



## AGENDA

**SAN RAFAEL PLANNING COMMISSION  
REGULAR MEETING  
TUESDAY, November 13, 2018, 7:00 P.M.  
COUNCIL CHAMBERS, CITY HALL, 1400 FIFTH AVENUE  
SAN RAFAEL, CALIFORNIA**

**CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
RECORDING OF MEMBERS PRESENT AND ABSENT  
APPROVAL OR REVISION OF ORDER OF AGENDA ITEMS  
PUBLIC NOTIFICATION OF MEETING PROCEDURES**

### **URGENT COMMUNICATION**

Anyone with an urgent communication on a topic not on the agenda may address the Commission at this time. Please notify the Community Development Director in advance.

### **CONSENT CALENDAR**

1. Minutes, 10/23/18

### **PUBLIC HEARING**

2. **1833 and 1835 Fourth (Shell Fueling Station)** – Request for and Environmental and Design Review, Use Permit, and Sign Program to demolish and rebuild the gas station; APN: 011231-24/25; West End Village (WEV) Zone; Muthana Ibrahim, Applicant; AU Energy LLC, Owner; ED17-054, SP18-005, UP17-019. Project Planner: Alan Montes

### **DISCUSSION**

3. **Discussion of Housing Topics and Issues (P18-010)** Project Planner: Paul Jensen

### **DIRECTOR'S REPORT COMMISSION COMMUNICATION ADJOURNMENT**

- I. Next Meeting: November 27, 2018
- II. I, Anne Derrick, hereby certify that on Friday, November 9, 2018, I posted a notice of the November 13, 2018 Planning Commission meeting on the City of San Rafael Agenda Board.

- Sign interpreters and assistive listening devices may be requested by calling 415/485-3085 (voice) or 415/ 485-3198 (TDD) at least 72 hours in advance. Copies of documents are available in accessible formats upon request.
- Public transportation to City Hall is available through Golden Gate Transit, Line 20 or 23. Paratransit is available by calling Whistlestop Wheels at 415/454-0964.
- To allow individuals with environmental illness or multiple chemical sensitivity to attend the meeting/hearing, individuals are requested to refrain from wearing scented products.

Any records relating to an agenda item, received by a majority or more of the Agency Board less than 72 hours before the meeting, shall be available for inspection in the Community Development Department, Third Floor, 1400 Fifth Avenue, and placed with other agenda-related materials on the table in front of the Council Chamber prior to the meeting.

THE PLANNING COMMISSION WILL TAKE UP NO NEW BUSINESS AFTER 11:00 P.M. AT REGULARLY SCHEDULED MEETINGS. THIS SHALL BE INTERPRETED TO MEAN THAT NO AGENDA ITEM OR OTHER BUSINESS WILL BE DISCUSSED OR ACTED UPON AFTER THE AGENDA ITEM UNDER CONSIDERATION AT 11:00 P.M. THE COMMISSION MAY SUSPEND THIS RULE TO DISCUSS AND/OR ACT UPON ANY ADDITIONAL AGENDA ITEM(S) DEEMED APPROPRIATE BY A UNANIMOUS VOTE OF THE MEMBERS PRESENT. APPEAL RIGHTS: ANY PERSON MAY FILE AN APPEAL OF THE PLANNING COMMISSION'S ACTION ON AGENDA ITEMS WITHIN FIVE BUSINESS DAYS (NORMALLY 5:00 P.M. ON THE FOLLOWING TUESDAY) AND WITHIN 10 CALENDAR DAYS OF AN ACTION ON A SUBDIVISION. AN APPEAL LETTER SHALL BE FILED WITH THE CITY CLERK, ALONG WITH AN APPEAL FEE OF \$350 (FOR NON-APPLICANTS) OR A \$4,476 DEPOSIT (FOR APPLICANTS) MADE PAYABLE TO THE CITY OF SAN RAFAEL, AND SHALL SET FORTH THE BASIS FOR APPEAL. THERE IS A \$50.00 ADDITIONAL CHARGE FOR REQUEST FOR CONTINUATION OF AN APPEAL BY APPELLANT.

IN THE COUNCIL CHAMBERS OF THE CITY OF SAN RAFAEL, October 23, 2018



**Regular Meeting  
San Rafael Planning Commission Minutes**

For a complete video of this meeting, go to <http://www.cityofsanrafael.org/meetings>

**CALL TO ORDER**

Present: Jack Robertson  
Berenice Davidson  
Sarah Loughran  
Jeff Schoppert  
Mark Lubamersky

Absent: Barrett Schaefer  
Aldo Mercado

Also Present: None

**PLEDGE OF ALLEGIANCE**

**RECORDING OF MEMBERS PRESENT AND ABSENT**

**APPROVAL OR REVISION OF ORDER OF AGENDA ITEMS**

**PUBLIC NOTIFICATION OF MEETING PROCEDURES**

**URGENT COMMUNICATION**

**CONSENT CALENDAR**

**1. Minutes, 10/9/18**

Mark Lubamersky moved and Sarah Loughran seconded to approve Minutes as presented. The vote is as follows:

AYES: Jack Robertson, Berenice Davidson, Sarah Loughran, Jeff Schoppert, Mark Lubamersky  
NOES: None  
ABSTAIN: None  
ABSENT: Barrett Schaefer, Aldo Mercado

**PUBLIC HEARINGS**

- 2. [1005 and 1010 Northgate Dr. \(Northgate Walk Residential Development\) – Request for an Environmental and Design Review Permit, a Lot Line Adjustment and a Vesting Tentative Map to allow the construction of 136 units within three, 36’-tall, new residential condominium buildings on three developed or improved parcels with garage parking and miscellaneous site improvements. The existing hotel is proposed to remain on its own parcel; APNS: 178-240-17 & -21; Office \(O\) District Zone \(1005 Northgate Dr.\) and Multifamily Residential – High Density \(HR1\) District Zone \(1010 Northgate Dr.\); Peter Stackpole for LCA Architects, Applicant; San Rafael Commercial, LLC \(1005 Northgate Dr.\) and San Rafael Hillcrest, LLC \(1010 Northgate Dr.\), Owners; Case No’s: ED16-038; LLA16-003 and S16-001. Project Planner: Steve Stafford](#)

[Staff Report with Exhibits 1 - 4](#)

[Public Comments 1 of 2](#)

[Public Comments 2 of 2](#)

Jack Robertson moved and Jeff Schoppert to accept comments made by the Commission and have the project proceed. The following consensus comments were made by the Commission:

- 1) The type of Land Use is appropriate.
- 2) The density/scale/bulk mass is appropriate.
- 3) The subdivision Layout and the set-back easement is appropriate for this site.
- 4) The draft categorical exempt Environmental findings are appropriate.
- 5) There may be underutilization of density, but the bulk massing of the building is at the limit.
- 6) The Architecture and design may need to be refined and be more contemporary.

The vote is as follows:

AYES: Jack Robertson, Berenice Davidson, Sarah Loughran, Jeff Schoppert, Mark Lubamersky  
 NOES: None  
 ABSTAIN: None  
 ABSENT: Barrett Schaefer, Aldo Mercado

**DIRECTOR’S REPORT**

**COMMISSION COMMUNICATION**

**ADJOURNMENT**

\_\_\_\_\_  
ANNE DERRICK, Administrative Assistant III

APPROVED THIS \_\_\_\_ DAY \_\_\_\_ OF \_\_\_\_\_, 2018

\_\_\_\_\_  
Berenice Davidson, Chair



# SAN RAFAEL

THE CITY WITH A MISSION

Community Development Department – Planning Division

**Meeting Date:** November 13, 2018  
**Agenda Item:** 2  
**Case Numbers:** ED17-054/SP18-005/  
UP17-019  
**Project Planner:** Alan Montes  
(415)485-3397

## REPORT TO PLANNING COMMISSION

**SUBJECT: 1833 and 1835 Fourth (Shell Fueling Station)** – Request for and Environmental and Design Review, Use Permit, and Sign Program to demolish and rebuild the gas station; APN: 011-231-24/25; West End Village (WEV) Zone; Muthana Ibrahim, Applicant; AU Energy LLC, Owner; ED17-054, SP18-005, UP17-019.

### EXECUTIVE SUMMARY

The project proposes to demolish and rebuild the gas station with an expanded convenience store. The project proposes to provide a 24/7 gas station and convenience store with new signage and landscaping. The project includes a request for Parking Modification, to reduce the dedicated parking by one (1) parking space and to count and use the eight (8) fueling pump spaces as part of the required parking. The project requires the following approvals by the Planning Commission (Commission) with the recommendation of the Design Review Board (Board): A) An Environmental and Design Review Permit for the proposed design of the building and site; and B) An amendment to the existing Use Permit to allow the gas station to continue, C) a Parking Modification to reduce the parking requirement for the project, from eight (8) to seven (7) on-site parking spaces; and D) A Sign Program for the site.

On September 18, 2018, the Board reviewed the project and unanimously recommended approval (4-0-2) of the proposed site and building design changes, including the request for Parking Modification.

While the project has the potential to conflict with the Zoning Ordinance as a gas station use is no longer permitted in the West End Village (WEV) Zoning District the project has been found to be consistent with the Zoning Ordinance as it has an existing permit which can be amended, as found by the Planning Commission on January 10, 2017. However, the Commission insisted that the new project should comply with all development standards and that as this site is located on a primary transit corridor for the City they would expect any redevelopment to be extremely high-quality design with lots of landscaping.

As proposed and conditioned, the project is consistent with the applicable review criteria and meets the required findings for Environmental and Design Permits and Use Permits. (See General Plan and Zoning Ordinance Consistency discussion under the Analysis section of this report.)

### RECOMMENDATION

It is recommended that the Planning Commission adopt the attached Resolution (Exhibit 2) approving to the Use Permit (UP17-019), the Environmental and Design Review Permit (ED17-054), and the Sign Program (SP18-005) with conditions.

**PROPERTY FACTS**

<b>Address/Location:</b>	1833 and 1835 Fourth Street	<b>Parcel Number(s):</b>	011-231-24/25
<b>Property Size:</b>	14,500sf (10,000sf and 4,500sf)	<b>Neighborhood:</b>	Downtown – West End Village

<b>Site Characteristics</b>			
	<b>General Plan Designation</b>	<b>Zoning Designation</b>	<b>Existing Land-Use</b>
<b>Project Site:</b>	<b>West End Village (WEV)</b>	<b>WEV</b>	<b>Fuel Station and Convenience Store</b>
North:	WEV	WEV	Brewery/Office
South:	High Density Residential (HDR)	HR1.8	Residential
East:	WEV	WEV	Restaurant
West:	N/A	N/A	Fourth Street

**Site Description/Setting:**

The site is comprised of two (2) adjacent downtown parcels, located at the junction of Fourth and Second Street. The site is a combined 14,500 sq. ft. and has an approximate cross slope of less than 2%. The site is currently used as a gas station and convenience store.

The project site has commercial/office uses to the north and east. To the south across Second Street there are multi-family residential dwellings.

**BACKGROUND**

In 1972 the site obtained an Environmental and Design Review Permit for the construction of a new gas station. In 1975 the site obtained a Use Permit to add a film kiosk. Between 1975 and 1993 the gas station had several Design Reviews permits for minor site and building modifications; and, in 1992, the gas station obtained a Use Permit to sell packaged goods out of the existing building on the site.

On September 16, 2016, the applicant submitted a Pre-Application to demolish the existing gas station and convenience store with a new gas station and larger convenience store. During the pre-application, it was found that the zoning had changed in the mid-2000s and that a gas station is no longer an allowable use in the WEV Zoning District. Staff found some ambiguity in the non-conforming provisions of the San Rafael Zoning Ordinance (section 14.16.270) that warranted a determination from the Commission. With Staff's recommendation, the applicant submitted for a letter of determination to go before the Planning Commission to seek input on whether the continuation of a non-conforming use, the gas station use, could be allowed to continue even if the structures on the site are demolished and rebuilt, prior to submitting a formal application.

On January 10, 2017, the item was brought before the Commission. The Commission had a very thoughtful and detailed discussion and eventually found that it made sense for the site to be a gas station, but were stuck on whether there was procedurally, the right tools for them to allow it without having to amend the General Plan or Zoning Ordinance. The Commission found that since there was an old Use Permit for the convenience store, a slight intensification would be allowed, but should comply

with all development standards. They also made it known that this site is a key gateway site and would expect any redevelopment to be an extremely high-quality design with lots of landscaping.

Video proceedings from the Planning Commission meeting can be reviewed at: <https://www.cityofsanrafael.org/public-meetings/> then clicking on the Planning Commission under archived meetings, and then selecting the January 10, 2017 date.

## PROJECT DESCRIPTION

### Use:

The proposed use would continue as a gas station with a convenience store. The use would maintain four (4) fuel pumps and expand the convenience store building from 300 sq. ft. to 2,284 sq. ft. of which 1,347 sq. ft. will be used for retail purposes. The remainder of the store will be used for office, bathrooms, and utility storage.

### Site Plan:

The project proposes to construct the fueling canopy in the center of the site and the convenience store along the east property line. The landscaping improvements are going in similar locations that are currently landscaped, but with modifications to the planters. The curb cuts are proposed to be modified but will be in similar locations to the existing curb cuts. The Department of Public Works required, during the Pre-application, that the driveway on Second St. not be located directly across from West St., which the applicant has revised on the current plans. During the completeness phase of the project the applicant had added a self-serve propane tank to the site, per the Board's recommendation during the second conceptual review. However, City staff expressed concern regarding this added feature and recommended its removal, as the propane tank eliminated a required parking space and could only fit on the site by placing it vertically, which would have created a 15' tall structure located at the apex of the site.

### Architecture:

The proposed one-story, 2,284 square foot building's exterior is proposed to consist of a smooth finish cement plaster painted brown (Tamarind tart) and tan (Beachside Villa), stone paneling along the lower quarter of the building in a natural tan color (Cambria), and a concrete plaster finish for the cornice (Swiss Coffee). The single-story building will be 24' in height and the tower will reach a maximum height of 28'.

Staff would like to note that there is an error on sheet 2/5 of the sign program, prepared by USS United, which identifies the maximum building height as 23' instead of 28'. This is an error and the building details are reflected accurately in the architectural drawings.

### Landscaping:

The current landscape proposal reduces the existing landscaping from 2,800 sq. ft. to 2,529 sq. ft. The proposed landscaping will remove two (2) trees and grass turf areas. However, the new landscape plan will plant ten (11) new trees and provide a significant increase in new ground cover. The proposed new ground cover includes Escalonia, Indian Hawthorne, and Carolina Jessamine. The proposed new trees include Muskogee Crape (6), Strawberry Trees (4), and a Maldenhair tree (1).

## ANALYSIS

### San Rafael General Plan 2020 Consistency:

The proposal at 1833 Fourth St. is substantially compliant with General Plan 2020 and specifically, the project is consistent with the following General Plan 2020 Policies:

**Land Use Policy LU-9, Intensity of Nonresidential Development**, states maximum allowable floor area ratios (FARs) are not guaranteed, particularly in environmentally sensitive areas. Intensity of commercial and industrial development on any site shall respond to the following factors: site resources and constraints, traffic and access, potentially hazardous conditions, adequacy of infrastructure, and City design policies. The proposal has been reviewed against the criteria listed above and it has been found that the proposal complies with the requirements, as the project will generate minimal new peak hour trips and the project is well within the maximum FAR.

**Land Use Policy LU-12, Building Heights**, establishes height limits throughout the City, as well as establishing exceptions to the height limit. This project site has a height limit of 36 feet. The maximum height of the proposed structure is 28 feet.

**Land Use Policy LU-14, Land Use Compatibility**, requires that new development in mixed residential and commercial areas to minimize potential nuisance effects and to enhance their surroundings. This project complies with this policy as the gas station will generate an insignificant number of new trips and will be conditioned to mitigate noise impacts.

**Community Development Policy CD-9, Transportation Corridors**, encourages higher quality design for sites located within the designated transportation corridors. The Board reviewed this project on three (3) different occasions and through each review made recommendations that the applicant applied to the project. During the formal review the Board found the project to be of exceptional quality for a gas station.

**Community Design Policy CD-10, Nonresidential Design Guidelines**, requires that new nonresidential project be reviewed against the nonresidential design guidelines. This project has been reviewed against the nonresidential design guidelines and has been found consistent by the Design Review Board.

**Community Design Policy CD-15, Participation in Project Review**, encourages public involvement in the review of new development through the use of noticing and public hearings. This project is consistent with this policy as the project has been properly noticed and scheduled for all required hearings.

**Community Design Policy CD-18, Landscaping**, requires that the City recognizes the contribution of landscaping. The design of the building has significantly increased the quality of landscaping by adding eleven new trees and significantly increasing the amount of ground cover.

**Community Design Policy CD-19, Lighting**, encourages adequate site lighting for safety purposes while controlling excessive light spillover and glare. The project substantially complies with this requirement by providing the minimal amount of lighting beneath the canopy to provide a sense of safety and by having minimal amount of spillover into the right-of-way.

**Community Design Policy CD-20, Commercial Signage**, requires that signage complies with the regulations in the Sign Ordinance. The project complies with the sign ordinance through the use of a sign program to allow flexibility in the signage requirements for gas stations.

**Circulation Policy C-7, Circulation Improvements Funding**, requires that new projects take responsibility for new peak-hour trips generated. As the proposed project is set to increase the peak hour trips by twelve trips the project is required to pay \$50,952 in traffic mitigation fees.

**Safety Policies S-13, Potential Hazardous Soils Conditions**, and **S-14, Hazardous Materials Storage, Use and Disposal**. The project has submitted a Historical Summary and Site Management Plan, Exhibit 4, which identifies residual concentrations of petroleum hydrocarbons in both the soil and groundwater for the site. The project is required to work with the Certified Unified Program Agency (CUPA) to work on the

remediation and clean-up of the site. Additionally, the project is required to comply with CUPA requirements.

**Noise Policy N-3, Planning and Design of New Development**, encourages new development to be planned and designed to minimize noise impacts. This project has been conditioned to prohibit the use of exterior amplified sound and audio advertising on the site.

**Air and Water Quality Policy AW-7, Local, State and Federal Standards**, requires the project to comply with the City's Stormwater Pollution Prevention standards (MCSTOPPP). The proposed plan is designed to be consistent with the stormwater pollution standards by treating stormwater runoff on-site in the bio-retention facilities.

### **Zoning Ordinance Consistency:**

#### Chapter 14.05 – Commercial and Office Districts

##### *Use*

Gasoline stations are prohibited in the WEV district. However, the existing gasoline station has an existing use permit, which the Planning Commission has found to be acceptable to be amended to allow the continuation of the use. Thus, allowing the continuation of the gasoline station use. This will be further discussed in the section 14.16.270, below.

##### *Height*

The site is subject to a 36' height limit pursuant to San Rafael Municipal Code (SRMC) Section 14.05.032. The project proposes a maximum height of 28 feet, for the tower element, and 24 feet for the rest of the building. The canopy proposes a maximum height of 20 feet.

##### *Lot Coverage*

There is no maximum lot coverage in the WEV Zoning District.

##### *Landscaping*

There are no required landscaping minimums for this property. The project proposes to reduce the existing landscaping from 2,800 sq. ft. to 2,529 sq. ft. The proposed landscaping will remove two (2) trees and grass turf areas. However, the new landscape plan will plant ten (11) new trees and provide a significant increase in new ground cover. The proposed new ground cover includes Escalonia, Indian Hawthorne, and Carolina Jessamine. The proposed new trees include Muskogee Crapes (6), Strawberry Trees (4), and a Maldenhair tree (1).

#### Chapter 14.16 – Site and Use Regulations

##### *Fuel and Service Stations*

Section 14.16.160 (Fuel and service stations) requires that the City review fuel and service stations for compatibility with surrounding uses to protect the public health, safety and welfare by assuring adequate numbers of fuel and service stations which afford equal access to the public. This section requires a use permit for new or substantially remodeled fueling stations. The City is requiring an amendment to the existing fueling station use permit. Through the review process it has been determined that the use is compatible with the existing and future uses and that the project will afford equal access to the public by complying with ADA regulations and bring the facility up to current codes.

##### *Hazardous Soils Conditions*

Section 14.16.180 (Hazardous soils conditions) requires lots which have been used for auto services to be evaluated for the presence of toxic or hazardous materials prior to development approvals. The



applicant has submitted a Historical Summary and Site Management Plan, prepared by Bureau Veritas, which includes a hazardous waste investigation report and proposed site mitigations.

#### *Light and Glare*

Section 14.16.227 (Light and glare) requires that colors, materials and lighting shall be designed to avoid creating undue off-site light and glare impacts and that the foot-candle intensity of lighting should be the minimum amount necessary to provide a sense of security at building entryways, walkways and parking lots. In general terms, acceptable lighting levels would provide one (1) foot-candle ground level overlap at doorways, one-half (½) foot-candle overlap at walkways and parking lots and fall below one (1) foot-candle at the property line.

The applicant has proposed a Photometric study identifying the lighting levels. The proposed levels are slightly higher than recommended in the code. The average foot candle of 2.86-foot candles for the site and an average of 13.84-foot candles directly under the canopy. However, the Board has found the proposed lighting levels appropriate, given the use.

Additionally, during the second Design Review Board meeting the Board made it clear that all the lighting under the canopy shall be recessed. The applicant has modified the design to meet this recommendation and staff has added a condition of approval requiring the canopy lights to be recessed.

#### *Lot Consolidation when Development Occurs*

Section 14.16.230 (Lot consolidation when development occurs) requires projects developed over more than one adjoining lot and under common ownership to be merged prior to the issuance of a building permit. This project has been conditioned to require the applicant to merge the lots prior to the issuance of a building permit.

#### *Mechanical equipment Screening*

Section 14.16.243 (Mechanical equipment screening) requires equipment placed on the rooftop of a building or in an exterior yard area shall be adequately screened from public view. The project currently proposes to screen the rooftop equipment using the parapet and the ground mounted equipment will be screened in the proposed electrical box, located along the south elevation of the building.

#### *Nonconforming Structures and Uses*

Section 14.16.270 (Nonconforming structures and uses) regulates legal nonconforming (grandfathered) uses and structures. In this case the existing gas station use is a legal nonconforming use and the following applicable regulations apply to the use:

- 1) *All use permits which were valid at the time the ordinance codified in this title went into effect shall be valid and remain in force and effect for the terms and subject to the conditions contained therein.*
- 2) *A nonconforming use shall not be permitted to increase in intensity of operation. An increase in intensity shall include, but not be limited to, extended hours of operation, substantial remodeling or an increase in number of seats or service area for bars and restaurants.*

During Pre-Application review, staff recommended bringing the item before the Planning Commission to make a policy determination as to whether to allow the tear down and reconstruction of the gas station. The two regulations listed above were the confliction staff noticed in the Pre-Application and sought the Commissions opinion on the item. At the Commission meeting, held on January 10, 2017, it was determined that the use could be torn down and rebuilt as it has an existing use permit and the fueling station will not increase in intensity (no increase in the number of pumps) and that a convenience store is a permitted use in the WEV. The Commission provided their support for the tear down and reconstruction of the nonconforming use; given the condition that it be an "outstanding" design and that the project complies with all standards. During the Board meeting on September 18, 2018, the Board found the

design exceptional for a gas station, but was conflicted as to whether this is an outstanding in the broader sense of architecture.

### Chapter 14.18 – Parking Standards

#### *Parking Requirements*

Section 14.18.040 (Parking Requirements) requires this project to provide eight (8) parking spaces, based on the following:

- Three (3) parking spaces for the gas station and an additional one (1) parking space for every 250 square feet of gross retail area.

The proposed retail area of the proposed convenience store is 1,347 sq. ft. and is thus required to provide five (5) parking spaces for the minimart and an addition three (3) parking spaces for the fueling station, for a total of eight (8) parking spaces. The remaining 937 sq. ft. of the convenience store is proposed to be used as utility storage, office and bathrooms and is not required to be parked unless it is to be used for storage of retail goods. The project proposes a total of seven (7) dedicated parking spaces and eight (8) fueling pumps, with associated parking, which can also be used for general parking for the site.

#### *Parking Modification*

The project requests a Parking Modification, through the Use Permit application submittal, to reduce the parking requirement by one (1) parking space, from eight (8) to seven (7) on-site parking spaces and for the fueling spaces to count as parking for the convenience store. The project supported this request with a traffic and parking study (TJKM, dated May 02, 2018; attached as Exhibit 5), which anticipates peak parking demand of six (6) parking spaces based on a proposed eight (8) pump fueling station and a 2,284 sq. ft. mini-mart. All requests for Parking Modification require the review and recommendation of both the Community Development Director and the City Engineer, and the approval of the Planning Commission. The Community Development Director, through Planning staff, and the City Engineer support this request for Parking Modification, concurring with the analysis and findings in the submitted traffic and parking study.

#### *Parking Standards*

The project complies with the following applicable parking standards:

- Designated parking for clean air vehicles;
- Off-street loading/unloading;
- Reduced Downtown parking space dimensions (8.5' x 18');
- Allowable percentage of compact parking spaces (30% max.);
- Minimum drive aisle width (26');
- Minimum 2-way driveway width (24').
- Parking lot screening and landscaping

### Chapter 14.19 – Signs

The project proposes a total of fourteen (14) signs. Two (2) signs on the main building, two (2) logo signs on the canopy, one (1) new monument sign, maintain the existing monument sign (1) and ancillary signage on the fuel pumps. The total square footage for all the signage is 127.5 sq. ft. The maximum number of signs allowed for the property is three (3) signs per frontage with a maximum square footage of one (1) square foot for each linear foot of building width per frontage. This site is somewhat unique as it is surrounded by roadway on three (3) sides and would be allowed a maximum of nine (9) signs.

As the project proposes ancillary signage on the fuel pumps, the new site signage is inconsistent with the allowable signage under the City's sign standards for the site. However, the project requests a new Sign Program, which can allow some flexibility for uses which have unique signage requirements, such

as gas stations. Staff finds the proposed new site signage is similar with other service station uses in the immediate area and throughout the City. However, the other facilities typically maintain the primary signage (excluding ancillary signage on the fuel pumps) to a maximum of 100 sq. ft. or less of total combined sign area. The Board found that the amount of signage for this fueling station appropriate.

#### Chapter 14.22 – Use Permits

As discussed earlier in the report, the proposed service station and mini-mart with a parking modification requires a use permit approved by the Planning Commission. To approve the Use Permit, the Commission will be required to make findings consistent with Section 14.22.080.

#### Chapter 14.25 – Environmental and Design Review

The project requires Environmental and Design Review Permit approval by the Commission. The proposed project requires consistency with the applicable review criteria for Environmental and Design Review Permits, pursuant to Section 14.25.050 (*Review Criteria; Environmental and Design Review Permits*). Those review criteria applicable to the project are identified below:

##### Site Design

The project site has a challenging location and shape, in that it's located between two (2) busy streets (4<sup>th</sup> and 2<sup>nd</sup>) and is a triangular shaped lot. These factors provide significant constraints which the applicant has taken into account and worked to provide a safe and accessible project. The project proposes four (4) curb cuts to allow for a smooth flow of vehicles entering and exiting the site. The project originally proposed to align the south-east curb cut with West St., which the Department Public Works (DPW) prohibited. As DPW did not want vehicles attempting to cross 2<sup>nd</sup> St. to enter the facility, due to safety concerns.

##### Architecture

The applicant submitted two (2) conceptual reviews as the Board was very critical of the original design and requested the applicant revise the style to provide a greater sense of entry and for the building to provide three-dimensional architecture. The applicant listened to the Board's comments and added the tower element and arcade to provide a greater sense of pedestrian entry along 4<sup>th</sup> street. The project also made sure to expand the architectural features around the entire building. These features involve the cornices, stone wainscoting, and adding the climbing vines along the rear of the building.

##### Materials and Colors

The project is proposing to use a combination of smooth plaster and stone wainscoting for the façade materials, which are familiar materials found throughout the West End Village. The color palette utilizes earthtone colors, such as shades of white, beige and brown. These materials are consistent with the review criteria and with other building in the West End.

##### Exterior Lighting

The project proposes shielded lighting which are either recessed or pointed towards the building and should not provide any glare, hazard or nuisance to the adjacent neighbors. The lighting plan substantially complies with the lighting ordinance and has been supported by the Board. However, an item that has not been addressed is the Kelvin value of the lights. Staff has added a condition that encourages the applicant to use lighting in the 2000-3000 degrees of kelvin range. This degree of lighting will produce a warm orange/yellow light and add a fitting ambiance to the West End Village.

### **DESIGN REVIEW BOARD RECOMMENDATION**

On February 22, 2017, the project was brought before the Design Review Board for Conceptual Design Review. During the meeting, the Board had stated the design was not high-quality, the colors were too dark, the trash enclosure should not be located along the 4th St. frontage, and that the landscaping should be increased. The applicant revised the proposal by lightening the colors of the building, increasing the

landscaping from the prior submittal, moved the tower element to the 4th St. Frontage, and relocated the trash enclosure closer to 2nd St. frontage.

On June 6, 2017, the revised project was brought before the Design Review Board for a second Conceptual Design Review. During the meeting the Board insisted that there be no digital advertising above the fuel pumps, there should be landscaping next to the fueling islands, which should be drip irrigated, no digital price ID signs, the lighting fixtures shall be entirely recessed within the canopy, that the applicant consider retaining the propane service, and that the Boston Ivy was too vigorous of a species to grow along the rear. All the items brought up have been addressed or researched by the applicant.

On September 18, 2018 the project was brought before the Design Review Board for formal review. During the meeting the Board found the project to be high quality design and requested one small modification, to add a stone façade to the monument sign. However, the Board grappled with what the Planning Commission intended by "outstanding design". The Board questioned whether the Commission meant outstanding design for a service station or did they mean outstanding design for any development in San Rafael. The Board had difficulty since every service station will have a fuel canopy which makes it difficult to measure against buildings that do not require a fuel canopy. Unanimously, the Board supported the project design, 4-0-2 vote (Board Members Kent and Paul were absent), determining that the project was well-designed.

The City no longer prepares written meeting minutes, but actual video proceedings from the DRB meeting can be reviewed at: <https://www.cityofsanrafael.org/public-meetings/> then clicking on the DRB under archived meetings, and then selecting the February 22, 2017, June 6, 2017 and September 18, 2018 dates.

## ENVIRONMENTAL DETERMINATION

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15302 of the CEQA Guidelines which exempts replacement or reconstruction of existing structures on the site. The project proposes to demolish the existing fueling station and convenience store and replace it with a new fueling station with the same number of pumps and a new convenience store.

## CORRESPONDENCE

Notice of this meeting was mailed to residents and occupants within 300 feet of the site a minimum of 15 days prior to the Board meeting. In addition, notice of this hearing was posted at the site, along both the Fourth St. and Second St. elevations, a minimum of 15 days prior to the Board meeting.

At the time of printing this Staff Report, no comments were received because of this noticing.

## OPTIONS

The Planning Commission has the following options:

1. *Approve the applicants as presented (Staff Recommendation)*
2. *Approve the application with certain modifications, changes or additional conditions of approval.*
3. *Continue the applications to allow the applicant to address any of the Commission's comments or concerns*
4. *Deny the project and direct staff to return with a revised resolution at the next meeting*

## EXHIBITS

1. Vicinity Map
2. Draft Resolution
3. Letter from Applicant
4. Historical Summary and Site Management Plan (The Appendices have been omitted from the report, due to size, and that they have summarized in the provided report)
5. Traffic and Parking Study, prepared by TJKM
6. Reduced Plans (8.5x11)

Full-size sets of plans have been provided *to the Planning Commission only*.

# Exhibit 1: Vicinity Map



**RESOLUTION NO. 18-XX**

**RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION APPROVING AN ENVIRONMENTAL AND DESIGN REVIEW PERMIT (ED17-054), USE PERMIT AMENDMENT (UP17-019) AND SIGN PROGRAM (SP18-005) FOR THE RECONSTRUCTION OF A LEGAL NONCONFORMING GAS STATION AND CONVENIENCE STORE LOCATED AT 1833 FOURTH ST.  
APN: 011-231-24/25**

**WHEREAS**, on September 9, 2016, the applicant, Muthana Ibrahim, submitted a Pre-Application to the City of San Rafael to demolish and rebuild a gas station and convenience store at 1833 Fourth St. in the West End Village (WEV) District; and

**WHEREAS**, on October 18, 2016, the City of San Rafael Planning Division informed the Applicant that the use was legal nonconforming and would typically not be allowed to be rebuilt. However, as the use has an existing use permit it may possible to continue the use through an amendment to the Use Permit and that this determination will need to be made by the Planning Commission; and

**WHEREAS**, on January 10, 2017, the City of San Rafael Planning Commission provided a determination on whether the legal nonconforming use would be allowed to be continued. The Commission found that since there was a Use Permit for the convenience store, a slight intensification would be allowed, but should comply with all development standards. They also made it known that this site is a key gateway site and would expect any redevelopment to be an extremely high-quality design with lots of landscaping; and

**WHEREAS**, on July 11, 2017, the Applicant submitted a formal application for a Use Permit and Environmental and Design Review to the City of San Rafael; and

**WHEREAS**, on July 19, 2018, the Applicant submitted for a Sign Program and the project was deemed complete and ready for formal review; and

**WHEREAS**, on September 18, 2018, the City of San Rafael Design Review Board reviewed the project and on a vote of 4-0-2 recommended approval; and

**WHEREAS**, upon review of the application, the project has been determined to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15302 of the CEQA Guidelines which exempts replacement or reconstruction of existing structures on the site; and

**WHEREAS**, on November 13, 2018, the San Rafael Planning Commission held a duly noticed public hearing on the proposed Use Permit and Environmental and Design Review Permit, and Sign Program (UP17-019, ED17-054 and SP18-005), accepting all oral and written public testimony and the written report of the Community Development Department staff.

**NOW THEREFORE BE IT RESOLVED**, the Planning Commission makes the following findings relating to the Use Permit and Environmental and Design Review Permit, and Sign Program (UP17-019, ED17-054 and SP18-005):

**Use Permit Findings (UP17-019)**

- A. The project would be consistent with the General Plan 2020 given that the proposed project would be consistent with Land Use Policies LU-9 (Intensity of Nonresidential Development) LU-12 (Building Heights), LU-14 (Land Use Compatibility); Community Design Policies CD-9 (Transportation Corridors), CD-10 (Nonresidential Design Guidelines), CD-15 (Participation in Project Review), CD-18 (Landscaping), CD-19 (Lighting) and CD-20 (Commercial Signage); Circulation Policy C-7 (Circulation Improvements Funding); Safety Policies S-13 (Potential Hazardous Soils Conditions), and S-14 (Hazardous Materials Storage); Noise Policy N-3 (Planning and Design of New Development); and Air and Water Quality Policy AW-7 (Local, State and Federal Standards), in that:
- a. The proposal will comply with Policies LU-9, LU-12, and LU-14, given that the proposal is within the maximum F.A.R. and complies with the development standards, including height limits. The project is a compatible land use as the use has already been operating for 36-years and has been strongly supported by residents and business owners.
  - b. The proposal complies with Policies CD-9, CD-10, CD-15, CD-18, CD-19 and CD-20 in that the project has been held to a higher level of design standard, as it's located on a transportation corridor. The project has been reviewed by the DRB against the nonresidential design guidelines on three (3) separate occasions and has received a recommendation from the Board. The project has been properly noticed and scheduled for all required hearings. The project complies with the landscape requirements and has modified the landscaping as the Board has recommended. The lighting levels have been reduced to provide the minimal amount of lighting to provide a sense of safety and to minimize spillover. The project complies with the sign ordinance through the use of a sign program to allow flexibility in the signage requirements for gas stations.
  - c. The proposal complies with Circulation Policy C-9 as the project is required to pay a \$50,952 traffic mitigation fee, as the project will increase the peak hour trips by twelve (12) peak hour trips.
  - d. The proposal complies with Safety Policies S-13, Potential Hazardous Soils Conditions, and S-14, Hazardous Materials Storage, Use and Disposal. The project has submitted a Historical Summary and Site Management Plan, which identifies residual concentrations of petroleum hydrocarbons in both the soil and groundwater for the site. The project is required to work with the Certified Unified Program Agency (CUPA) to work on the remediation and clean-up of the site. Additionally, the project is required to comply with CUPA requirements.
  - e. The proposal complies with Noise Policy N-3, Planning and Design of New Development, encourages new development to be planned and designed to



minimize noise impacts. This project has been conditioned to prohibit the use of exterior amplified sound and audio advertising on the site.

- f. The proposal complies with Air and Water Quality Policy AW-7 (Local, State and Federal Standards), as the proposal is designed to be consistent with the stormwater pollution standards by treating stormwater runoff on-site in the bio-retention facilities.
- B. The proposed gas station and convenience store use together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the City in that:
- a. The proposed use will generate minimal noise, traffic, and the facility will be brought up to current health and safety codes; and
  - b. The reviewing City Departments have reviewed the project, monitored the project site, and developed conditions of approval that would ensure that the use would operate in a manner as described and comply with all life and safety code requirements.
  - c. The hazardous waste report recommendations have been incorporated as conditions of approval.
- C. That the proposed gas station and convenience store use has been found to comply with each of the applicable provisions of the zoning ordinance, in that:
- a. That the proposed use, a gas station and convenience store, is in accord with the General Plan, the objectives of the Zoning Ordinance; and
  - b. The proposed gas station use is not permitted in the WEV district. However, the Planning Commission found on January 10, 2017 that the existing gas station use had a Use Permit which can be amended to allow the continuation of the legal nonconforming use, with the Planning Commission's support.
  - c. The gas station and convenience store, as conditioned, would not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

#### **Environmental and Design Review Findings (ED17-054)**

- A. The project design is in accord with the General Plan, the objectives of the Zoning Ordinance, the non-residential design guidelines, and the purposes of Zoning Code Chapter 25 given that the project has been reviewed by the Design Review Board and Planning Commission for compliance with the design criteria contained Chapter 25 of the Zoning Ordinance to ensure that the design is compatible with the neighborhood and surrounding environs, as required by the General Plan Land Use Element.
- B. As conditioned, the project design minimizes adverse environmental impacts by proposing development of a level site that is surrounded by urban development on all sides, with public utilities and services readily available, the required setbacks and

landscaping are incorporated into the project, lighting fixtures are shielded and directed down, and new development is subject to building permits that will ensure the building is constructed in compliance with all applicable codes and regulations.

- C. The project design is consistent with all applicable site, architecture and landscaping design criteria and guidelines for the district in which the site is located given that the site development complies with the WEV District requirements and has been reviewed and recommended for approval by the Design Review Board.
- D. The project design will not be detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity, as the project has been reviewed by the appropriate agencies and conditioned accordingly.
- E. The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15302 (Class 2) of the CEQA Guidelines which exempts replacement or reconstruction of existing structures on the site. The project proposes to demolish the existing fueling station and convenience store and replace it with a new fueling station with the same number of pumps and a new convenience store.

#### **Sign Program Findings (SP18-005)**

- A. All the signs contained in the program have common design elements such as colors, architecture, materials, letter type, in that the signs will have the Shell Corporate branding colors and the freestanding signs will incorporate stone veneers along the bases.
- B. The Design Review Board has reviewed the sign program and have found that the program is in harmony and scale with the materials, architecture, and other design features of the buildings and property improvements they identify, and the program is consistent with the general design standards specified in Section 14.19.054.
- C. The amount and placement of signage contained in the program has been reviewed by the Design Review Board and has been found to be appropriate in scale with the subject property and improvements, as well as the immediately surrounding area.

**BE IT FURTHER RESOLVED**, that the Planning Commission of the City of San Rafael approves the Use Permit and Environmental and Design Review Permit subject to the following conditions:

## Use Permit Conditions of Approval (UP17-019)

### *Community Development Department, Planning Division*

1. The Use Permit Amendment (UP17-019) for this project is valid for two (2) years, until November 13, 2020, at which time the permit shall expire unless initiated by issuance of a building permit or an extension of time is requested prior to the expiration date.
2. This Use Permit (UP17-019) shall run with the land. This Use Permit shall become null and void unless an initiation of use or occupancy occurs, or a time extension is granted within two (2) years from the date of approval, or until November 13, 2020.
3. This Use Permit Amendment to UP92-39 allows of the continuation of a 24-hour gas station with eight pumps, a convenience store alcohol sales, but no food or beverage preparation, and a parking modification to reduce the dedicated parking from eight (8) parking spaces down to seven (7) parking spaces and to count the eight (8) fueling station parking spaces to function as general parking for the site.
4. The fueling spaces shall available to all customers as parking spaces to access the convenience store or other services offered on the site.
5. No more than 1,347 sq. ft. of the convenience store shall be used for the storage or sale of retail goods.
6. A full-time attendant shall be available for full service at the pump station. The applicant shall install a sign and method for signaling an attendant to provide fueling assistance to the elderly, handicapped and others requesting assistance.
7. Fuel tank re-fueling shall be scheduled during the off-peak traffic hours, 06:00-09:00 in the morning and 15:00-18:00 in the afternoon.
8. The Use Permit is contingent upon and subject to all conditions of approval applicable to ED17-054.
9. There shall be no outdoor storage of materials or equipment, with the exception of a propane exchange tank. No additional kiosks or sales material may be allowed, without amending this Use Permit.
10. Failure to comply with any project conditions of approval may result in the revocation of the Use Permit. The San Rafael Planning Division can bring up this Use Permit (UP17-019) for review if problems arise from the use.

## **Environmental and Design Review Conditions of Approval (ED17-054)**

### *Community Development Department, Planning Division*

1. The building techniques, colors, materials, elevations and appearance of the project, as presented to the Planning Commission on November 13, 2018 hearing and on file with the Community Development Department, Planning Division, shall be the same as required for issuance of all grading and/or building permits for the project, subject to these conditions. Minor modifications or revisions to the project shall be subject to review and approval of the Community Development Department, Planning Division. Further modifications deemed not minor by the Community Development Director shall require review and approval by the original decision-making body, the Planning Commission, and may require review and recommendation by the City's Design Review Board.
2. Minor modifications or revisions to the approved design of the exterior of the structure and site approved by this project shall be subject to review and approval of the Community Development Department, Planning Division. Modifications deemed not minor by the Community Development Director shall require review and approval by the original decision-making body, Planning Commission, and the City's Design Review Board, if necessary.
3. Any design modifications shall be submitted in writing to the San Rafael Planning Division and shall outline the modification and the reason for the modification.
4. All site improvements, including but not limited to, the site lighting, fencing, landscape islands, paving and striping shall be maintained in good, undamaged condition at all times. Any damaged improvements shall be replaced in a timely manner.
5. The site shall be kept free of litter and garbage. Any trash, junk or damaged materials that are accumulated on the site shall be removed and disposed of in a timely manner. The applicant shall institute a program to provide regular cleanup of the parking lot, landscaped areas and sidewalk in front of the store, as well as all other areas immediately around the new structure.
6. The project shall comply with all applicable mitigation measures recommended in the Historical Summary and Site Management Plan prepared by Bureau Veritas and dated September 6, 2017.
7. All landscaping shall be maintained in a healthy and thriving condition, free of weeds and debris. Any dying or dead landscaping shall be replaced in a timely fashion with new healthy stock of a size compatible with the remainder of the growth at the time of replacement.
8. The operator shall remove all graffiti from the building or site in a timely manner.
9. All new exterior lighting shall be shielded down to avoid spillover onto adjacent properties or public streets.
10. The canopy lights shall be recessed and flush mounted to the canopy.
11. The Kelvin value of the exterior lights should be between 2,000 and 3,000 degrees Kelvin and have an average foot candles of 2.86-foot candles for the site and an average of 13.84-foot candles under the canopy.

12. All new lighting shall be subject to a 90-day post installation inspection to allow for adjustment and assure compliance with Section 14.16.227 of the San Rafael Municipal Code.
13. Amplified exterior noise (music, advertising, etc.) shall be prohibited, except for health safety purposes.
14. Digital advertising on the fuel pumps is prohibited.
15. All mechanical equipment (i.e., air conditioning units, meters and transformers) and appurtenances not entirely enclosed within the structure (on side of building or roof) shall be screened from public view. The method used to accomplish the screening shall be indicated on the building plans and approved by the Planning Division prior to issuance of a building permit.
16. Prior to issuance of a building permit, the applicant is to comply with conditions of the Marin Municipal Water District for the landscaping improvements.
17. Construction activities shall comply with City's Noise Ordinance (San Rafael Municipal Code Section 8.13), which allows construction to occur between 07:00 – 18:00 Monday-Friday and from 09:00 – 18:00 on Saturdays. Construction on Sundays and holidays is prohibited.
18. A copy of this approval document shall be included in the Building Permit Plans.
19. If, during the course of construction, cultural, archaeological or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. The City of San Rafael Planning Division and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

*Community Development Department, Building Division*

20. The design and construction of all site alterations shall comply with the 2016 California Residential Code, 2016 California Building Code, 2016 Plumbing Code, 2016 Electrical Code, 2016 California Mechanical Code, 2016 California Fire Code, 2016 California Energy Code, 2008 Title 24 California Energy Efficiency Standards, 2016 California Green Building Standards Code and City of San Rafael Ordinances and Amendments.
21. A building permit is required for the proposed work. Applications shall be accompanied by four (4) complete sets of construction drawings to include:
  - a. Architectural plans
  - b. Structural plans
  - c. Electrical plans
  - d. Plumbing plans
  - e. Mechanical plans
  - f. Site/civil plans (clearly identifying grade plane and height of the building)

- g. Structural Calculations
  - h. Truss Calculations
  - i. Soils reports
  - j. Green Building documentation
  - k. Title-24 energy documentation
22. Each building must have address identification placed in a position that is plainly legible and visible from the street or road fronting the property. Numbers painted on the curb do not satisfy this requirement. In new construction and substantial remodels, the address must be internally or externally illuminated and remain illuminated at all hours of darkness. Numbers must be a minimum 4 inches in height with ½ inch stroke for residential occupancies and a minimum 6
  23. The address for structures is determined by the Chief Building Official. The address of the existing primary dwelling unit on this parcel is 1833 Fourth Street. Each page of the plan's title block and all permit application documents must show the proposed building's address identification information.
  24. Any demolition of existing structures will require a permit. Submittal shall include three (3) copies of the site plan, asbestos certification and PG&E disconnect notices. Also, application must be made to the Bay Area Air Quality Management District prior to obtaining the permit and beginning work.
  25. School fees will be required for the project. Calculations are done by the San Rafael City Schools, and those fees are paid directly to them prior to issuance of the building permit.
  26. If on-site streets are privately owned, certain on-site improvements such as retaining walls, street light standards, and private sewer system will require plan review and permits from the Building Division.
  27. With regard to any grading or site remediation, soils export, import and placement; provide a detailed soils report prepared by a qualified engineer to address these procedures. In particular the report should address the import and placement and compaction of soils at future building pad locations and should be based on an assumed foundation design. This information should be provided to Building Division and Department of Public Works for review and comments prior to any such activities taking place.

A grading permit may be required for the above-mentioned work.
  28. Prior to building permit issuance for the construction of each building, geotechnical and civil pad certifications are to be submitted.
  29. Monument sign(s) located at the driveway entrance(s) shall have address numbers posted prominently on the monument sign.

30. In accordance with California Plumbing Code section 412, separate toilet facilities shall be provided for each sex, except: In business and mercantile occupancies with a gross floor area of 1,500 square feet or less 1 toilet facility designed for use by no more than one person at a time shall satisfy the requirements for serving customers and employees of both sexes.
31. Facilities in mercantile and business occupancies, toilet facility requirements for customers and employees shall be permitted to be met with a single set of restrooms accessible to both groups. The required number of fixtures shall be the greater of the required number for employees or the required number for customers. Fixtures for customer use shall be permitted to be met by providing a centrally located toilet facility within a max distance not to exceed 500 feet. In stores with a floor area of 150 square feet or less the requirement to provide facilities for employees shall be permitted to be met by providing a centrally located toilet facility within a max distance not to exceed 300 feet.
32. The site development of items such as common sidewalks, parking areas, stairs, ramps, common facilities, etc. are subject to compliance with the accessibility standards contained in Title-24, California Code of Regulations. Pedestrian access provisions should provide a minimum 48" wide unobstructed paved surface to and along all accessible routes. Items such as signs, meter pedestals, light standards, trash receptacles, etc., shall not encroach on this 4' minimum width. Also, note that sidewalk slopes and side slopes shall not exceed published minimums per California Title 24, Part 2. The civil, grading and landscape plans shall address these requirements to the extent possible.
33. At least one disabled parking space must be van accessible; 9 feet wide parking space and 8 feet wide off- load area. Additionally, one in every eight required handicap spaces must be van accessible.
34. This project is subject to the City of San Rafael Green Building Ordinance.
35. Review and approval by the Marin County Health Department may be required prior to submittal for building permit plan review.

*Department of Public Works*

36. The site is currently listed as two separate parcels. The proposed improvements are located across both parcels, the parcels shall be merged prior to issuance of a Building Permit.
37. The proposed risers shall be located away from the roadway and protected. Additionally, we recommend locating these structures where it is less visible to the public.
38. Utility boxes are shown in the driveway apron. Based on the frequency of heavy fuel delivery vehicles, we recommend relocation of the utility boxes.
39. Both Second Street and Fourth Street are moratorium streets and require full width resurfacing, if any encroachments are made within the street width.

40. Provide details on operation of the leak containment within the storm drainage system on the building permit plans.
41. This project proposes over 5,000 square feet of impervious surface and is a regulated project under the MCSTOPPP requirements. Site design and reporting requirements have been provided. Prior to occupancy stormwater facilities maintenance agreement shall be required.
42. This site is a closed LUST cleanup site. The applicant shall coordinate with the Regional Water Quality Control Board as required. Prior to issuance of any permit for construction provide confirmation from the Regional Water Quality Control Board that they have been notified of the proposed modifications Dewatering during excavation shall require testing and treatment.
43. A grading permit is required from the Department of Public Works, located at 111 Morphew Street Prior to issuance of a permit, provide a copy of the CUPA permit if required for modification of the fuel storage and delivery system Provide an erosion control plan, showing the location of best management practices (BMPs) and where staging will occur onsite The following comments are provided for informational purposes.
44. Prior to any work within the Right-of-Way, an encroachment permit shall be required from the Department of Public Works, located at 111 Morphew Street. More information is available on the City's website <http://www.cityofsanrafael.org/pubworks-hr-enc/>.

Please note that both Second Street and Fourth Street are moratorium streets and require full width resurfacing, if any encroachments are made within the street width.

45. Based on the information provided, a proposed increase from a 305 SF building to 2,284 SF, revised from the previously proposed 2,700 SF. Based on this, the traffic mitigation fee is calculated as \$50,952 (\$4,246 x 12) for 5 AM and 7 PM trips, due at the time of building permit issuance.
46. A construction impact fee for street resurfacing shall be required based on 1% of the assessed valuation levied on all building permits and inspections; the first \$10,000 of valuation is exempt.

#### *Fire Prevention Bureau*

47. The design and construction of all site alterations shall comply with the 2016 California Fire Code, specifically Chapter 23 and City of San Rafael Ordinances and Amendments.
48. Deferred Submittals for the following fire protection systems shall be submitted to the Fire Prevention Bureau for approval and permitting prior to installation of the systems:
  - a. Fire Sprinkler plans (Deferred Submittal to the Fire Prevention Bureau)
  - b. Fire Underground plans (Deferred Submittal to the Fire Prevention Bureau)
  - c. Fire Alarm plans (Deferred Submittal to the Fire Prevention Bureau)



49. A fire apparatus access plan shall be prepared for this project. Fire apparatus plan shall show the location the following:
    - a. Red curbs and no parking fire lane signs.
    - b. Fire Department Connection (FDC).
    - c. Double detector check valve.
    - d. Street address sign.
    - e. Recessed Knox Box
    - f. Fire Alarm annunciator panel.
    - g. NFPA 704 placards.
  50. A Knox Box is required at the primary point of first response to the building. A recessed mounted Knox Box # 3275 Series is required for this project; the Knox Box shall be clearly visible upon approach to the main entrance from the fire lane. Note the Knox Box must be installed from 72" to 78" above finish grade; show the location on the plans.
  51. Fire lanes must be designated; painted red with contrasting white lettering stating "No Parking Fire Lane" A sign shall be posted in accordance with the CFC Section 503.3.
  52. Hazardous Materials Placard shall be installed in accordance with NFPA 704.
  53. Provide a Hazardous Materials Management Plan to be submitted to Marin County Department of Public Works, CUPA
  54. Contact the Marin Municipal Water District (MMWD) to make arrangements for the water supply serving the fire protection system.
- Marin Municipal Water District (MMWD)*
55. Complete a High Pressure Water Service Application.
  56. Submit a copy of the building permit.
  57. Pay appropriate fees and charges.
  58. Complete the structure's foundation within 120 days of the date of application
  59. Comply with the District's rules and regulations in effect at the time service is requested Comply with all indoor and outdoor requirements of District Code Title 13-Water Conservation. Plans shall be submitted and reviewed to confirm compliance. The following are required:
    - a. Verification of indoor fixtures compliance
    - b. Landscape plan Irrigation plan
    - c. Grading plan

Any questions regarding District Code Title 13 Water Conservation should be directed to Water Conservation Department at (415) 945-1497. You can also find information about the District's water conservation requirements online at [www.marinwater.org](http://www.marinwater.org)

60. Comply with the backflow prevention requirements, if upon the District's review backflow protection is warranted, including installation, testing and maintenance. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at (415)945-1558.
61. Comply with Ordinance No. 429 requires the installation of gray water recycling systems when practicable for all projects required to install new water service and existing structures undergoing substantial remodel" that necessitates an enlarged water service.

*San Rafael Sanitation District (SRSD)*

62. There will be additional sewer fees if additional plumbing fixtures are added. Please submit architectural plans and plumbing plans for our review. Provide information on the existing fixture count to receive proper credit.
63. We have seen many sewer laterals throughout the City of San Rafael that require repair or replacement; therefore, we do recommend televising the existing sewer lateral to assess any potential deficiencies that may compromise the pipe.
64. If the bins in the trash enclosure include wet garbage/food products, a drainage inlet shall connect to the sewer lateral. Also, a roof shall be constructed over the trash enclosure to prevent infiltration into the sanitation system.

**Sign Program Conditions of Approval (SP18-005)**

1. The building techniques, colors, materials, elevations and appearance of the project, as presented to the Planning Commission on November 13, 2018 hearing and on file with the Community Development Department, Planning Division, shall be the same as required for issuance of all grading and/or building permits for the project, subject to these conditions. Minor modifications or revisions to the project shall be subject to review and approval of the Community Development Department, Planning Division. Further modifications deemed not minor by the Community Development Director shall require review and approval by the original decision-making body, the Planning Commission, and may require review and recommendation by the City's Design Review Board.
2. Prior to the installation of new signs approved under this Sign Program, all existing permanent signs on the building shall be removed and the wall on which those existing signs were mounted shall be repaired, cleaned, patched and repainted as necessary to return that building elevation to a condition that existed before any signs were installed.
3. This Sign Program (SR18-005) shall run with the land and shall remain valid regardless of any change of ownership of the project site, subject to these conditions. Failure to comply

with the approved project and/or conditions of approval may result in revocation of the Sign Program.

4. LED based price ID signs are prohibited.
5. The Sign Program approves 127.5 square feet of total sign area for the site, subject to the conditions and limitations herein, as follows:
  - a. Freestanding Monument Sign (Apex of Site) – One, internally-illuminated, freestanding monument-type sign located within an existing landscape planter at the apex of the site, where Second and Fourth Street meet. The maximum height shall be 6’ above finished grade of the landscape planter and a maximum sign area of 48.5 square feet. The bottom of the sign shall consist of a stone veneer;
  - b. Freestanding Monument Sign (Second Street) – One, non-illuminated, freestanding monument-type sign located within an existing landscape planter along the Second Street frontage, with a maximum height of 6’ above finished grade of the landscape planter and a maximum sign area of 15 square feet. The bottom of the sign shall consist of a stone veneer;
  - c. Canopy Fascia Signs – Two, internally-illuminated, signs located along the canopy fascia; two, “Shell” parapet signs along the west and south elevations of the canopy, with a maximum sign area of nine (9) square-feet each.
  - d. Wall Signs – Two, internally-illuminated and halo lit, “Loop” wall sign, located above the convenience store’s entries (West and North elevations). The wall signs shall have a maximum sign area of 21.1 square-feet each.
  - e. Fuel Dispenser Signs – Incidental hallmark or logo signage located above and below fuel dispensers on valances or “spanners” and “kick plates”; incidental advertisement signage located above trash receptacles.

The foregoing Resolution was adopted at the regular City of San Rafael Planning Commission meeting held on the 13<sup>th</sup> day of November 2018. The Planning Commission’s Action is final unless it is appealed to the City Council within five (5) working days pursuant to San Rafael Municipal Code Section 14.28.030 - *Filing and time limit of appeals*.

Moved by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_.

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

SAN RAFAEL PLANNING COMMISSION

ATTEST: \_\_\_\_\_  
Paul A Jensen, Secretary

BY: \_\_\_\_\_  
Berenice Davidson, Chair



# Exhibit 3

**MI Architects, Inc.** A California Corporation

ARCHITECTURE . PLANNING . MANAGEMENT . DESIGN

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## Written Project Description for:

**Shell Gas Station & Convenience Store**  
**1833 4<sup>th</sup> Street**  
**San Rafael, CA 94901**

On behalf of our Client A U Energy, LLC, we are submitting this written description for the reconstruction of the Shell Gas Station at the above referenced site. The project scope of the work consists of installing a new 2,284 sq. ft. convenience store, a new 2,392 fueling canopy with (4) multi product fuel dispensers. The site improvements include: parking stalls, accessible path of travel to the right-of-way, masonry trash enclosure, site lighting, 500 GA propane tank, landscaping & self-service air/water unit. The following are items to be considered in this project:

- **ITEMS TO BE SOLD AT THIS FACILITY:** The gas station will sell gasoline, the Convenience Store will sell pre-packaged food items, sundry items, some automobile accessories (i.e.- air fresheners, cell phone accessories, anti-freeze, motor oil, etc.) self-service beverages, fresh and/or pre-packaged pastries & can and/or bottles of soda, water & sports/energy drinks. There will be NO cooking or preparing of food or beverages.
- **EMPLOYEES:** There will be (4) full time employees per shift, (1) manager and (1) assistant manager. There will be (3) shifts per day. Total is (14) full time employees five days a week and (12) part-time employees two days a week.
- **HOURS OF OPERATION:** The current hours of operation of the gas station and snack shop are: 24 hrs. / day, 7 days a week, 365 days per year and will remain the same.
- **FUEL DELIVERY:** The fuel delivery truck will make deliveries 7 times / week. There will be truck deliveries to the Food Mart 1 time / week.
- **SITE LIGHTING:** The exterior lighting levels will be enough to ensure the safety of the facility, but to not provide glare or excessive light spillage onto adjacent properties or the public right-of-way. Exterior lighting is LED fixture, down-lit and fully shielded to avoid potential glare toward the street and adjacent properties.

Please don't hesitate to call, if you have any questions. I can be reached at (925) 287-1174 x1.

Sincerely,

*Muthana Ibrahim*

Architect, President  
**MI Architects, Inc.**

## ***Historical Summary & Site Management Plan***

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1833 4<sup>th</sup> Street  
San Rafael, Marin County, California

September 6, 2017  
33117-017097.00

Prepared for  
**Au Energy LLC**  
Fremont, CA



**BUREAU  
VERITAS**

For the benefit of business and people

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## 1.0 INTRODUCTION

Bureau Veritas North America, Inc. (Bureau Veritas) prepared this summary of historical investigations at the site and a Site Mitigation Plan that addresses the residual petroleum impacted soil and groundwater that may be encountered during the site redevelopment activities at the property located at 1833 Fourth Street, San Rafael, Marin County, California 94515 (the "Site," Figures 1 and 2).

The approximately 0.333-acre subject property is currently developed as a Shell-branded gasoline station which includes canopies that covers fuel dispenser islands. Additional structures include a station building with mini-mart, and two storage rooms. With the exception of landscaping along the borders, the remaining open areas are covered by asphalt pavement, with concrete pads beneath the fuel dispenser canopies and over the three 8,000-gallon gasoline underground storage tanks (USTs).

After the removal of the former USTs, excavation of approximately 500 tons of petroleum impacted soil, the removal of approximately 2,400 gallons of perched groundwater, and three years of site-specific groundwater monitoring which showed petroleum levels low and declining, the California Regional Water Quality Control Board (RWQCB) concluded that the Site did not pose a significant risk to human health, the environment or water quality as stated in their case closure summary letter dated December 12, 2006 for the former leaking underground storage tanks (LUSTs). The Site was deemed a "low risk" fuel site based on no ongoing source, no free product, that the concentrations of petroleum hydrocarbons in the soil and groundwater were low and declining, no drinking water wells or surface water were likely to be impacted, and that the Site presented no significant risk to human health or the environment.

The Site will be undergoing a station upgrade which involves the renovation of the existing buildings and removal and replacement of the existing USTs. During this work, residual petroleum impacted soil and groundwater may be encountered. The sections below describe the previous investigations, the chemical concentrations previously detected in soil and groundwater samples collected from the Site, and recommended mitigation measures to be conducted during the earthwork activities.

### 1.1 BACKGROUND

The current gas station was constructed in 1973, and has included two generations of USTs located in approximately the same location. Currently the Site is an operating Shell-branded service station located at the corner of 2<sup>nd</sup> and 4<sup>th</sup> Streets in San Rafael. The Site is developed with three gasoline fuels USTs, four product dispenser islands, and a station building. The current USTs are described in the following table below:

Tank No.	Year Installed	Size (Gallons)	Construction	Contents
1	1998	8,000	Double-walled fiberglass	Gasoline
2	1998	8,000	Double-walled fiberglass	Gasoline
3	1998	8,000	Double-walled fiberglass	Gasoline



The USTs are monitored using continuous interstitial monitoring. The UST system is also fitted with under dispenser containment, spill buckets, striker plates, containment sumps, vapor recovery, and vent piping. The USTs are connected to four dispensers. Product lines are constructed of double-walled fiberglass installed in 1998 and are equipped with and are monitored using continuous electronic line leak detection, auto shut-offs. The integrity of the UST system is regularly tested. No reports of damage or indications of releases have been reported.

#### **1.1.1 Physical Setting**

According to the United States Geological Survey (USGS) 1993 *7.5-Minute Series San Rafael, California Quadrangle Topographic Map*, the Site is about 20 feet above mean sea level. Topography is relatively flat with a gentle downward slope to the east. The nearest surface water body appear to be San Rafael Creek about 400 feet to the east.

According to the previous environmental documentation available on Geotracker, the Site has been observed to depths up to about 20 feet below ground surface (bgs). No fill material was recorded. Clay appears to predominate to about 15 feet bgs. Sand underlies the clay to at least 20 feet bgs. Groundwater at the subject property has been first encountered at depths around 15 feet bgs. Groundwater flow has been measured to the northeast and southeast.

#### **1.1.2 Previous Investigations**

Bureau Veritas reviewed subject property information from the County of Marin Department of Public Works, Waste Management Division, which acts as the Certified Unified Program Agency (CUPA) to oversee the permitting and inspection of facilities that use and store significant quantities of hazardous substances and petroleum products. Information for 1833 4th Street dates from 1997, and includes:

- Permits (c.1997-09) for Hazardous Materials Business Plan (HMBP), USTs, and hazardous waste are associated with a Shell station. The current enhanced vapor recovery system was permitted in 2008.
- Inspections (c. 2000-07) reveal no significant violations, except from time to time water or product was observed in UST sumps (removed liquids), and various sensors were not working (replaced equipment). In addition, an unauthorized release forms were completed in 1998 and 2008 with no action taken (see Section 5.7).
- Hazardous Materials Business Plans (HMBPs) (c.1998-2007) indicate business owner Danville Petroleum LLC and property owner Shell Oil. Inventory is essentially as observed. Wastes are under EPA ID# CAL000304543. The current UST system is as described in Section 2.1.2. Historical USTs included three 7,000- to 8,000-gallon USTs installed in 1976; the current USTs were installed in the approximate same location.
- Integrity testing (c.1998-09) does not indicate failures.

In 1984 a release was discovered during the removal of a former waste oil UST and continued in 1998 when three former gasoline USTs, four fuel dispensers and associated piping were removed from the Site. Soil and groundwater samples collected at the time of removal reported concentrations of total petroleum hydrocarbons as gasoline (TPH-g) from 2.4 milligrams per kilogram (mg/kg) to 8.1 mg/kg from approximately 1 to 11 feet bgs. Benzene was reported at concentrations ranging from 9.2 micrograms



per kilogram ( $\mu\text{g}/\text{kg}$ ) to  $11 \mu\text{g}/\text{kg}$ , and methy tert butyl ether (MTBE) was reported at concentrations ranging from  $40 \mu\text{g}/\text{kg}$  to  $2,000 \mu\text{g}/\text{kg}$ . The grab groundwater samples collected from the UST excavation at a depth of approximately 11 feet bgs reported TPH-g at 5,600 micrograms per liter ( $\mu\text{g}/\text{l}$ ), MTBE at  $8,200 \mu\text{g}/\text{l}$ , and no benzene greater than  $25 \mu\text{g}/\text{l}$ . During the UST removal, approximately 500 tons of soil was excavated and 2,400 gallons of water was removed from the Site. There has been no active groundwater remediation, except for one-time targeted extraction from the UST pit during the 1998 replacement. Soil remediation has been limited to the 1998 UST replacement. Groundwater extraction performed in 1998 appears to have reduced initially high concentrations.

In February 2002, Toxicchem Management Systems, Inc. (Toxicchem) searched available well completion reports from the Department of Water Resources (DWR) for wells that are located within  $\frac{1}{2}$  mile of the Site. Nine water producing wells were found within  $\frac{1}{2}$  mile radius of the Site; five are domestic wells and four are irrigation wells. The closest well to the site is a domestic wells located approximately 1,100 feet east of the Site.

Based on the well survey noted above, Toxicchem then installed three onsite groundwater monitoring wells (MW-1 through MW-3) to conduct site-specific groundwater monitoring. TPH-g was reported in only one soil sample collected from MW-3 at 6 feet bgs. No benzene, toluene, ethyl benzene, xylenes (BTEX) was detected. MTBE was detected in all four soil samples analyzed from the borehole at MW-2 at concentrations ranging from  $1,300 \mu\text{g}/\text{kg}$  to  $2,300 \mu\text{g}/\text{kg}$  at depths of 6 to 14.5 feet bgs. MTBE was detected in the groundwater in all three wells ranging from  $0.74 \mu\text{g}/\text{l}$  to  $11,000 \mu\text{g}/\text{l}$ . No oxygenates were detected in the wells except for TBA in MW-2 at  $1,900 \mu\text{g}/\text{l}$ .

A Phase II Investigation conducted in 2008 by URS for Shell and identified low concentrations in soil consistent with the 2006 Closure Letter. Grab groundwater samples contained TPH-g up to  $170 \mu\text{g}/\text{l}$ , MTBE up to  $140 \mu\text{g}/\text{l}$ , and TBA up to  $160 \mu\text{g}/\text{l}$ . BTEX was not detected.

## **2.0 HAZARDOUS WASTE INVESTIGATION REPORT**

The City of San Rafael General Plan 2020 (GP 2020) has specific Safety guidance criteria for sites that have suspect or known contamination in the soil and or groundwater. According to the RWQCB closure letter, residual petroleum hydrocarbons are present in the soil and groundwater at the Site. This section provides a summary of the information requested in correspondence from Mr. Montes, Assistant Planner with the City of San Rafael in August 2017 to AU Energy, M I Architects, and BVNA. The purpose of providing the information below and in the Site Mitigation Plan section (Section 3) is for presenting appropriate mitigation actions which can be in place prior to site excavation activity to identify appropriate mitigation actions should site contamination be found during redevelopment activities.

### **2.1 INSTALLATION GROUNDWATER AND/OR VADOSE MONITORING WELLS**

During the former UST removal work conducted in 1998, separate phase hydrocarbons (SPH) or floating free product was observed in 1998 in the UST excavation pit, but was removed during an extraction of approximately 2,400 gallons of groundwater present in the UST excavation during the replacement activities. SPH has not been reported since.



Prior to the former LUST case closure, three groundwater monitoring wells were present at the Site. Regular groundwater monitoring began in 2003 and continued through the 4<sup>th</sup> quarter of 2006. The last groundwater monitoring report prior to site closure is included in Appendix A. In this report, groundwater was reported at a depth of 5.93 to 8.03 feet bgs with an approximate flow direction to the north east. MTBE was detected in MW-2 at a concentration of 4.6 µg/l, and MW-3 at 4.1 µg/l on October 10, 2006.

Historically, the following constituents have been detected in shallow groundwater at the Site: TPH-g up to 170 µg/l, MTBE up to 140 µg/l, and TBA up to 1,400 µg/l, and in 2003 MTBE up to 1,200 µg/l was detected. Benzene has not been detected.

At the time of closure, only low concentrations of contaminants were known to remain in soil. Groundwater concentrations are documented in the closure letter as TPH-g at 75 µg/l; MTBE at 22 µg/l; and TBA at 1,400 µg/l. BTEX was not detected at that time. Based on this data the RWQCB issued a case closure letter for the former USTs in December 2006, and the groundwater monitoring wells were abandoned in 2007.

The current USTs are monitored using continuous interstitial monitoring. The UST system is also fitted with under dispenser containment, spill buckets, striker plates, containment sumps, vapor recovery, and vent piping. The USTs are connected to four dispensers. Product lines are constructed of double-walled fiberglass installed in 1998 and are equipped with and are monitored using continuous electronic line leak detection, auto shut-offs. The integrity of the UST system is regularly tested. No reports of damage or indications of releases have been reported.

Based on this information, it is well known that residual petroleum hydrocarbons are present in the groundwater below the Site. Since the current monitoring system has not reported a release, it is anticipated that the concentrations which may be encountered during the proposed redevelopment and UST upgrade project will be similar to what was observed in previous investigations. Therefore the installation of groundwater wells is not recommended at this time as the residual petroleum hydrocarbons have been adequately characterized and there is no evidence of a release from the monitoring systems since the time of the previous UST removal activities.

## **2.2 LABORATORY ANALYSIS OF FILLS, UNCONSOLIDATED DEPOSITS, AND OR GAS SAMPLES FOR HAZARDOUS CONTAMINATION**

The Site lithology encountered during the installation of the soil borings during previous investigations consists of gravelly sandy base rock and fill to a maximum depth of between 2.5 and 6.0 feet bgs, underlain predominately by clay with some clayey sand between approximately 12.5 to 22.5 feet bgs. This is followed by sand and silty sand to between approximately 26.5 feet to 29 feet bgs. Clay and black bedrock was encountered to the total depth drilled at the Site (30 feet bgs). Groundwater was first encountered at approximately 18 feet bgs with static levels in the wells rising to between 4.5 to approximately 8 feet bgs.

Petroleum hydrocarbons have been well documented in soils. During the UST removal project conducted in 1998, approximately 500 tons of petroleum impacted soils were removed from the Site.

During the 1998 UST, dispenser and piping replacement activities, and the December 2002 groundwater monitoring well installation work, 26 soil samples were collected. In the Case Closure Summary dated



November 6, 2006 and prepared by Cambria Environmental Technology Inc. (Cambria), it was stated that the soil impacts at the Site appear to be confined to the immediate vicinity of the UST and dispensers. The residual soil impacts only consist of very low levels of TPH-g, benzene, and MTBE. Maximum concentrations of TPH-g and benzene were reported at 8.1 mg/kg and 11 µg/kg, respectively. No TPH-g or benzene was reported at depths below 11 feet bgs. Maximum concentrations of MTBE in soil were reported at 2.3 mg/kg at 5.0 feet bgs with a maximum depth at 19.5 feet bgs at a concentration of 1.7 mg/kg. According to the summary analysis of the data in that report, it was concluded that the lateral and vertical distribution of the petroleum hydrocarbons in the soils at the Site had been adequately defined.

The Site is currently developed as a Shell-branded gasoline station which includes canopies that covers fuel dispenser islands. Additional structures include a station building with mini-mart, and two storage rooms. With the exception of landscaping along the borders, the remaining open areas are covered by asphalt pavement, with concrete pads beneath the fuel dispenser canopies. The Site will continue to be used as a Shell-branded gasoline station once the redevelopment is completed.

During the removal of the current USTs, confirmation soil and groundwater samples will be collected under the direction of the County of Marin, designated as the CUPA, and summarized in a UST closure report. Soil or groundwater impacted by petroleum hydrocarbons will be removed from the Site and disposed of at an approved offsite waste disposal facility. Therefore, additional soil sampling prior to the removal of the current USTs is not recommended or warranted at this time, as the residual petroleum hydrocarbons which are present at the Site have been well documented, and no new releases have been reported or noted since the time of the previous UST upgrade and former LUST case closure. Additionally any soil or groundwater targeted for off-site disposal will also require waste profile sampling at the time of the station upgrades for disposal facility acceptance.

### **2.3 PERIODIC MONITORING OF GASES AND OR WATER SAMPLES**

As noted above, the USTs are monitored using continuous interstitial monitoring. The UST system is also fitted with under dispenser containment, spill buckets, striker plates, containment sumps, vapor recovery, and vent piping. The USTs are connected to four dispensers. Product lines are constructed of double-walled fiberglass, and are equipped with and are monitored using continuous electronic line leak detection, auto shut-offs. The integrity of the UST system is regularly tested. No reports of damage or indications of releases have been reported.

### **2.4 CHEMICAL ANALYSIS RESULT OF SOIL, GROUNDWATER, AND OR GAS SAMPLES**

According to the Site Closure Summary Report (included in Appendix A), none of the concentrations historically reported from this site exceed the lowest Environmental Screening Levels (ESLs) published by the RWQCB in their 2005 guidance document for soils or groundwater at commercial sites where groundwater is not a potential source of drinking water. It was concluded prior to the case closure that the soils and groundwater do not pose a threat to human health or the environment.

According to the RWQCB Case Closure letter, the maximum residual concentration of TPH-g in the soil was 2.0 mg/kg and BTEX compounds were not reported above the laboratory reporting limits. In groundwater, residual petroleum fuel chemicals consisted of TPH-g at 75 µg/l, MTBE at 22 µg/l, TBA at 1,400 µg/l. BTEX in groundwater was not reported at concentrations above the laboratory reporting limit.



When comparing the residual concentrations to the most recent RWQCB ESLs (2016), the residual concentrations of MTBE and TPH-g are well below the groundwater vapor intrusion guidance limits for commercial and industrial sites.

## **2.5 BORING LOGS**

The Site lithology encountered during the installation of the soil borings during previous investigations consists of gravelly sandy base rock and fill to a maximum depth of between 2.5 and 6.0 feet bgs, underlain predominately by clay with some clayey sand between approximately 12.5 to 22.5 feet bgs. This is followed by sand and silty sand to between approximately 26.5 feet to 29 feet bgs. Clay and black bedrock was encountered to the total depth drilled at the Site (30 feet bgs). Groundwater was first encountered at approximately 18 feet bgs with static levels in the wells rising to between 4.5 to approximately 8 feet bgs.

On August 28, 2008, URS oversaw the advancement and sampling of four soil borings at the Site: two soil borings (SB-01 and SB-02) located adjacent to the gasoline underground storage tank (UST) complex and two soil borings (SB-03 and SB-04) located adjacent to the dispenser island area. Soil borings were advanced to depths of approximately 16 feet bgs or 20 feet bgs. Groundwater grab samples were collected from all four soil borings. Soil encountered at the Site in these boreholes generally consisted of sandy lean clay, lean clay, lean clay with sand, and clayey sand with a varying gravel component to the total depth explored of approximately 20 feet bgs. First groundwater was encountered in all four of the soil borings advanced at the Site at depths ranging from 12 to 17 feet bgs. These conditions were similar to ones observed during the previous investigations.

Soil boring logs were not available from the previous investigations, however boring logs from the 2008 Phase II are included in Appendix A in pages 26 through 30 of the report titled *Phase II Environmental Site Assessment Report*, dated November 10, 2008, and prepared by URS on behalf of Shell.

## **2.6 SUBSURFACE PERMEABILITY TESTS**

According to a subsurface soil investigation conducted in 2008 by URS, the soils below the Site from approximately 5 feet bgs to 12 feet bgs consisted of lean to fat clays of high plasticity with clay contents ranging from 60% to 90%. At approximately 12 feet bgs to 20 feet bgs, soils consisted of clayey sands with some sand and clay lenses. Soils at these depths consisted of approximately 20% to 40% clay. This zone of higher permeability correlates with observations of first occurring groundwater at 12 to 17 feet bgs. The upper 12 feet of the Site appears to consist of primarily low permeable clays.

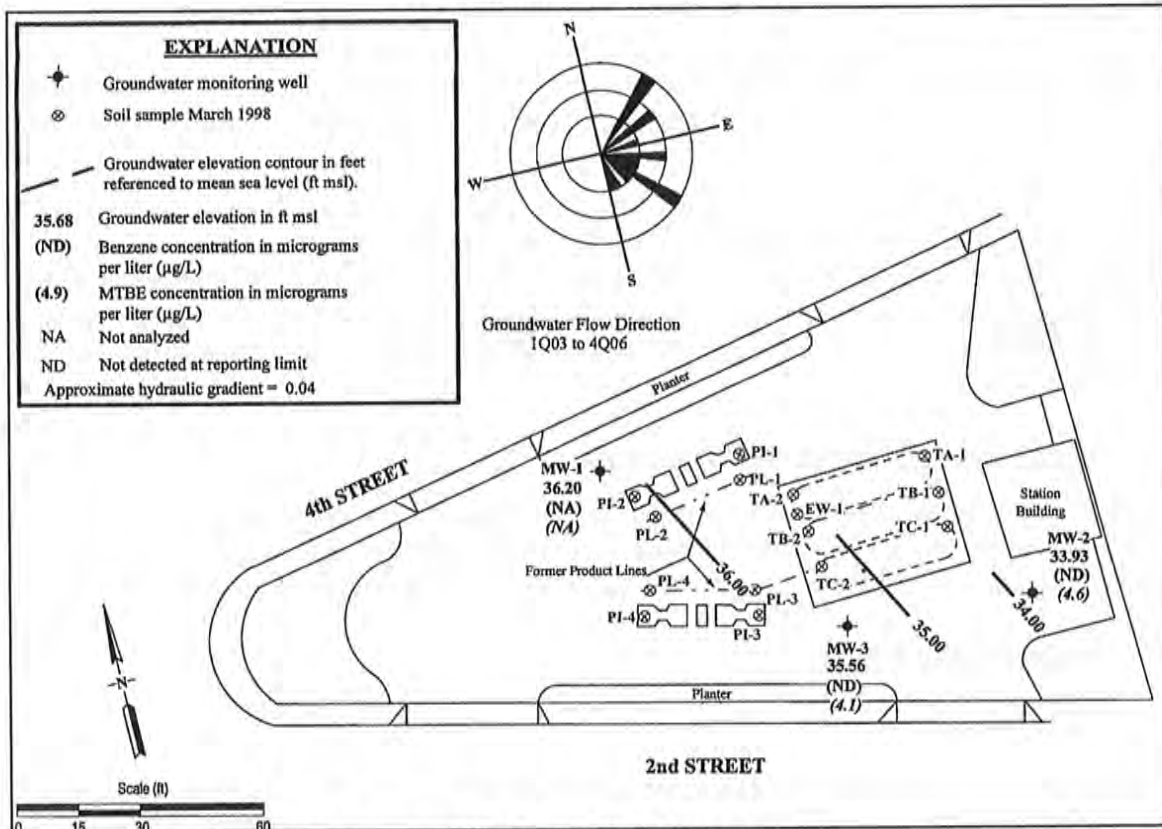
## **2.7 POTENTIOMETRIC MAP OF GROUNDWATER IN THE SITE VICINITY**

According to the final round of site-specific groundwater monitoring and summarized in the report titled *Groundwater Monitoring Report – Fourth Quarter 2006*, Cambria, December 15, 2006 prepared by Cambria for Shell, groundwater flowed in a northeasterly direction at a hydraulic gradient of 0.04 feet per foot (ft/ft). The depth to groundwater measured in the wells ranged from 5.93 feet to 8.03 feet bgs. During the previous investigations, groundwater was first encountered at approximately 17 to 18 feet bgs with static levels in the wells rising to between 4.5 to approximately 8 feet bgs as observed in the



groundwater monitoring wells. The figure below presents the most recent groundwater contour map of the Site.

**Figure 1**  
**2006 Groundwater Contour Map**



Source: Groundwater Monitoring Report – Fourth Quarter 2006; Cambria

## 2.8 LATERAL AND VERTICAL EXTENT OF THE CONTAMINATION

According to the Site closure summary plan, the dissolved hydrocarbon plume is not migrating. No separate phase hydrocarbons have ever been detected in the Site groundwater. The petroleum hydrocarbons at the time when the Site was granted case closure showed decreasing concentration trends. The lateral extent of groundwater impact at the Site was defined by data from the three former groundwater monitoring wells.

For the soil, the Summary Closure Report which is included in Appendix A states that the lateral and vertical extent of the petroleum hydrocarbons in soil have been adequately defined to assess the potential risk to human health and the environment.

Based on the low concentrations at the Site, the decreasing concentration trends and shrinking plume, the ongoing natural attenuation, the distance to identified receptors, the upward vertical hydraulic gradient



in the Site groundwater, site conditions are unlikely to affect identified offsite wells, surface water bodies or other nearby receptors.

## **2.9 WATER SUPPLIES THAT MAY BE AFFECTED (SENSITIVE RECEPTORS)**

The Site overlies the groundwater basin designated at the Novato Valley basin. The closest water producing well identified to the Site, in previous investigations, is a domestic well located approximately 1,100 feet east of the Site. Given the distance between the Site and this well, the residual concentrations that exist in the soil and groundwater at the Site do not appear to pose an environmental concern to this well.

The nearest surface water body is San Rafael Creek. This creek is a short drainage that runs into the San Rafael Bay, approximately 2.5 miles east of the Site. At its closest point to the Site, the creek is approximately 200 feet east of the Site, but it is channeled underground at this point. The closest above ground section is 500 feet east of the Site. It was noted in the Closure Report that given the culverted nature of the draining near the Site, the Site did not appear to pose an environmental concern to the water in the drainage.

## **2.10 RECOMMENDED MITIGATION MEASURES**

Based on the information presented above, the soil and groundwater at the Site may contain petroleum hydrocarbons which may require special handling and disposal during the proposal earth work at the Site. Section 3 presents a Site Mitigation Plan for addressing the residual petroleum hydrocarbons.

## **3.0 SITE MITIGATION PLAN**

### **3.1 OBJECTIVES**

The sections below are to be utilized by parties involved in activities where Site soils will be disturbed or groundwater will be encountered (i.e., excavation, grading, landscaping). The objectives of the Site Mitigation Plan recommendations are to:

- Provide guidelines for worker safety and soil management in the event that potentially contaminated soils are to be disturbed, and for handling soil during earthwork at the Site.
- Provide guidelines for groundwater management during activities where groundwater will be encountered at the Site.
- Provide procedures to address the discovery of unknown underground features such as tanks, sumps, pipelines, or pits during site development.
- Present a decision framework and measures for managing potentially contaminated soil and groundwater in a manner consistent with applicable regulatory requirements.
- Manage preferential pathways.





### **3.2 CONTAMINANTS OF CONCERN**

For the purposes of this Site Mitigation Plan, the contaminants of concern (COCs) at the Site are TPH-g, benzene, MTBE and lead. This Site Mitigation Plan is to be implemented for the areas where soil will be excavated and groundwater encountered at the Site during the UST removal work.

### **3.3 ANTICIPATED EARTHWORK ACTIVITIES**

Anticipated future earthwork may include, but is not limited to:

- Demolition and removal of the existing slab, foundations and other buried building features
- Grading of the property
- Excavation of potentially contaminated soils
- Improvements to concrete- and asphalt-paved parking areas, access ways, and landscaping
- Excavation and trenching for installation, maintenance/repair or removal of underground utilities

Additional future earthwork activities not listed above should follow this Site Mitigation Plan as a guide.

### **3.4 RISK MANAGEMENT MEASURES**

This section identifies appropriate risk management measures that may be implemented to control the potential for human health exposure and environmental impacts from COCs identified in Section 3.2. The risk management measures are to be implemented during earthwork.

These risk management measures were developed based on potential impacts and are intended to protect human health (including on-site construction workers, nearby residents and workers) and the environment from the identified potential impacts during Site construction activities.

#### **3.4.1 Construction activities requiring risk management measures**

Based on the COCs detected in soil, soil vapor, and groundwater, the following conditions or activities require risk management:

- Volatilization of volatile petroleum hydrocarbons collectively referred to as VOCs from contaminated soil and groundwater.
- Exposure to VOCs from contaminated soil vapor.
- Dermal/direct contact with contaminated soil and groundwater.
- Dust generation associated with excavation and trenching, grading and loading, backfilling, movement of construction and transportation equipment, and fugitive dust generation from wind.
- Off-site transport of soils as sediments through surface water run-off from exposed soil stockpiles and graded areas.
- Management/movement of soils during construction.
- Protection of existing monitoring wells during construction.



### **3.4.2 Air monitoring program**

Total airborne VOC concentrations will be measured with a photo ionization detector (PID) during demolition and removal of the UST, piping and dispenser islands. It is anticipated that the soils below the building floor slab and foundations are not impacted with residual petroleum hydrocarbons. The objective of the air monitoring program is to collect data that is representative of VOC levels present in the air during construction activities so that additional control measures may be implemented, if warranted, to reduce the concentrations.

Total airborne VOC concentrations will be measured within the excavation area and within the active construction area where excavation work will be conducted during the UST removal work. Factors to consider when selecting air monitoring locations include wind direction, location of construction activities, location of the nearest the Site boundary, and nearest off-site receptors.

Should air monitoring indicate sustained VOC readings in excess of 50 parts per million (ppm) per the Bay Area Air Quality Management District (BAAQMD) Regulation 11, Rule 2 in the breathing zone, field activities will be amended to mitigate the vapors with additional control measures. Additional control measures may be necessary to protect on-site workers and off-site populations in accordance with a project specific site health and safety plan. Such control measures may include covering soils with plastic sheeting, applying mist or spraying water on soils during excavation activities, applying vapor suppressants, or requiring respiratory protection equipment. Based on the chemical concentrations detected to date, it is not anticipated with vapor levels will exceed 50 ppm during the excavation work.

### **3.4.3 Dust Control program**

The following procedures will be implemented when dust-generating activities occur during the UST upgrade work.

#### ***3.4.3.1. General Dust Control***

The dust control measures identified in this section correspond to the PM<sub>10</sub> control measures recommended by the Bay Area Air Quality Management District (BAAQMD) in its California Environmental Quality Act Guidelines. *The BAAQMD dust control guidelines are to be implemented during construction activities regardless of whether COCs are present in the soil.* Effective dust control will reduce the potential for construction worker exposure and migration of impacted dust outside the development area. Dust control measures will minimize generation of dust from excavation and trenching activities, grading, the loading of trucks, truck traffic, and soil stockpiles.

#### ***3.4.3.2. General Dust Control Measures***

Some of the dust control measures recommended by the BAAQMD, as described below, are similar to measures that will be implemented to control off-site runoff. Where management measures specified to control dust are different from those specified to control off-site runoff, the more stringent of the measures will apply.

The following dust control measures will be implemented, as necessary, during construction:



- Water active construction areas at least twice a day or as necessary to prevent dust plumes from migrating outside of the Site.
- Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed construction stockpiles.
- Mist or spray water while loading transportation vehicles.
- Minimize drop heights while loading transportation vehicles.
- Use tarpaulins or other effective covers for trucks carrying soils that travel on streets.
- Pave, apply water three times per day, or apply (non-toxic) soil stabilizers to unpaved access roads, parking areas and staging areas during construction.
- Sweep daily all paved access routes, parking areas and staging areas.
- Sweep street daily if visible soil material is carried onto public streets.
- Limit on-site traffic speeds to 15 miles per hour.

#### **3.4.4 Control of Off-Site Runoff**

To minimize risks associated with storm water runoff during construction, a Storm Water Pollution Prevention Plan (SWPPP) may be required when undertaking construction activities. *Preparation and implementation of a SWPPP is required regardless of whether any COCs are present in the soil.* A primary goal of the SWPPP is to reduce or eliminate off-site discharge of sediments during construction activities. The SWPPP will assure consideration of Best Management Practices (BMPs) to control and abate the discharge of sediments, and provide for monitoring of the BMPs to assess their effectiveness in controlling discharges, and revision of the BMPs, if necessary.

Site inspections to determine the effectiveness of the BMPs and identify repair needs will be conducted routinely during development activities. The SWPPP will include requirements that those with inspection responsibilities are qualified and/or trained in the field of erosion and sediment control practices and are familiar with the storm water pollution control rules and regulations.

The following include examples of BMPs that may be incorporated into an SWPPP, if required:

- Minimize dust during demolition, grading, and construction by lightly spraying exposed soil on a regular basis.
- Minimize wind and water erosion on temporary soil stockpiles by spraying with water during dry weather and covering with plastic sheeting or other similar material during the rainy season (October through April).
- Minimize the area where and length of time during which the Site is cleared and graded.
- Prevent the release of construction pollutants such as cement, mortar, paints, solvents, fuel and lubricating oils, pesticides, or herbicides by storing such materials in a bermed, or otherwise secured area that minimizes contact with storm water.
- As needed, install filter fences or fiber rolls around the perimeter of the construction site to prevent off-site sediment discharge.
- Install and maintain sediment and oil and grease traps in local storm water intakes during the construction period, or otherwise properly control oil and grease discharges.



- Clean wheels and cover loads of trucks carrying excavated soils before they leave the construction site.
- Implement a hazardous material spill prevention, control, and cleanup program for the construction period. As needed, the program would include measures such as constructing swales and barriers that would direct potential spills toward containment basins to prevent movement of materials from the construction site into water.

### **3.4.5 Soil Management Protocols During Earthwork**

The following section presents the management protocols for handling, moving, stockpiling, and reusing soils from the Site and delineates the contingency protocols to be followed.

#### ***3.4.5.1. Soil Screening***

Bureau Veritas recommends that a qualified professional be present on-site during invasive earthwork activities within the RMP Area to field screen soils with a PID for the potential presence/absence of VOCs to the extent practicable. Should significant VOCs (> 50 ppm) be detected with the PID, or if visibly stained soils or odors are observed, then the potentially contaminated soils identified by field screening should be segregated and stockpiled pending sampling and laboratory analysis.

#### ***3.4.5.2. Managing Soil Stockpiles***

Soil excavated from the Site may be stockpiled prior to reuse and/or disposal. Concerns typically associated with stockpiling soils include dust generation, erosion, and unauthorized access to the stockpiles.

The performance standard applicable to stockpiled soils is to prevent dust plumes from migrating off-site. If the stockpiles are covered, the cover will consist of anchored plastic sheeting. Soil stockpiles will be inspected to ensure the integrity and continued effectiveness of implemented control measures. Access to stockpiles will be restricted within the fenced boundaries of the active construction site.

#### ***3.4.5.3. Soil Reused On-Site***

Potentially contaminated soil generated during Site activities will require appropriate testing and characterization to determine whether it is suitable for reuse. If soils are planned to be reused at the Site, then potentially reused soils should be stockpiled and characterized to determine if soil meets the appropriate reuse criteria per the County of Marin/RWQCB Soil Re-use criteria. To determine whether soils meet the on-site reuse criteria, the excavated soil should be stockpiled, sampled and analyzed as follows:

- Collect one four-part to one-part composite soil sample approximately every 250 cubic yards
- Analyze collected composite soil samples for:
  - VOCs by Method 8260B
  - Total Petroleum Hydrocarbons (TPH) quantified as gasoline (TPH-g)



- TPH quantified as diesel (TPH-d) and motor oil (TPH-mo) by Method 8015M using silica gel cleanup (SGC)
- California Assessment Manual (CAM) 17 total metals using 6000/7000 Series Methods.

Soils meeting reuse criteria shall meet certain conditions to the extent practicable.

#### **3.4.5.4. Soil Disposal Off-Site**

Soils not planned to be reused onsite will require offsite disposal at an appropriate disposal facility. Prior to disposal offsite, if planned or needed, the waste disposal facility should be contacted and the waste materials should be characterized according to the waste disposal facility requirements in addition to the following requirements:

- Hazardous Waste Determination - Title 22 of the California Code of Regulations, Section 66262.11
- Designated Waste Determination - Title 23 of the California Code of Regulations, Section 2520, *et seq*
- Sampling and Analysis Methodologies: Test Methods for Evaluating Solid Waste. U.S. EPA Office of Solid Waste and Emergency Response. Washington, D. C. SW-846
- Sample parameters and number of samples - based on the specific landfill requirements, including the minimum number of samples based on the volume of material

Depending on the disposal facility, soil samples may be required for the analysis of one or more of the following U.S. EPA Methods:

- VOCs by Method 8260B
- TPH-g by Method 8015M
- TPH-d and TPH-mo by Method 8015M with SGC
- CAM 17 total metals using 6000/7000 Series Methods.
- Soluble Threshold Limit Concentration (STLC) analyses, as needed
- Toxicity Characteristic Leaching Procedure (TCLP) analyses, as needed

#### **3.4.6 Groundwater Management Protocols During Earthwork**

Depth to groundwater beneath the Site ranges between 5 and 12 feet bgs. Shallow petroleum hydrocarbon-impacted groundwater may be encountered during earthwork activities. If dewatering is necessary, groundwater discharge will require appropriate permits or off-site disposal at an appropriate facility. Discharge of groundwater into the City's sewer system would require a discharge permit issued by the City of San Rafael Department of Public Works. If direct discharge to the storm drain/surface water is determined to be the appropriate method for disposal of groundwater removed during dewatering, permits issued by the Regional Board under the National Pollution Discharge Elimination System would be required. For the purposes of this Site Mitigation Plan, it may be preferred to collect the water for disposal at an offsite facility approved to accept petroleum-impacted water.



#### **3.4.6.1. *Methods to Minimize the Potential for Creating Conduits***

Utility trenches may be constructed for installation of future underground utilities on the Site. If the trenches extend into groundwater, they could create horizontal conduits for groundwater flow and contaminant migration. The following management measures will limit the potential for creating horizontal conduits:

- Material that is less permeable than the surrounding soil will be placed through a variety of methods at 100-foot intervals and at Site boundaries along the trench to disrupt the flow within the trench backfill. One method during initial trench backfilling is the construction of a short section backfilled with a concrete or cement and bentonite mixture. Another method is the creation of a clay plug by compacting clay around the pipe for about a five-foot section of trench. A third method is the installation of barrier collars around the pipes by forming and pouring concrete in place. The appropriate method will be determined by a qualified engineering professional.

To assure that preferential horizontal groundwater flow is limited, one or more of the management measures identified above will be incorporated by the contractor as standard trench construction protocol wherever the trenches extend below the surface of the groundwater, unless a qualified environmental professional determines that the groundwater conditions do not warrant such measures.

#### **3.4.7 Procedures for Discovery of Unknown Areas of Contamination**

Future earthwork activities may reveal conditions substantially different from what is expected, such as previously unknown areas of contamination, or previously unknown contaminants. Unknown conditions that may trigger contingency monitoring procedures during invasive subsurface activities include, but are not limited to, the following:

- Soil with a significant chemical, hydrocarbon-like, or solvent odor or exhibiting conditions apparently substantially different from known Site conditions
- Significantly discolored soils substantially different from known Site conditions
- Oily, shiny, or stained soil or non-aqueous liquids

Upon discovery of one of these conditions, the Owner will contact a qualified environmental professional and the appropriate regulatory agency for assistance and to determine if additional sampling is necessary or mitigation required.

#### **3.4.8 Procedures for Discovery of Unknown Underground Structures**

During excavation and construction, it is possible that unknown USTs, sumps, pipelines or other underground structures may be discovered. For example, USTs may be identified during grading and site excavation activities by the presence of vent pipes that extend above the ground surface, product distribution piping that leads to the UST, fill pipes, backfill materials and the UST itself. Other structures might not have any features that extend above the surface, and could be unearthed when construction equipment comes into contact with them. The following section outlines the measures that govern identification and removal of USTs, and appropriate measures for addressing other underground



structures identified during development. In the event of any of the discoveries described below, a qualified environmental professional should be contacted immediately to determine the appropriate course of action.

#### **3.4.8.1. Removal Requirements for Underground Storage Tanks**

Chapter 6.7 of the California Health and Safety Code contains specific requirements for removing and remediating contamination associated with a leaking UST. The City of Newark Fire Department is responsible for overseeing removal of USTs at the Site. In the event that a UST or apparent UST piping is discovered during construction and development at the Site, then the local oversight program (LOP) or applicable regulatory agency will be notified. Environmental investigations and responses required following removal of the UST will be conducted under the direction of the applicable regulatory agency and in accordance with the specific provisions delineated in Chapter 6.7 of the Health and Safety Code.

#### **3.4.8.2. Removal of Other Subsurface Structures**

Other subsurface structures that may have been related to former use and storage of chemicals, such as underground vaults, sumps and associated piping should be inspected to assess whether they contain any indication of chemical residuals or free liquids other than water. This determination will be made with field observations by an environmental professional relying on visual observations, detection of chemical odors, and the results of vapor monitoring using a field PID (as described above).

If there is no indication that chemicals are or were present within the structure, then removal of the structure is not necessary for environmental reasons.

If a sump or vault contains liquids that appear, based on field observations (visual, odor, or PID readings) to be chemical-containing, then the following steps shall be undertaken:

- (1) Characterize the chemical-containing liquids and/or soils within the structure, and determine the appropriate response action. Chemical-containing liquids are to be sampled for profiling purposes then properly removed and disposed under the direction of a designated environmental professional. The appropriate regulatory agency should be notified prior to the selection of an appropriate response.

Chemical-containing soils are to be characterized as described above under 2.5.3.

- (2) Inspect the structure for cracks and holes once the liquids and/or chemical-containing soils are removed.
  - (a) If, based on the opinion of the designated environmental professional, it is determined that the structure is intact, such that subsurface release of the chemicals to the underlying soils would have been unlikely, then removal of the structure is not required for environmental reasons, unless required by an oversight agency.
  - (b) If physical inspection of the structure suggests that chemicals may have been released to underlying soils, then:
    - (i) Sample the underlying soils to determine whether a release, sufficient to warrant removal, has occurred. If, based on the opinion of the designated environmental professional, it is



determined that a release, sufficient to warrant removal, has not occurred, then removal of the structure is not required for environmental measures; or

- (ii) Remove the structure under the guidance of the designated environmental professional. Response to the chemicals in the soils underlying the structure, if necessary, will be consistent with the procedures described above in Sections 2.6.3 and 2.6.4.

### **3.4.9 Controls During Construction**

During construction activities, workers that may directly contact soil and/or groundwater at the Site will conduct the work in accordance with California Occupational Safety and Health Administration (Cal/OSHA) training and worker protection rules and regulations. Cal/OSHA is the state agency responsible for monitoring compliance with worker health and safety laws and requirements. Compliance with standard Cal/OSHA regulations, particularly Title 8, Chapter 4, "Division of Industrial Safety," will minimize the potential impacts associated with excavation activities, as the intent of these standards is to prepare workers for the types of hazards that are likely to be encountered during such activities. All activities conducted at the Site must be in compliance with current Cal/OSHA rules and regulations, even if not expressly noted in this RMP.

Further, all workers involved in subsurface activities must conduct the work in compliance with a project specific site health and safety plan (SHSP), which will be an additional mechanism to protect workers engaging in intrusive work.

### **3.4.10 Environmental Health and Safety Guidelines**

While this Site Mitigation Plan establishes the minimum requirements for a SHSP, the SHSP is a stand alone document developed by the contractor prior to the initiation of construction activities that would disrupt soils potentially impacted with VOCs. The SHSP must be prepared and signed by a Certified Industrial Hygienist (CIH). Changes in worker health and safety rules and regulations may result in additional requirements. All workers, including utility repair workers or other workers who may directly contact soil beneath the Site, will be required to perform all activities in accordance with a SHSP. Consistent with the Cal/OSHA standards, a SHSP would not be required for workers such as carpenters, painters or others, who would not be performing activities that disrupt the soils.

The SHSP will identify, evaluate and control safety and health with respect to Site conditions. The SHSP will require that the Site Safety Officer conduct periodic briefing meetings (tailgate meetings) with construction personnel on the reporting requirements to be undertaken if an underground structures is identified.

### **3.4.11 Objectives of the Site Health and Safety Plan**

The objectives of the SHSP are to identify, evaluate and control site health and safety hazards related to soil beneath the Site, and to inform all contractors, subcontractors, and other field personnel of chemicals known to be present at the Site so they are able to make prudent health and safety decisions related to soil and groundwater that will protect the health of the workers and the surrounding community throughout the development of the Site.





### **3.4.12 Components of the Site Health and Safety Plan**

This section presents the minimum requirements for SHSPs that will be prepared prior to construction activities.

#### ***3.4.12.1. General Information***

This section of the SHSP will contain general information about the Site, including its location, objectives of the work the SHSP is intended to cover, and the name of the individual(s) who prepared the SHSP. This section will also contain a brief summary of possible hazards associated with soil conditions at the Site. Based on the known conditions at the Site, the principal hazards posed by soil that construction workers may encounter will be direct contact and inhalation of VOCs that may be present in the soil, groundwater and soil vapor.

#### ***3.4.12.2. Key Personnel/Health and Safety Responsibilities***

This section of the SHSP will identify the key personnel by name, and will include identification of the Project Manager, the Site Supervisor, Site Safety Officer, and subcontractors that will be working at the Site. All workers who will potentially contact soil at the Site will be provided a copy of the SHSP and briefed as to its contents. The health and safety responsibilities of each individual will be described in this section of the SHSP.

#### ***3.4.12.3. Facility/Site Background***

Background information should include past operations, the types of contaminants that may be encountered, and a brief description of the types of construction activities that will be conducted at the Site. The description of construction activities will focus on those activities that will result in the movement of soil, and/or the potential for workers to have direct contact with the soil beneath the Site. This section will provide a general map of the Site, highlighting those particular areas where soil movement activities may occur.

#### ***3.4.12.4. Job Hazard Analysis/Hazard Mitigation***

A description of the hazards associated with specific construction activities that give rise to contact or potential contact with soil is presented in this section of the SHSP. As part of the job hazard analysis, the SHSP will identify the constituents likely to be encountered during construction activities, and will present a table indicating the symptoms of exposure and relevant regulatory exposure limits for each compound (i.e., the Cal/OSHA Permissible Exposure Limit). The procedures to mitigate hazards identified in the job hazard analysis are also presented in this section of the SHSP. The principal measure that will mitigate hazards associated with chemicals present in soil will be the use of appropriate personal protective equipment (PPE).

#### ***3.4.12.5. Air Monitoring Procedures***

Air monitoring procedures will be detailed in the SHSP and address the minimum requirements.



#### **3.4.12.6. Personal Protective Equipment**

The SHSP will identify appropriate required PPE that will adequately protect workers from hazards related to contact with impacted soils that may be encountered at the Site. PPE is selected based on the known contaminants present at the Site, and the known route(s) of entry into the human body. The primary exposure route is direct contact with soil (i.e., dermal contact with soil, incidental ingestion and inhalation of particulate material) and inhalation of VOC vapor. Based on the known conditions, the minimum level of PPE for intrusive workers that will come into direct contact with soil will be modified Level D. For the Site, modified Level D protection will include a long-sleeved shirt, long pants, gloves, and boots. If areas of previously unknown contamination are identified during construction activities, and if the air monitoring for VOCs indicates that the levels present in the breathing zone exceed the OSHA-PELs, then the worker PPE will be upgraded to Level C. Upgrading to Level C is accomplished by donning a half-face air purifying respirator with the appropriate cartridge.

#### **3.4.12.7. Work Zones and Site Security Measures**

This section of the SHSP will identify specific work zones of the Site and security measures such as the placement of barricades, fencing, access control and access logs. The work zone will be defined as the area of the Site where activities involving impacted soil are being conducted. All workers within the work zone who will have direct contact with soil will be required to perform work in compliance with all aspects of the SHSP. The support zone will be located outside of the work zone, but within Site boundaries. All end-of-the-day cleanup operations, such as cleaning truck wheels (for exiting vehicles that could be tracking soil offsite), and removal of PPE, will occur in the support zone. If possible, the support zone will be located in close proximity to the entry and exit point of the Site. If necessary to control pedestrian and vehicular entry, the work zones may be fenced.

#### **3.4.12.8. Decontamination Measures**

This section of the SHSP will describe specific procedures that will be used to decontaminate both equipment and personnel in the event impacted soil or groundwater are encountered. Decontamination measures will include cleaning the wheels of all vehicles in the support zone prior to their exiting the Site, if applicable.

#### **3.4.12.9. General Safe Work Practices**

This section of the SHSP will discuss the general safe work practices to be followed at the Site, including entry restrictions, tailgate safety meetings, use of PPE, personal hygiene, hand washing facilities, eating and smoking restrictions, the use of warning signs and barricades, and special precautions that may be specific to the Site.

#### **3.4.12.10. Contingency Plans/Emergency Information**

This section of the SHSP will provide information regarding procedures to be followed in the event of an emergency. The location of specific emergency equipment, such as eyewash, first aid kit and a fire



extinguisher, and emergency telephone numbers and contacts will be identified. A map indicating the route to the nearest hospital will also be provided in this section.

#### **4.0 MODIFICATIONS TO THE SITE MITIGATION PLAN**

It is anticipated that the provisions of this Site Mitigation may need to be amended from time to time. Should a change to be necessary, a proposed modification by the property owner will be presented.

#### **5.0 REPRESENTATIONS AND LIMITATIONS**

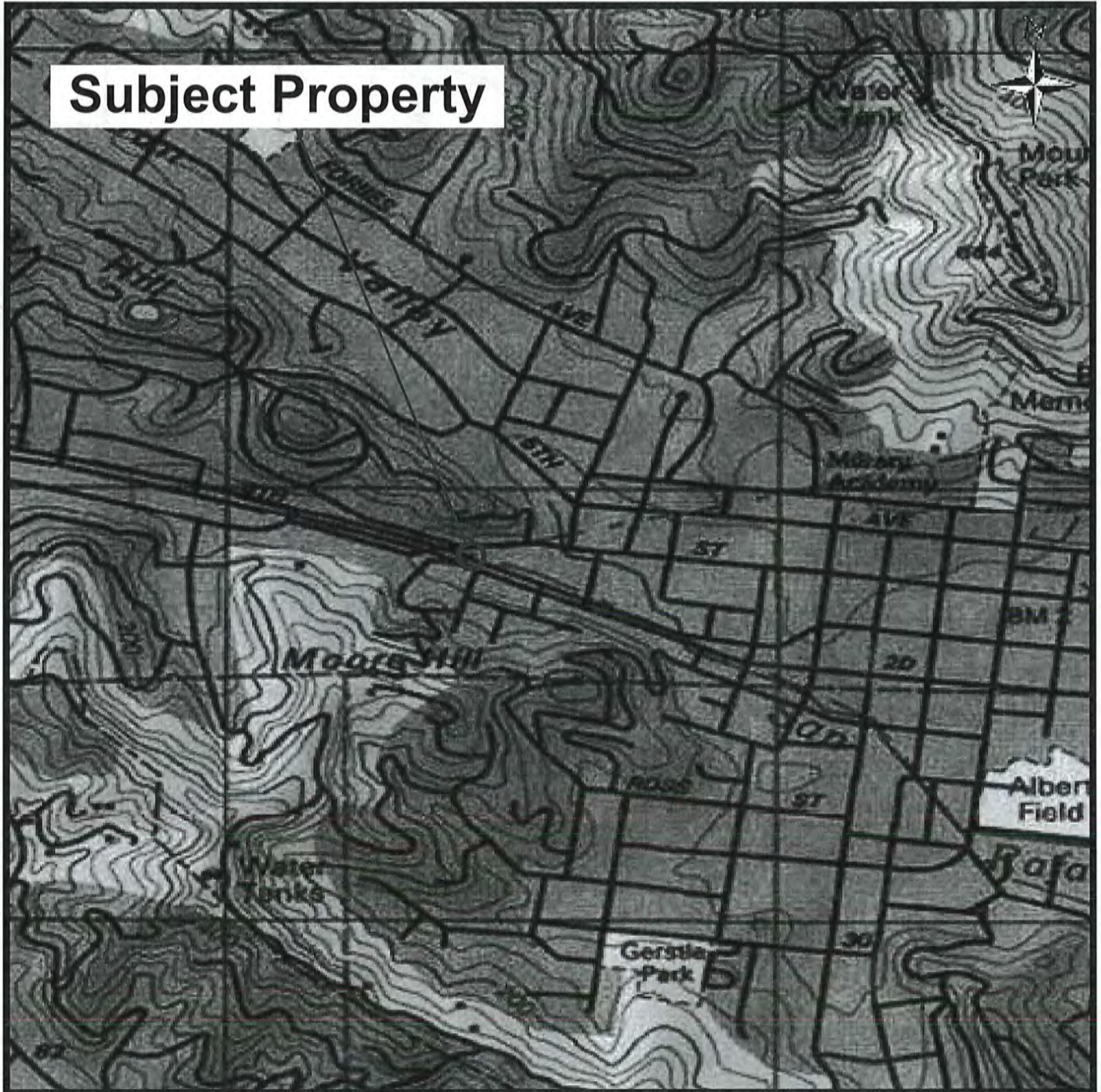
This Site Mitigation Plan is intended to provide guidance and establish a framework for the management by others of potentially petroleum hydrocarbon or VOC-impacted media beneath the Site to protect human health and the environment. This Site Mitigation Plan is based upon current Site conditions known by Bureau Veritas and current laws, policies, and regulations. No representation is made to any present or future developer or property owner of the Site or portions of the Site with respect to future Site conditions, other than those specifically identified in this RMP.

Bureau Veritas disclaims any responsibility for any unintended or unauthorized use of this plan by any party. Bureau Veritas has not made any commitment to, or assumed any obligation or liability to, any present or future developer, property owner, tenant, consultant, agent, contractor, user, or other party owning or visiting the Site or portion of the Site based upon or arising out of implementation of this plan.



## FIGURES

# Subject Property



MAP DATE: July 1, 1998



**BUREAU  
VERITAS**

## SUBJECT PROPERTY LOCATION

Shell Station ID #136048  
1833 4th Street  
San Rafael, CA

PREPARED FOR: Vintners Distributors, Inc.

PROJ. MGR: John Werfal

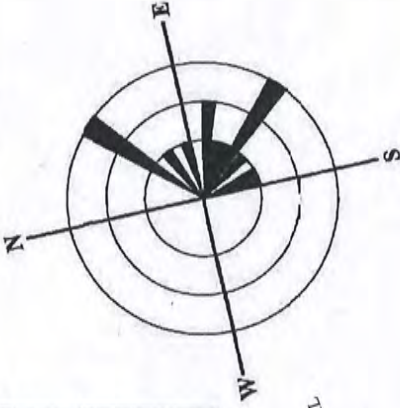
DATE: 01/28/2010

DRAWN BY: John D. Glover, P.E.

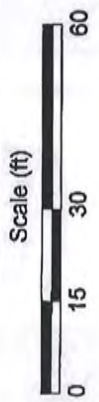
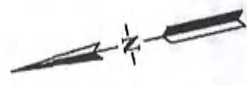
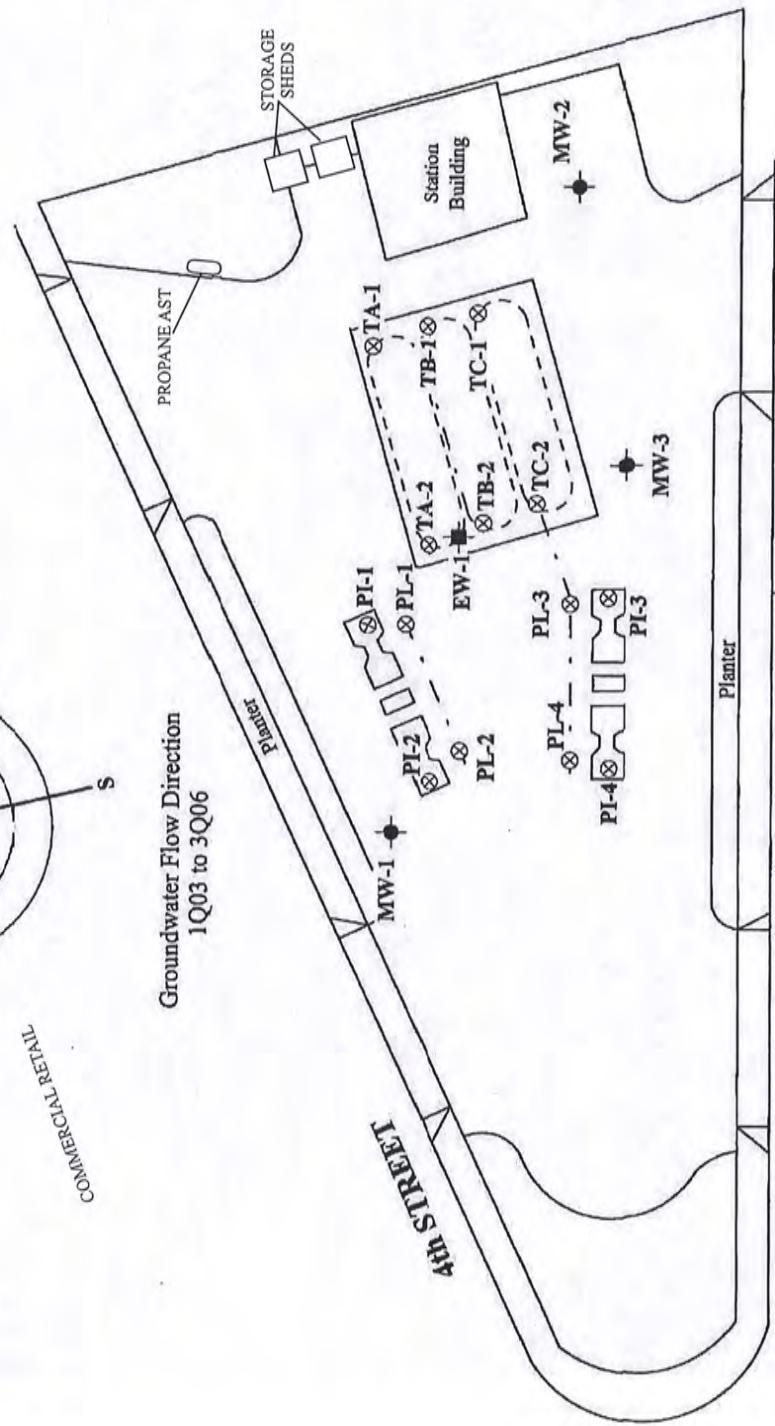
PROJ. #: 33109-009599.00

**EXPLANATION**

- ⊕ Groundwater monitoring well
- ⊗ Soil sample March 1998
- ⊕ Grab groundwater sample March 1998




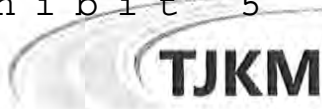
Groundwater Flow Direction  
1Q03 to 3Q06



RESIDENTIAL

2nd STREET

 <b>BUREAU VERITAS</b>	
<b>SUBJECT PROPERTY PLAN - 017</b> Shell Service Station 1833 Fourth Street San Rafael, California Project No. 33109-009599.00	<b>FIGURE</b> <span style="font-size: 2em;">2</span>



## TECHNICAL MEMORANDUM

*Date:* May 02, 2018

*To:* Sunny Goyal  
AU Energy LLC  
41805 Albrea Street  
Fremont, CA 94538  
Email: [sunny@vintnersdist.com](mailto:sunny@vintnersdist.com)



*From:* Nayan Amin, T.E.  
Project Manager  
  
Prashanth Dullu  
Project Engineer

*Jurisdiction:* San Rafael

*Subject:* **Traffic Study for Proposed Gas Station Expansion at 1833 Fourth Street in the City of San Rafael**

The purpose of this memorandum is to present the parking analysis results for the proposed expansion of the gas station at 1833 Fourth Street in the City of San Rafael, in response to comments from City staff. The project proposes to continue as a gas station with an expanded convenience store. The use would maintain eight fueling positions and expand the convenience store building from 300 square feet to 2,284 square feet. The project proposes to construct a fueling canopy in the center of the site and the convenience store along the east property line. **Figure 1** illustrates the proposed site plan, dated September 01, 2016. The project is located at the intersection of 2<sup>nd</sup> Street and 4<sup>th</sup> Street. This analysis includes the adequacy of the proposed parking supply.

### PARKING SUPPLY

Based on the project site plan, 15 parking stalls are provided for the gas station and convenience store use of which four stalls are standard parking stalls, one stall is for van-accessible parking (17 feet by 18 feet), one stall is a parallel compact stall (8 feet by 16 feet), one stall is for air and water use (9 feet by 18 feet), and eight stalls are at fueling positions. However, parallel compact stall along the 2<sup>nd</sup> street frontage planter will not be counted as per Public Works recommendation. The City of San Rafael zoning ordinance (Section 14.18.040) specifies the minimum parking stalls required for a variety of land uses. Gas stations are required to provide three stalls per station. Convenience stores fall under general retail, requiring one space per 250 gross building square feet. For the proposed 2,284 square feet convenience store, this would require nine parking stalls. Based on the City of San Rafael requirements for gas station



and convenience store use, a total of 12 parking stalls are required. However, the City of San Rafael does not count the provided eight fuel positions stalls. Hence, the total parking provided for the project would be six parking stalls.

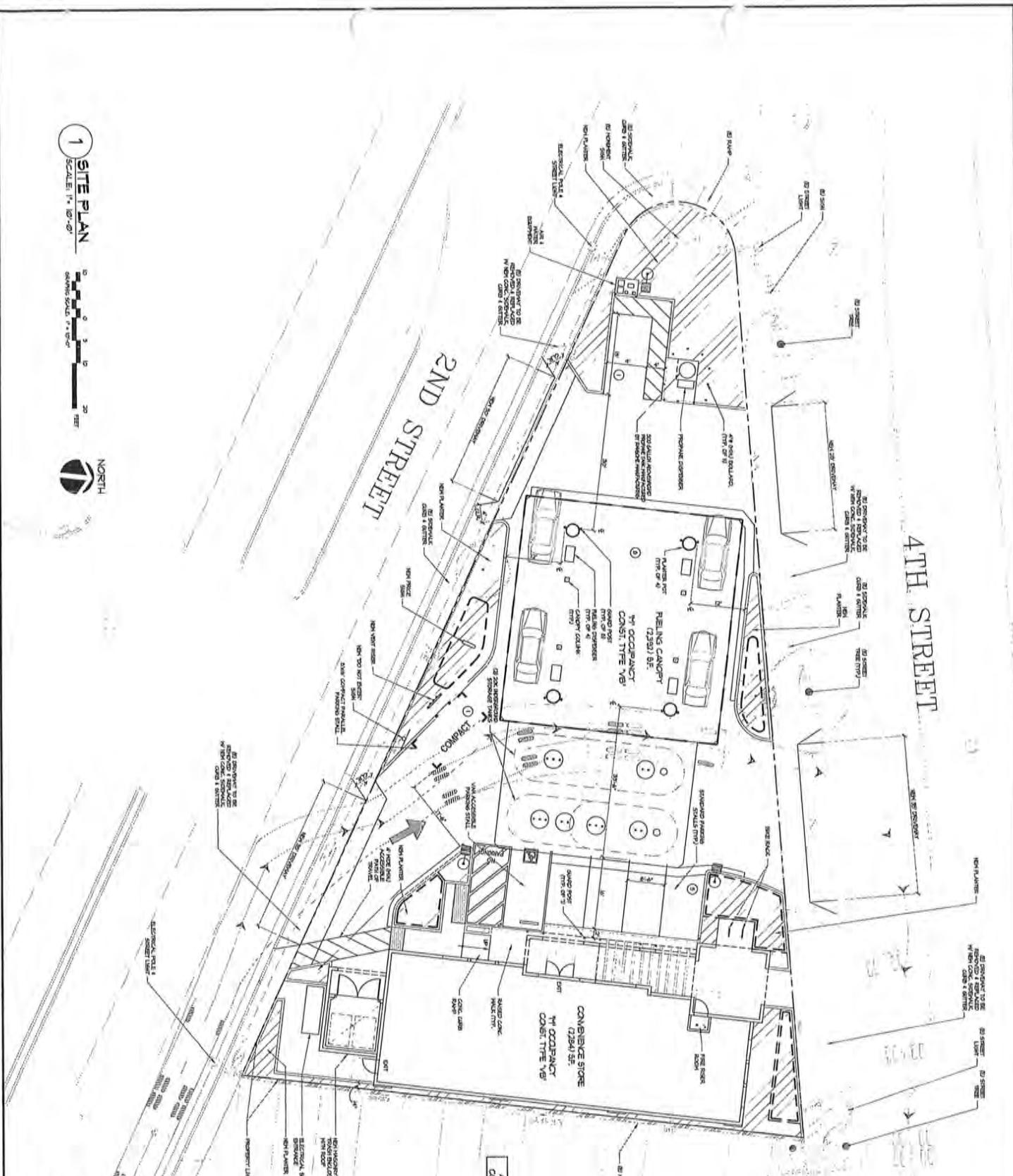
Parking demand was also estimated based on *Parking Generation*, 4<sup>th</sup> Edition (2004), published by ITE. For the land use Gasoline/Service Station with Convenience Market (ITE Code 945), parking demand is determined by the number of fueling positions provided, with an average peak parking demand of 0.75 parking stalls per fueling positions. For a gas station with eight fueling positions, the peak parking demand would be six stalls. Hence, the provided parking stalls are sufficient based on the ITE standards.

### **CONCLUSION**

This analysis examined parking supply at the proposed convenience market expansion. The site plan provides six parking stalls, which is less than the 12 stalls required by the City of San Rafael. As per the ITE Parking Generation Manual, the project would require only six parking stalls. Based on this, the number of parking stalls provided is sufficient and there would be no impact on the City Streets.



# Site Plan



1 SITE PLAN

SCALE: 1" = 10'-0"





Exhibit 6



MI Architects, Inc.  
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**SHELL GAS STATION &  
 CONVENIENCE STORE  
 1898 4th STREET  
 SAN RAFAEL, CA 94901**



**A WEST ELEVATION**  
 3/16" = 1'-0"



**B SOUTH ELEVATION (2ND. STREET)**  
 3/16" = 1'-0"

- ISSUED FOR CONSTRUCTION
- ISSUED FOR PLAN CHECK
- ISSUED FOR PLANNING

NO.	DATE	DESCRIPTION
△		
△		
△		
△		

BUILDING ELEVATIONS  
 PROJECT #: 16-5076  
 DRAWN: BB CHECKED: MI  
 SCALE: AS NOTED DATE: 1-5-17



**A2.1**

SHEET OF

S:\1-Projects\16-5076 1833 4th St., San Rafael\Dev's\Planets\Rendering\16-5076-02.dwg modified by mthano2 at Apr 04, 2017 - 2:51pm



Architects

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SHELL GAS STATION &  
CONVENIENCE STORE  
1833 4th STREET  
SAN RAFAEL, CA 94901

- ISSUED FOR CONSTRUCTION
- ISSUED FOR PLAN CHECK
- ISSUED FOR PLANNING

NO.	DATE	DESCRIPTION

BUILDING ELEVATIONS

PROJECT #: 16-5076  
DRAWN BY:      CHECKED: MI  
SCALE: AS NOTED    DATE: 1-16-17

A2.2

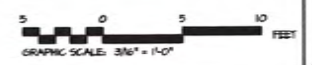
SHEET      OF



**D** EAST ELEVATION  
3/16" = 1'-0"



**C** NORTH ELEVATION (4TH STREET)  
3/16" = 1'-0"





**A SOUTH ELEVATION**  
3/16" = 1'-0"



**B WEST ELEVATION**  
3/16" = 1'-0"

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www.miarchitect.com

**SHELL GAS STATION &  
CONVENIENCE STORE  
1833 4th STREET  
SAN RAFAEL, CA 94901**

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- BASED FOR CONSTRUCTION
- BASED FOR PLAN CHECK
- BASED FOR PLANNING

NO.	DATE	DESCRIPTION
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CANOPY ELEVATIONS

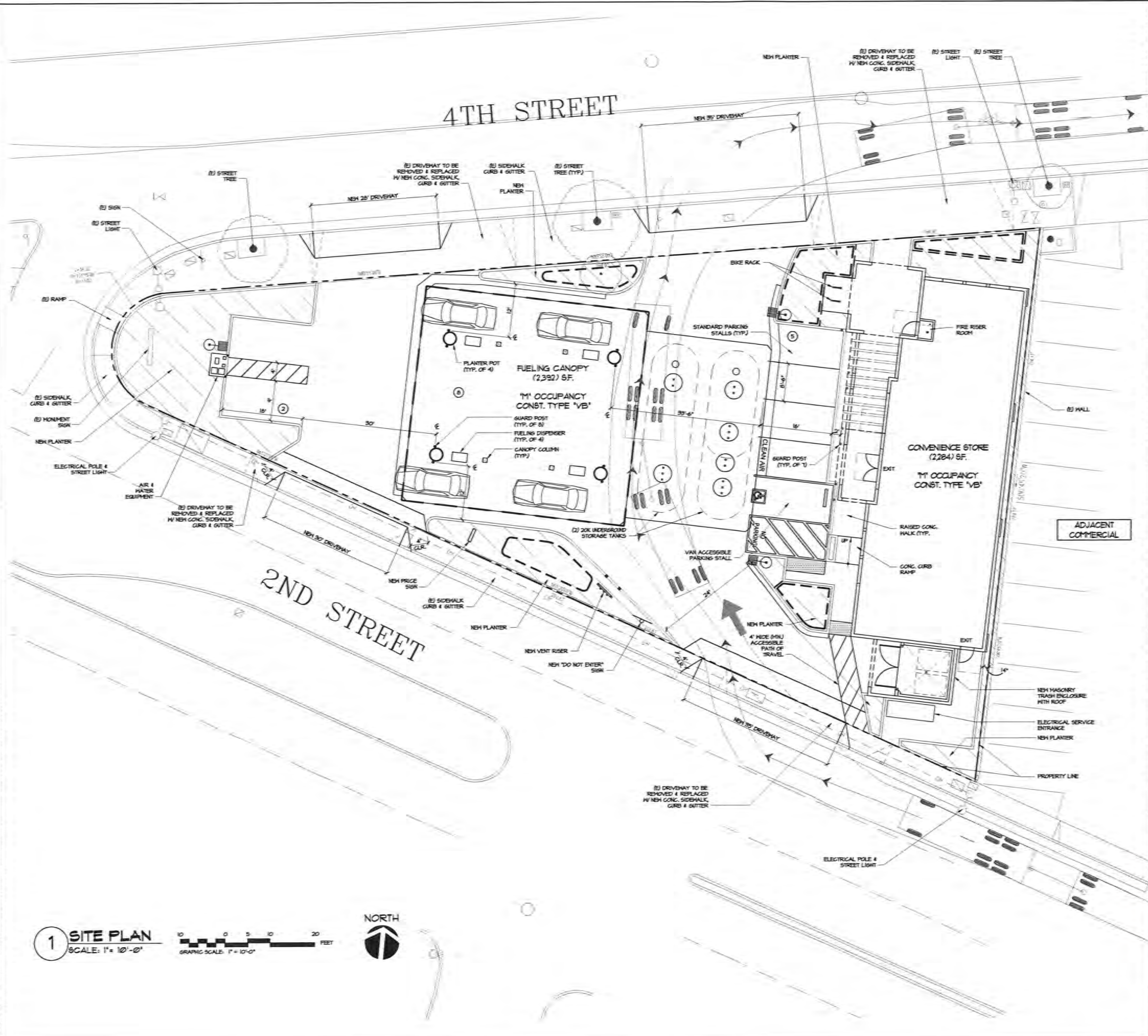
PROJECT #: 16-5076  
DRAWN BY: CHECKED: MI  
SCALE: AS NOTED DATE: 2-16-17



**CA1**

SHEET OF

S:\1-Projects\16-5076 1833 4th St., San Rafael\09-A\Plan\16-5076-SD1.dwg modified by mianw2 at Jun 06, 2016 - 11:40am



**DRAWING INDEX**

SD1	SITE PLAN
1 OF 1	TOPOGRAPHIC SURVEY
SD2	SITE PLAN DETAILS
C1	PRELIMINARY SITE PLAN
C2	PRELIMINARY GRADING, DRAINAGE & PAVING PLAN
C3	PRELIMINARY UTILITY PLAN
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LAI	LANDSCAPE PLAN
SD1-L	LIGHTING PHOTOMETRIC PLAN
AJ1	CONVENIENCE STORE FLOOR PLAN
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AJ2.2	SITE SECTION
CA1	CANOPY ELEVATIONS
1 OF 2	MONUMENT SIGN, PRICE SIGN & SITE PLAN
2 OF 2	BUILDING & CANOPY SIGNS

**SITE INFO**

APN 011-231-24 & 25  
 JURISDICTION: CITY OF SAN RAFAEL, CA  
 CURRENT ZONING: MEV (NEST END VILLAGE)

**SITE COVERAGE:**

SITE:	14543 SF. / 0.33 ACRES (100%)
BUILDINGS:	4676 SF. (32%)
CONVENIENCE STORE:	2284 SF.
FUELING CANOPY:	2392 SF.
LANDSCAPE:	2524 (17%)

**PARKING REQUIREMENTS:**

CONVENIENCE STORE: 1 SPACE PER 250 SF.  
 RETAIL AREA PLUS STORAGE OF THE CONVENIENCE STORE: 1341 SF.  
 (1341 SF. / 250) = 5 SPACES

**GAS STATION:** 3 SPACES

TOTAL PARKING REQUIRED: 8 SPACES

PARKING PROVIDED: 15 SPACES

STANDARD PARKING STALLS: 5 SPACES  
 VAN ACCESSIBLE PARKING STALL (15'x8') 1 SPACE  
 AIR / WATER STALL 1 SPACE  
 FUELING POSITIONS 8 SPACES

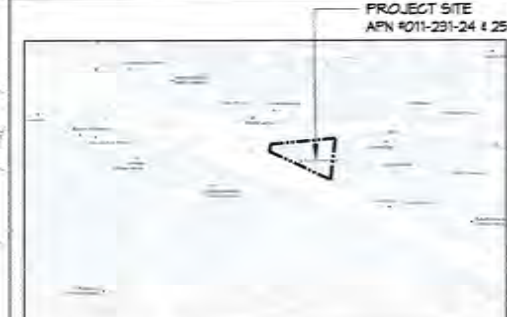
**SITE PLAN LEGEND**

- NEW LANDSCAPING
- NEW CONCRETE PAVING
- 4 FT. WIDE (MIN) ACCESSIBLE ROUTE OF TRAVEL, SHALL NOT EXCEED 5% SLOPE IN THE DIRECTION OF TRAVEL, AND 2% CROSS SLOPE
- BIO PLANTER, SEE CIVIL DINGS.
- EXISTING TO REMAIN
- EXISTING CURB TO REMAIN
- NEW CONCRETE CURB

**PROJECT DIRECTORY**

<b>ARCHITECT</b> M I ARCHITECTS, INC. 2221 OLYMPIC BLVD, SUITE 100 WALNUT CREEK, CA 94595 TEL: (925) 281-1174 x1 FAX: (925) 443-1581 CELL: (925) 876-4875 MR. MITHANA BRAHMI, ARCHITECT	<b>DEVELOPER</b> A U ENERGY, LLC 41805 ALERAE ST., 2ND FLR. FREMONT, CA 94538 TEL: (650) 866-7454 FAX: MR. SUNNY GOYAL
<b>CIVIL ENGINEER</b> RFE ENGINEERING, INC. 2280 DOUGLAS BLVD, SUITE 160 ROSEVILLE, CA 95661 TEL: (916) 712-7800 FAX: (916) 712-7804 MR. SWANN SOMERS, P.E.	<b>LANDSCAPE ARCHITECT</b> GIARDELLA ASSOCIATES 640 MENLO AVE, SUITE 10 MENLO PARK, CA 94025 TEL: (650) 326-6100 FAX: (650) 323-6106 MR. RICHARD GIARDELLA

**VICINITY MAP**



**M I Architects, Inc.**  
 ARCHITECTURE  
 PLANNING  
 MANAGEMENT  
 DESIGN  
 2221 OLYMPIC BLVD.  
 SUITE 100  
 WALNUT CREEK, CA  
 94595  
 925-281-1174 Tel  
 925-443-1581 Fax  
 925-876-4875 Cell  
 mthana@miarchitect.com  
 www.miarchitect.com

NOT FOR CONSTRUCTION

**SHELL GAS STATION & CONVENIENCE STORE**  
 1833 4th STREET  
 SAN RAFAEL, CA 94901

ISSUED FOR CONSTRUCTION  
 ISSUED FOR PLAN CHECK  
 09-09 ISSUED FOR PLANNING

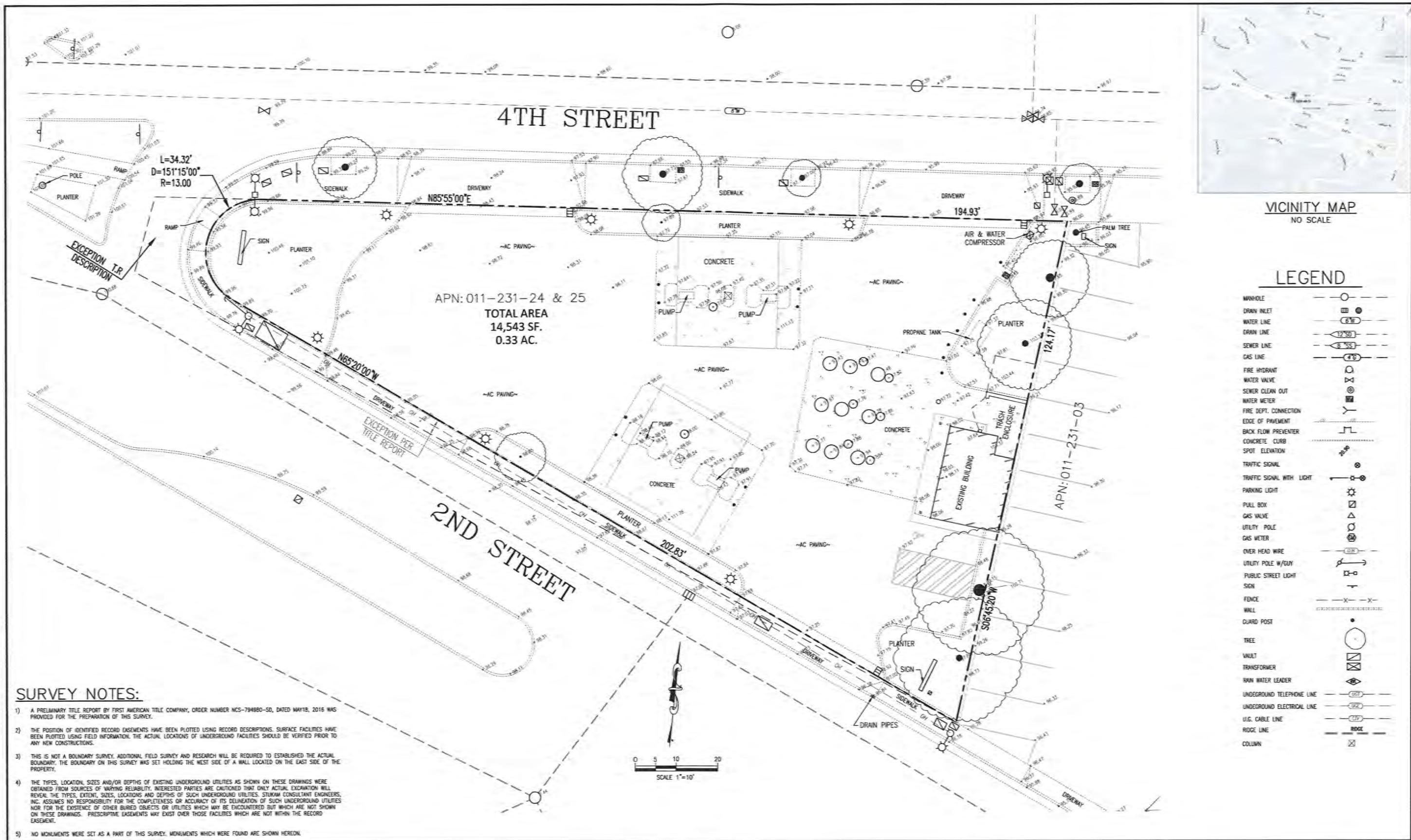
NO.	DATE	DESCRIPTION
1	09-09-16	
2		
3		
4		
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SITE PLAN

PROJECT #: 16-5076  
 DRAWN BY: CHECKED: HI  
 SCALE: AS NOTED DATE: 09-01-16

**SD1**

SHEET OF



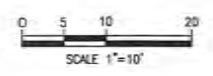
VICINITY MAP  
NO SCALE

LEGEND

- MANHOLE
- DRAIN INLET
- WATER LINE
- DRAIN LINE
- SEWER LINE
- GAS LINE
- FIRE HYDRANT
- WATER VALVE
- SEWER CLEAN OUT
- WATER METER
- FIRE DEPT. CONNECTION
- EDGE OF PAVEMENT
- BACK FLOW PREVENTER
- CONCRETE CURB
- SPOT ELEVATION
- TRAFFIC SIGNAL
- TRAFFIC SIGNAL WITH LIGHT
- PARKING LIGHT
- PULL BOX
- GAS VALVE
- UTILITY POLE
- GAS METER
- OVER HEAD WIRE
- UTILITY POLE W/GUY
- PUBLIC STREET LIGHT
- SIGN
- FENCE
- WALL
- GUARD POST
- TREE
- VAULT
- TRANSFORMER
- RAIN WATER LEADER
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND ELECTRICAL LINE
- U.G. CABLE LINE
- RIDGE LINE
- COLUMN

SURVEY NOTES:

- 1) A PRELIMINARY TITLE REPORT BY FIRST AMERICAN TITLE COMPANY, ORDER NUMBER MCS-794880-50, DATED MAY 19, 2016 WAS PROVIDED FOR THE PREPARATION OF THIS SURVEY.
- 2) THE POSITION OF IDENTIFIED RECORD EASEMENTS HAVE BEEN PLOTTED USING RECORD DESCRIPTIONS. SURFACE FACILITIES HAVE BEEN PLOTTED USING FIELD INFORMATION. THE ACTUAL LOCATIONS OF UNDERGROUND FACILITIES SHOULD BE VERIFIED PRIOR TO ANY NEW CONSTRUCTIONS.
- 3) THIS IS NOT A BOUNDARY SURVEY. ADDITIONAL FIELD SURVEY AND RESEARCH WILL BE REQUIRED TO ESTABLISHED THE ACTUAL BOUNDARY. THE BOUNDARY ON THIS SURVEY WAS SET HOLDING THE WEST SIDE OF A WALL LOCATED ON THE EAST SIDE OF THE PROPERTY.
- 4) THE TYPES, LOCATION, SIZES AND/OR DEPTHS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS WERE OBTAINED FROM SOURCES OF VARYING RELIABILITY. INTERESTED PARTIES ARE CAUTIONED THAT ONLY ACTUAL EXCAVATION WILL REVEAL THE TYPES, EXTENTS, SIZES, LOCATIONS AND DEPTHS OF SUCH UNDERGROUND UTILITIES. STUKAM CONSULTANT ENGINEERS, INC. ASSUMES NO RESPONSIBILITY FOR THE COMPLETENESS OR ACCURACY OF ITS DELINEATION OF SUCH UNDERGROUND UTILITIES NOR FOR THE EXISTENCE OF OTHER BURIED OBJECTS OR UTILITIES WHICH MAY BE ENCOUNTERED BUT WHICH ARE NOT SHOWN ON THESE DRAWINGS. PRESCRIPTIVE EASEMENTS MAY EXIST OVER THOSE FACILITIES WHICH ARE NOT WITHIN THE RECORD EASEMENT.
- 5) NO MONUMENTS WERE SET AS A PART OF THIS SURVEY. MONUMENTS WHICH WERE FOUND ARE SHOWN HEREON.



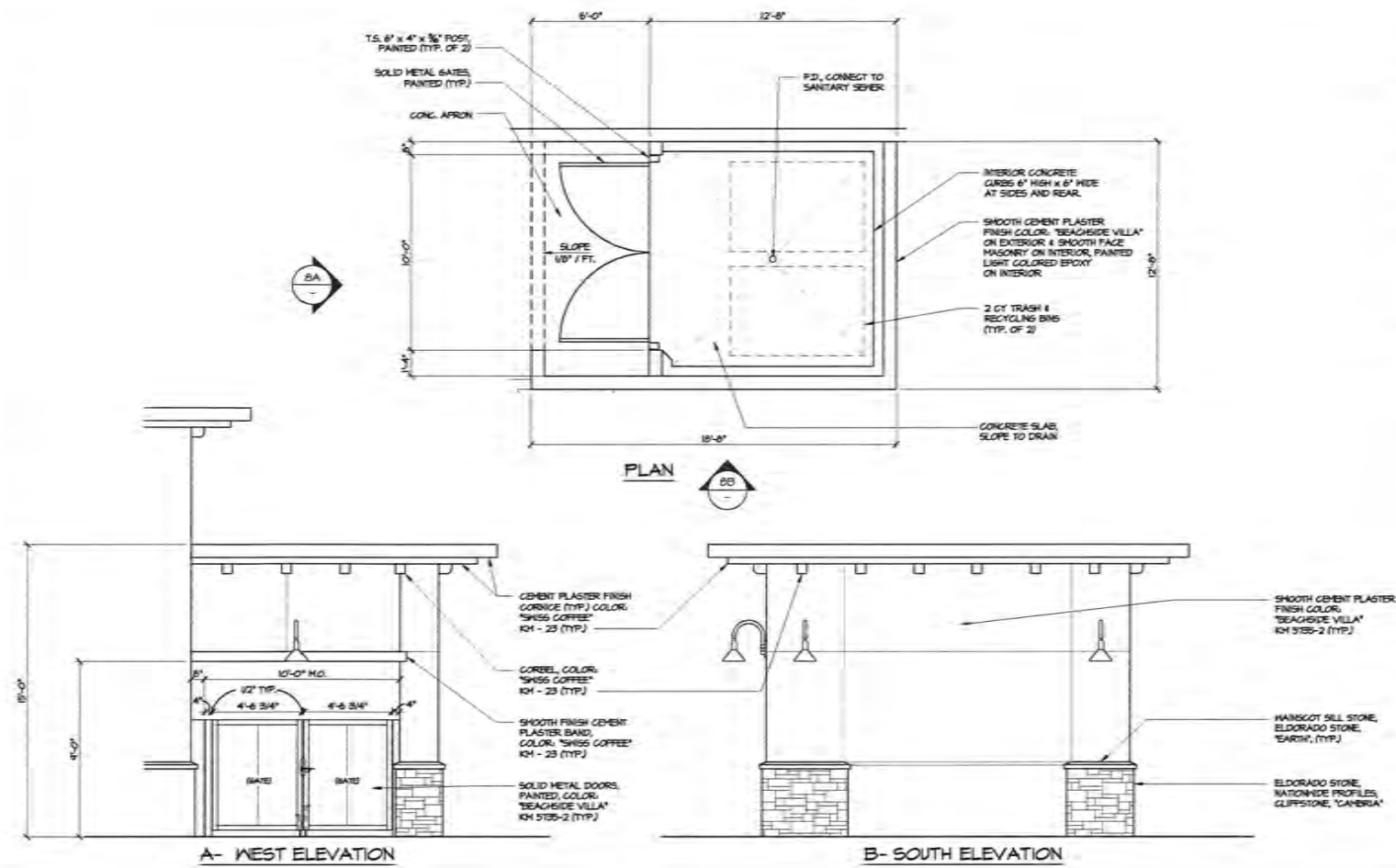
BENCHMARK ELEV. _____	<p><b>STUKAM CONSULTING ENGINEERS, INC.</b> 11344 COLOMA ROAD, SUITE 235C GOLD RIVER CALIFORNIA 95670, (916) 835-5791</p>	DESIGNED: N/A	SCALE: 1"=10'			<p>TOPOGRAPHIC SURVEY <b>1833 4TH STREET</b> SHELL GAS STATION</p>	DATE: JUNE 2016	
FIELD BOOK NO. _____ PG. _____		SUBMITTED: FAREED T. SIDDIQUI, P.E.	RCE: 56122		NO DATE		REVISION	APPROVAL
						CITY OF SAN RAFAEL	APN: 011-231-24 AND 25	CALIFORNIA JOB NO: 2016-021

NOT FOR CONSTRUCTION

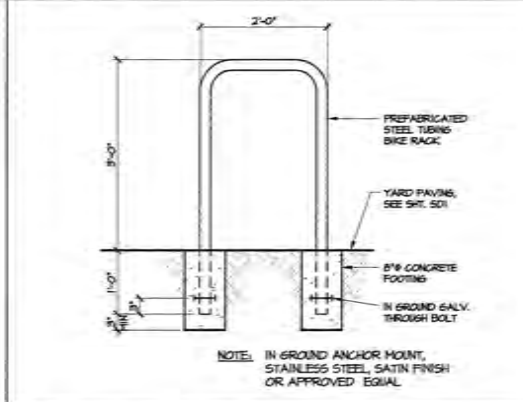
SHELL GAS STATION &  
 CONVENIENCE STORE  
 1833 4th STREET  
 SAN RAFAEL, CA 94901

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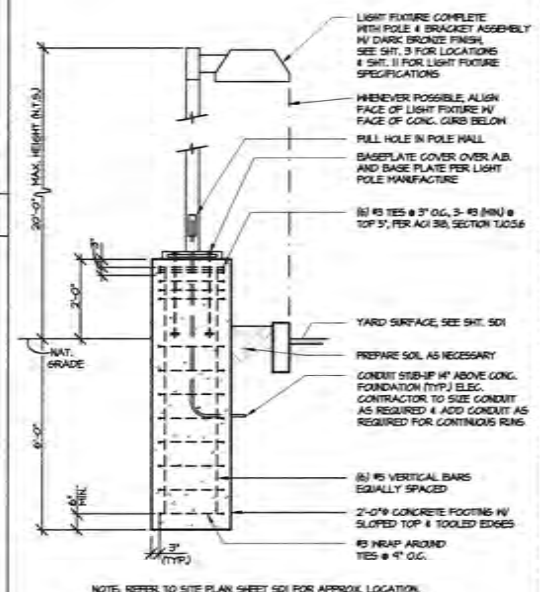
5	NOT USED	4	NOT USED
10	NOT USED	9	NOT USED
15	NOT USED	14	NOT USED
20	NOT USED	19	NOT USED



8 TRASH ENCLOSURE PLAN & ELEVATIONS



12 BIKE RACK



16 AREA LIGHT

-	ISSUED FOR CONSTRUCTION	
-	ISSUED FOR PLAN CHECK	
01-24	ISSUED FOR PLANNING	
NO.	DATE	DESCRIPTION
Δ		
Δ		
Δ		
Δ		
SITE DETAILS		
PROJECT #: 16-5016		
DRAWN: EB CHECKED: MI		
SCALE: AS NOTED DATE: 6-23-11		
<b>SD2</b>		
SHEET OF		

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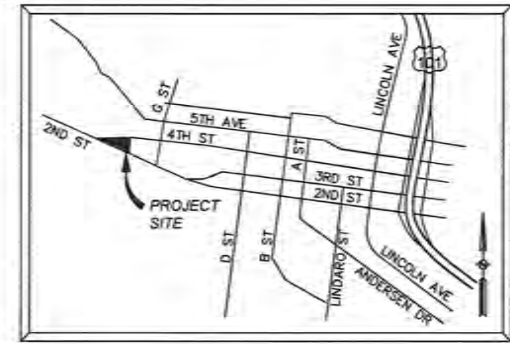
# SHELL STATION - SAN RAFAEL

## PRELIMINARY SITE IMPROVEMENT PLANS

APN: 011-231-24 & 25  
 1833 4TH STREET  
 SAN RAFAEL, CALIFORNIA 94901

### SHEET INDEX:

- C1 PRELIMINARY SITE PLAN
- C2 PRELIMINARY GRADING, DRAINAGE, & PAVING PLAN
- C3 PRELIMINARY UTILITY PLAN
- C4 PRELIMINARY STORMWATER QUALITY PLAN

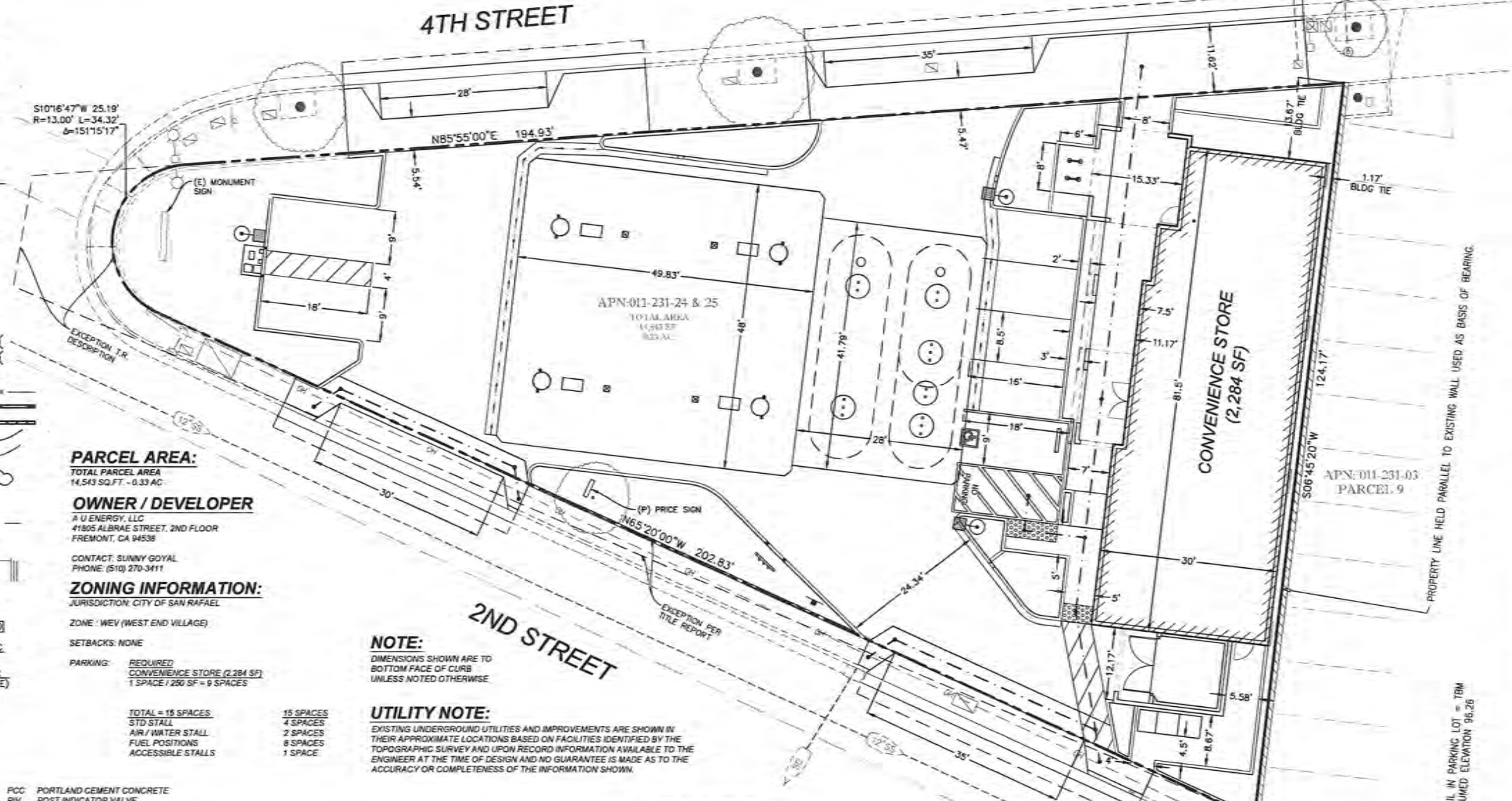


VICINITY MAP  
NOT TO SCALE



Know what's below.  
 Call before you dig.  
 or (800) 227-2600

DESCRIPTION	EXISTING	PROPOSED
PROPERTY LINE	---	---
ROW	---	---
EASEMENT	---	---
LOT LINE	---	---
CENTERLINE	---	---
SW. CURB & GUTTER	---	---
DITCH	---	---
EP	---	---
STORM DRAIN	XX"SD	XX"SD
SANITARY SEWER	XX"SS	XX"SS
WATER	XX"W	XX"W
FIRE SERVICE	XX"FS	XX"FS
GAS LINE	XX"G	XX"G
SDMH	---	---
DROP INLET	---	---
2x3' DROP INLET	---	---
DIRECTION OF SURFACE FLOW	---	---
OVERLAND RELEASE PATH	---	---
SSMH	---	---
SSCO	---	---
FIRE HYDRANT	---	---
PV	---	---
FDC	---	---
WATER VALVE	---	---
WATER METER	---	---
CONCENTRIC REDUCER	---	---
REDUCED PRINCIPAL PRESSURE ASSEMBLY	---	---
REDUCED PRESSURE BACKFLOW PREVENTER	---	---
PIPE CAP	---	---
JUNCTION/PULL BOX	---	---
UNDERGROUND UTILITY VAULT	---	---
UTILITY POLE	---	---
UTILITY POLE WITH LIGHT	---	---
STREET LIGHT	---	---
SITE LIGHT	---	---
FENCE	---	---
RETAINING WALL	---	---
BLOCK WALL	---	---
INDEX CONTOUR	---	---
INTERMEDIATE CONTOURS	---	---
HEDGE	---	---
SIGN	---	---
GRADE BREAK LINE	---	---
BOLLARD	---	---
ACCESSIBILITY RAMP	---	---
CONTROL POINT	---	---
FINISH FLOOR ELEVATION	FF=127.00	FF=127.00
FINISH GRADE ELEVATION (ASPHALT CONCRETE)	X127.50	13.34 AC
MATCH (E) GRADE ELEVATION	---	13.61 AC MATCH (E)
TRUNCATED DOMES	---	---



**PARCEL AREA:**  
 TOTAL PARCEL AREA  
 14,543 SQ. FT. - 0.33 AC

**OWNER / DEVELOPER**  
 A U ENERGY, LLC  
 41805 ALBRAE STREET, 2ND FLOOR  
 FREMONT, CA 94538  
 CONTACT: SUNNY GOYAL  
 PHONE: (510) 270-3411

**ZONING INFORMATION:**  
 JURISDICTION: CITY OF SAN RAFAEL  
 ZONE: WEV (WEST END VILLAGE)  
 SETBACKS: NONE  
 PARKING: REQUIRED CONVENIENCE STORE (2,284 SF)  
 1 SPACE / 250 SF = 9 SPACES

**NOTE:**  
 DIMENSIONS SHOWN ARE TO BOTTOM FACE OF CURB UNLESS NOTED OTHERWISE

**UTILITY NOTE:**  
 EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED ON FACILITIES IDENTIFIED BY THE TOPOGRAPHIC SURVEY AND UPON RECORD INFORMATION AVAILABLE TO THE ENGINEER AT THE TIME OF DESIGN AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN.

### ABBREVIATIONS:

AB AGGREGATE BASE	FF FINISH FLOOR	PCC PORTLAND CEMENT CONCRETE
AC ASPHALT CONCRETE	FG FINISHED GROUND	PV POST INDICATOR VALVE
ACP AGGREGATE CEMENT PIPE	FH FIRE HYDRANT	R PROPERTY LINE
ARV AIR RELEASE VALVE	FL FLOW LINE	POC POINT OF CONNECTION
BLOS BUILDING	FS FIRE SPRINKLER	PUE PUBLIC UTILITY EASEMENT
BOC BACK OF CURB	GB GRADE BREAK	RC RELATIVE COMPACTION
BOW BACK-OF-WALK	GR GRATE ELEVATION	RCP REINFORCED CONCRETE PIPE
BSL BUILDING SETBACK LINE	GV GATE VALVE	ROW RIGHT-OF-WAY
BW BOTTOM OF WALL	HDPE HIGH DENSITY POLYETHYLENE	RT RIGHT TURN OR RIGHT
CAB CABINET	HP HIGH POINT	RPPA REDUCED PRESSURE PRINCIPLE ASSEMBLY
CCNC CONCRETE	IRR IRRIGATION	RW RETAINING WALL
C&G CURB & GUTTER	INV INVERT	SDMH STORM DRAIN MANHOLE
CG&S CURB, GUTTER & SIDEWALK	JP JOINT POLE	SD STORM DRAIN
CH CHORD	LF LINEAL FEET	SE SOUTHEAST
CL CENTERLINE	LIP LIP OF GUTTER	SS SANITARY SEWER
CMP CORRUGATED METAL PIPE	LP LOW POINT	SSCO SANITARY SEWER CLEAN OUT
COTG CLEANOUT TO GRADE	LT LEFT TURN OR LEFT	SSMH SANITARY SEWER MANHOLE
CPC CALIFORNIA PLUMBING CODE	MAX MAXIMUM	SW SIDEWALK OR SOUTHWEST
CR CURB RETURN	MN MINIMUM	STA STATION
CTV CABLE TV	MH MAINTENANCE HOLE	TC TOP OF CURB
DCDA DOUBLE CHECK DETECTOR	MMWD MARIN MUNICIPAL WATER DISTRICT	TW TOP OF WALL
ASSEMBLY	NE NORTHEAST	UNO UNLESS NOTED OTHERWISE
DI DRAIN / DROP INLET	NW NORTHWEST	W WATER
DIP DUCTILE IRON PIPE	OC ON CENTER	WM WATER METER
(E) EXISTING	OH OVERHEAD	WSP WELDED STEEL PIPE
EC END CURVE	OH&E OVERHEAD TELEPHONE & ELECTRIC	WV WATER VALVE
EP EDGE OF PAVEMENT	OMP OPEN METAL PIPE	VCP VITRIFIED CLAY PIPE
FDC FIRE DEPARTMENT CONNECTION	(P) PROPOSED	VIF VITRIFIED-IN-FIELD

UTILITY	AGENCY	PHONE
DRAINAGE	CITY OF SAN RAFAEL, PUBLIC WORKS	(415) 485-3360
WATER	MARIN MUNICIPAL WATER DISTRICT	(415) 945-1500
SEWER	CITY OF SAN RAFAEL, SANITATION DISTRICT	(415) 485-3132
FIRE	CITY OF SAN RAFAEL, FIRE DEPARTMENT	(415) 485-3304
ELECTRIC	P.G.&E (ELECTRICAL)	(800) 743-5000
GAS	P.G.&E (GAS)	(800) 743-5000
TELEPHONE	A.T.&T.	(855) 854-5059
CABLE	A.T.&T.	(855) 854-5059
UNDERGROUND	UNDERGROUND SERVICE ALERT (USA)	811 OR 1-800-542-2444

**ADA LEGEND:**  
 ACCESSIBLE PATH OF TRAVEL

**FLOOD PLAIN:**  
 PER THE FEMA FLOOD RATE MAP NO. 06041C0456F DATED MARCH 16, 2016 THE PARCEL IS IN ZONE "X" (OUTSIDE OF THE 100 YEAR FLOOD PLAIN).

**TOPOGRAPHIC SURVEY:**  
 STUKAM CONSULTING ENGINEERS, INC.  
 DATE OF SURVEY: JUNE, 2016

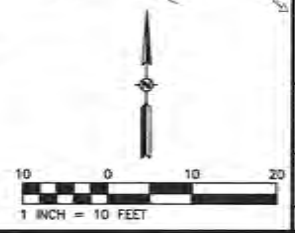
**BENCHMARK:**  
 SET NAIL IN PARKING LOT = TBM  
 ASSUMED ELEVATION 96.26

**BASIS OF BEARINGS:**  
 PROPERTY LINE HELD PARALLEL TO EXISTING WALL USED AS BASIS OF BEARING

**TOTAL AREA DISTURBED: 0.370 ACRES**

PRELIMINARY EARTHWORK SUMMARY	
CUT:	666 CY
FILL:	1 CY
NET:	665 CY (EXPORT)

NOTE:  
 EARTHWORK QUANTITIES ARE ESTIMATED TO SUBGRADE AND DO NOT TAKE INTO ACCOUNT SHRINKAGE, EXCESS MATERIALS FROM TRENCHING AND MISC. UNKNOWN STRUCTURAL SECTIONS. CONTRACTOR SHOULD VERIFY EARTHWORK QUANTITIES.



APPROVED	DATE	BY
REVISION	NO.	DATE
CHECK	NO.	DATE
DESIGN	NO.	DATE
DRAWN	NO.	DATE
QUANT.	NO.	DATE

ORIGINAL SCALE IS IN INCHES

**A U ENERGY, LLC**  
 41805 ALBRAE STREET,  
 2ND FLOOR  
 FREMONT, CA 94538  
 CONTACT: SUNNY GOYAL  
 PH: (510) 270-3411

**RFE ENGINEERING, INC.**  
 CIVIL ENGINEERING - PLUMBING - MECHANICAL  
 2101 RIVERVIEW DRIVE, SUITE 100  
 SAN RAFAEL, CA 94901  
 PH: (415) 452-1101  
 WWW.RFEENGINEERING.COM

**SHELL STATION**  
 1833 4TH STREET  
 SAN RAFAEL, CALIFORNIA 94901

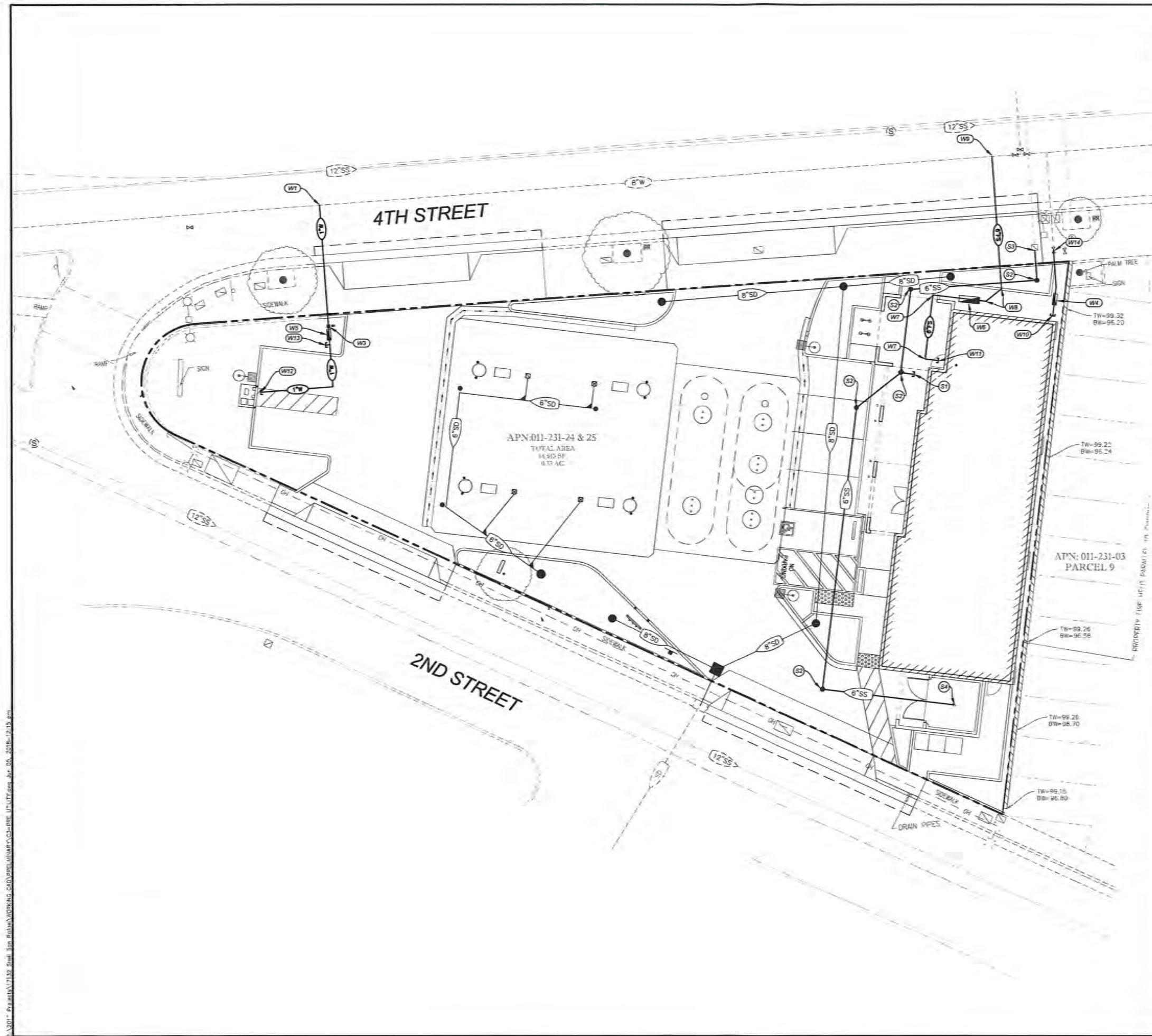
**PRELIMINARY SITE PLAN**

Drawing Sheet  
 of Total  
 C1 of 4

6-5-2017



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**SANITARY SEWER CONSTRUCTION KEYNOTES:**

- (S1) 6" SANITARY SEWER POINT OF CONNECTION. PLACE TWO-WAY CLEANOUT PER 2016 UPC. CONTRACTOR TO VERIFY LOCATION WITH PLUMBING AND BUILDING PLANS PRIOR TO CONSTRUCTION. INVERT AS SPECIFIED ON PLAN.
- (S2) PLACE COTG PER 2016 UPC.
- (S3) CONNECT (P) 6" SEWER LATERAL TO (E) SEWER CLEAN OUT VERIFY SIZE, LOCATION, AND INVERT OF (E) LATERAL PRIOR TO CONSTRUCTION. IF DIFFERENT FROM WHAT IS SHOWN ON PLANS, CONTACT ENGINEER.
- (S4) CONSTRUCT GRATE WITH TRAP AND CONNECT TO SS WITH WYE.

**WATER CONSTRUCTION KEYNOTES:**

- (W1) HOT TAP (E) WATER MAIN FOR NEW SERVICE
- (W2) INSTALL 1.5" WATER METER PER MMWD STANDARD
- (W3) INSTALL 1" WATER METER PER MMWD STANDARD
- (W4) INSTALL 2" RP DEVICE PER MMWD STANDARD.
- (W5) INSTALL 1" RP DEVICE PER MMWD STANDARD.
- (W6) INSTALL 6" DDCA PER MMWD STANDARD
- (W7) PLACE 6" 90-DEGREE FITTING (WITH THRUST BLOCKS) PER MMWD STANDARD.
- (W8) PLACE 6" 45-DEGREE FITTING (WITH THRUST BLOCKS) PER MMWD STANDARD.
- (W9) PLACE 6"x8"x6" TEE (WITH THRUST BLOCKS) PER MMWD STANDARD.
- (W10) POC FOR DOMESTIC WATER (BLDG) - SEE PLUMBING PLANS FOR CONTINUATION
- (W11) POC FOR FIRE SERVICE - SEE PLANS BY OTHERS FOR CONTINUATION.
- (W12) POC FOR AIR / WATER STATION.
- (W13) POC FOR IRRIGATION
- (W14) CONNECT TO (E) WATER SERVICE AT (E) WATER METER

DESIGN	BY	CHECK	NO.	REVISION	DATE	APPROVED
DRAWN	SJS	RFE				
QUANT.	SJS	RFE				
0						

ORIGINAL SCALE IS IN INCHES

NO PRELIMINARY CONSTRUCTION PERMITTED

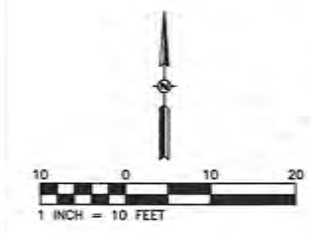
**RFE ENGINEERING, INC.**  
 Civil Engineers - Planners - Surveyors  
 2101 W. 15th Street, Suite 100  
 San Rafael, CA 94901  
 Tel: 415-772-2600 Fax: 415-772-7654  
 www.rfeengineering.com

**A U ENERGY, LLC**  
 41805 ALBRAE STREET,  
 2ND FLOOR  
 FREMONT, CA 94538  
 CONTACT: SUNNY GOYAL  
 PH: (510) 270-3411

**SHELL STATION**  
 1833 4TH STREET  
 SAN RAFAEL, CALIFORNIA 94901  
**PRELIMINARY UTILITY PLAN**

Drawing	Sheet
of	C3
Total	4

6-5-2017



**811**  
 Know what's below.  
 Call before you dig.  
 or (800) 227-2600

RFE PROJECT #17132 - SHELL, SAN RAFAEL

**SOURCE CONTROL MEASURES**

- MARK ON-SITE INLETS WITH THE WORDS "NO DUMPING" FLOWS TO BAY OR EQUIVALENT.
- PLUMS INTERIOR FLOOR DRAINS TO SANITARY SEWER.
- RETAIN EXISTING VEGETATION AS PRACTICABLE.
- LANDSCAPING:
  - SELECT DIVERSE SPECIES APPROPRIATE TO THE SITE. INCLUDE PLANTS THAT ARE PEST-AND/OR DISEASE-RESISTANT, DROUGHT-TOLERANT, AND/OR ATTRACT BENEFICIAL INSECTS.
  - MINIMIZE USE OF PESTICIDES AND QUICK-RELEASE FERTILIZERS.
  - USE EFFICIENT IRRIGATION SYSTEM. DESIGN TO MINIMIZE RUNOFF.
- REFUSE AREAS:
  - PROVIDE A ROOFED AND ENCLOSED AREA FOR DUMPSTERS, RECYCLING CONTAINERS, ETC., DESIGNED TO PREVENT STORMWATER RUN-ON AND RUNOFF.
  - CONNECT ANY DRAINS IN OR BENEATH DUMPSTERS, COMPACTORS, AND TALLOW BIN AREAS SERVING FOOD SERVICE FACILITIES TO THE SANITARY SEWER.
- FUELING AREAS:
  - FUELING AREAS SHALL HAVE IMPERMEABLE SURFACE THAT IS A) MINIMALLY GRADED TO PREVENT PONDING AND B) SEPARATED FROM THE REST OF THE SITE BY A GRADE BREAK.
  - CANOPY SHALL EXTEND AT LEAST 10 FT. IN EACH DIRECTION FROM EACH PUMP AND DRAIN AWAY FROM FUELING AREA.
- MISCELLANEOUS DRAIN OR WASH WATER:
  - DRAIN CONDENSATE OF AIR CONDITIONING UNITS TO LANDSCAPING. LARGE AIR CONDITIONING UNITS MAY CONNECT TO THE SANITARY SEWER.
  - ROOF DRAINS FROM EQUIPMENT DRAIN TO LANDSCAPED AREA WHERE PRACTICABLE.
  - DRAIN BOILER DRAIN LINES, ROOF TOP EQUIPMENT, ALL WASH WATER TO SANITARY SEWER.

**PROJECT DATA**

Project Name/Number	Shell Station San Rafael (RFE #17132)
Application Submitter	Shell Station San Rafael
Project Location	1833 4th Street, San Rafael, CA 94901
Project Phase No.	61A
Project Type and Description	Fuel Station with Convenience Store
Total Project Site Area	14,543 square feet (0.33 acres)
Total New and Replaced Impervious Surface Area	12,507 square feet
Total Pre-Project Impervious Surface Area	11,996 square feet
Total Post-Project Impervious Surface Area	12,007 square feet

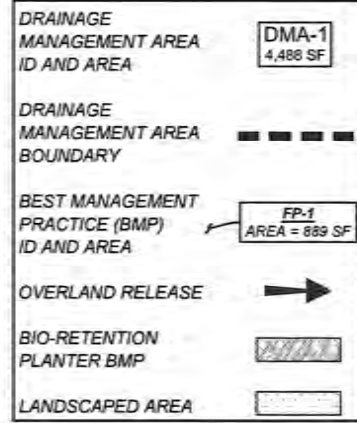
**AREAS DRAINING TO BIO-RETENTION FACILITIES**

DMA ID#	DMA-1	DMA-2	DMA-3	DMA-4	DMA-5
DMA Area (sf)	1,843	2,854	3,962	2,688	1,425
Impervious Area (sf)	1,660	2,459	3,731	2,403	1,307
Ferrous Area (sf)	153	396	231	285	118
DMA Runoff Factor (weighted)	0.925	0.675	0.948	0.905	0.825
DMA Area * Runoff Factor	1,705	2,456	3,754	2,431	1,318
BMP ID#	BR-1	BR-2	FP-1	FP-2	FP-3
Proposed BMP Size (sf)	70	115	174	101	90
Actual Sizing Factor	0.041	0.046	0.045	0.042	0.058

**SELF-TREATING AREAS**

DMA ID#	Area (square feet)
DMA-6	770

**LEGEND**



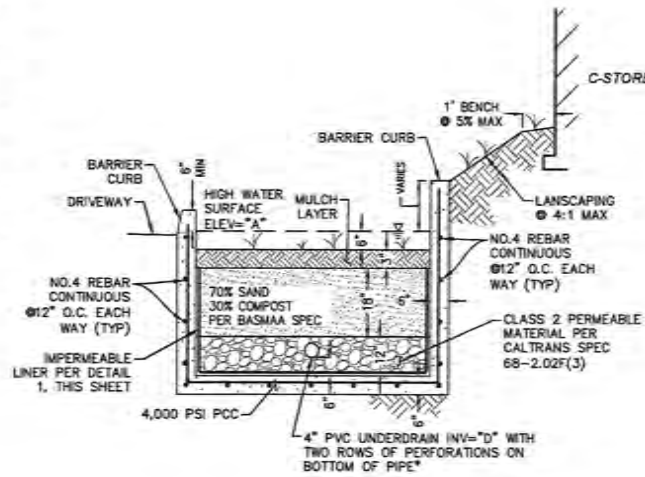
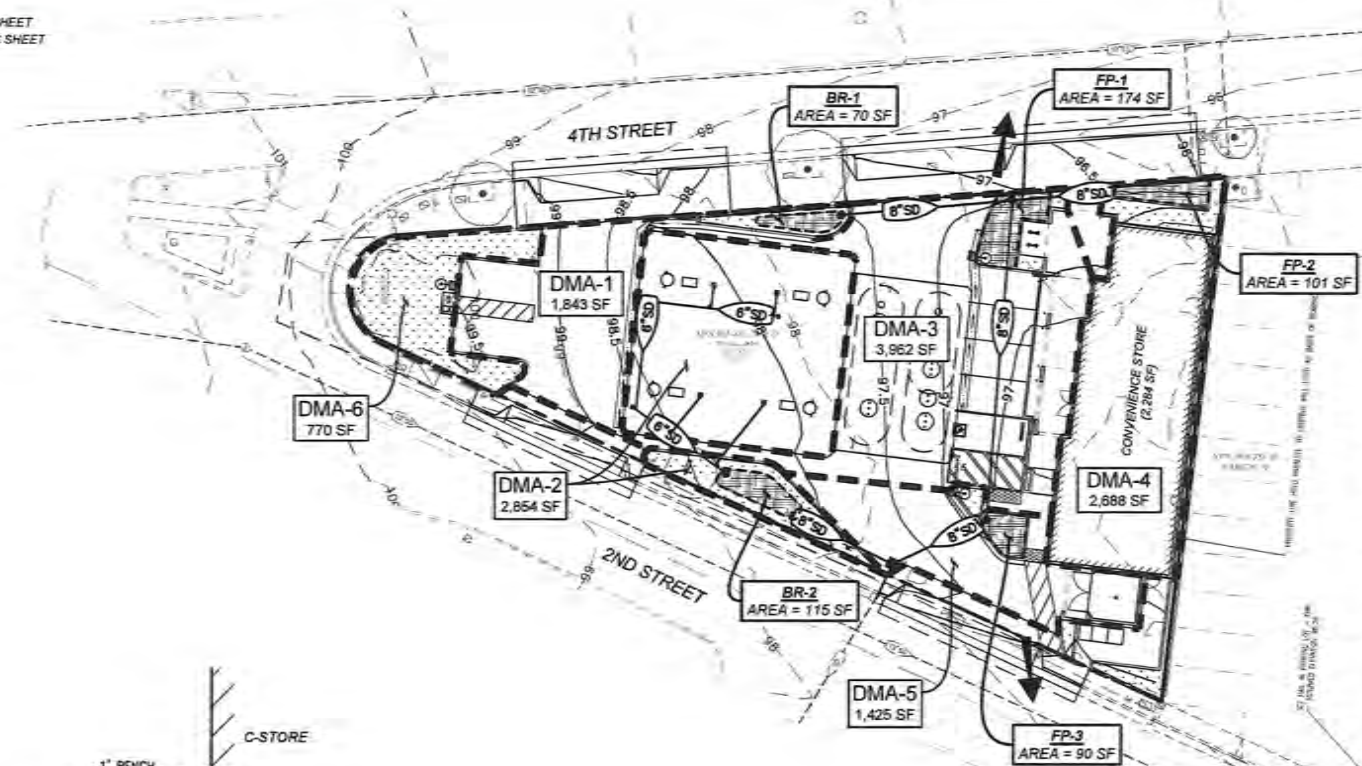
**BMP MAINTENANCE ACTIVITIES**

Activity	Frequency
Bio-Retention and Flow-Through Planters	Semi-Annually (before and after wet season)
Remove trash and debris	Monthly or as needed
Plant maintenance, including weeding, mulching, and trimming	Monthly or as needed
Repair or re-grade areas where erosion, damage, or scouring has occurred	Annually
Remove sediment from underdrain system by flushing out the system and removing it from the outlet control structure	Semi-Annually (before and after wet season)
Remove and replace entire mulch layer	Annually
Replace dead or diseased plants	Annually
Fill and repair if the system does not drain within 48 hrs	As needed (expected to be 3 to 5 years)
Remove trash, debris, and sediment from the Overflow Drain	Semi-Annually (before and after wet season) or as needed
Repair any structural damage to the Overflow Drain or grate	As needed (inspect quarterly)
Inspect underdrain and flush out sediment	Semi-Annually (before and after wet season) or as needed
Remove sediment from roof drain system from falling canopy to the Subdrain by flushing out the system	Semi-Annually (before and after wet season)
Regularly water during the first three months as vegetation establishes roots	Post-Construction
Remove trash, debris, and sediment from the Subdrain and the roof downspout emitter	Monthly or as needed
Consult with licensed professional pest control service if rodent or animal damage is observed	As needed (inspect annually)
Utilize Integrated Pest management (IPM) strategies to safely and effectively minimize pest damage and hazard	As needed
Remove vegetation obscuring line of site at roadway or intersection	Quarterly

**NOTE:**  
INDEX CONTOURS: 1-FOOT INTERVAL ON THIS SHEET  
MINOR CONTOURS: 0.5 FOOT INTERVAL ON THIS SHEET

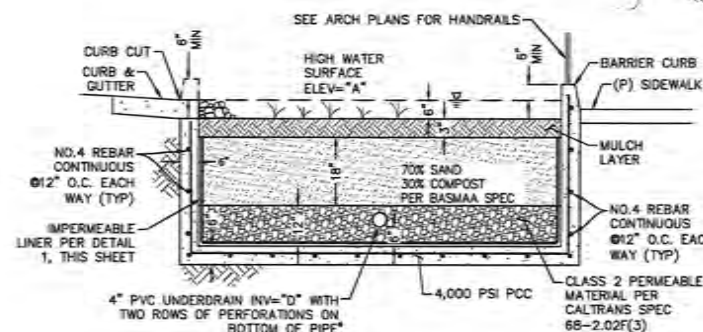


Know what's below.  
Call before you dig.  
or (800) 227-2600



- NOTES:  
1. SEE LANDSCAPE PLANS FOR VEGETATION.  
2. PLANTING SURFACE SHALL BE LEVEL ACROSS EACH PLANTER.  
3. SEE PLAN FOR LOCATIONS OF UNDERDRAIN PIPE AND OUTLET CONTROL STRUCTURE.

**(D) FLOW-THROUGH PLANTER TYP SECTION (FP-2)**  
NOT TO SCALE

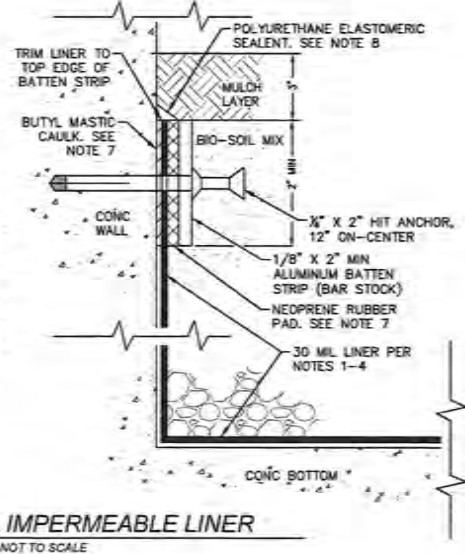


- NOTE:  
1. SEE LANDSCAPE PLANS FOR VEGETATION.  
2. PLANTING SURFACE SHALL BE LEVEL ACROSS PLANTER.  
3. SEE PLAN FOR LOCATIONS OF UNDERDRAIN PIPE, OVERFLOW DRAIN, AND OUTLET STRUCTURE.

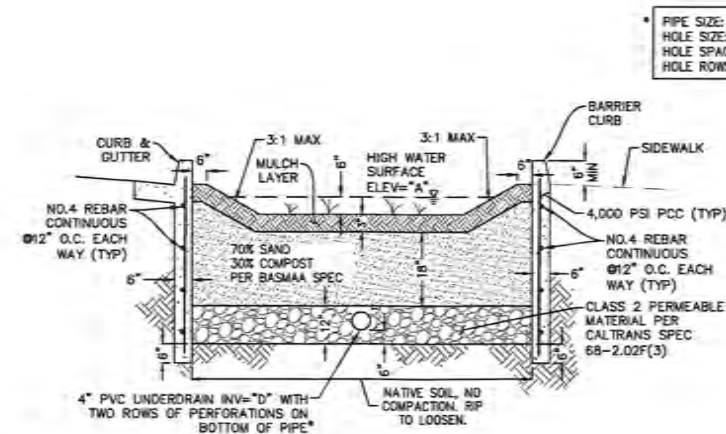
**(C) FLOW-THROUGH PLANTER TYP SECTION (FP-1, FP-3)**  
NOT TO SCALE

**CONSTRUCTION NOTES:**

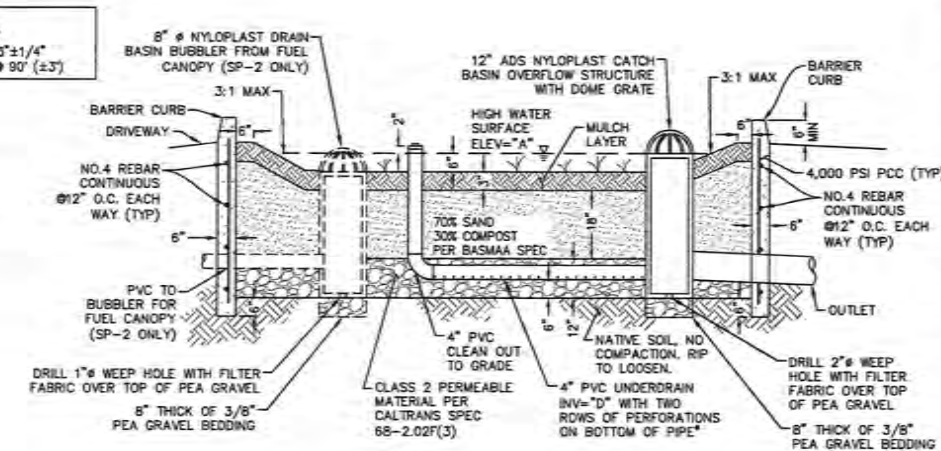
- LINER SHALL BE HDPE CONFORMING TO GEOSYNTHETIC RESEARCH INSTITUTE (GRI) GM13 OR LLDPE CONFORMING TO GRI GM 17.
- LINER SHALL LAY FLUSH WITH GROUND WITH NO AIR Voids BELOW THE LINER PRIOR TO BACKFILLING MATERIAL ABOVE THE LINER. CONTOUR THE SUBGRADE AS NEEDED TO ENSURE LINER LAYS FLUSH WITH GROUND.
- OVERLAP LINER PER MANUFACTURER'S RECOMMENDATIONS.
- ALL SEAMS SHALL BE WELDED PER MANUFACTURER'S RECOMMENDATIONS UNLESS OTHERWISE SPECIFIED.
- SECURE LINER CONTINUOUSLY WITH DOUBLE-SIDED TAPE ALONG LINER EDGE AND SINGLE SIDED TAPE ALONG THE TOP EDGE OF LINER TO HOLD LINER IN PLACE DURING BACKFILLING.
- TOP OF LINER TO BE AT LEAST 3" BELOW FINISH GRADE OF BIORETENTION SOIL EXCEPT WHEN ADJACENT TO BUILDING WALL WHEN ADJACENT TO BUILDING WALL, LINER OR EQUAL WATERPROOFING SHALL EXTEND TO TOP OF FREEBOARD ELEVATION.
- APPLY BUTYL MASTIC CAULK BATTEN STRIP AND NEOPRENE RUBBER PAD CONTINUOUSLY ALONG TOP EDGE OF LINER.
- APPLY BEAD OF POLYURETHANE ELASTOMERIC SEALANT CONTINUOUSLY ALONG TOP EDGE OF BATTEN STRIP ASSEMBLY.



**(1) BIORETENTION IMPERMEABLE LINER**  
NOT TO SCALE



**(B) BIO-RETENTION PLANTER TYP SECTION (BR-1, BR-2)**  
NOT TO SCALE



- NOTE:  
1. SEE LANDSCAPE PLANS FOR VEGETATION.  
2. PLANTING SURFACE SHALL BE LEVEL ACROSS PLANTER.  
3. SEE PLAN FOR LOCATIONS OF UNDERDRAIN PIPE, OVERFLOW DRAIN, AND OUTLET STRUCTURE.

**(A) BIO-RETENTION PLANTER TYP PROFILE (BR-1, BR-2)**  
NOT TO SCALE

REVISION	NO.	DATE	BY	APPR'D

**A U ENERGY, LLC**  
41805 ALBAE STREET,  
2ND FLOOR  
FREMONT, CA 94538  
CONTACT: SUNNY GOYAL  
PH: (510) 270-3411

**SHELL STATION**  
1833 4TH STREET  
SAN RAFAEL, CALIFORNIA 94901  
**PRELIMINARY STORMWATER QUALITY PLAN**

Drawing	Sheet
	C4
of	Total
	4

SHELL GAS STATION &  
 CONVENIENCE STORE  
 1833 4th STREET  
 SAN RAFAEL, CA 94901

ISSUED FOR CONSTRUCTION	
ISSUED FOR PLAN CHECK	
ISSUED FOR PLANNING	
NO. DATE DESCRIPTION	
LANDSCAPE PLAN	
PROJECT # 16-50716	
DRAWN BY	CHECKED BY
SCALE AS NOTED	DATE: 01-01-16

**PLANTING LEGEND**

Symbol	BOTANICAL NAME	COMMON NAME	H2O	SIZE
	LAG Lagerstroemia indica 'Muskogee'	Muskogee Grape	L	24" Box
	ARB Arbutus marina	Strawberry Tree	L	24" Box
	Ginkgo biloba 'Princeton Sentry'	Maldenhal Tree	M	24" Box

**Shrubs / Vines**  
 ESC Escalonia rubra Escalonia (Prune at 36" ht.) L 5 gallon  
 RHA Rhampholepis indica 'Spring Rapture' Indian Hawthorne (Prune at 36" ht.) L 5 gallon  
 GEL Geisemium sempervirens Carolina Jessamine L 1 gallon

**Bioswale**  
 BOU Bouteloua gracilis 'Blonde Ambition' Blonde Ambition Blue Grama L 1 gallon@36" oc (B)

**Ground Cover**  
 ROS Rosmarinus off. 'Huntington Carpet' Huntington Crpt, Rosemary L 1 gallon@30" oc  
 TAG\* Tagetes spp Marigold L 4" Pot 12" oc  
 GRA 3/4" Drain Rock 4" deep

\* Seasonal Annual Flowers - medium water use only

**Ground Cover**  
 ROS BOU TAG  
 GRA

**Shrubs / Vines**  
 RHA ESC GEL  
 Existing tree to remain  
 Existing tree to be removed

Maximum Applied Water Allowance

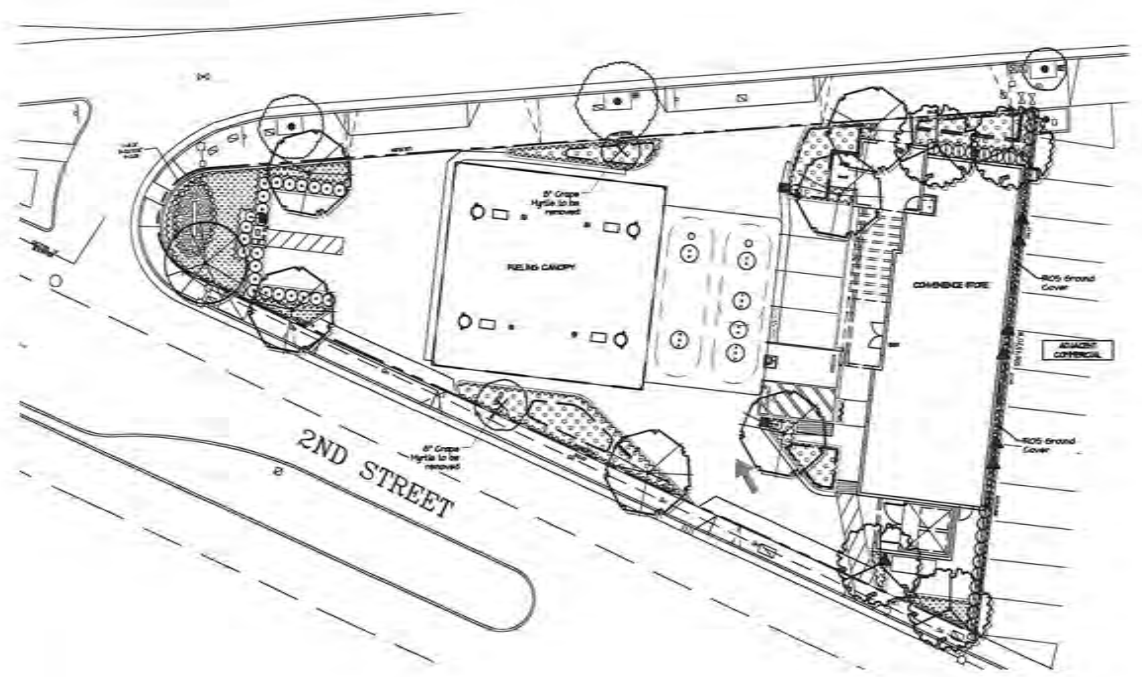
ETc X	T X	Req. S X	Gr. RSP	MAWA
0.45	2.524	0.82	25.260	

Estimated Total Water Use

Plant	ETc (1.062)	X	Req. S (HA)	ETWU
Water Use				
Low	22.2		181	18.216
Medium	22.2		225	4.981
High	22.2		0	0
Total				21.205

Proposed Landscape Water Use

Plant Type	H2O Use	Req. SF	Gallons	% of Land
Low	0.50	2,192	10,216	14%
Medium	0.60	887	4,981	34%
High	0.90	0	0	0%
Total		2,529	21,205	100%



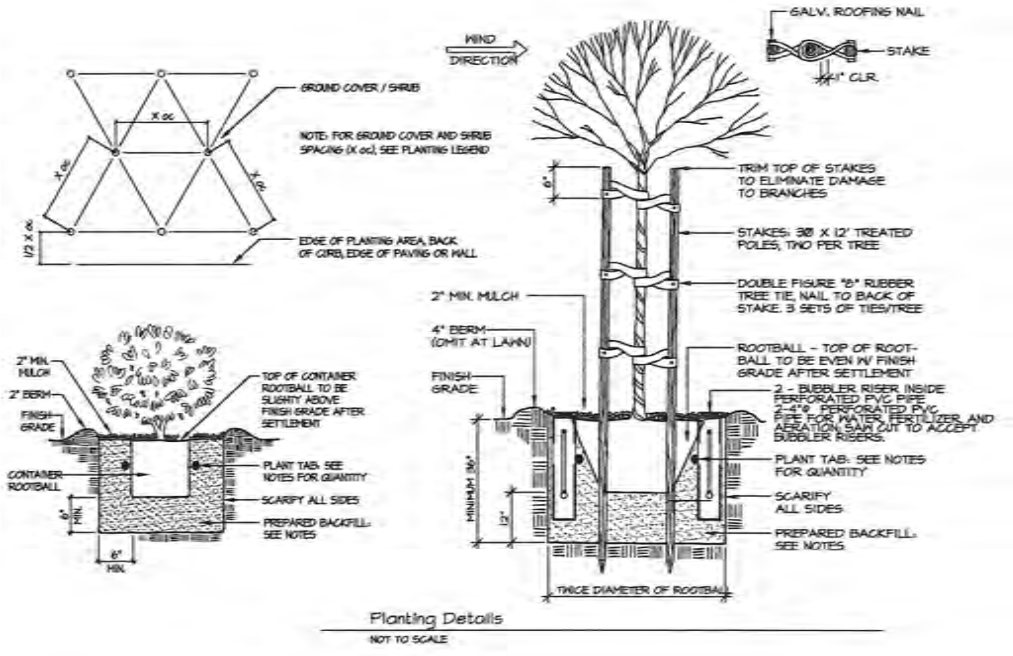
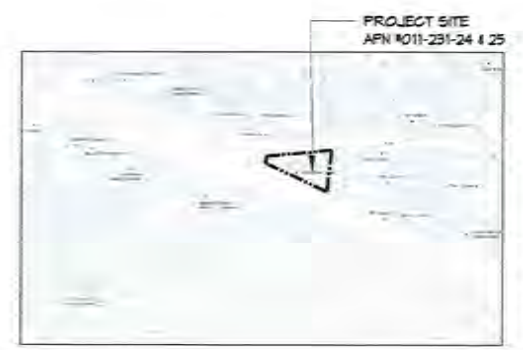
**1 PLANTING PLAN**  
 1" = 20'-0"



**PLANTING NOTES**

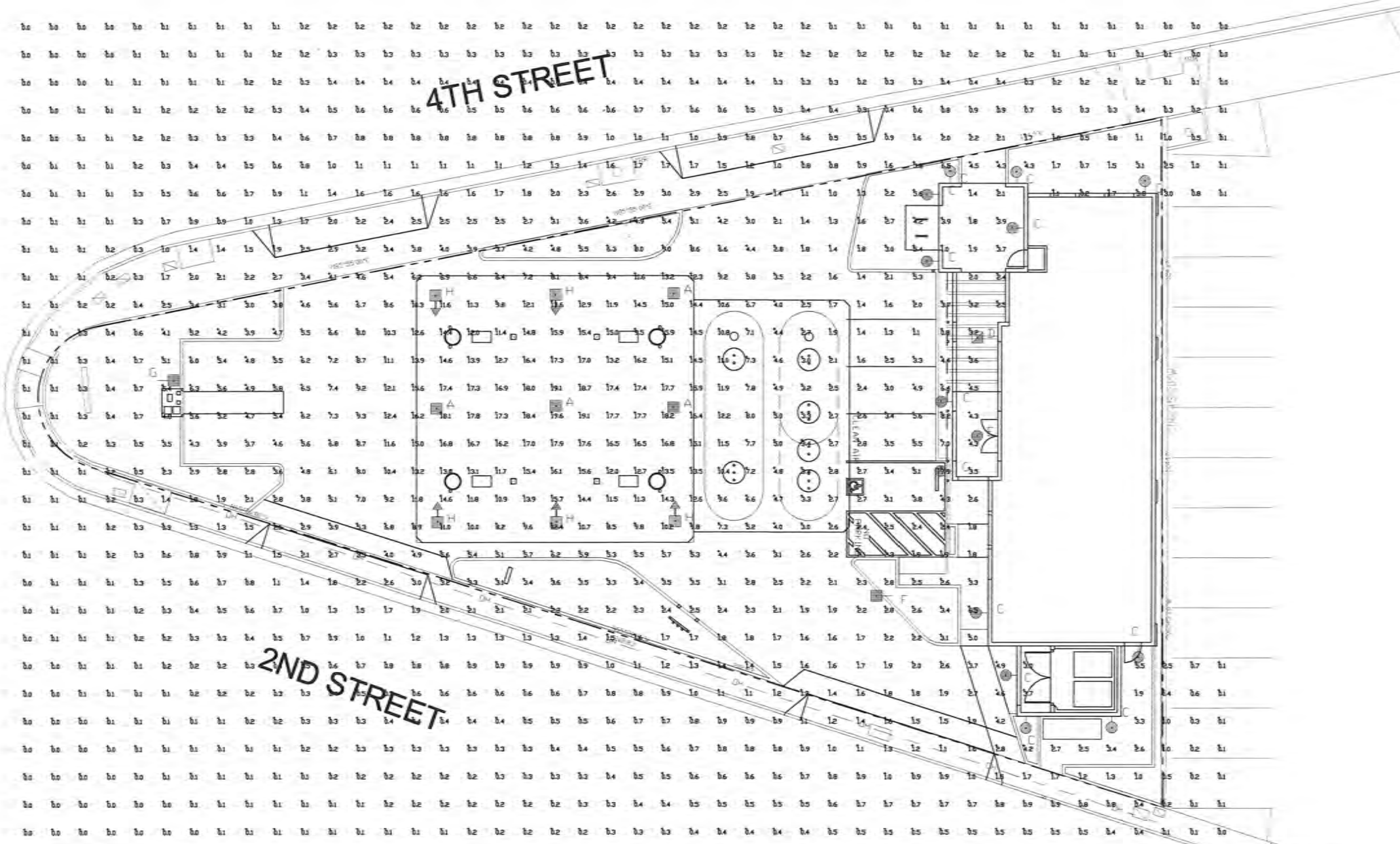
- All trees are to be staked as shown in the staking diagram per city requirement.
- Plant locations are to be adjusted as necessary to screen utilities but not block windows or impede access.
- All ground cover and shrub areas shall be top-dressed with a 3" layer of hardwood bark mulch.
- All ground cover planting will be placed no farther than 6" from edge of pavement, edge of header or back of curb. Spacing shall ensure full coverage in one year.
- There shall be no storing of material or equipment, permitting of any burning or operating or parking of equipment under branches of any existing plants to remain. If existing plants to remain are damaged during construction, the plants shall be replaced with the same species an size as those damaged.
- All plant material shall be nursery grown stock. All plant materials shall be tagged at the nursery at least 1 month prior to planting for the Landscape Architects review.
- Review layout of all landscape elements with the Landscape Architect prior to installation. Field modifications may be necessary. Final layout to be reviewed by the Landscape Architect.
- Written dimensions supersede scaled dimension. Measurements are from the wall face, back of curb, edge of walk, building wall, property line or center line as graphically indicated.
- All layout corners are at 90 degrees right angles unless otherwise indicated. All curves shown are segments of circles with noted radii or diameter if noted. Circles can be scaled and be connected by freeform curves.
- HERBICIDE APPLICATION: Herbicide shall not be used until all plant material has been planted a minimum of 20-days. All planting areas shall be kept weed-free by non-herbicide methods during this time period. Herbicide shall not be applied to any areas which are or have been seeded. Contractor must be licensed by the State and County for fertilizer application, and must have current registration on file with the County.
- Landscape shall be maintained in a manner to prevent landscaping from growing above 3' in height in the areas indicated in the plans as being located within a safety visibility triangle area.
- CERTIFICATION: Prior to occupancy, the Landscape Architect shall certify in writing in a manner acceptable to the Building Inspection Division, that the landscaping has been installed in accordance with all aspects of the approved landscape plans.
- A minimum of 8" of non-mechanically compacted soil shall be available for water absorption and root growth in planted areas. Incorporate compost or natural fertilizer into the soil to a minimum depth of 8" at a minimum rate of 6 cubic yards per 1000 square feet.
- All Plantings shall be automatically irrigated utilizing state of the art system, components and installation techniques.
- All details shall comply with city standard details.

**VICINITY MAP**



**Ciardella ASSOCIATES**  
 640 Meola Ave, Suite 10  
 Menlo Park, CA 94025  
 Tel 650 326 6100  
 F 650 285 4527  
 Urban Design cal@ciardella-associ.com

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CRUS



XLCS



AD



XPG3



LAD

Symbol	Qty	Label	Arrangement	Description	LLF	Lumens/Lamp	Arr. Lum. Lumens	Arr. Watts	BUG Rating
[Symbol]	4	A	SINGLE	CRUS-SC-LED-VLV-50 MTD @ 16'-4"	1.000	NA.	9055	60.9	B3-U0-G3
[Symbol]	13	C	SINGLE	AD150-10-WV-LED MTD @ 9'	1.000	NA.	700	11.4	B1-U1-G1
[Symbol]	1	D	SINGLE	XPG3-5-LED-50-350-CV-UE MTD @ 10' 5" DIMMED 40%	0.600	NA.	4718	56	B2-U0-G1
[Symbol]	1	E	SINGLE	LAD6-LED-14L-30-WF-TR6R-SF-HAZ MTD @ 17'-6"	1.000	NA.	1079	14	B1-U0-G0
[Symbol]	1	F	SINGLE	XLCS-5E-LED-SS-CV-SINGLE-18'POLE+2'BASE	1.000	NA.	8202	96.1	B3-U0-G2
[Symbol]	1	G	SINGLE	XLCS-FT-LED-SS-CV-HSS-SINGLE-18'POLE+2'BASE	1.000	NA.	9099	95.8	B1-U0-G2
[Symbol]	5	H	SINGLE	CRUS-AC-LED-VLV-50 MTD @ 16'-4" DIMMED 30%	0.700	NA.	7631	60.8	B2-U0-G2

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
ALL CALC POINTS	Illuminance	Fc	2.86	19.6	0.0	NA.	NA.
CANDPY	Illuminance	Fc	13.84	19.6	6.2	2.23	3.16
INSIDE CURB	Illuminance	Fc	4.39	12.4	1.0	4.39	12.40

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

This lighting plan represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in lamps/LEDs and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted. Fixture nomenclature noted does not include mounting hardware or poles. This drawing is for photometric evaluation purposes only and should not be used as a construction document or as a final document for ordering product.

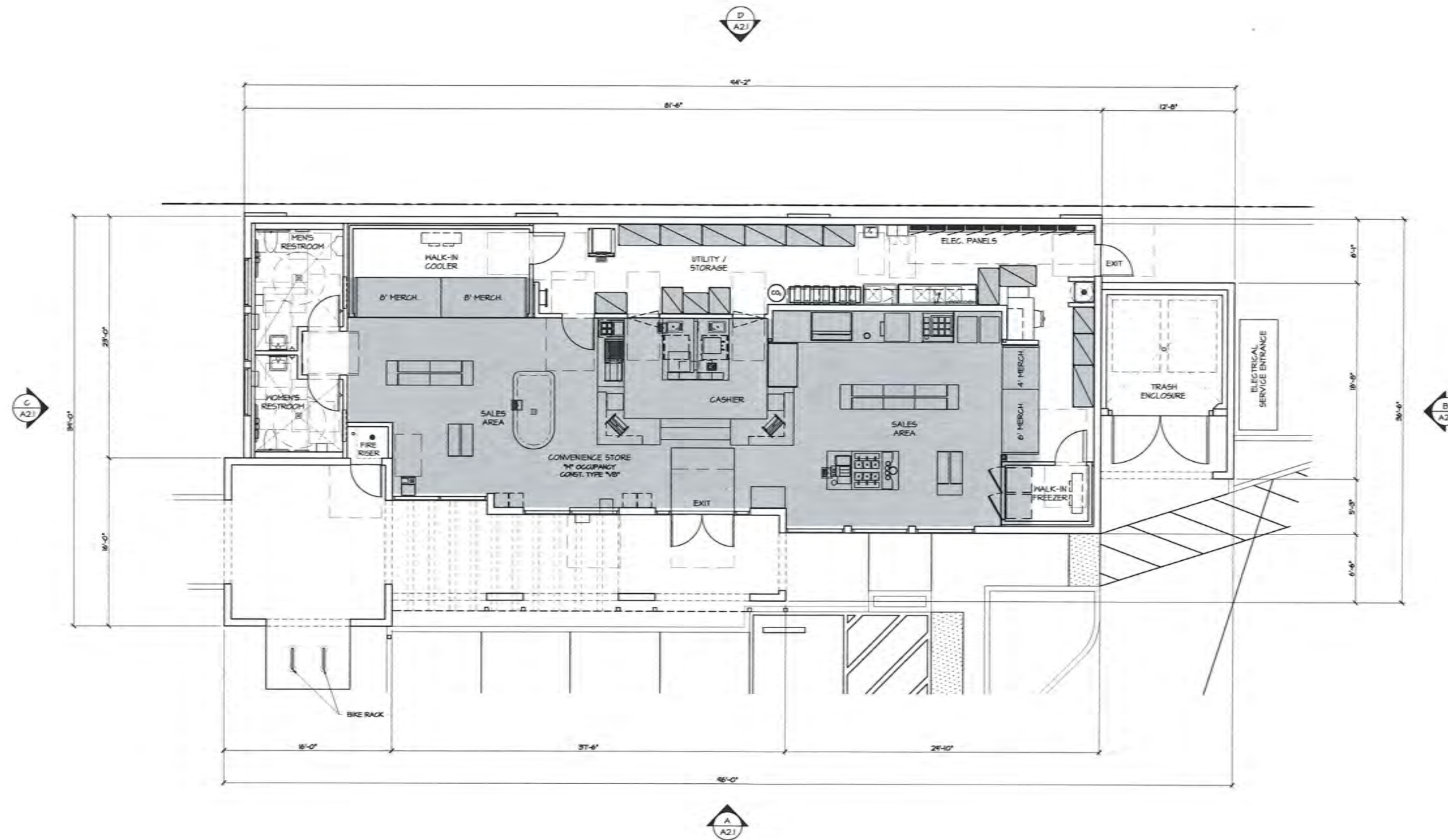
Total Project Watts  
Total Watts = 957,699

**SD1-L**



LIGHTING PROPOSAL		LD-138748-5A	
SHELL			
1833 4th STREET			
SAN RAFAEL, CA			
DATE	DATE	REV	SHEET
04/04/2017	07/17	04-18	1 OF 1
SCALE: 1"=10'		0 10	

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1 FLOOR PLAN  
3/16" = 1'-0"



MI Architects, Inc.  
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925-878-4875 Cell  
mthara@miarchitect.com  
www.miarchitect.com

NOT FOR  
CONSTRUCTION

SHELL GAS STATION &  
CONVENIENCE STORE  
1833 4th STREET  
SAN RAFAEL, CA 94901

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04-18-18	ISSUED FOR PLANNING

NO.	DATE	DESCRIPTION
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CONVENIENCE STORE  
FLOOR PLAN  
PROJECT # 16-5076  
DRAWN BY: [blank] CHECKED: MI  
SCALE: AS NOTED DATE: 10-25-18

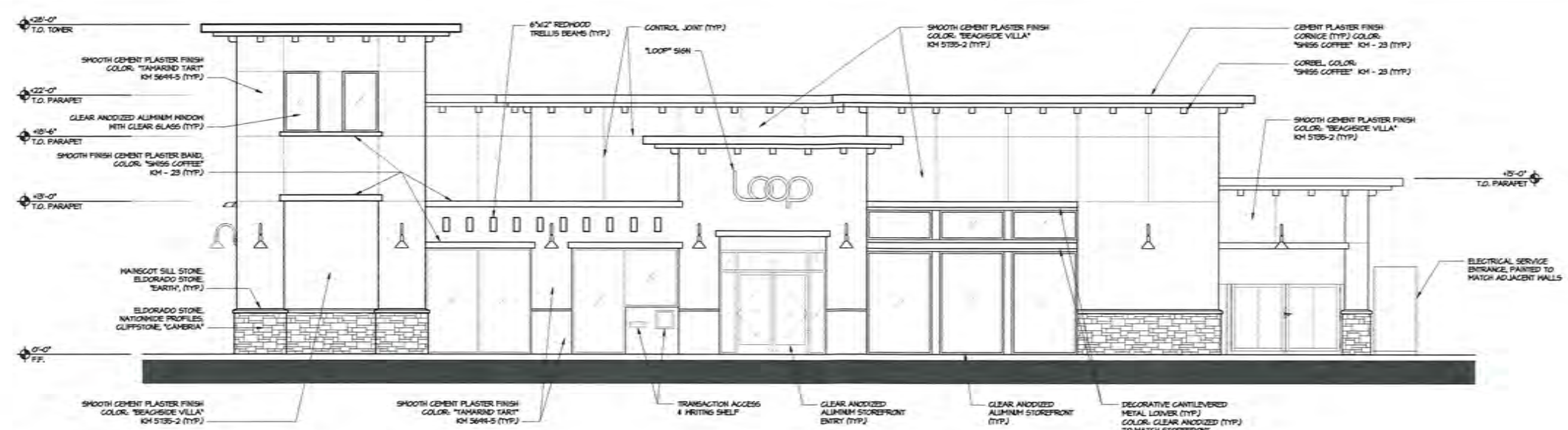
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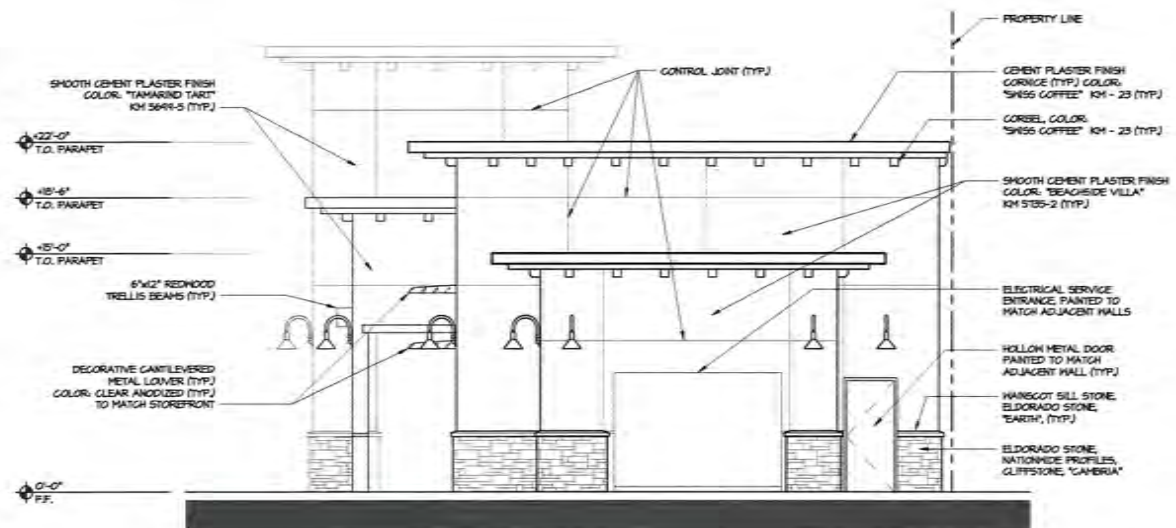
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 1888 4th STREET  
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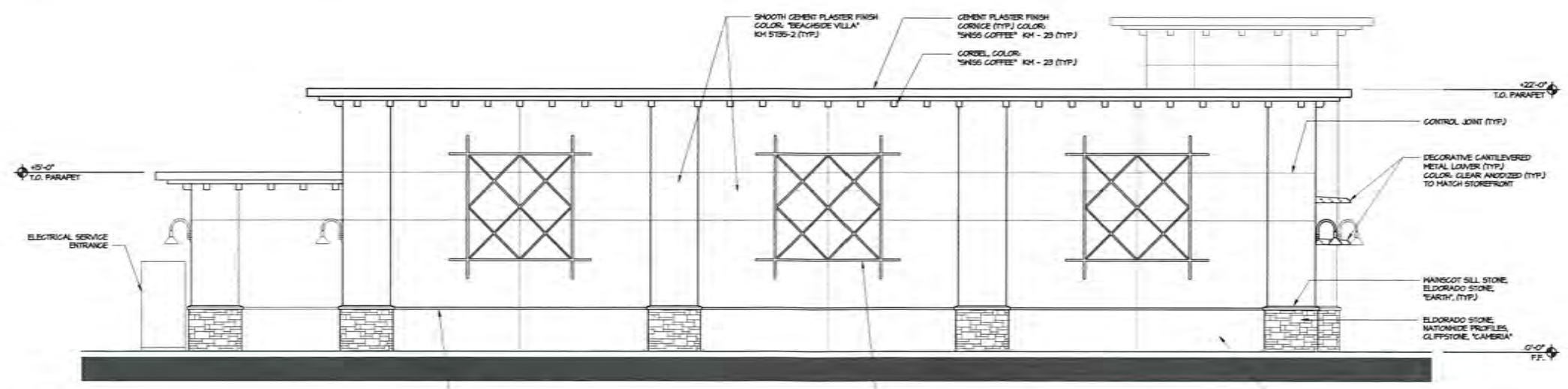
**A WEST ELEVATION**  
 3/16" = 1'-0"



**B SOUTH ELEVATION (2ND. STREET)**  
 3/16" = 1'-0"



**C NORTH ELEVATION (4TH STREET)**  
 3/16" = 1'-0"

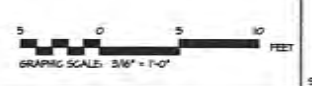


**D EAST ELEVATION**  
 3/16" = 1'-0"

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-	ISSUED FOR PLAN CHECK
04-04	ISSUED FOR PLANNING

NO.	DATE	DESCRIPTION

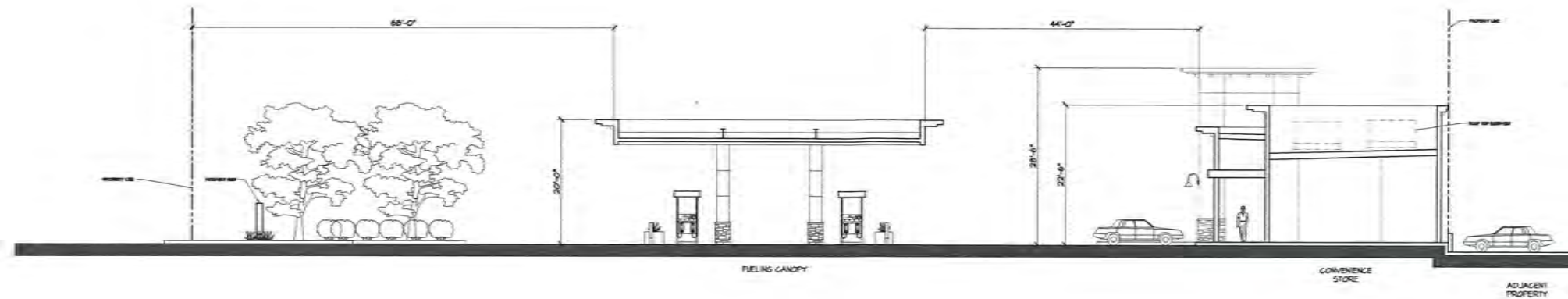
BUILDING ELEVATIONS	
PROJECT # 16-5076	
DRAWN BY	CHECKED: MI
SCALE: AS NOTED	DATE: 1-16-17



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**A SITE SECTION**  
 $3/32" = 1'-0"$

5 0 5 10 20 FEET  
 GRAPHIC SCALE:  $3/32" = 1'-0"$



**MI Architects, Inc.**  
 ARCHITECTURE  
 PLANNING  
 MANAGEMENT  
 DESIGN  
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 mthano@miarchitect.com  
 www.miarchitect.com

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**SHELL GAS STATION &  
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 06-08 ISSUED FOR PLANNING

NO.	DATE	DESCRIPTION
△		
△		
△		
△		

SITE SECTION  
 PROJECT # 16-5076  
 DRAWN: ESB CHECKED: MI  
 SCALE: AS NOTED DATE: 06-21-17

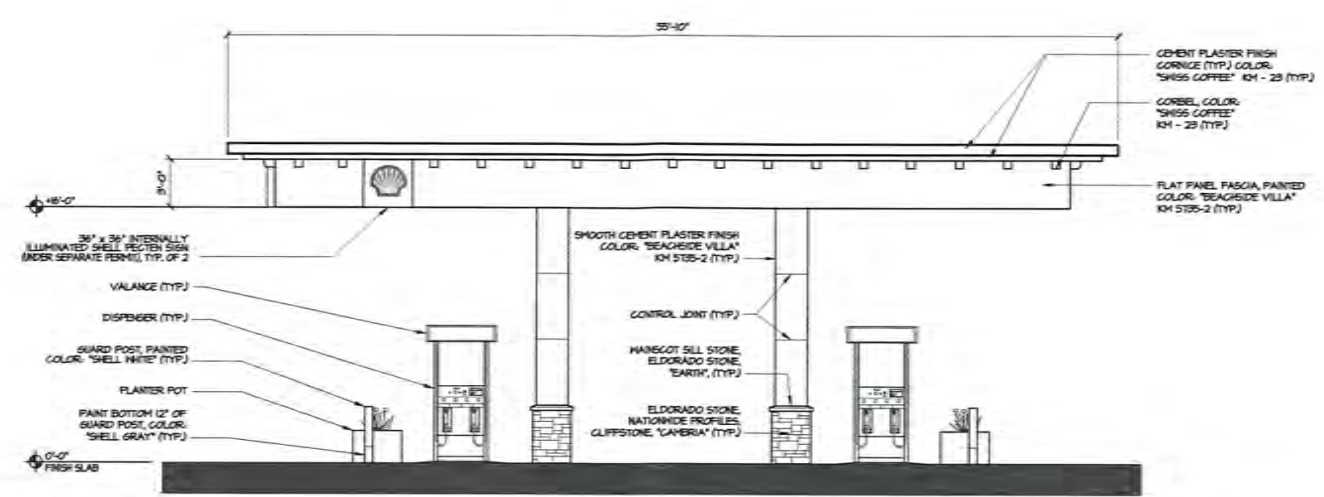
**A2.2**

SHEET OF

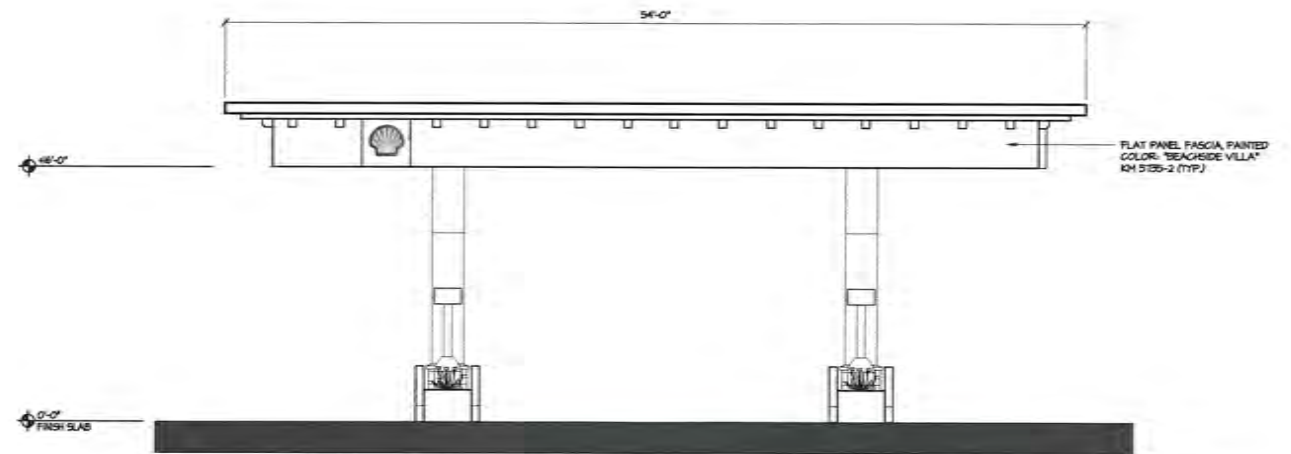
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**SHELL GAS STATION &  
 CONVENIENCE STORE**  
 1833 4th STREET  
 SAN RAFAEL, CA 94901

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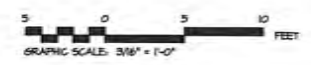


**A SOUTH ELEVATION**  
 3/16" = 1'-0"



**B WEST ELEVATION**  
 3/16" = 1'-0"

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04-08	ISSUED FOR PLANNING

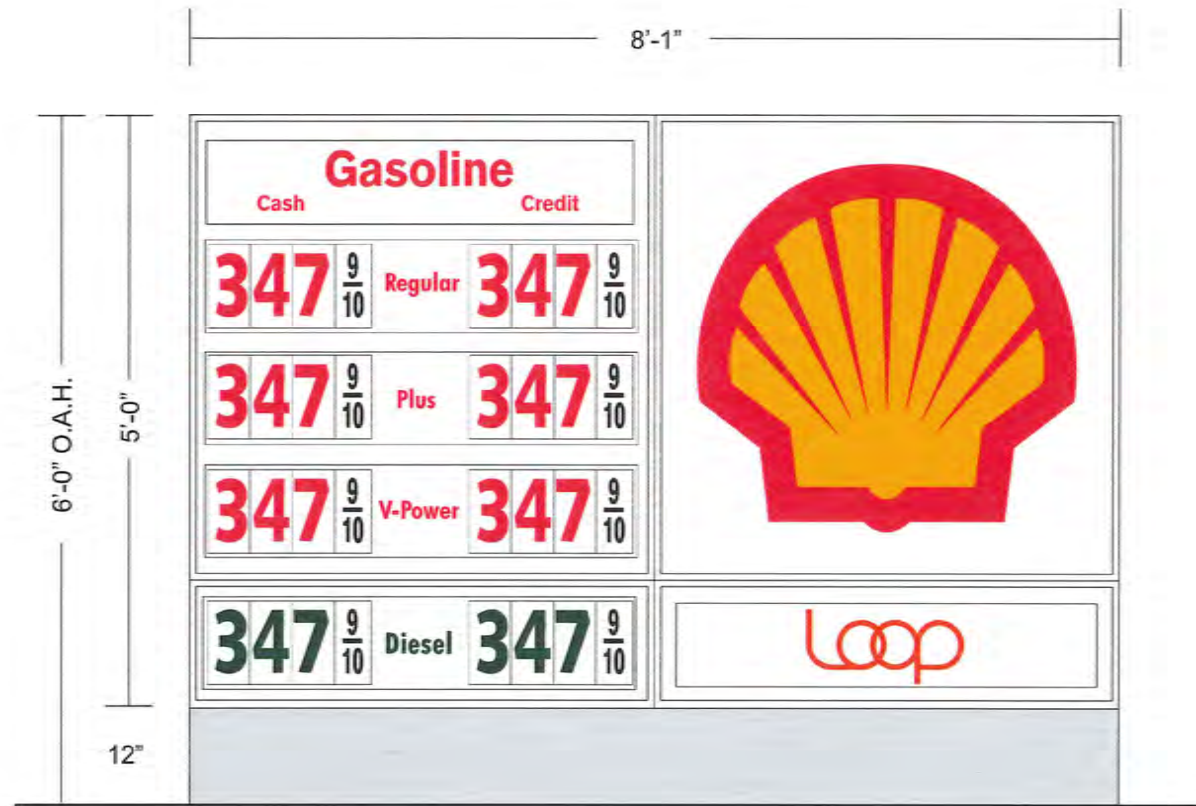
NO.	DATE	DESCRIPTION
△		
△		
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△		

CANOPY ELEVATIONS	
PROJECT #:	16-5076
DRAWN BY:	CHECKED: MI
SCALE: AS NOTED	DATE: 2-16-17

**CA1**

# Sign A - Monument Sign



SIGN SCHEDULE			
Sign	Qty	Description	sq.ft.
A	1	Existing D/F Monument Sign ( <i>reface</i> )	48.5
B, C	2	New Led Illuminated P/C Bldg Signs	21.1 ( <i>ea.</i> )
D, E	2	New Led Illuminated Fuel Canopy Signs	9 ( <i>ea.</i> )
F	1	New Non-Illuminated 2-Tier Price Sign	18
G	8	Fuel Pump Vinyl Logos (4"x4") (8 total)	.01 ( <i>ea.</i> )
total:			127.5

48.5 SQ. FT.

**Sign A: (reface)**  
Existing D/F Illuminated I.D./Fuel Monument Sign

**Scope of Work:**

order, receive, install new sign faces & fuel prices

FILE: shell san rafael 4th st.

Client Review Status

Revision

Date

Project Information

Date: 03-07-17

Job #00000

Page: 1 of 5

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per request	06-21-17 bam
per city comments	12-07-17 IL
	12-8-17 bam
	6-6-18 bam
	6-8-18 bam

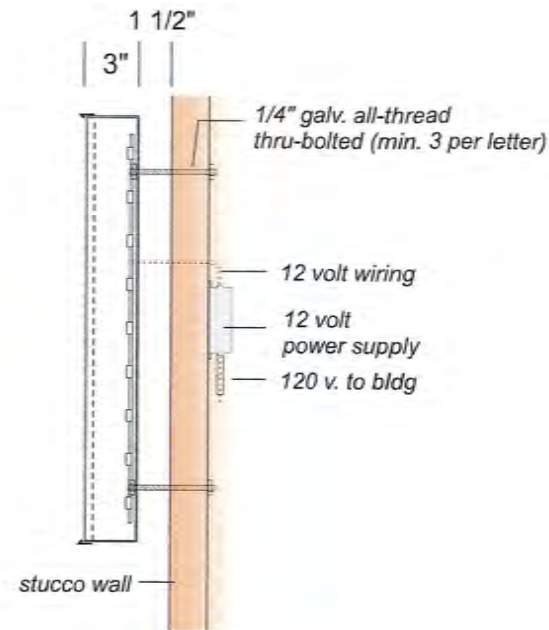
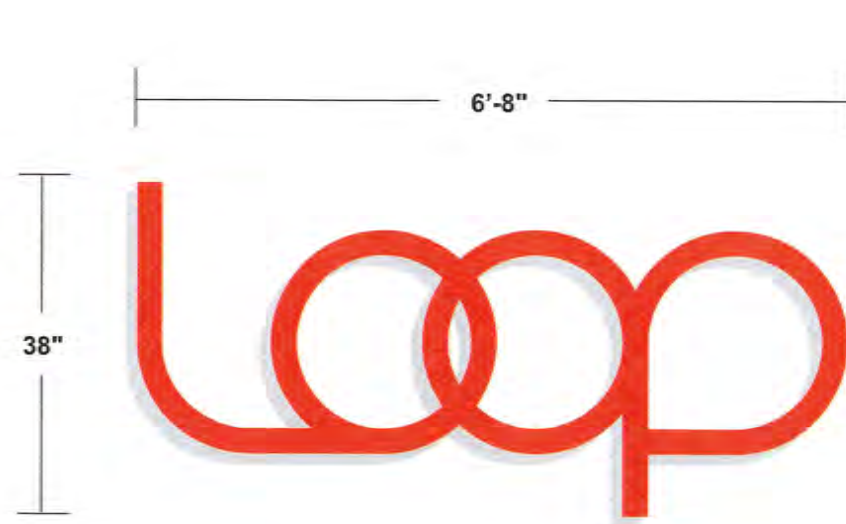
Client: Shell  
 Contact: \_\_\_\_\_  
 Address: 1833 4th Street  
 City/ST/Zip: San Rafael, CA  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 Sales: Brian Campbell Designer: BAM Release By: 00-00-00 IL

CLIENT APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_

LANDLORD APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_

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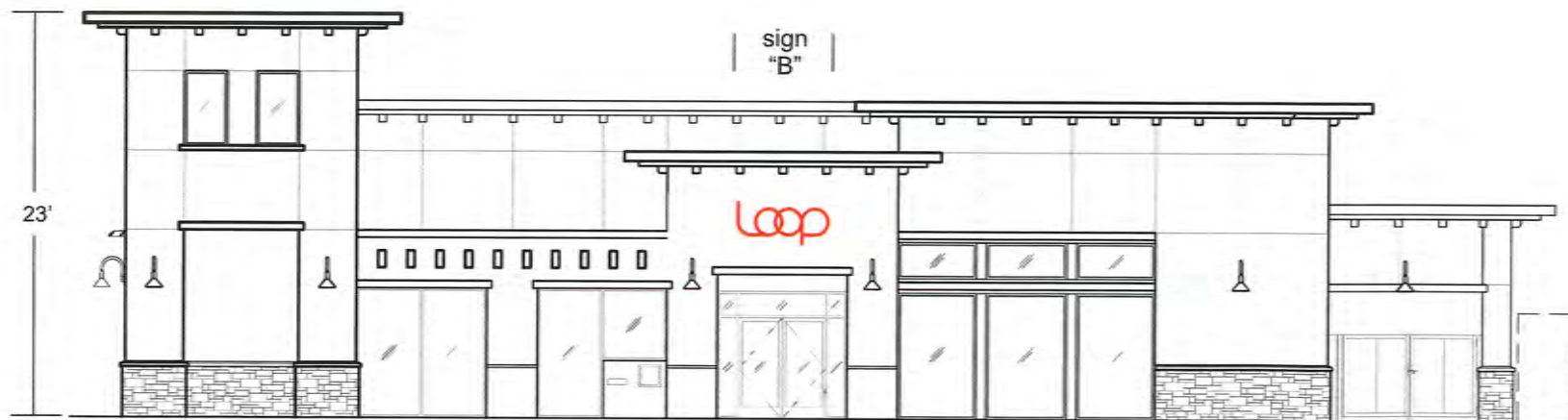
End View

21.1 SQ. FT. (ea.)

**Signs B & C:  
Face & Halo Led Illuminated P/C Sign**

**Scope of Work:**

mfg & install one (1) sign. white acrylic faces w/ orange vinyl overlay  
3" deep white returns & white 3/4" trimcap.  
ul approved white Led (face & halo) illumination  
peg-out sign 1 1/2" off bldg fascia



Building West Elevation



Building North Elevation

FILE: shell san rafael 4th st.

Client Review Status

Revision

Date

Project Information

Date: 03-07-17

Job #00000

Page: 2 of 5

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per city comments	12-07-17 IL

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 Address: 1833 4th Street  
 City/ST/Zip: San Rafael, CA  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 Sales: Brian Campbell Designer: BAM Release By: 00-00-00 IL

CLIENT APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_

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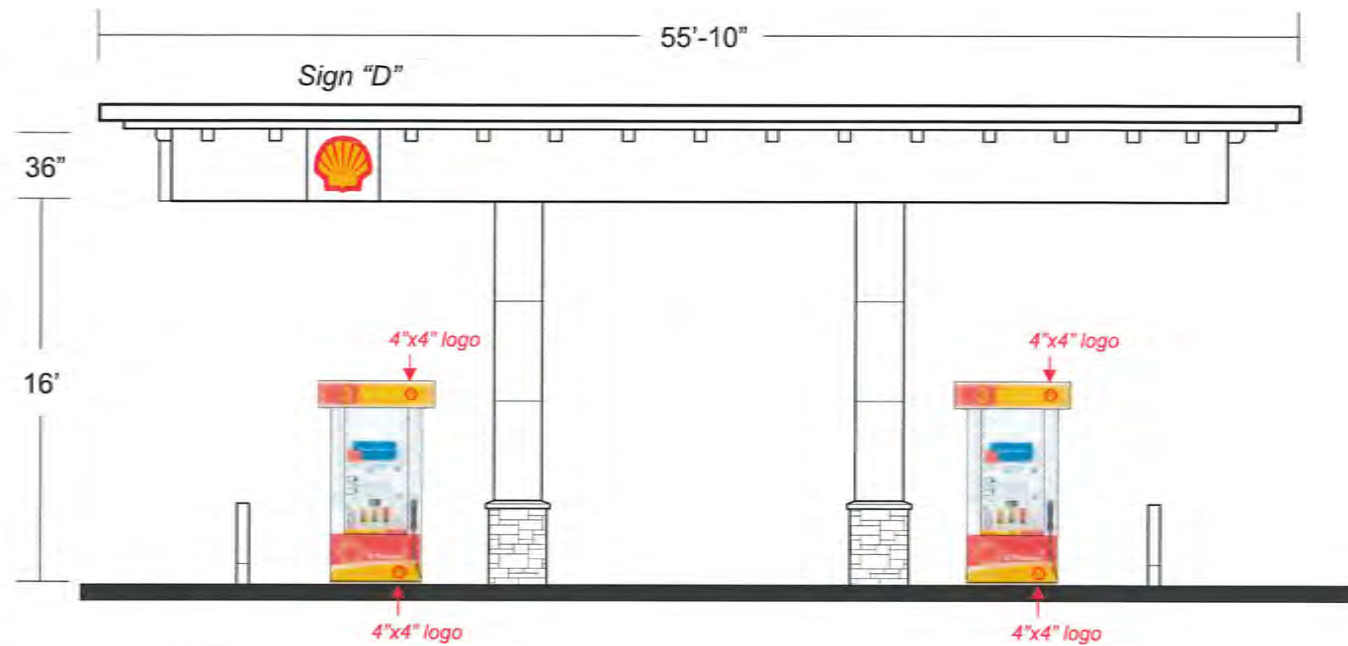
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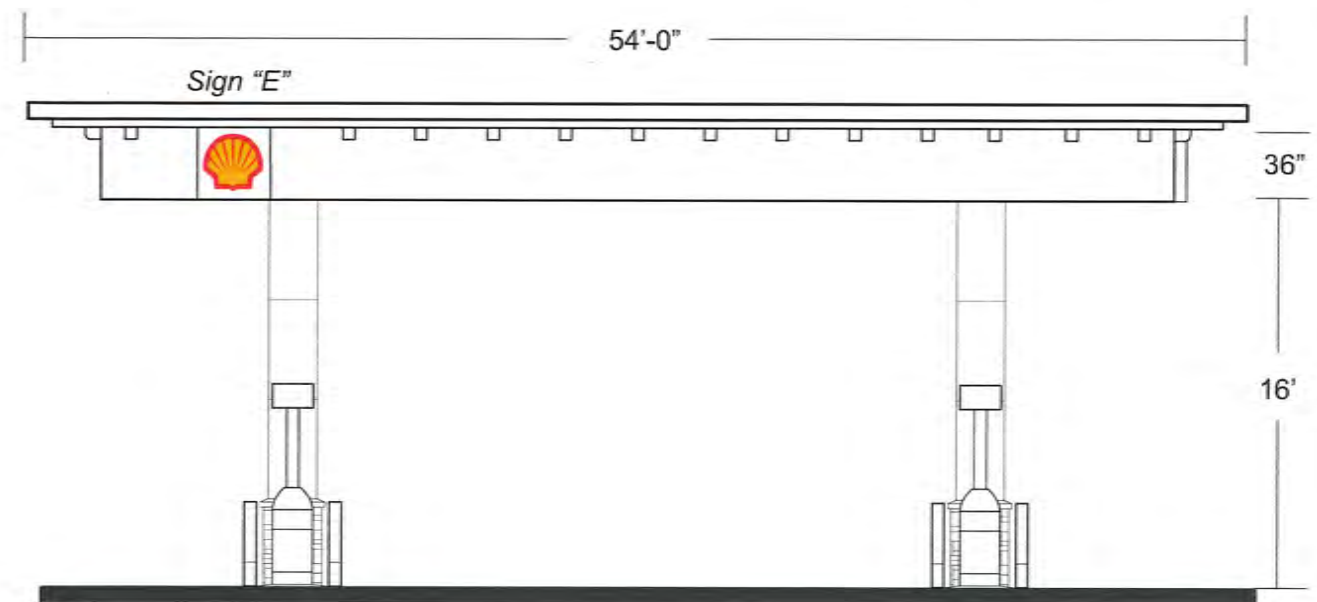
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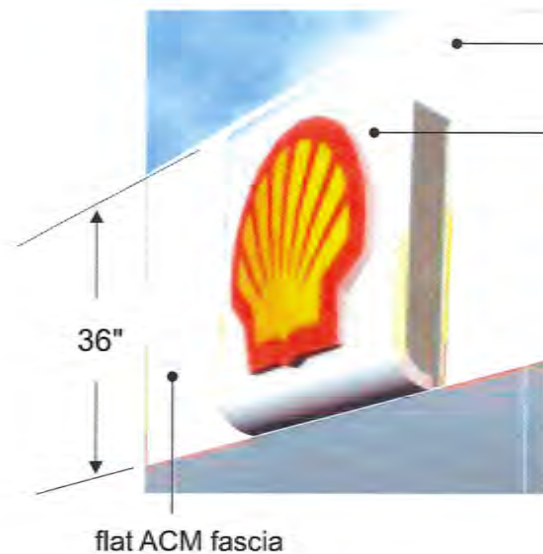
# Sign D & E - Canopy Sign



Fuel Canopy (south)



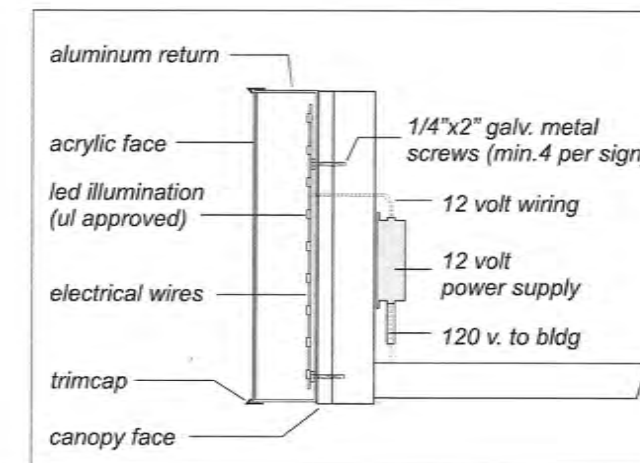
Fuel Canopy (west)



**9 SQ. FT. (ea.)**

**Signs D & E: (1 ea. req'd)  
Led Illuminated Pecten Logos**

**Scope of Work:**  
order - receive - install (total: 2 signs)  
reskin existing fascia(s) using "shell" colors



Shell Logo Mount Detail

FILE: shell san rafael 4th st.

Client Review Status

Revision

Date

Project Information

Date: 03-07-17

Job #00000

Page: 3 of 5

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	6-6-18 bam
	6-8-18 bam

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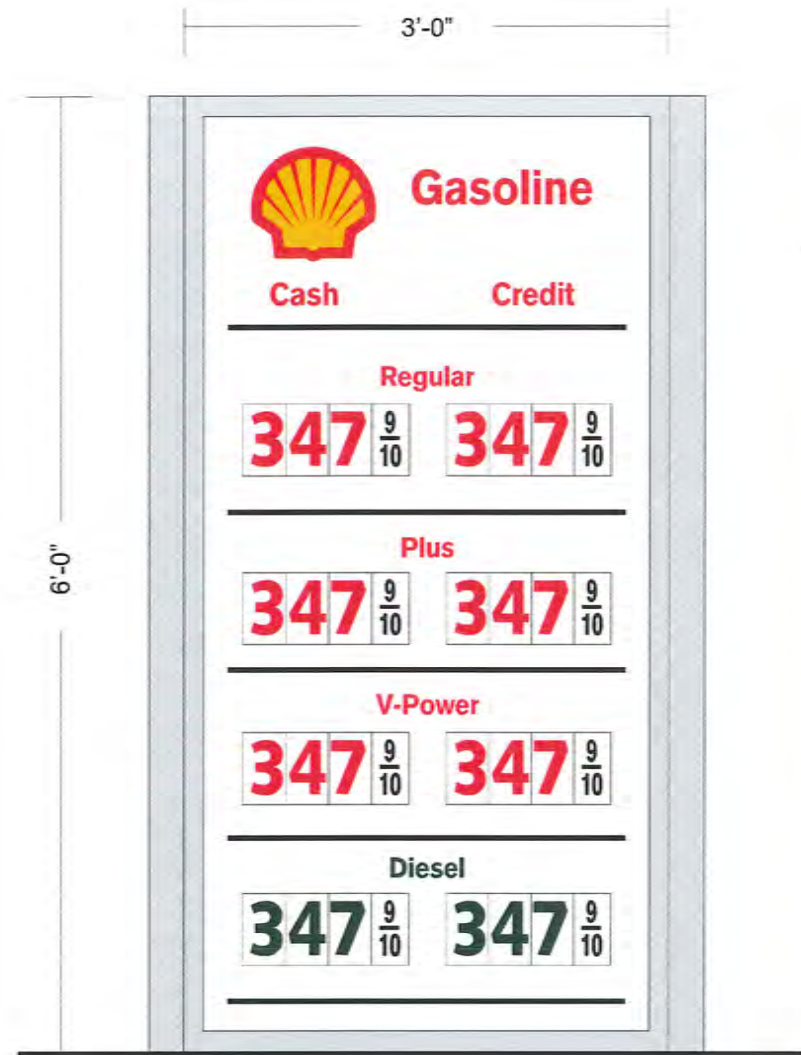
LANDLORD APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_

Client: Shell  
 Contact: \_\_\_\_\_  
 Address: 1833 4th Street  
 City/ST/Zip: San Rafael, CA  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 Sales: Brian Campbell Designer: BAM Release By: 00-00-00 IL

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Sign F - Price Sign



18 SQ. FT.

Sign F: (new)  
D/F Non-Illuminated 2-Tier Price Sign  
Scale: 1" = 1'-0"

SCOPE OF WORK:

order, receive & install  
provide base, j-bolts, footings & misc.

FILE: shell san rafael 4th st.

Client Review Status

Revision

Date

Project Information

Date: 03-07-17

Job #00000

Page: 4 of 5

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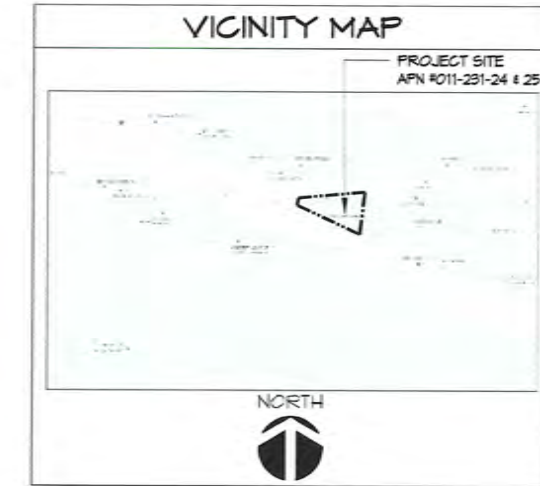
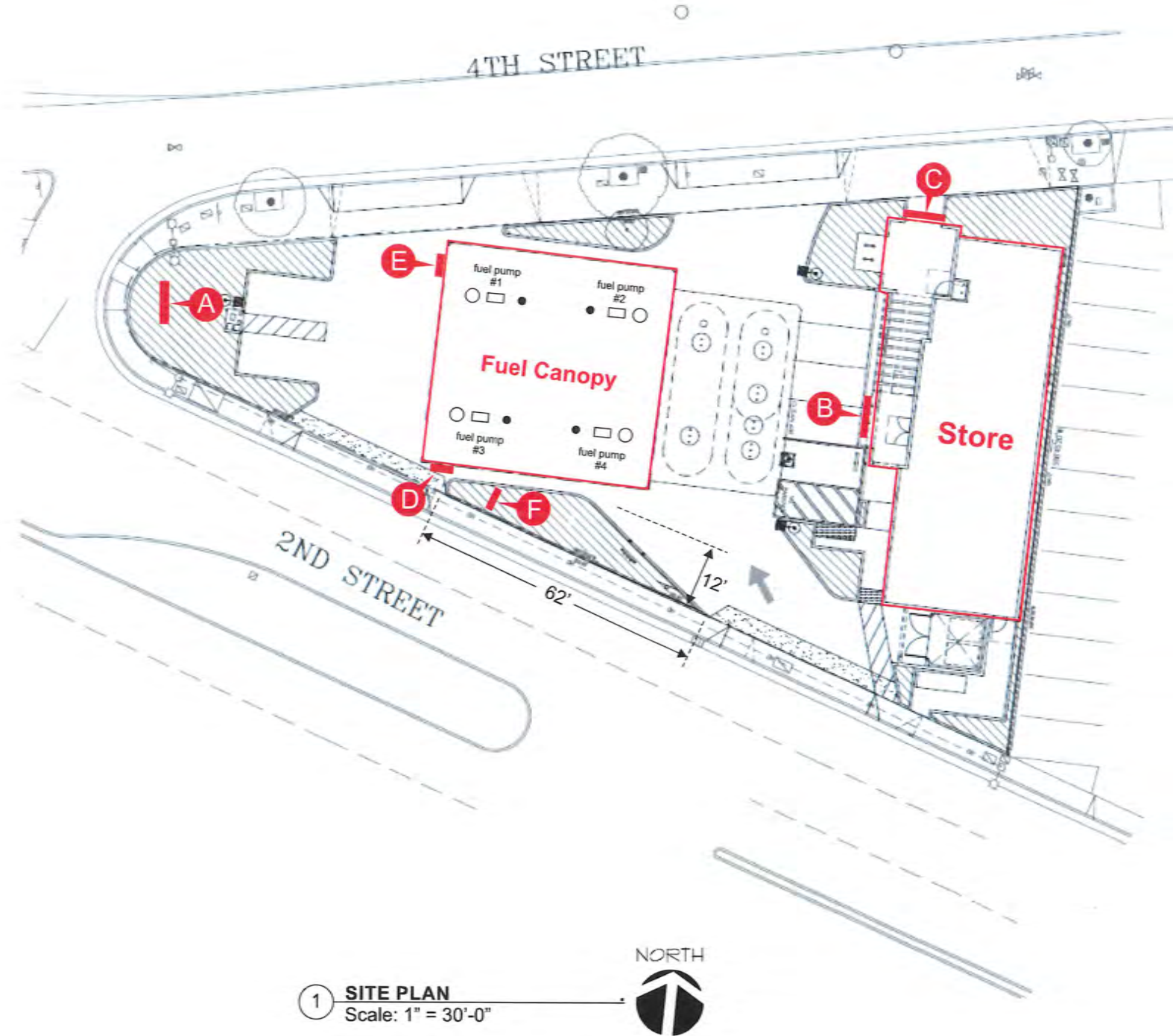
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1 SITE PLAN  
Scale: 1" = 30'-0"



FILE: shell san rafael 4th st.

Client Review Status

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Page: 5 of 5

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**SAN RAFAEL**  
THE CITY WITH A MISSION

Community Development Department – Planning Division

**Meeting Date:** November 13, 2018  
**Agenda Item:** 3  
**Case Numbers:** P18-010  
**Project Planner:** Paul Jensen  
415-485-5064

## REPORT TO PLANNING COMMISSION

### PRESENTATION ON AND DISCUSSION OF HOUSING TOPICS AND ISSUES

#### RECOMMENDATION

It is recommended that the Planning Commission accept the report.

#### BACKGROUND

On August 20, 2018, the Community Development Department presented an informational report to the City Council, which focused on the subject of housing. This informational report was prompted because housing covers many timely and critical issues. The informational report, which can be accessed [here](#) provides a summary of key topics and issues including: State-mandated housing laws (16 new laws passed in 2017); current housing policies and regulations; our housing stock, including our affordable housing inventory; accessory dwelling units; current housing development activity; short-term residential rentals; and the current rental housing market.

The City Council's August 20 discussion of this item can be viewed on streaming video [here](#).

As this report is informational, there was no staff recommendation for a formal action by the City Council. However, the Analysis section of the City Council report (page 15) provides a list of eight, specific topic areas that warrant special attention. In tandem with accepting the report, the City Council requested that staff bring forward the following four topic areas for further discussion:

1. Renters Rights and Rental Discrimination

This topic is discussed on pages 11 and 12 of the August 20 City Council report. It covers the current rental market in San Rafael as well as a range of strategies that are current and can be considered for policy making or regulation. These strategies include: source of income discrimination; mandatory mediation; just cause eviction; an economic evictions relocation fee; and rent control/stabilization. Some of these strategies have been adopted/implemented by the County of Marin and several other local jurisdictions.

On October 1, 2018, Andrew Hening, Director of Homeless Planning and Outreach presented the City Council with a draft ordinance addressing rental housing source of income. Now passed in the County of Marin and the Town of Fairfax, a source of income ordinance would prevent landlords from explicitly refusing to accept governmental funding (e.g., Housing Choice vouchers/section 8 vouchers) when posting rental vacancies. The draft ordinance prepared by staff mirrored the County of Marin ordinance, which also applies to accessory (Second) dwelling units (ADUs). The City Council was reluctant to apply the ordinance to ADUs as such units are often rented to family



members. It was requested that staff conduct a survey of the property owners that have approved and built ADUs to see if they would oppose application of this ordinance. The survey is currently being conducted. It is expected that the draft ordinance and results of the survey will return to the City Council on December 3, 2018. The October 1 City Council report can be accessed [here](#) and streaming video of this meeting can be viewed [here](#).

2. Short-term Residential Rentals

This topic is discussed on pages 12 and 13 of the August 20 City Council report. At present, the City does not regulate, enforce or tax short-term rentals. However, several years ago, the City Council directed staff to monitor short-term residential rental activity. Right now, the City has approximately 250 active, short-term residential rentals. Staff is completing a “white paper” on residential short-term rentals, which is expected to be finalized in the next month. The white paper, along with a report on options and approaches, will be presented to the City Council in early 2019.

3. “Obstacles and Barriers” to Approving and Building Housing.

The City Council acknowledged that housing projects are often faced with obstacles and barriers, which delay or impact the approval and construction of housing. The Council directed that staff research and bring forward a list of such obstacles and barriers, coupled with suggested measures and tools to overcome them. To date, staff has met with several local housing developers and housing advocates to get their perspective on obstacles and barriers. It is expected that staff will report back to the City Council in early 2019.

4. Aging Population Housing Strategies & Challenges.

The August 20 report includes compelling information about our aging population. As the City’s population continues to age, there is an increased demand for alternative housing options, including opportunities to age-in-place. In 2018, the City approved two new assisted living projects (Oakmont Assisted Living, 3773 Redwood Highway; Aegis Assisted Living, 800 Mission Avenue), which demonstrates that there is a market for this type of housing. However, assisted living projects are typically defined as non-residential development in that: a) the City receives no credit for meeting our Regional Housing Need Allocation (RHNA); and b) they have been required to pay the commercial linkage fee in lieu of providing inclusionary housing within the project. It is expected that staff will report back to the City Council in mid-2019.

Since the Planning Commission deals with many aspects of housing in its review and decision-making role, it was determined that the Commission should be afforded a presentation of the August 20 City Council report. It is recommended that the Planning Commission provide comments and suggestions on the above and/or other topic areas covered in the August 20 City Council report.