Why can't we negotiate with developers, get them to work with us and this town, and come up with win win plans?

Because of all of these many issues, behind closed door deals, finances, reduced trust, much misinformation and confusion, and more rezoning/projects proposals ahead, it is long overdue for the town staff, TC and PC to hold a town hall meeting in the Pavilion where citizens can ask questions, get clarity, help with solutions and begin to rebuild trust and connection with all. Citizens want to understand more and be heard. I personally found the joint session in Jan very helpful because I could ask questions throughout. Hopefully, you will seriously consider this before moving forward with your agendas. There is a lot at stake.

As I said in the beginning, all of what I wrote is just the way things look like from here. Again, I urge you to fix the current ordinance and drop plans for a streamlining ordinance.

Thank you for your time and serious consideration.
In appreciation and respect,
Denise Larsen
Fairfax, CA

-----Original Message-----

From: Theresa Frier [mailto:TFrier@mercyhousing.org]

Sent: Saturday, February 25, 2017 8:19 AM

To: Michele Gardner <mgardner@townoffairfax.org>

Subject: Support for Victory village

Hello,

My name is Theresa Frier, and I am the Property Manager at Bennett House in this beautiful town of Fairfax. I have a unique opinion of the building of Victory Village, given that I myself have 16 years of experience working in the field of affordable housing, and have witnessed, first hand, the extreme need, and the absolute necessity of it. Also, previously to working for Mercy Housing, my current employer (who is wonderful to work for!) I worked for John Stewart company (the managing company that will manage victory village), managed two of RCD's properties (the owners of victory village) and my former supervisor (Uella Laughlin) will be the Regional Manager for Victory village!

I am very familiar with the intent of John Stewart co, and RCD , to have the utmost professionalism, kindness, and ability to bring a valued and beautiful property to this area.

Properties like Victory Village are a benefit (like Bennett House) to the community! Trust me, when your mother, father, sister, brother, friend, is in need of a home that will help lift them up from wherever their current situation is, to a place of hope, self respect and happiness, you will be so glad that there are places like Victory Village and Bennett House in our community.

It would be a very sad day if Victory Village was rejected based on ignorance.

Sincerely,

Theresa Frier
Property Manager
Bennett House
53 Taylor Drive
Fairfax, CA
415-457-7318

Linda Neal

From: Spirit L Wiseman <spiritji@aol.com>
Sent: Saturday, February 25, 2017 4:19 PM
To: bcoler-gmail; rgoddard-gmail; Mayor John Reed; dweinsonff-weinsonfflaw; placques-aol; Garrett Toy; Linda Neal; nfragoso49@gmail.com; laura@fdvinearchitects.com; bruce@laughingcrows.net; mimi.newton@gmail.com; phil@greenandgreen.com
Subject: In support of affordable housing and Victory Village

I worked a table at the Good Earth on 2 separate occasions recently and spoke to over a hundred people regarding affordable housing for Seniors and VictoryVillage. . Across the Board 99% of normal people are very supportive of affordable housing at Victory Village. Yet there is a small minority that I believe is politically active that makes it look otherwise. People like me have not been politically active don't usually come to meetings and write letters.

You have a tough job and have to deal with a lot of views and opinions some highly emotional and I thank you for your service. Many people you may never meet or hear from really do appreciate how you serve and what you do for the Town Of Fairfax. It seems to me the loudest voices are the minority yet there is concern that they may influence people that don't really understand the whole picture.

Working as a Realtor I became curious as to who are the loudest voices and I started looking them up in the tax records.....I thought it might be the new people coming in but truth is it seems to be people who have owned their home for a long time and have no experience at all with what is actually going on out there in the trenches of housing.

I just met a young woman for example who is a day care teacher here in Fairfax for 10 years. She is living in the apartments in Fairfax in the Western end and her rent has gone from \$975 to \$1750 and she is in a 2 bedroom with a 11 and a 7 year old.....

If the building is 41 ft so be it.....Let's build 10 of them .We need affordable housing not just for seniors but for others too.....in fact we need rent control.....One man came to the table and said none of his 3 kids could afford to live here.....we are in a housing crisis and we have to all do what we can so there are not more 74 year olds living in tents in the hills.

Sent this letter to the IJ after reading Frank Eggers letter to the editor today

"Honestly one can't help but be taken aback at the lengths and truth spinning going on in an attempt to spin up public emotion to try and block affordable housing under the guise of saving Fairfax. The project will have discretionary review. Frank Egger says in his recent letter that Victory Village will be "shoehorned in to a wooded area" when in fact it will be on the blueprint of the already existing Lutheran Church. Continuing in the fear vein he states it will be highly susceptible to wild fires coming off the ridge and the fire truck might be busy elsewhere. If and when we see a fire coming off the Ridge it will likely be from the homeless people forced to live in the hill's because Frank Egger and Save Fairfax and their fear based politics were successful in holding the Town hostage and thus unable to create affordable housing here.. "

Thank you

Spirit L Wiseman
Bradley Real Estate
Chairman's Club 2013/2014/2015
415-847-4828

<http://www.zillow.com/profile/spiritwiseman/>



February 27, 2017

Town Council

Town of Fairfax

142 Bolinas Rd.

Fairfax, California 94930

Dear Council Members:

I support the proposed Victory Village senior housing project. We need more true affordable housing and this project will provide just that. Hardly a day goes by that we do not hear some heart-breaking story of a family made homeless or a senior getting evicted or living in dire circumstances due to high rents or impossible mortgage arrangements. So many people have been pushed out of Fairfax, Marin, and the Bay Area altogether due to rising rents. The lists for existing subsidized low-income housing are impossibly long.

This is our chance to make a contribution to our larger community and do "the right thing." As a 30th year resident of Fairfax, I know that this is a truly wonderful place to live, and part of that is the spirit of connectedness and generosity of our community. This project would typify that spirit.

Thank you,

A handwritten signature in black ink, appearing to read "Jacquie Hoffman".

Jacquie Hoffman

Regional Vice President of Property Operations and President NPH Board of Directors

Mercy Housing Management Group

1360 Mission Street, Suite 300, San Francisco, California 94103 o | 415.355.7100 f | 415.355.7101 tty | 800.855.2880 mercyhousing.org



Mercy Housing Management Group

LIVE IN HOPE



Linda Neal

From: Janice <programs@marinifc.org>
Sent: Tuesday, February 28, 2017 11:08 AM
To: Linda Neal
Subject: support for amendment to zoning ordinance for Lutheran church proposal

Dear Linda Neal,

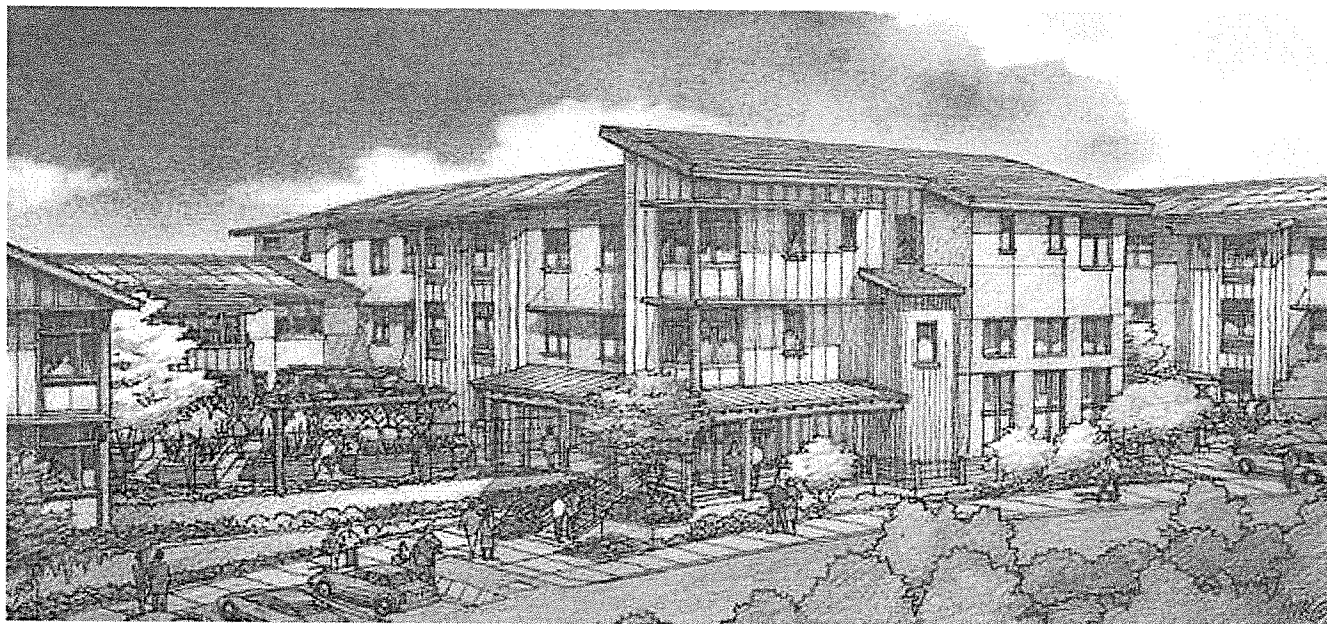
I support Victory Village is a 54-unit affordable senior housing project currently being considered by the Fairfax Planning Commission and Town Council.

I think our community could use some affordable housing for seniors and I support the amendment to the zoning ordinance.

Thank you for your consideration.

Janice Lum-Ennik
840 C. St. #521
San Rafael, CA 94901
415-457-1522

Marin Voice: Victory Village an ideal opportunity and site for affordable senior housing



Developers are planning a 54-unit senior housing center at 2626 Sir Francis Drake Blvd. in Fairfax, a 20-acre site that formerly owned by Christ Lutheran Church. The Victory Village project, proposed by Resources for Community Development, a Berkeley-based nonprofit, will be affordable to extremely low and low-income households. The project will be two and three stories tall. (Courtesy of Resources for Community Development)

By Jeanne Iida

POSTED: 02/25/17, 4:14 PM PST

[27 COMMENTS](#)

In the midst of a countywide housing crisis, the need for affordable homes for our aging population is critical and growing. Christ Lutheran Church of Fairfax wants to help serve this need by sponsoring Victory Village, an affordable housing community for seniors.

As a member of the church's council, I have witnessed and participated in this endeavor from the start.

Eight years ago, Christ Lutheran (formerly known as Christ the Victor — the origin of the name Victory Village) reached out to the Fairfax community to ask about its greatest needs. Senior affordable housing was high on the list.

Some Fairfaxians worried where their aging parents or relatives would live when life circumstances changed. Others worried for themselves, as rents continued to climb.

This issue resonated with our church members, many of whom are seniors themselves.

Our small but vital church has a long history of community service, from its 1961 beginnings in the Fairfax Theater. Led by our amazing elders, we raise money for local and international relief, support Ritter House, collect clothing for Image for Success, send holiday gift boxes to children and cook and serve meals for homeless women as a charter member of the REST program. In prior years, we provided shelter for the homeless and hosted an early version of the Fairfax food bank. We continue to hold weekly worship services and welcome all who would join us.

As our congregation has aged, we contemplated our legacy. We could sell our 20-acre property for market-rate development — likely three private homes costing upwards of a million dollars — and donate the proceeds to a worthy cause.

But we have been blessed with the use of our beautiful canyon, and we want to share it. Meeting our neighbors' needs, and passing our land to a vulnerable and underserved community, would be our best legacy.

Once we made that decision, we interviewed and selected as our partner Resources for Community Development, a Berkeley-based non-profit provider of managed housing and services to low-income people. We have worked closely with RCD to select an architect and a design that we feel fits best with the character of Fairfax and our woodland canyon.

Our vision is a community of 53 studio and one-bedroom apartments for seniors with incomes in the \$25,000-49,000-per-year range, located on two acres within our site. Each unit will have private kitchen and bathroom. The design includes an indoor common room with community kitchen, two outdoor courtyards with garden space, and landscaping with drought-tolerant plants, two bioswales and solar water heating. A program of resident services will help seniors to age in place.

In response to feedback, we worked with RCD on development scale and parking.

Advertisement

Regarding traffic, we remind the community that until June 2015, Cascade Canyon School was generating some 160 car trips per day during peak traffic hours.

An ordinance is now before the Town Council that must be approved before we can move closer toward the necessary step of rezoning our property. Approval will mean rezoning can be streamlined on two sites in addition to ours, only when and if those site owners submit plans for 100-percent affordable housing. Those hypothetical site plans would still go through public reviews.

Meanwhile, housing costs in Fairfax continue to rise, with median monthly apartment rent now \$3,000. Truly, the time for helping our aging residents is now.

We love Fairfax and want to help preserve its diversity of passions, talents, ages, and income levels. We look forward to working together to build Victory Village, and bring security and peace of mind to some of our most vulnerable

Jeanne Iida of Fairfax is a member of the Christ Lutheran Church council.

Spirit L Wiseman
Bradley Real Estate
Chairman's Club 2013/2014/2015
415-847-4828

<http://www.zillow.com/profile/spiritwiseman/>

From: demartinit@aol.com [mailto:demartinit@aol.com]

Sent: Monday, February 27, 2017 12:13 PM

To: Michele Gardner <mgardner@townoffairfax.org>

Subject: I Support Victory Village

I am a resident of Fairfax and a senior citizen. I support Victory Village because there is such a need for housing for low-income seniors. I myself currently live in a house on a hill and can certainly see in my future the need to downsize and live in a smaller home.

Victory Village will not necessarily bring "outsiders" into our community. I am sure that between Fairfax and the San Geronimo Valley, there will be more than enough eligible seniors for this housing and I hope they would not be seen as "outsiders".

Also, providing housing for seniors in Victory Village will free up other low rental units for local workers, small families, and young people just getting started. It will increase the diversity of our community and provide a hub for community involvement and volunteerism.

As for increasing traffic, it would actually do the opposite. If I was to come down from my hillside and live closer to town, and be able to walk to my beloved library and familiar stores, I would happily give up the expense of my car. I'm sure other seniors, especially low-income seniors, would do likewise.

I urge the Fairfax community to support this very charitable mission of the Lutheran Church and support all efforts to make Victory Village a reality.

From: Alexander Barbara [mailto:barbara.alexander36@gmail.com]

Sent: Monday, February 27, 2017 1:56 PM

To: Michele Gardner <mgardner@townoffairfax.org>

Subject: I support Victory Village

Fairfax needs this senior housing! Please make it happen. It could be your mother or Auntie who needs it!

Barbara

From: casey [mailto:btech132@gmail.com]
Sent: Monday, February 27, 2017 3:36 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Victory Village

To whom it may concern,

I want to add my voice in support of Victory Village. I live and teach in Marin County and understand very well the housing crisis we face here, especially for seniors. It's time to stand up to the very vocal minority who oppose these types of projects and show that we really do care about our seniors. I'm tired of the people who say they support senior and low income housing but do everything they can to thwart it. I am by no means pro-development. I love Marin County for its open space and abundance of nature but there is some room for development. We can't keep turning our backs on the people in our community who need housing the most. Please take into consideration the many voices of the people who need help. With the housing prices in Marin, lower income seniors are being pushed out and that's a shame. Fairfax and the rest of Marin County should value our diversity and do more to help keep lower income locals around, especially seniors. I hope you take a step by approving Victory Village without delay. Thank you!

Sincerely,
Casey Hunt
415-684-4461

From: Liz Froneberger [mailto:lizardrock50@hotmail.com]

Sent: Monday, February 27, 2017 1:53 PM

To: Michele Gardner <mgardner@townoffairfax.org>

Subject: I support Victory Village (and would appreciate a response to my concern about the road safety)

Hi, I think this is the 2nd or 3rd note I've written in support of Victory Village, but as a member of the MEHC, I've been called upon to express my support at this time (prior to the 3/1 meeting which I can't attend).

I think this is a wonderful project. My husband (Henry Froneberger) and I strongly support this project. We have walked the property, looked at the oppositional comments (which I believe the VV developers answered) and we have only two concerns. The fact that there is an expiration date of ANY sort for this project to be dedicated to seniors is disturbing. But that can be worked out, I hope. It is NOT a reason to kill the project.

I am concerned about the traffic ingress/egress. I've pointed out before the visual limitation for drivers making a left hand turn is more problematic than is presently acknowledged. I would really like to hear from the traffic experts on this and would be happy to meet them out there. I know they intend a short merge lane (There is one at Marinda for those of us turning left onto SFD) but the road at Victory Village is canted in the wrong direction. If you sit in your car and look out to the street, you will note it is difficult to see where that merge lane would be (I know there is another name for these types of lanes, but I can't recall at the moment). I think elderly drivers (particularly after dark) may have a very difficult time making a safe left turn to head east on SFD. There is also poor visibility to the RIGHT (cars come around that wide arc in the road at 45 MPH on a regular basis), I fear this would also be dangerous for people coming in and out of that driveway multiple times a day. T-bone accidents are deadly and elderly trauma patients have an exponentially greater potential for death. I really would like these concerns to be addressed. Elderly drivers can be very safe, but there is a decline in night vision and a decreased ability to accurately judge distance/speed of oncoming vehicles. These issues are facts, not opinion.

Other than that, we support the project.

Thank you, I hope to hear from someone about my traffic concerns. I was an ED RN for 22 years and work extensively with EMS in Marin and so am sensitive to causation of trauma and would prefer to mitigate and prevent as opposed to treating trauma that did not have to happen.

All best, Liz Froneberger, RN, 120 San Gabriel Dr., Fairfax (415)706-4811

From: Olivia Beltran [mailto:aguazule@yahoo.com]
Sent: Monday, February 27, 2017 12:13 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Support for Victory Village

Please support the Victory Village because the need is so great for homes that lower income seniors can afford.

Olivia Beltran

"Happiness is when what you think, what you say, and what you do are in harmony." Mahatma Gandhi

From: Kate [mailto:sgpastor@att.net]
Sent: Tuesday, February 28, 2017 1:50 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Victory Village

Dear friends,

I remember talking with the pastor at Christ Lutheran years ago, when this project was newer, more in the visioning stage.

We need Victory Village! Seniors are having to leave the area in huge numbers, for lack of affordable housing.

Please, please help this vision to be realized.

Blessings and peace,

Kate Clayton, Pastor

San Geronimo Community Presbyterian Church

Linda Neal

From: kathy dean <grammyk44@comcast.net>
Sent: Thursday, March 16, 2017 3:56 PM
To: Linda Neal
Subject: Victory Village

Dear Planner Neal,

I would encourage you to support by voting for approval of the Victory Village project for low-income housing. I understand the housing will target seniors who currently pay more than a third of their income for housing. Seniors will most likely NOT add to any traffic concerns as they do not have to get kids to school and tend to use Whistlestop or other senior resources. Please process this project through the planning process as quickly as you can. The architectural renderings are appealing and should be ideal for this setting on Sir Francis Drake. Thank you for taking the time to read this e-mail. Kathy Dean, Novato Citizen since 1968.

Linda Neal

From: Garrett Toy
Sent: Monday, March 20, 2017 8:57 AM
To: Linda Neal
Subject: FW: Expenses for Rezoning Lutheran Church Site

Hi Linda,

See the reference at the bottom of the letter. Thanks

Garrett

From: Home [mailto:marc@postmammal.com]
Sent: Saturday, March 18, 2017 6:57 PM
To: Garrett Toy <gtoy@townoffairfax.org>
Subject: Expenses for Rezoning Lutheran Church Site

Mr. Garrett Toy, Manager

142 Bolinas Road

Fairfax CA 948930

Dear Mr. Toy:

We have not met formally. However, I have seen you working at several Fairfax Town Council & Planning Committee (PC) meetings. Probably you remember some of my comments at the meetings. I am relatively new to Fairfax, having moved here from St. Louis MO in July 2015 after retiring as a professor at Washington University School of Medicine. Currently I am working as a physician for Marin Community Clinics (MCC) in San Rafael.

I find the format for exchange of ideas at Fairfax Town meetings to be unsatisfactory for several reasons. For example: 1) it's hard for speakers from the floor to say much in three minutes; 2) there is little opportunity for back & forth – no rebuttals for floor speakers & sometimes no comments from members of the TC or PC; and 3) at least in the case of TC Meetings it's hard for those of us who work outside of Fairfax government to hang in during a meeting that drags on – inefficiently I think - for *hours*. I do understand that addressing 1 & 2 would probably make 3 much worse. Perhaps we must make the best of what we have.

As a former full-time Medical School teacher and current physician at MCC, I have taken care of low income, largely senior patients for the last 45 years. Because it is off the beaten path in Marin County (not all that close to good healthcare facilities that are often- traffic- congested always two- lane roadways away), I think Fairfax is a very poor location for housing low income seniors and have said so. Many local physicians with whom I have spoken about the matter agree. However, I understand that others may have a different opinion.

In part for that reason, I spoke in general favor of Victory Village at the May 1st Town Council Meeting. In retrospect, I think I was very naïve. This because of what I learned subsequently in three documents: 1) Town of Fairfax Staff Report for March 16th; 2) Letters of January 4th and 12th, 2017 sent to you by Alicia Kline of RCD. It has become clear to me that due process is being bypassed by the Fairfax Town government in rezoning the Lutheran Church site. This was the subject matter for my three minutes on March 16th at the PC meeting. There was no opportunity for you to reply. Accordingly, I am writing to solicit a reply from you.

First, I learned from the Staff Report that during February, a report was generated by the Fairfax Town Attorney's Office regarding *Foothill Communities versus Orange County CA*. How much did the Attorney's Office bill the Town of Fairfax for the report? Who authorized the expenditure?

Second, I read in the January 4, 2017 letter:

- **Parkland Dedication** (p. 106-7). RCD's efforts to identify a local land trust or open space agency to buy the back 18 acres and dedicate them all to open space have so far been unsuccessful, given the \$300,000 purchase price for those parcels. RCD's purchase option expires on 12/31/17, and buyers for the remaining land will need to be identified in the near future to avoid financing costs that unduly burden the affordable housing. The timeline is insufficient for the Town to issue bonds, though the creativity of that suggestion is appreciated.

I assume that the letter is real and was sent to you by Alicia Kline. Correct?

That being the case, did you suggest that Fairfax issue bonds in support of purchasing the back 18 acres? If not, how have I misunderstood what is written? If so, how did you justify making this offer *prior* to any decisions about rezoning (we are still not there) at a time during which you were soliciting formal input from Fairfax citizens about Victory Village?

Thanks for your attention.

Sincerely,

Marc Hammerman MD
12 Shadow Creek Court
Fairfax CA 94930

Linda Neal

From: Chris Francisco <christinefrancisco@gmail.com>
Sent: Thursday, April 13, 2017 11:53 AM
To: Linda Neal
Subject: Victory Village

Hi Linda:

My family & I have been living in Fairfax for almost 12 years and support the Victory Village project, especially since we may someday be in need of affordable senior housing.

Regards,
Chris Francisco