



## AGENDA

**SAN RAFAEL PLANNING COMMISSION  
REGULAR MEETING  
TUESDAY, February 12, 2019, 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 01/15/19

### **PUBLIC HEARING**

2. **1628 Fifth Avenue (Proposed Development Site) and 1634 Fifth Avenue (Site Ceding 745.5 sq. ft. for Lot Line Adjustment)** – Request for an Environmental and Design Review, Lot Line Adjustment, and Tentative Map to add 745.5 sq. ft. to an existing 9,800 sq. ft. vacant lot to construct a new 14,536 sq. ft., 9-unit multi-family residential project; APN: 011-193-06; High Density Residential (HR1.5) District; Vincent and Joseph O’Flynn, owners; Scott Myers for Crome Architecture, applicant; File Nos.: ED18-058, LLA18-004, & TS18-002. Project Planner: Alan Montes

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

- I. Next Meeting: February 26, 2019
- II. I, Anne Derrick, hereby certify that on Friday, February 8, 2019, I posted a notice of February 12, 2019 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, January 15, 2019



**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  
Barrett Schaefer  
Berenice Davidson  
Sarah Loughran  
Aldo Mercado  
Mark Lubamersky

Absent: Jeff Schoppert

Also Present: Raffi Boloyan, Planning Manager  
Caron Parker, Associate Planner

**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 12/11/18**

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

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

## PUBLIC HEARING

- 2. 104 Windward Way (Toyota of Marin) – Request(s) for Environmental and Design Review Permit and Use Permit to allow the storage of 150-160 Toyota vehicles on the existing 1-acre vacant lot, with a proposed 5-year lease. This is an expansion to and amendment of the previously approved adjacent Toyota storage lot approved by the Planning Commission in 2015 (UP15-033). The project also proposes to install seven (6) security lights (20 feet in height), an 8-foot high perimeter cyclone fence, and new landscaping around the perimeter of the property; APN: 009-330-01; Multifamily Residential (MR2) District; Universal Portfolio, Ltd, owner; Christian Oakes; applicant; File No(s): ED18-108/UP18-041. Project Planner: Caron Parker**

### Staff report

Mark Lubamersky moved and Barrett Schaefer seconded to adopt resolution approving project with one modification to Design Review Permit Condition of Approval #10 to add the following language to the end of the draft language:

*"During the 90-day review period, staff has the ability to modify lighting through requiring modifications to eliminate any hot spots, require investigation of motion sensor technologies to be added to the lights and requiring motion sensors on all lights, or require sensors on some lights, as deemed necessary to mitigate any off-site lighting impacts."*

The vote is as follows:

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

- 3. Annual Meeting of Planning Commission for 2019 to include: a) election of officers; and b) review of Planning Commission "Rules and Procedures"; and c) selection of liaisons to DRB meetings**

### Staff Report

Mark Lubamersky moved and Barrett Schaefer seconded to nominate Commissioner Loughran to serve as Chair and Commissioner Schoppert to serve as Vice Chair for 2019. The vote is as follows:

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

Aldo Mercado moved and Jack Robertson seconded to accept the current Rules and Procedures for 2019 with no changes. The vote is as follows:

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

PC Liaisons to the Design Review Board were selected for 2019

**DIRECTOR'S REPORT**

**COMMISSION COMMUNICATION**

**ADJOURNMENT**

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

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019

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



# SAN RAFAEL

THE CITY WITH A MISSION

Community Development Department – Planning Division

Meeting Date: February 12, 2019  
Agenda Item:  
Case Numbers: ED18-058, LLA18-004, & TS18-002  
Project Planner: Alan Montes, Assistant Planner – (415)485-3397

## REPORT TO PLANNING COMMISSION

**SUBJECT: 1628 Fifth Avenue (Proposed Development Site) and 1634 Fifth Avenue (Site Ceding 745.5 sq. ft. for Lot Line Adjustment)** – Request for an Environmental and Design Review, Lot Line Adjustment, and Tentative Map to add 745.5 sq. ft. to an existing 9,800 sq. ft. vacant lot to construct a new 14,536 sq. ft., 9-unit multi-family residential project; APN: 011-193-06; High Density Residential (HR1.5) District; Vincent and Joseph O’Flynn, owners; Scott Myers for Crome Architecture, applicant; File Nos.: ED18-058, LLA18-004, & TS18-002

### EXECUTIVE SUMMARY

The project proposes to increase a vacant 9,800 sq. ft. lot to 10,546.3 sq. ft. and develop a 9-unit, 14,546.3 sq. ft., condominium building with fifteen publicly screened parking spaces. This project was reviewed by the Design Review Board (Board) on three separate occasions, first as a Conceptual Review and twice as a formal Design Review application. During the design review process, the project was modified to create the current design, which the Board recommended for approval on January 8, 2019.

The main issues that have been raised by the public are that; 1) The development may impact the privacy and natural light of the adjacent neighbors; 2) The appropriateness of the design given the context of the neighborhood; and 3) The density is too much for the site.

Overall, the Board recommended approval of the project design, recognizing that the neighborhood is an eclectic mix and that the proposal has incorporated similar design elements of the neighborhood. Staff recommends approval with conditions as this project is a well-designed infill development project that is located on a designated housing opportunity site and complies with the development standards. This type of infill housing is desired in and around the Downtown and is what the General Plan 2020 envisioned for development in this area.

### RECOMMENDATION

It is recommended that the Planning Commission adopt the attached Draft Resolution (Exhibit 2) approving with conditions the Environmental and Design Review Permit, Lot Line Adjustment, and Tentative Subdivision Map for the new 9-unit multi-family residential project.

**PROPERTY FACTS**

Site Characteristics			
	General Plan Designation	Zoning Designation	Existing Land-Use
<b>Project Site (1628 Fifth):</b>	<b>High Density Residential (HDR)</b>	<b>High Density Residential (HR1.5)</b>	<b>Vacant</b>
North:	HDR	HR1.5	Apartment Building
South:	5/MR/O	5/MR/O	Office
East:	HDR	HR1.5	Single-Family Dwelling
West:	HDR	HR1.5	Single Family Dwelling

Lot Line Adjustment Summary			
1628 Fifth Lot Size		1634 Fifth Lot Size	
Required:	6,000 sf	Required:	6,000 sf
Existing:	9,800.8 sf	Existing:	7,772.4 sf
Proposed:	10,546.3 sf	Proposed:	7,026.9 sf
Min. Lot Width*		Min. Lot Width*	
Required:	60 feet	Required:	60 feet
Existing:	76.1 feet	Existing:	71 feet
Proposed:	82 feet	Proposed:	64.3 feet

\*Lot width means lot area divided by lot depth.

1628 Fifth Site Development Summary			
Height		Density or Floor Area	
Allowed:	36'	Allowed:	1,500 sf/dwelling unit (7 units)
Proposed:	30'	Proposed:	9 units (Including 2 Density Bonus Units)
Landscape Area		Setbacks	
Required:	50% of front yard landscaped	<u>Required</u>	<u>Proposed</u>
Proposed:	51.9%	Front:	15'
		Side:	5'
		Ped. Side	12'
		Rear:	5'
Maximum Lot Coverage		Usable Open Space	
Allow/Req:	60% (6,328 sf)	Required:	1,350 (150 sf usable open space/du)
Proposed:	59.9% (6,324 sf)	Proposed:	Total = 3,534 sf (The project proposes a 2,400 sq. ft. roof deck, eight 62 sq. ft. balconies and a 638 sq. ft. yard for the ground floor unit)
Parking			
Required = 15 spaces			
Proposed = 15 spaces			

**Site Description/Setting:**

The site, 1628 5<sup>th</sup> Ave., is a vacant level lot. The site was previously developed with a multi-family residential building that burned down several years ago. Introduced landscaping, a paved driveway and a curb cut that was part of the prior development still exists on the property. Along the property frontage is an approximately 5-foot wide landscape strip. The site is surrounded by developed residential lots. Directly west is a single-family building that has been used for commercial office uses but is in process of renovations and conversion back to a residential unit; to the north is a multi-family residential building; and to the east is a single-family residential building. Across the street, at 1623-1627 Fifth Avenue, is The Victorian Village; a designated historic district, consisting of four office buildings.

**BACKGROUND**

On November 30, 2017 a pre-application was submitted to the City requesting a subdivision of two assessment parcels (1634 and 1628 Fifth) into three substandard lots. The proposal included converting an existing building on 1634 Fifth to a single-family residence and to develop the two new parcels with a single-family dwelling on each lot. The City informed the applicant that pursuant to General Plan Policy H-14b development of multi-family housing sites should occur at the mid to high range zoning density and shall not be approved at below the minimum General Plan density. The site is also identified, in City's Housing Element-Appendix B, as a housing opportunity site with a development capacity of up to 9 units.

**PROJECT DESCRIPTION**

The project consists of three applications:

- 1) An Environmental and Design Review to construct a 9-unit multi-family structure.
- 2) A Lot Line Adjustment to add 745.5 sq. ft. to the existing 9,800 sq ft. vacant lot.
- 3) A Tentative map to create air space condominium units.

**Use:** The project consists of a single 30-foot tall, 14,536 sq. ft., 9-unit condominium building. The nine dwelling units would each contain two bedrooms. The building would consist of parking and an accessible unit on the first level. On the second and third story there will be four units on each floor. The roof would accommodate four private roof decks, one shared deck, five gas stub outs for grills, and landscaping.

The project is requesting a lot line adjustment to add 745.5 sq. ft. to 1628 Fifth Ave., from 1634 Fifth Ave. The resulting lots would meet the minimum lot area and minimum lot widths, as well as not creating any new nonconformities.

The project is requesting a tentative map to make the units for-sale units.

**Architecture:** The project proposes a contemporary craftsman design consisting of broken-up elevations on the upper levels and Hardie Shingle siding along the frontage. The applicant proposes a neutral colored building with traditional looking details and materials. The upper story units each have private balconies facing the rear and front of the building, while the ground floor unit has a private yard at ground level. The balcony railings consist of a combination metal and wood guardrails. Windows on the upper levels incorporate large expanses of glass consisting of large floor to ceiling. The side elevations incorporate smaller groupings of tall narrow windows.

**Site Plan:** The proposed structure is centrally located on the lot. The project proposes landscaping and pathways around the structure and parking on the ground level underneath the building. The project proposes to landscape 51.9% of the frontage, which meets the 50% front yard landscaping requirement. The project complies with the setback and lot coverage requirements.

**Affordable Housing and Density Bonus:**

The City's affordable housing ordinance requires the project to provide 10%, or one unit, of the seven base density units as affordable to low-income households (Below Market Rate). By complying with the City's affordable housing requirement of 10%, the project is entitled to a density bonus as prescribed by State law. The State Density Bonus entitles this project to a 26% density bonus, or two bonus units (above the maximum seven units allowed by the City's zoning regulations) and one concession to the City's development standards. The applicant has requested the two bonus units, as well as use of the concession to reduce the garage setback by 20%, or four feet, as allowed under the State Density Bonus law as their concession.

**Parking:**

The project proposes fifteen parking spaces, which conditionally complies with the parking requirement as outlined below.

Parking Obligation				
	Parking Ratio	Number of Units	Total parking required	Total Parking proposed
<i>2-Bedroom Units</i>	1.5 spaces per unit	9	13.5	13.5
<i>Guest Spaces</i>	1 per 5 units	9	1.8	1.8
<i>Total Spaces</i>			15.3*	15

The proposed parking configuration complies with the parking standards, except for SRMC Section 14.18.200 - location of parking and maneuvering areas, which prohibits parking or maneuvering areas in all required yards in the high-density residential district. The plans currently identify three parking spaces which overhang one-foot eight inches (1'-8") into the required side yard. Staff, in conjunction with Public Works, has found it appropriate to reduce the backup space for these spaces to 28'. It will also be necessary to slightly reduce the size of unit 1A to meet this requirement. Staff has added a condition of approval to the attached draft resolution requiring the applicant to revise the parking to conform to SRMC Section 14.18.200, prior to issuance of a building permit.

**Landscaping:** The applicant proposes approximately 606 square feet of landscaped front yard area. This includes two (2) Crepe Myrtles and a variety of shrubs and ground cover that would be located within this area. The applicant also proposes an additional 1,339 square feet of landscaping along the east elevation and an additional 713 square feet of rooftop landscaping.

**ANALYSIS**

**General Plan 2020 Consistency:**

The General Plan Land Use designation is High Density Residential (15-32 units per acre). The proposed project is consistent with the General Plan policies discussed in the attached General Plan Consistency Table (Exhibit 3). The density is within the allowed range density allowed for this site, Land Use Policy (LU-23), and is at the high-range of the density range as required by Housing Policy, H-14. The Housing Element-Appendix B identifies this site as a housing opportunity site with a maximum density of nine-units. The project is an in-fill housing project, which is encouraged in the downtown area of the City. The project would add one low-income affordable unit to the housing stock per Inclusionary Housing (Policy H-19).



**Zoning Ordinance Consistency:**

The project is consistent or conditionally consistent with the applicable sections of the Zoning Ordinance as described in the attached table (Exhibit 4). The Environmental and Design Review chapter has been evaluated separately, below.

The Zoning designation for the project site is HR1.5 (High Density Multifamily Residential). The use is permitted by right and the project complies with the development standards including; setbacks, density, lot size, lot width, height, landscaping, and useable outdoor space. The project is not requesting any exceptions or variances. However, the project is utilizing a concession granted through the Affordable Housing Requirement to reduce the garage setback by 20%, or four feet.

The project currently has two items which are conditioned in the Draft Resolution (Exhibit 2). The first issue is that portions of the eaves extend more than two feet into the required yards. Staff has discussed this issue with the applicant and Board and has found it appropriate to add a condition requiring the eaves to be revised to be consistent prior to building permit issuance. The second item is that parking spaces 6, 7, and 8 are encroaching one foot eight inches (1'-8") into the required yard. SRMC Section 14.18.200 prohibits parking and maneuvering in required yards. Public Works has determined that a 28' backup space would be sufficient for the parking spaces and Unit 1A will need to be slightly modified by one foot (1') to comply with the standards. Staff has added a condition of approval to the Draft Resolution (Exhibit 2) requiring the modification to occur prior to building permit issuance.

Chapter 25 – Environmental and Design Review Permit

The project was evaluated by staff and the Design Review Board for conformance with the review criteria identified in Chapter 25 of the Zoning Ordinance. This chapter states that the new structures should be harmoniously integrated in relation to both the specific site design and the architecture in the vicinity in terms of colors and materials, scale and building design. Specific architectural design considerations reviewed included, but were not limited to the following:

- *Creation of interest in the building elevation- particularly the G St. elevation*
- *Encouragement of natural materials and earth tone/wood tone color*
- *The project size/scale should be analyzed as to the appropriateness to the existing neighborhood scale*
- *Variation in building placement and height*
- *Equal attention to design of all facades*
- *Shadowing on recreational spaces on adjacent properties*
- *Landscape design*
- *Historic resources*

San Rafael Design Guidelines:

The San Rafael Design Guidelines are discretionary and intended to assist projects in achieving high quality design. Staff has presented the following Design Guidelines to the Board for their use in their review and recommendation of the project design:

- *Building Design:* *Where there is an existing pattern, particular attention should be given to maintaining consistent streetscape.*
- *Scale:* *Where necessary to replicate existing patterns or character of development, design techniques should be used to break up the volume of larger buildings into smaller units. Transitional elements, such as stepped facades, roof decks and architectural details that help merge larger buildings into an existing neighborhood should be used.*
- *Building Height:* *Adjacent buildings should be considered, and transitional elements included to minimize apparent height differences.*
- *Roof Shapes:* *Where possible, relate new roof form to those found in the area.*

- Building Entrances: Usable front porches, verandas or an overhead trellis can be used to define the primary entrance and to further define street the façade.
- Parking: Driveway curb cuts and widths should be minimized.

At the conclusion of the three DRB meetings on this project, the DRB recommended that the project was generally consistent with many of the design criteria of Section 14.25.050 of the Zoning Ordinance in that: 1) The dark shingles design is consistent with the neighboring architecture; 2) The scale and massing of the structure is significant, but appropriate given that the project is located in a neighborhood zoned high density and is within the Downtown Neighborhood; 3) The architecture for the development is a mixture of several materials to add interest to all building elevations; and 4) The front yard landscaping is consistent with other properties in the neighborhood. A detailed discussion of Findings for the design review approval is on Page 2 of the attached Draft Resolution (Exhibit 2).

With respect to historic resources, the project design had been directed by the DRB to utilize exterior building materials that are harmonious with the building materials used in other older structures in the neighborhood. There are a variety of historic styles in the vicinity so there is no one style that would match every building. The goal of Section 14.25.050F is to promote projects that are "sensitive to and compatible with historic and architecturally significant buildings in the vicinity" and to do this by integrating a design style that flows with the existing architectural varieties and avoid creating a design that is out of character with the designs already in the neighborhood. The use of shingles and cornice and corbels helps the project relate to the existing variety of historic styles

#### **Subdivision Ordinance Consistency:**

Tentative Map Findings for approval pursuant to SRMC Section 15.02.080 are detailed in the attached Draft Resolution (Exhibit 2). The proposed project is in conformance with the San Rafael Subdivision Ordinance (Title 15) in that it is consistent with findings and procedural requirements of the Subdivision Ordinance as detailed in the attached Subdivision Ordinance Consistency Table (Exhibit 5), with the exception to create a recreation center or community center. Section 15.12.030 states the following:

*"Recreational facilities, residential condominiums: All residential condominium projects shall be designed to include the following recreational facilities: a) community center or recreational buildings within the development; b) bicycle and pedestrian paths; and c) common areas for outdoor, active and passive recreation in central locations throughout the development."*

There is a provision for smaller projects to reduce or waive these requirements based on development size, location and physical property conditions. The applicant has requested a waiver of these requirements (Exhibit 9) based on the small size of the lot and the inability to provide a room dedicated exclusively as a recreation room. Staff supports the requested waiver on the basis that the project exceeds the development standard for private and common usable open space on the project site, thereby mitigating the need to a dedicated recreation room. The zoning ordinance requires 150 square feet of private/common open space per unit in the HR1.5 zoning district. For the project site, that would be a total of 1,350 square feet. The project is proposing a total of 3,534 square feet of private/common open space, including the private and common rooftop decks. In addition, this requirement has commonly been waived for downtown projects of this small size. Findings for staff support of the waiver, pursuant to SRMC Section 15.01.120 are detailed in the attached Draft Resolution (Exhibit 2). The lot line adjustment is consistent with the Zoning Ordinance and General Plan in that the lots will maintain adequate lot widths, building setbacks, lot coverage and density as required in the HR-1.5 Zoning District.

#### **DESIGN REVIEW BOARD RECOMMENDATION**

Staff has provided a summary of the three Design Review Board meetings that occurred on this project. No written minutes are taken at the City's public meetings. However, actual video recordings of the meetings are available through a video link on the City of San Rafael website,

[www.cityofsanrafael.org/meetings](http://www.cityofsanrafael.org/meetings). Click on the Design Review Board video link for each of the desired hearing dates.

The project was initially reviewed as a Conceptual Design Review on May 8, 2018 (Commissioner Loughran as liaison). The Board provided the applicant with the following feedback; 1) The design may be too modern given the existing adjacent architectural styles; 2) The building needs more articulation; and 3) There needs to be more trees.

The project returned for the formal review on December 4, 2018 (Commissioner Schaefer as liaison). The applicant made the following revisions to the plans; 1) Modified the frontage by changing the façade materials, adding Hardie-Shingle siding and more articulation by breaking up the massing. These changes have modified the architectural style changing it from modern to "contemporary craftsman"; and 2) The landscaping increased through the addition of two (2) crape myrtles along the frontage and one (1) crape myrtle along the side yard. The Board found the revisions consistent with their initial recommendations, but requested the following revisions return on consent with a 4-1-1 vote. Board Member Kent was the only opposition vote to the project stating that it was too large and out of context with the surrounding neighborhood and Board Member Summers was absent. The consent items were as follows: 1) Extend or project out the top band to create a wide eave around the building; 2) Create a better sense of entry or portal to the residences; 3) Greater articulation is needed generally, including more refinement with the color scheme (darker base, lighter upper floors), adding landscape trellis features to the building recessions, replace wood flooring on the roof deck with a non-combustible material like tile.

On January 8, 2019 (Commissioner Lubamersky as liaison) the project returned to the DRB having incorporated the Board's recommendations by; 1) Extending the eave two-foot four-inch (2'4") eave around a majority of the building; 2) Including eight-foot six-inch steel trellis along the southeast corner; 3) Changing the base color of the building to a darker color; 4) Adding trellises along the front recessions to allow vines to climb; and 5) Revising the roof deck flooring from IPE hardwood to tile. The item was taken off consent and discussed but was approved as presented with a 3-1-1 vote, with Board Member Kent voting "nay" and Board Member Paul absent.

## **ENVIRONMENTAL DETERMINATION**

Pursuant to the California Environmental Quality Act (CEQA), an environmental review is required to evaluate the environmental impacts of the proposed project. Staff has determined that this project is exempt per Article 19 Categorical Exemptions, Section 15332 (Infill Development) and Section 15305 (Minor Alterations in Land Use Limitations) given that: a) the project is consistent with the General Plan and Zoning Ordinance designation for the site which allows residential uses at the proposed density; b) the site is 0.242 acres, less than 5 acre threshold, and is an infill site located in an urban area that is surrounded by development on sides; c) the entire site has been formerly graded and developed and there are no known endangered, rare or threatened species on the site or in the immediate surroundings (See Exhibit 38 of the San Rafael General Plan 2020); d) the project has been reviewed by the City's Traffic Division and determined to result in 9 additional peak hour trips (4 in the AM peak hour and 5 in the PM peak hour) and determined to have no impact on LOS in the area; e) all utility agencies have indicated that they can provide required services to the new development; and f) the minor lot line adjustment along the west side yard will not result in the creation of a new parcel.

## **CORRESPONDENCE**

Notice of this hearing before the Planning Commission (along with the prior DRB meetings) have been conducted in accordance with noticing requirements contained in Chapter 29 of the Zoning Ordinance. Notice of the public meetings before the DRB as well as this public hearing before the Commission was mailed to all property owners and occupants within a 300-foot radius of the site, the appropriate

neighborhood groups (Sun Valley Neighborhood Association and the Downtown Business Improvement District), and all interested parties at least 15 calendar days prior to the date of the public hearing.

Copies all written correspondence received throughout the public hearing process (including the conceptual design review) are attached as Exhibit 9. Much of the public input about this project was generated during the DRB review process. At the time of the preparation of this report, staff has only received written comment from two parties in opposition to the project. The residents who expressed concern focused on: 1) The five (5) foot setback is not enough separation from the property line; 2) Loss of privacy and natural light; 3) The design is out of character in that it's urban and not suburban; and 4) There's not enough parking for the project. Any additional public comments received after production of this report will be forwarded to the Commission under separate cover.

## CONCLUSION

This project would provide a beneficial use to the City and would further many of the City's housing goals and policies. The project would add a significant amount of new housing units, including one affordable unit, on an infill site located near employment. Furthermore, the project complies with all the development standards and land use regulations for the site's High-Density Residential Zoning and General Plan Land use designation, as conditioned, (with the State-mandated density bonus and parking rates for affordable housing project) The Design Review Board has reviewed the project and determined that it was well designed and expressed its support of the proposed project as re-designed and has put forth a recommendation to approve the project. Therefore, staff recommends that the Commission conditionally approve the project as conditioned.

## OPTIONS

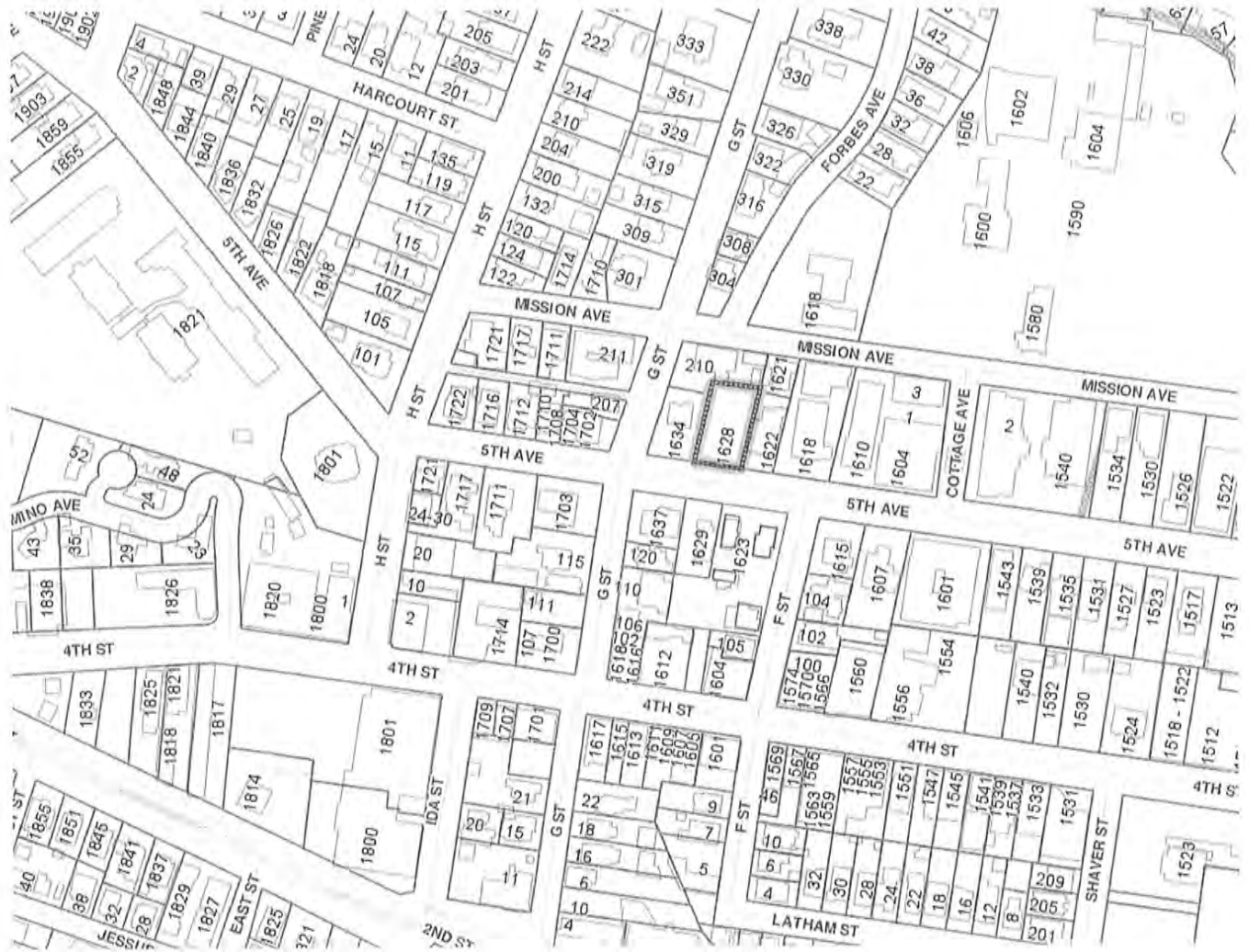
The Planning Commission has the following options:

1. Approve the applications as presented and conditioned (*staff recommendation*);
2. Approve the applications 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; or
4. Deny the project and direct staff to return with a revised Resolution.

## EXHIBITS

1. Vicinity/Location Map
2. Draft Resolution(s)
3. General Plan Consistency Table
4. Zoning Ordinance Consistency Table
5. Subdivision Ordinance Consistency Table
6. Geotechnical Investigation Report
7. Storm Water Control plan
8. Public Correspondence
9. Applicant's Subdivision Waiver Request
10. Reduced Plans

Exhibit 1 Vicinity Map



**RESOLUTION NO. 18-**

**RESOLUTION OF THE CITY OF SAN RAFAEL PLANNING COMMISSION  
CONDITIONALLY APPROVING AN ENVIRONMENTAL AND DESIGN REVIEW  
PERMIT (ED18-058), LOT LINE ADJUSTMENT (LLA18-004), TENTATIVE  
SUBDIVISION MAP (TS18-002) FOR THE CONSTRUCTION OF A 9-UNIT  
RESIDENTIAL CONDOMINIUM BUILDING AT 1628 FIFTH STREET  
(APN: 011-193-06)**

**WHEREAS**, on March 22, 2018, Scott Myers, of Crome Architecture, project applicant, submitted an application for Conceptual Design Review (CDR18-001) for an 8-unit townhome development on a 10,000 square foot lot; and

**WHEREAS**, on May 8, 2018, the Design Review Board (DRB) held a duly noticed meeting and reviewed the conceptual design proposed and recommended design changes, including, but not limited to modifying the architectural style to fit into the neighborhood, adding more articulation along the frontage, and providing more trees; and

**WHEREAS**, on July 5, 2018, Scott Myers, project applicant, submitted a formal application for a 9-unit condominium building, which includes a Design Review Permit (ED18-058), Lot Line Adjustment (LLA 18-004), and a Tentative Map (TS18-002) to the City of San Rafael's Planning Division; and

**WHEREAS**, on November 16, 2018, the City had deemed applications complete and ready for formal processing; and

**WHEREAS**, on December 4, 2018, the DRB held a duly-noticed meeting and made recommendations for project to extend the eave around the building, create a more defined sense of entry, darkening the colors on the base of the building, and adding trellis features to the recessions along the frontage, and

**WHEREAS**, on January 8, 2019, the DRB held a duly-noticed public meeting and reviewed further revisions made by the applicant in response to the December 4, 2018 meeting, at the conclusion of the meeting the DRB voted 3-1-1 (moved by Spielman and Seconded by Blayney, with Member Kent dissenting, and Member Paul absent) to recommend approval of the project design; and

**WHEREAS**, based on the 9-units proposed the project is required to provide and proposes to provide 10% of the units as "for sale" and affordable at the "low-income" level; and

**WHEREAS**, based on the provision of 1 of the 7 base density units as affordable to low income households, the project qualifies for a State density bonus of 26% above the maximum density allowed by the City, or 2 additional units and 1 concession to the zoning standards, consistent with the requirements of California Government Code Section 65915 and Section 14.16.030.H of the City of San Rafael Zoning Ordinance; and

**WHEREAS**, the project applicant has requested the 2 density bonus units and to utilize the one concession to reduce the garage setback standard by 20%, or 4 feet, as allowed by Section 16.030.H.3.a(iv) of the City of San Rafael Zoning Ordinance; and

**WHEREAS**, the proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 and 15305 of the CEQA Guidelines which

exempts In-Fill Development Projects and Minor Alterations in Land Use Limitations given that: a) the project is consistent with the General Plan and Zoning Ordinance designation for the site which allows residential uses at the proposed density; b) the site is 0.24 acres, less than 5 acre threshold, and is an infill site located in an urban area that is surrounded by development on sides; c) the entire site has been formerly graded and developed and there are no known endangered, rare or threatened species on the site or in the immediate surroundings; d) the project has been reviewed by the City's Traffic Division and determined to result in 9 additional peak hour trips (4 in the AM peak hour and 5 in the PM peak hour) and determined to have no impact on LOS in the area; e) all utility agencies have indicated that they can provide required services to the new development; and f) as the lot line adjustment is not resulting in the creation of any new parcels; and

**WHEREAS**, the proposed project was reviewed by the City of San Rafael's Department of Public Works, Fire Department – Fire Prevention Bureau and Community Development Department - Building Division and the San Rafael Sanitation District and was recommended for approval subject to conditions; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of San Rafael does hereby make the following findings, related to the Environmental and Design Review Permit (ED18-058), Lot Line Adjustment (LLA18-004), and Tentative Subdivision Map (TS18-002).

#### **Environmental and Design Review Findings (ED18-058)**

- A. The proposed construction of a 9-unit condominium structure is in accord with the General Plan, the objectives of the Zoning Ordinance and the purposes of this Chapter given that:
- i. The proposed project (as conditioned) is consistent with General Plan Policies summarized as follows and discussed in detail as noted in the General Plan Consistency table included in the February 12, 2019 Staff Report to the Planning Commission, Exhibit 3 (Table Analyzing Project Consistency with General Plan 2020), including the following policies **LU-2** (*Development Timing*), **LU-8** (*Density of Residential Development*), **LU-12** (*Building Heights*), **LU-14** (*Land Use Compatibility*), **LU-23** (*Land Use Map and Categories*), **H-2** (*Designs That Fit Into the Neighborhood Context*), **H-9** (*Special Needs*), **H-14** (*Adequate Sites*), **H-19** (*Inclusionary Housing Requirements*), **H-21** (*Density Bonuses*), **NH-2** (*New Development in Residential Neighborhoods*), **NH-3** (*Housing Mix*), **NH-22** (*Housing Downtown*), **NH-29** (*Downtown Design*), **NH-32** (*Historic Character*), **CD-2** (*Neighborhood Identity*), **CD-3** (*Neighborhoods*), **CD-11** (*Multifamily Design Guidelines*), **CD-14** (*Recreation Areas*), **CD-15** (*Participation in Project Review*), **C-7** (*Circulation Improvements Funding*), **I-2** (*Adequacy of City Infrastructure and Services*), **I-4** (*Utility Undergrounding*), **I-10** (*Sewer Facilities*), **CA-13** (*Historic Buildings and Areas*), **S-1** (*Location of Future Development*), **S-3** (*Use of Hazard Maps in Development Review*), **S-4** (*Geotechnical Review*), **S-5** (*Minimize Potential Effects of Geological hazards*), **S-17** (*Flood Protection of New Development*), **S-25** (*Regional Water Quality Control Board (RWQCB) Requirements*), **AW-1** (*State and Federal Standards*), **AW-2** (*Land Use Compatibility*) and **AW-7** (*Local, State, and Federal Standards*).
  - ii. The proposed project (as conditioned) is consistent with Zoning Ordinance as summarized as discussed in detail as noted in the Zoning Ordinance Consistency table included in the February 12, 2019 Staff Report to the Planning Commission, Exhibit 4 (Table Analyzing Project Consistency with the Zoning Ordinance), including Chapter 14.04 (Base District Regulations), Chapter 18 (*Parking*), Chapter 25 (*Environmental Design Review Permits*), and the San Rafael Design Guidelines in that the project is an allowable use in the HR1.5 zoning district, the project would provide 15 off-street parking spaces, with a 4 foot garage setback reduction allowed as State density

- bonus concession for providing 1 affordable housing unit, and the project has been reviewed by the Design Review Board and recommended for approval. The project has gone through several revisions since the initial conceptual design review application, re-designing the facades with shingles, breaking up the frontage massing and providing more landscaping. The re-designed project has taken into account a variety of design elements in the neighborhood; and
- iii. The project has been reviewed by Planning staff and Design Review Board for conformance with the applicable design criteria established in Chapter 14.25 of the Zoning Ordinance and it has been determined that the proposed units, as conditioned, would be compatible in color and materials with the existing buildings on site and add much needed in-fill housing to the downtown area, including 1 affordable unit and 1 accessible unit.
- B. The project design, as conditioned, is consistent with all applicable site, architecture and landscaping design criteria and guidelines for the High Density Residential (HR1.5) Zoning District in which the site is located given that:
- i. The proposed 9-units is an allowable use and at an allowable density, with the State Density Bonus, in the HR1.5 zoning district;
  - ii. The project has been reviewed and revised to the Design Review Board's recommendations. The project's original design was a modern stucco building with limited articulation. However, through the Design Review process and hearings the Design Review Board recommended the project incorporate more elements of the existing neighborhood, including more articulation, shingle siding, and landscaping. During the Design Review Board hearings, the Board determined that the design is of high-quality design that fits into the neighborhood and that the site planning was appropriate, given that the design is within their development standards and that the neighborhood is zoned High Density Residential. The Board ultimately voted 3-1-1 to recommending approval of the revised project.
- C. The project design minimizes adverse environmental impacts given that:
- i. The proposed project was reviewed by applicable City departments and no adverse environmental impacts were identified;
  - ii. The proposed project would be constructed in compliance with all applicable local, State and Federal building codes and health and safety standards;
  - iii. The proposed project is Categorically Exempt from the California Environmental Quality Act pursuant to Article 19 Categorical Exemptions, Section 15332 (Infill Development) and Section 15305 (Minor Alterations in Land Use limitations) .
- D. That the project design will not be detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity in that the project is a residential project located in a zoning district zoned for residential uses, meets all applicable development standards, and has been reviewed by the appropriate agencies and conditioned accordingly.

#### **Lot Line Adjustment Findings (LLA18-004)**

- A. The proposed Lot Line Adjustment (LLA) is consistent with the General Plan 2020 given that the allowable use of the property will not change, the LLA will not result in the creation of any new lots.
- B. The proposed LLA is in conformance with the Zoning Ordinance given that both parcels would continue to comply with the required minimum lot size and lot area standards required for the HR1.5 Zoning District.



- C. Any additional development on either of these lots will require prior review by both the Building and Planning Divisions.
- D. A notice was mailed to adjacent property owners informing them of the Lot Line Adjustment application that was being reviewed concurrently with the Environmental and Design Review (ED18-058) and the Tentative Map (TS18-002)
- E. The Lot Line Adjustment application is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations) as it is not resulting in the creation of any new parcel.

#### **Tentative Map Findings (TS18-002)**

- A. The proposed map is consistent with the San Rafael General Plan and any applicable, adopted specific plan or neighborhood plan as noted in Environmental and Design Review Permit Finding A above, the General Plan Consistency table (Exhibit 3), and the Subdivision Consistency table (Exhibit 5) included in the February 12, 2019 staff report to the Planning Commission. The purpose of the map is to create 9 air space condominiums with no real impact on the orientation of the lots on the project site itself;
- B. The design or improvement of the subdivision is consistent with the San Rafael General Plan and any pertinent, adopted specific plan or neighborhood plan in that the subdivision would create 9-units on Fifth Street and these units are in keeping with the allowable density and lot configuration for the HR1.5 residential zoning district with respect to height limit, parking and total lot coverage.
- C. The property subject to subdivision is physically suitable for the type and density of the development in that the City has balanced the regional and local housing needs against the public service needs of its residents, as well as available fiscal and environmental resources, and concludes that adequate public services are available to the site based on existing service providers that have reviewed the project and indicated that subject to conditions of approval, the system has the capacity to provide service;
- D. The property subject to subdivision is physically suitable for the density of development that is proposed in that: a) the proposed subdivision would create 9 air condominium units on site, which is allowable per code with the density bonus; b) the project would also provide 15 parking spaces, which complies with the required parking in the zoning ordinance; c) ample, code compliant private and common usable open space is provided for the project; and d) the proposed subdivision would create air condominiums, with no impact on the actual orientation of the physical lots on the ground level in terms of property lines;
- E. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat in that: a) the site is currently graded and was formerly developed with no known environmental resources on the site, b) the site is an in-fill site that has been designated in the zoning ordinance and general plan as high density residential development; c) the project has been determined to be categorically exempt from CEQA review pursuant to CEQA findings listed below.
- F. The design of the subdivision or the type of the proposed improvements is not likely to cause serious health problems in that: a) it is a residential project in keeping with the existing residential zoning for

the vicinity; b) the proposed project would be built in accordance with the latest Building and Fire codes to ensure the health and safety of future residents and adjacent neighbors; c) the City's Public Works Department and Sanitation District have reviewed the drainage and proposed sewer connections for the project site and deemed the project design to be in keeping with City standards, subject to conditions of approval; and d) as conditioned, the proposed subdivision would not result in impacts to water quality or impacts to environmental resources in that an erosion control plan is required as a condition of project approval, which must be implemented before any grading or construction commences on the site.

- G. The design of the subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision in that no easements were identified as part of the Title Report submitted for the project. The project site is privately owned with no known public access through the lot.

#### **Subdivision Exception Request Findings**

- H. That there are special circumstances and/or conditions of the property proposed for subdivision that warrant the approval of the exception to the requirement for a recreation building in that the project site is small and is not able to accommodate an additional building for recreational use. In addition, the goal of this provision was to target larger residential complexes with many more residents and a higher need for a separate recreational room;
- I. That the exception is necessary for the preservation and enjoyment of a substantial property right of the subdivider or property owner. The property is designed as for-sale condominiums, akin really to a single-family home. Requiring a recreation room for such a development style would not be appropriate given that the project provides ample access to common open space, private and common roof decks, private patios, and a private yard for the lower unit. Given the size of the project site and the site constraints to provide code complaint parking and setbacks, it would be a hardship to create a recreation room.
- J. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity in which the property is situated. The property will continue to function as a residential development without a recreation room. Adjacent neighbors would not be impacted by the lack of a recreation building on the project site. Residents of the proposed project will have access to common and private open space for their recreational activities.

**BE IT FURTHER RESOLVED**, that the Planning Commission of the City of San Rafael hereby approves the Environmental and Design Review Permit (ED18-058), Lot Line Adjustment (LLA18-004), and Tentative Subdivision Map (TS18-002) for 9 air space condominiums, subject to the following conditions of approval:

#### **Environmental and Design Review Conditions of Approval (ED18-058)**

*Community Development Department, Planning Division*

1. The proposed 9-unit condominium shall be built and designed in substantial conformance with the proposed site plan, elevations, colors, materials, and landscape plan as presented for approval on plans prepared by Crome Architecture, date stamped *Approved, February 12, 2021*, and shall be the same as required for issuance of a building permit, subject to the listed conditions of approval. Minor

modifications or revisions to the 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.

2. This Environmental and Design Review Permit (ED18-058) shall be valid for **two years** from the date of Planning Commission approval, or **until February 12, 2021**, and shall become null and void if building permits are not issued, or an extension is not granted before that time. Once a building permit for the proposed site improvements is issued within the two-year period, then the Environmental and Design Review Permit shall become valid and run with the land and will not have an expiration date. On-going compliance with all conditions of approval shall be required to keep the Environmental and Design Review Permit valid.
3. A copy of the Conditions of Approval for ED18-058 shall be included as a plan sheet with the building permit plan submittal.
4. The building techniques, materials, elevations and appearance of this project, as presented for approval by the Planning Commission on February 12, 2019, shall be the same as required for the issuance of a building permit. Any future additions, expansions, remodeling, etc., shall be subject to the review and approval of the
5. All outstanding Planning Fees shall be paid in full prior to the building permit issuance.
6. All new and existing 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.
7. All exterior lighting shall be shielded down. Following the issuance of a certificate of occupancy, all exterior lighting shall be subject to a 90-day lighting level review by the Police Department and Planning Division to ensure compatibility with the surrounding area.
8. The applicant shall contact the Planning Division to request a final inspection, prior to the issuance of the final building permit. The request for final inspection by the Planning Division shall require a minimum of 48-hour advance notice.
9. 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.
10. Should the final map not be exercised the project is still subject to the affordable housing requirements prescribed in Section 14.16.030 of the San Rafael Zoning Ordinance and is therefore required to provide 1 of the 9 units as affordable. Prior to the issuance of a building permit and/or recordation of the final map, whichever occurs first, a Below Market Rate (BMR) agreement for the 1 affordable unit shall be approved by the City Council and recorded on the property. Consistent with the affordable housing requirements and the request for a state density bonus, the unit shall be affordable to low-income households. The location of the BMR units shall be identified on the project plans and the final location shall be subject to review and approval of the City as part of the City's consideration of the BMR agreement.

11. The recommendations made in the Geotechnical Investigation Report prepared by JCH John C. Hom & Associates, INC. shall be incorporated into the project.
12. The eaves shall be revised on the building permit set of plans to not encroach more than two (2) feet in any required setback, prior to building permit issuance.
13. All utility connections shall be underground.
14. No parking or maneuvering areas shall be located within the required yards. The plans shall be modified, prior to building permit issuance, to remove the 1'-8" encroachment into the required side yard and shall maintain a minimum backup distance of 28-feet.
15. Prior to issuance of a building permit, the applicant is to comply with conditions of the Marin Municipal Water District for the landscaping improvements.
16. Construction activities shall comply with City's Noise Ordinance.
17. 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.

*Fire Department*

18. The design and construction of all site alterations shall comply with the 2016 California Fire Code and City of San Rafael Ordinances and Amendments.
19. 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)
20. Provide flame spread characteristics of rooftop decking material.
21. A fire apparatus access plan shall be prepared for this project. Fire apparatus plan shall show the location the following:
  - a. Designated fire apparatus access roads.
  - b. Red curbs and no parking fire lane signs.
  - c. Fire hydrants.
  - d. Fire Department Connection (FDC).
  - e. Double detector check valve.
  - f. Street address sign.
  - g. Recessed Knox Box
  - h. Fire Alarm annunciator panel.
  - i. NFPA 704 placards.

- j. Provide a note on the plan, as follows: The designated fire apparatus access roads and fire hydrant shall be installed and approved by the Fire Prevention Bureau prior construction of the building.
22. 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.
  23. When a building is fully sprinklered all portions of the exterior building perimeter must be located within 250-feet of an approved fire apparatus access road.
    - a. The minimum width of the fire apparatus access road is 20-feet.
    - b. The minimum inside turning radius for a fire apparatus access road is 28 feet.
  24. If the building is over 30 feet in height, an aerial fire apparatus access roadway is required parallel to one entire side of the building.
    - a. The Aerial apparatus access roadway shall be located within a minimum 15 feet and a maximum of 30 feet from the building.
    - b. The minimum unobstructed width for an aerial fire apparatus access road is 26-feet.
    - c. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway, or between the roadway and the building.
  25. 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.
  26. Contact the Marin Municipal Water District (MMWD) to make arrangements for the water supply serving the fire protection system.

*Community Development Department, Building Division*

27. 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, 2016 Title 24 California Energy Efficiency Standards, 2016 California Green Building Standards Code and City of San Rafael Ordinances and Amendments.
28. 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

29. The occupancy classification (in mixed occupancies-each portion of the building shall be individually classified), construction type and square footage of each building shall be specified on the plans.
30. Buildings located 4 or more stories above grade plane, one stairwell must extend to the roof, unless the roof slope exceeds an angle of 4 vertical to 12 horizontal CBC 1009.13.
31. 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 inches in height with ½ inch stroke for commercial applications. The address must be contrasting in color to their background SMC 12.12.20.
32. 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.
33. In the parking structure, in areas where motor vehicles are stored, floor surfaces shall be of noncombustible, nonabsorbent materials. Floors shall drain to an approved oil separator or trap discharging to sewers in accordance with the Plumbing Code and SWIPP.
34. Minimum elevator car size (interior dimension) 60" wide by 30" deep with an entrance opening of at least 60" or a car size of 42" wide by 48" deep with an entrance opening of 36" or a car size of 60" wide by 36" deep with an entrance opening of at least 36".
35. All buildings with one or more elevators shall be provided with not less than one medical emergency service elevator. The medical emergency service elevator shall accommodate the loading and transport of an ambulance gurney or stretcher. The elevator car size shall have a minimum clear distance between walls and door excluding return panels not less than 80 inches by 54 inches and a minimum distance from wall to return panel not less than 51 inches with a 42-inch side slide door.
36. The parking garage ceiling height shall have a minimum vertical clearance of 8' 2" where required for accessible parking.
37. Multistory apartment or condominium on the ground floor in buildings with no elevator at least 10 percent but no less than one of the multistory dwellings in apartment buildings with three or more and condos with four or more dwellings shall comply with the following:
  - a. The primary entry to the dwelling unit shall be on an accessible route unless exempted by site impracticality tests in CBC Section 1150A.
  - b. At least one powder room or bathroom shall be located on the primary entry level, served by an accessible route.
  - c. All rooms or spaces located on the primary entry level shall be served by an accessible route. Rooms and spaces located on the primary entry level and subject to this chapter may include but are not limited to kitchens, powder rooms, bathrooms, living rooms, bedrooms or hallways.
38. Multifamily dwelling and apartment accessible parking spaces shall be provided at a minimum rate of 2 percent of the covered multifamily dwelling units. At least one space of each type of parking facility shall be made accessible even if the total number exceeds 2 percent.

39. This project is subject to the City of San Rafael Green Building Ordinance. A sliding scale is applied based on the average unit square footage. New multi-family dwellings must comply with the "Green Building Rating System" by showing a minimum compliance threshold between 65 and 75 points. Additionally, the energy budget must also be below Title 24 Energy Efficiency Standards a minimum 15%.

*Department of Public Works*

40. The plan proposes over 5,000 square feet of impervious surface, which is a regulated project under the MCSTOPPP requirements. Provide the stormwater control plan, which includes a written document, in addition to the erosion control plan shown on the plan set. The template is available from the website (Appendix D). The previous plan submitted is for small and single-family home projects (Appendix C), whereas regulated projects have additional requirements. A stormwater facility maintenance agreement shall be required.
- a. The proposed design includes bioretention as part of the drainage plan which acceptable for stormwater treatment.
  - b. More information including the template for regulated projects is available from MCSTOPPP, hosted on the Marin County Website. See how to comply guidance at:
  - c. <https://www.marincounty.org/depts/pw/divisions/creeks-bay-and-flood/mcstoppp/development/new-and-redevelopment-projects>
  - d. Appendix D – Regulated Project Stormwater Control Plan Template
  - e. <https://www.marincounty.org/-/media/files/departments/pw/mcstoppp/development/regulated-project-stormwater-control-plan-template.docx?la=en>
41. The bioretention areas do not include the standard gravel layer and subdrains, as shown on the stormwater control plan. We recommend that bioretention be designed per standards. Please provide an explanation as to why these standards cannot be met.
42. The details of the green roof are not provided. We anticipate that this will be included with the additional details shown on the building permit plan set.
43. The Department of Public Works recommends striping for the maneuvering area/trash enclosure area, in order to keep this area clear. If an enclosure is added for the trash area, self-closing doors should be used.
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 St.
- a. Please note that 5th Ave is currently listed as a moratorium street and full width resurfacing shall be required. Construction staging shall be located on-site.
45. Frontage improvements shall include new curb and gutter, and sidewalk for the length of the property. The existing driveway apron shall be removed.
46. A traffic Mitigation Fee for 4 AM and 5 PM trips shall be required at the time building permit issuance. For estimation purposes, using the current rate the fee would be (9 \* 4,246) \$38,214.
47. A construction vehicle impact fee shall be required at the time of building permit issuance; which is calculated at 1% of the valuation, with the first \$10,000 of valuation exempt.

*San Rafael Sanitation District*

48. Submit civil/utility plans developed by a registered civil engineer showing the proposed sewer lateral design.
49. The District will require the payment of a sewer connection fee of \$9,659.60 for each unit, prior to the issuance of the Building Permit. The total fee for an 9-Unit Multi-Residential building is \$86,936.40; this sewer fee connection is effective from July 1, 2018 to June 30, 2019.

*Marin Municipal Water District*

50. Complete a High Pressure Water Service Application.
51. Submit a copy of the building permit.
52. Pay appropriate fees and charges.
53. Comply with the District's rules and regulations in effect at the time service is requested including the installation of a separate water meter for each living unit.
54. Comply with all indoor and outdoor requirements of District Code Title 13-Water Conservation. This may include verification of specific indoor fixture efficiency compliance.
55. If you are pursuing a landscaping project subject to review by your local planning department and/or subject to a city permit, please contact the district water conservation department at 415 945-1497 or email to [plancheck@marinwater.org](mailto:plancheck@marinwater.org). More information about district water conservation requirements can be found online at [www.marinwater.org](http://www.marinwater.org).
56. 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 4159451558.
57. Comply with Ordinance No. 429 requiring 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.

**Lot Line Adjustment Conditions of Approval (LLA18-002)**

1. This approval is granted for a lot line adjustment between APNs 011-193-06 and 011-193-07. This approval shall be valid for a period of 2 years or until February 12, 2021. Within this 2-year period, the applicant shall record the Lot Line Adjustment with the County Recorder's office through the recordation of grant deeds. Failure to record the lot line adjustment within this time period shall make this approval null and void.
2. Prior to recordation of the Lot Line Adjustment with the County Recorder's Office, the owner shall submit to the Public Works Department for review and approval three copies of new grant deeds accompanied by Plat Map with easements and legal descriptions, prepared stamped and signed by a licensed surveyor/engineer. Documents shall be accompanied by a recent copy of the preliminary title report for the subject properties.



3. The new grant deeds shall include the following statement: "This Lot Line Adjustment is approved by the City of San Rafael, File Number LLA18-002 approved on February 12, 2019, pursuant to Government Code Section 66412(d)."
4. Following recordation of the approved grant deeds, the applicant shall submit two (2) copies of the recorded grant deeds to the Community Development Department, Planning Division.

### **Tentative Map (TS18-002) Conditions of Approval**

#### **Community Development Department - Planning Division**

1. The Tentative Map (TS18-002) shall be valid for a period of two (2) years from the date of Planning Commission approval, or until **February 12, 2021**, and shall become null and void unless a Final Map has been recorded or a time extension is granted.
2. The project shall be subject to the affordable housing requirements prescribed in Section 14.16.030 of the San Rafael Zoning Ordinance and is therefore required to provide 1 of the 9 units as affordable. **Prior to the issuance of a building permit or recordation of the final map, whichever occurs first**, a Below Market Rate (BMR) agreement for the 1 affordable unit shall be approved by the City Council and recorded on the property. Consistent with the affordable housing requirements and the request for a state density bonus, the unit shall be affordable to low-income households. The location of the BMR units shall be identified on the project plans and the final location shall be subject to review and approval of the City as part of the City's consideration of the BMR agreement.
3. **Prior to issuance of building permits or prior to the recordation of a Final Map, whichever occurs first**, the developer shall pay to the City in lieu parkland dedication fees for 9 new units (9-units x \$1,967.98, parkland dedication fee as of February 12, 2019, = \$17,711.82) in accordance with the provisions of City Council Ordinance No. 1558. Parkland dedication in lieu fees are, at this time, based on 1989 dollars. Adjustments of this figure may be necessary at the time of fee payment if the fair market value for parkland and associated improvements is adjusted in accordance with Section 15.38.045 of the Ordinance.
4. Conditions, Covenants and Restrictions (CC&R's) shall be prepared and submitted with an application for a Final Parcel Map. The CC&R's shall include the following requirements and provisions:
  - a. The formation of a homeowners association (HOA).
  - b. HOA responsibilities for ongoing maintenance of the shared or common facilities, including but not limited to the common driveway, common landscaping and irrigation, fencing, subdivision infrastructure improvements (storm water and sanitary sewer facilities) and exterior building and lighting improvements.
  - c. HOA financial responsibility for center lane striping modifications that may be required in the future to coordinate with Caltrans street improvements proposed along Lincoln Avenue near the project site.
  - d. Restrictions and regulations imposed on each lot owner. The CC&R's shall include provisions, which restrict the use of the parking spaces to vehicle parking.
  - e. Requirements and provisions for professional management services or the services of a Certified Public Accountant to oversee the HOA responsibilities and budget.

5. Prior to recordation of the final map, the CC&R's shall be reviewed and approved by the Department of Community Development, the City Attorney's Office, and the Redevelopment Agency.
6. Approved CC&R's shall be recorded concurrently with the final map.

The foregoing Resolution was adopted at the regular City of San Rafael Planning Commission meeting held on the 12<sup>th</sup> day of February, 2019. 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: \_\_\_\_\_  
Sarah Loughran, Chair

ATTACHMENT:

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**TABLE ANALYZING PROJECT CONSISTENCY WITH SAN RAFAEL GENERAL PLAN 2020**

LAND USE ELEMENT	
<p><b>LU-2. Development Timing.</b> For health, safety and general welfare reasons, new development should only occur when adequate infrastructure is available consistent with the following findings:</p> <ol style="list-style-type: none"> <li>Project-related traffic will not cause the level of service established in the Circulation Element to be exceeded;</li> <li>Any circulation improvements needed to maintain the level of service standard established in the Circulation Element have been programmed and funding has been committed;</li> <li>Environmental review of needed circulation improvement projects has been completed;</li> <li>The time frame for completion of the needed circulation improvements will not cause the level of service in the Circulation Element to be exceeded, or the findings set forth in Policy C-5 have been made; and</li> <li>Sewer, water, and other infrastructure improvements will be available to serve new development by the time the development is constructed.</li> </ol>	<p><i>Consistent</i></p> <p>The project proposes to construct a new 9-unit condominium building on a 10,546.3 square foot lot between Fifth Street. The subject site is a vacant lot, formerly developed with a 6-unit apartment building, which had burned down several years ago. The project site is considered a downtown in-fill lot currently served by City infrastructure and services. The City's Engineer has reviewed the project and evaluated its impacts in the City's traffic model. As a result, the City Engineer has found that this project: 1) would generate 4 additional a.m. and 5 additional p.m. peak hour vehicular trips; and 2) would not impact or exceed LOS (Level of Service) standards. Based on the new trip generation figures, the project would be required to pay \$38,214 in traffic mitigation fees to fund the project's fair share of local circulation improvement projects by the City. Lastly, the quasi-governmental agencies that would continue to provide water and sewer service to the site have reviewed the proposed project and determined that there is adequate capacity to service the project.</p>
<p><b>LU-8. Density of Residential Development.</b> Residential densities are shown in Exhibit 11, Land Use Categories. Maximum densities are not guaranteed but minimum densities are generally required. Density of residential development on any site shall respond to the following factors: site resources and constraints, potentially hazardous conditions, traffic and access, adequacy of</p>	<p><i>Consistent</i></p> <p>The site is assigned a General Plan land use designation of High Density Residential (HDR), which would allow residential densities of between 15-32 units per gross acre. Based on this allowable density, the 10,546.3 sq. ft. site would be allowed 7 residential units. The project proposes to build 9 units, consistent with the allowable density range of residential development, by complying with the City's affordable housing requirement (10%, or 1 BMR unit at the "low-income" range) and State Density bonus law, the project is allowed 2 additional 'market rate' units above the 7 units maximum allowed by zoning.</p>

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**TABLE ANALYZING PROJECT CONSISTENCY WITH SAN RAFAEL GENERAL PLAN 2020**

<p>infrastructure, City design policies and development patterns and prevailing densities of adjacent developed areas.</p>	<p><i>Consistent</i> According to Exhibit 9 (Building Heights Limits in Downtown San Rafael) of the General Plan, the maximum height limit for this property is 36 feet. The General Plan defines height of a building for non-hillside homes as determined by the methods in the Uniform Building Code. This definition measures height of a building as the vertical distance above a reference datum measured to the average height of the highest gable of a pitched or hipped roof or parapet. The project proposes a flat roof form. Using this definition, the proposed structure would total 30' as measured by the Uniform Building Code and would therefore be consistent with the height limits for this site.</p>
<p><b>LU-12. Building Heights.</b> Citywide height limits in San Rafael are described in Exhibits 7 and 8. For Downtown height limits see Exhibit 9:</p> <ul style="list-style-type: none"> <li>a. Height of buildings existing or approved as of January 1, 1987 shall be considered conforming to zoning standards.</li> <li>b. Hotels have a 54-foot height limit, except where a taller height is shown on Exhibit 9 (Downtown Building Height Limits).</li> <li>c. Height limits may be exceeded through granting of a zoning exception or variance, or through a height bonus as described in LU-13 (Height Bonuses).</li> </ul> <p>See LU-2a (Development Review).</p>	<p><i>Consistent</i> The project site is located on a high-density lot on the outer edge of the Downtown neighborhood. The existing neighborhood includes single family residences, multifamily residential, a church, a private school and office developments. The proposed 9-unit condominium is not uncharacteristic of other uses, including the numerous multi-family residential uses found in the vicinity.</p>
<p><b>LU-14. Land Use Compatibility.</b> Design new development in mixed residential and commercial areas to minimize potential nuisance effects and to enhance their surroundings.</p>	<p><i>Consistent</i> The project site has a land use designation of High Density Residential. This is described as a category "typical of apartment densities." The project proposes a 9-unit condominium building on Fifth Street. This is consistent with the higher densities typical of apartments and, therefore, would be consistent with the uses allowed by this land use category.</p>
<p><b>LU-23. Land Use Map and Categories.</b> Land use categories are generalized groupings of land uses and titles that define a predominant land use type (See Exhibit 11). All proposed projects must meet density and FAR standards (See Exhibits 4, 5 and 6) for that type of use, and other applicable development standards. Some listed uses are conditional uses in the zoning ordinance and may be allowed only in limited areas or under limited circumstances. Maintain a Land Use Map that illustrates the distribution and location of land uses as envisioned by General Plan policies. (See Exhibit</p>	<p><i>Consistent</i> The project site has a land use designation of High Density Residential. This is described as a category "typical of apartment densities." The project proposes a 9-unit condominium building on Fifth Street. This is consistent with the higher densities typical of apartments and, therefore, would be consistent with the uses allowed by this land use category.</p>

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<p>11).</p>	
<p><b>HOUSING ELEMENT</b></p> <p><b>H-2. Design That Fits into the Neighborhood Context.</b> Recognize that construction of new housing and improvements on existing properties can add to the appearance and value of the neighborhood if they fit into the established character of the area. Design new housing, remodels, and additions to be compatible to the surrounding neighborhood. Incorporate transitions in height and setbacks from adjacent properties to respect adjacent development character and privacy. Respect existing landforms and minimize effects on adjacent properties.</p>	<p><i>Consistent</i> The project is in the Downtown neighborhood, adjacent to the Sun Valley and Fairhills Neighborhoods, which is characterized by a variety of residential, commercial and mixed-use structures, predominantly two-stories in height, with varied architectural character, and some with historic value. The project design has been evaluated for consistency with Chapter 25 design criteria, which includes historic design compatibility. The Design Review Board considered the project design and recommended design changes to help the project fit into the existing neighborhood design. The structure's façade was changed from stucco to Hardie shingle in order to be consistent with the existing exterior materials along Fifth Street. Though the Board recommended approval of the re-designed project.</p>
<p><b>H-9. Special Needs.</b> Encourage a mix of housing unit types throughout San Rafael, including very low- and low-income housing for families with children, single parents, students, young families, lower income seniors, homeless and the disabled. Accessible units shall be provided in multi-family developments, consistent with State and Federal law.</p>	<p><i>Consistent</i> The project proposes to include 9 new housing units with 1 of those units being an accessible unit and 1 low income affordable unit. The multifamily structures in the neighborhood (210 G, 211 G, 1702 Fifth, 1711 Fifth, 1706 Fifth, 1712 Fifth, 1637 Fifth, and 301 G) are all rental properties. This development would assist in creating a more well-balanced mix of housing.</p>
<p><b>H-14. Adequate Sites.</b> Maintain an adequate supply of land designated for</p>	<p><i>Consistent</i> The project site inclusive of the Lot Line Adjustment is a 10,546.3 square foot site (.24 acres). As</p>

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<p>all types of residential development to meet the housing needs of all economic segments in San Rafael. Within this total, the City shall also maintain a sufficient supply of land for multifamily housing to meet the quantified housing need of very low, low, and moderate income housing units. Encourage development of residential uses in commercial areas where the vitality of the area will not be adversely affected and the site or area will be enhanced by linking workers to jobs, and by providing shared use of the site or area.</p>	<p>mentioned above, the maximum base density permissible by the HR1.5 zoning district is 7-dwelling units (10,546.3 / 1,500 = 7.03), which falls in the high-range General Plan base density.</p> <p>The applicant proposes to offer one (1) of the units at the low-income rate. This means that the project is offering 14% of the base density as affordable, qualifying them for a 26% density bonus. The total number of dwelling units possible for the project site is 9-dwelling units.</p> <p>Housing Opportunities Site The City's Housing Element-Appendix B identifies 1628 Fifth Avenue as a Housing Opportunities Site with a development capacity of up to 9 units.</p>
<p><b>H-19. Inclusionary Housing Requirements.</b> Require residential projects to provide a percentage of units for below market rate (BMR) housing, as indicated below. Provide units affordable at below market rates for the longest feasible time, or at least 55 years. The City's primary intent is the construction of units on-site. The units should be of a similar mix and type to that of the development as a whole, and dispersed throughout the development. Specific requirements are:</p> <ul style="list-style-type: none"> <li>• 10% for development with 2 – 10 Housing Units</li> </ul>	<p><i>Consistent</i> As a 7-unit residential development (base density before density bonus), this policy requires that this project dedicate 10% of the total units as affordable, with 50% of the units dedicated being affordable to low income households and the other 50% affordable to moderate income households. Based on this requirement, 0.7 of the units are required to be affordable and fractional units below 1 unit are required to be rounded up, so 1 on-site affordable unit out of the 7 units are required to be affordable to low income households.</p>
<p><b>NEIGHBORHOODS ELEMENT</b></p>	
<p><b>NH-2. New Development in Residential Neighborhoods.</b> Preserve, enhance and maintain the residential character of neighborhoods to make them desirable places to live. New development should:</p> <ul style="list-style-type: none"> <li>• Enhance neighborhood image and quality of life,</li> <li>• Incorporate sensitive transitions in height and setbacks from adjacent properties to</li> </ul>	<p><i>Consistent</i> The project is proposing 9 new condominium units on Fifth Street. The block contains a mixture of multifamily residences, single-family homes offices, and the designated historic district, the Victorian Village. Many of the homes in this neighborhood were built between the late 1800's and the early 1900's. The neighborhood is somewhat eclectic with a mixture of building heights, roof forms, and architectural styles, ranging from Victorians, Bungalows, Neo-classical, and Spanish Colonial. However, the majority of the structures are Victorians with gabled roofs. The current proposal has changed their proposed façade to be more similar with the existing structures by adding shingle siding, breaking up the front articulation, and increasing the frontage's landscaping, including planting new street plantings. The</p>

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<p>respect adjacent development character and privacy.</p> <ul style="list-style-type: none"> <li>● Preserve historic and architecturally significant structures,</li> <li>● Respect existing landforms and natural features,</li> <li>● Maintain or enhance infrastructure service levels, and</li> <li>● Provide adequate parking.</li> </ul>	<p>project will also meet its parking requirement, by providing the 15 required onsite Parking space, which will be publicly screened, enhancing the pedestrian experience along Fifth Street.</p> <p>The project proposes to enhance the residential character of neighborhood by providing 9 for sale dwelling units in the Downtown Neighborhood, linking potential residents to possible commercial goods, services and transit opportunities and potential workers to possible jobs in the Downtown.</p>
<p><b>NH-3. Housing Mix.</b> Encourage a housing mix with a broad range of affordability, character, and sizes. In areas with a predominance of rental housing, encourage ownership units to increase the variety of housing types.</p>	<p>Consistent See Policy H-9</p>
<p><b>NH-22. Housing Downtown.</b> Create a popular and attractive residential environment that contributes to the activity and sense of community Downtown. This includes:</p> <ol style="list-style-type: none"> <li>a. Preserving and upgrading existing units,</li> <li>b. Providing incentives to encourage new private sector construction of housing, particularly affordable housing, live/work units, and single room occupancy (SRO) units,</li> <li>c. Designing units that take advantage of Downtown's views, proximity to shopping and services, and transit, and</li> <li>d. Implementing zoning standards that reflect Downtown's urban character.</li> </ol>	<p>Consistent See discussion in NH-2. The proposed 9-units will be near shopping goods and services and transit services within in the Downtown area.</p>
<p><b>NH-29. Downtown Design.</b> New and remodeled buildings must contribute to</p>	<p>Consistent The project has been reviewed and amended by the Design Review Board on 3 occasions and was found</p>

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<p>Downtown's hometown feel. Design elements that enhance Downtown's identity and complement the existing attractive environment are encouraged, and may be required for locations with high visibility or for compatibility with historic structures. Design considerations include:</p> <ul style="list-style-type: none"> <li>• Varied and distinctive building designs,</li> <li>• Sensitive treatment of historic resources,</li> <li>• Generous landscaping to accent buildings,</li> <li>• Appropriate materials and construction, and</li> <li>• Site design and streetscape continuity.</li> </ul>	<p>to be of high-quality design and complementary to the existing neighborhood, as revised.</p>
<p><b>NH-32. Historic Character.</b> Recognize and use the unique character of Downtown's many attractive, well-liked, historic buildings. Encourage new development on sites in the Downtown area to be compatible with nearby historic buildings, the historic Downtown street pattern, and the area's historic, pedestrian-oriented character.</p>	<p><i>Consistent</i> See NH-29, above</p>
<p><b>COMMUNITY DESIGN ELEMENT</b></p>	
<p><b>CD-2. Neighborhood Identity.</b> Recognize and promote the unique character and integrity of the city's residential neighborhoods and Downtown. Strengthen the "hometown" image of San Rafael by:</p> <ul style="list-style-type: none"> <li>• Maintaining the urban, historic, and pedestrian character of the Downtown;</li> <li>• Preserving and enhancing the scale and landscaped character of the City's residential neighborhoods;</li> <li>• Improving the appearance and function of commercial areas; and</li> <li>• Allowing limited commercial uses in</li> </ul>	<p><i>Consistent</i> See NH-2 above.</p>



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<p>residential neighborhoods that serve local residents and create neighborhood-gathering places.</p>	
<p><b>CD-3. Neighborhoods.</b> Recognize, preserve and enhance the positive qualities that give neighborhoods their unique identities, while also allowing flexibility for innovative design. Develop programs to encourage and respect the context and scale of existing neighborhoods.</p>	<p><i>Consistent</i> See NH-2 above.</p>
<p><b>CD-11. Multifamily Design Guidelines.</b> Recognize, preserve and enhance the design elements that ensure multifamily housing is visually and functionally compatible with other buildings in the neighborhood. Develop design guidelines to ensure that new development fits within and improves the character defining elements of neighborhoods.</p>	<p><i>Consistent</i> As part of the General Plan 2020, the City adopted residential design guidelines. The Design Review Board reviewed the proposed project for consistency with the City's residential guidelines. Given the revisions to the articulation of the project the project is now generally consistent with the design guidelines.</p>
<p><b>CD-14. Recreational Areas.</b> In multifamily development, require private outdoor areas and on-site common spaces for low and medium densities. In high density and mixed-use development, private and/or common outdoor spaces are encouraged. Common spaces may include recreation facilities, gathering spaces, and site amenities such as picnicking and play areas.</p>	<p><i>Consistent</i> The project provides 8 individual decks, 4 private roof decks, 1 common roof deck, and a private yard area, the project provides private outdoor areas for each of the units.</p>
<p><b>CD-15. Participation in Project Review.</b> Provide for public involvement in the review of new development, renovations, and public projects with the following:</p> <ul style="list-style-type: none"> <li>• Design guidelines and other information relevant to the project as described in the Community Design Element that would be used by residents, designers, project</li> </ul>	<p><i>Consistent</i> When the application for this project was received, copies of plans were referred to all surrounding neighborhood groups. Notices of public hearings were mailed to all property owners, residents, neighborhood groups and interested parties within 300 feet of the project site informing them of the proposed project and all public meetings prior to both public meetings (prior to this Planning Commission meeting) conducted for this project. In addition, the site was posted with notice of all public meetings on this proposed project.</p>

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<p>developers, City staff, and City decision makers;</p> <ul style="list-style-type: none"> <li>• Distribution of the procedures of the development process that include the following: submittal information, timelines for public review, and public notice requirements;</li> <li>• Standardized thresholds that state when design review of projects is required (e.g. residential conversions, second-story additions); and</li> <li>• Effective public participation in the review process.</li> </ul>	
<p><b>CIRCULATION ELEMENT</b></p>	
<p><b>C-5. Traffic Level of Service Standards.</b> In order to ensure an effective roadway network, maintain adequate traffic levels of service (LOS) consistent with standards for signalized intersections in the A.M. and P.M. peak hours as shown below, except as provided for under (B) Arterial LOS</p>	<p>The project does not deviate from the standards, based on The Department of Public Work's traffic evaluation.</p>
<p><b>C-7. Circulation Improvements Funding.</b> Take a strong advocacy role in securing funding for planned circulation improvements. Continue to seek comprehensive funding that includes Federal, State, and County funding, among other funding sources; Local Traffic Mitigation Fees; and Assessment Districts. The local development projects' share of responsibility to fund improvements is based on: (1) the generation of additional traffic that creates the need for the improvement; (2) the improvement's role in the overall traffic network; (3) the probability of securing funding from alternative sources; and (4) the timing of the improvement.</p>	<p><i>Consistent with Condition</i> As part of the General Plan 2020, circulation improvements necessary to maintain LOS standards, improve safety and relieve congestion in San Rafael were identified. To help fund these improvements, all development projects that generate new A.M. or P.M. peak hour trips above historical levels are subject to traffic mitigation fees. This project has been identified as producing 4 new A.M. peak hour trips and 5 new P.M. peak hour trips requiring a traffic mitigation fee of \$38,214.</p>

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<p align="center"><b>INFRASTRUCTURE ELEMENT</b></p>	
<p><b>I-2. Adequacy of City Infrastructure and Services.</b> Assure that development can be adequately served by the City's infrastructure and that new facilities are well planned and well designed.</p>	<p><i>Consistent</i> The public utility agencies that would provide water, sewer and other services to the site have reviewed the proposed project and determined that there is adequate capacity to service the new project.</p>
<p><b>I-4. Utility Undergrounding.</b> Continue to pursue the undergrounding of overhead utility lines.</p>	<p><i>Consistent with Condition</i> The site is already served by utilities and based on City policy, all new utility connections would be required to be undergrounded. If this project were approved, a standard condition of approval would require undergrounding.</p>
<p><b>I-10. Sewer Facilities.</b> Existing and future development needs should be coordinated with responsible districts and agencies to assure that facility expansion and/or improvement meets Federal and State standards and occurs in a timely fashion.</p>	<p><i>Consistent</i> The site is already served by the Las Gallinas Valley Sanitary District and they have reviewed the project and determined that there is adequate capacity to serve the addition of this project.</p>
<p align="center"><b>CULTURE AND ARTS</b></p>	
<p><b>CA-13. Historic Buildings and Areas.</b> Preserve buildings and areas with special and recognized historic, architectural or aesthetic value including but not limited to those on the San Rafael Historical/Architectural Survey. New development and redevelopment should respect architecturally and historically significant buildings and areas.</p>	<p><i>Consistent</i> During the conceptual design review process the Design Review Board stated that the design was too modern given the existing architectural styles in the neighborhood. The applicant revised the plans to include shingles, darkening the color of the building, and adding more articulation along the frontage. In the subsequent Board meetings, it was found that the revised plans were architecturally appropriate given the historic nature of the neighborhood.</p>
<p align="center"><b>SAFETY ELEMENT</b></p>	
<p><b>S-1. Location of Future Development.</b> Permit development only in those areas where</p>	<p><i>Consistent</i> Geoseismic dangers have been evaluated through the City's Geotechnical Review process and found that</p>

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<p>potential danger to the health, safety, and welfare of the residents of the community can be adequately mitigated.</p>	<p>the project would not pose potential danger to the health, safety and welfare of the community.</p>
<p><b>S-3. Use of Hazard Maps in Development Review.</b> Review Slope Stability, Seismic Hazard, and Flood Hazard Maps at the time a development is proposed. Undertake appropriate studies to assure identification and implementation of mitigation measures for identified hazards.  See S-1a (Entitlement Process).</p>	<p><i>Consistent</i> The Geology and Stability Map and Flood Hazard Area Maps of the General Plan, exhibits 27 and 29, were reviewed and it was determined that based on these maps, the site is not located in a 100-year flood hazard area and located in an area that stiff colluvium consisting of various mixtures of clay, sand and gravel. Below this colluvium layer, test boring encountered a shallow relatively firm and incompressible sandstone bedrock. These conditions equate to a geoseismic hazard zone rating of 3. Given this rating, the Geotechnical Review Matrix requires Geotechnical Investigation Report and the results are discussed in S-4 below.</p>
<p><b>S-4. Geotechnical Review.</b> Continue to require geotechnical investigations for development proposals as set forth in the City's Geotechnical Review Matrix (Appendix F). Such studies should determine the actual extent of geotechnical hazards, optimum design for structures, the advisability of special structural requirements, and the feasibility and desirability of a proposed facility in a specified location.</p>	<p>Consistent with Conditions A Geotechnical Investigation Report was prepared by JCH John C. Hom &amp; Associates, INC. The report was ultimately found to be acceptable and consistent with the City's safety policies and standard engineering practices with certain conditions. The geotechnical report found that the site can be developed as proposed. The investigation also made certain recommendations that have been incorporated as conditions of approval and will be implemented during construction of the project if approved.</p>
<p><b>S-5. Minimize Potential Effects of Geological Hazards.</b> Development proposed within areas of potential geological hazards shall not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties. Development in areas subject to soils and geologic hazards shall incorporate adequate mitigation measures. The City will only approve new development in areas of identified hazard if such hazard can be appropriately mitigated.</p>	<p><i>Consistent with conditions</i> The above-mentioned Geotechnical Investigation Reports found that the proposed development was feasible from a geotechnical standpoint and provided recommendations to ensure the potential hazards would not endanger the proposed development. If this project is approved, these recommendations in the JCH John C. Hom &amp; Associates, INC. report has been incorporated as conditions of approval.</p>
<p><b>S-17. Flood Protection of New Development.</b> Design new development within the bay mud areas</p>	<p><i>Consistent</i> The subject site is not located in the 100-year flood zone.</p>

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<p>to minimum floor elevation that provides protection from potential impacts of flooding during the “100-year” flood. The final floor elevation (elevation of the first floor at completion of construction) shall account for the ultimate settlement of the site due to consolidation of the bay mud from existing and new loads, taking into account soils conditions and the type of structure proposed. Design for settlement over a 50-year period is typically considered sufficient.</p>	<p><i>Consistent with Condition</i> This project has been reviewed by the City’s Public Works Department which implements the Stormwater Pollution Prevention standards and regulations. As designed, the proposed project includes adequate measures to reduce stormwater run-off consistent with the standards established by the RWQCB. The project would direct all run-off to the landscape areas and on-site filtration devices, before being discharged into the City’s storm drain system. If this project is approved, a standard condition of approval would require the applicant to submit a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the City of San Rafael Public Works Department prior to the issuance of building permits.</p>
<p><b>S-25. Regional Water Quality Control Board (RWQCB) Requirements</b> Continue to work through the Marin County Stormwater Pollution Prevention Program to implement appropriate Watershed Management plans as dictated in the RWQCB general National Pollutant Discharge Elimination System permit for Marin County and the local stormwater plan.</p>	<p><i>Consistent with condition</i> Due to the nature of the proposed residential development, the project would not generate any air quality impacts and would be consistent with the Bay Area Air Quality District requirements. Traffic associated with the facility was evaluated and found to be less than the historical levels of traffic from the site and would therefore be within the thresholds established for air quality impacts. Furthermore, the proposed development is within the additional intensity of development assumed under the General Plan 2020 and therefore cumulative impacts have been analyzed and found to be acceptable.</p>
<p><b>AIR AND WATER QUALITY ELEMENT</b> <b>AW-1. State and Federal Standards.</b> Continue to comply and strive to exceed state and federal standards for air quality for the benefit of the Bay Area.</p>	<p><i>Consistent</i> This residential development is situated in the Downtown area and abuts other single family, high density residential and office uses. The proposed residential land use from this project is compatible with surrounding land uses. However, as designed, the project does provide landscaping and setbacks from the adjacent uses to serve as a buffer.</p>
<p><b>AW-2. Land Use Compatibility.</b> To ensure excellent air quality, promote land use compatibility for new development by using buffering techniques such as landscaping, setbacks and screening in areas where different land uses abut one another.</p>	

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<p><b>AW-7. Local, State and Federal Standards.</b> Continue to comply with local, state and federal standards for water quality.</p>	<p><i>Consistent with condition</i> The project would be required to comply with the City's Stormwater Pollution Prevention standards which are derived from the Regional Water Quality Board. The proposed drainage plan is designed to be consistent with the stormwater pollution standards by treating stormwater runoff on-site in landscape areas or through an on-site filtration area before it enters into the storm drain system.</p>
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EXHIBIT 4

**TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL ZONING ORDINANCE (TITLE 14)**

CHAPTER 4- RESIDENTIAL DISTRICTS (R, DR, MR, HR)	
<p><b>14.04.020 Land use regulations (R, DR, MR, HR, PD).</b></p> <p>Multifamily residential uses are permitted by right in the HR District.</p>	<p><i>Consistent</i></p> <p>The project is proposing to build a multifamily residential structure in the HR1.5 zoning districts which permits multifamily residential structure by right.</p>
<p><b>14.04.030 Property development standards (R).</b></p> <p><u>HR1.5</u></p> <ul style="list-style-type: none"> <li>• Minimum Lot Size: 6,000 sq. ft.</li> <li>• Maximum density: 1,500 sq. ft. of lot area/unit</li> <li>• Minimum lot width: 60'</li> <li>• Minimum yard setbacks: 15' front, 10' street side, 12' pedestrian entry side, 5' interior side and rear</li> <li>• Maximum height: 36'</li> <li>• Maximum lot coverage: 60%</li> <li>• Minimum usable outdoor area: 150 sq. ft./unit</li> <li>• Minimum landscaping: 50% of the required front and street side yards</li> </ul>	<p><i>Consistent</i></p> <ol style="list-style-type: none"> <li>1) The project is proposed on a lot exceeding 6,000 sq. ft. The existing lot is 9,800.8 sq. ft. and with the lot line adjustment the lot is 10,546.3 sq. ft.</li> <li>2) The base density for the lot is 7 units (10,546.3/1500), as the base density allows for 1 unit for every 1,500 sq. ft. of lot area, before the density bonus. The project proposes 9 units and is granted a density bonus (24% bonus or 8.82, rounded up to 9) for providing 1 low-income unit. The widths for the lots are 64.3' and 82', which exceeds the minimum lot width of 60' width.</li> <li>4) The project proposes a 16.02' setback from the front property line to the garage entry. The front yard setback is 15' with garage entries being setback 20'. The applicant has requested to use their concession to reduce the garage setback up to 20% or 4'. Public Works agreed to this concession but requires the garage door to be remote activated, which has been identified on the plans and added as a condition of approval.</li> <li>5) The project requires a 5' side and rear yard setback and provides a 5' setback at the narrowest points.</li> <li>6) The project provides a 12' setback on the east side of the property as that is where the pedestrian entry is located.</li> </ol>

**EXHIBIT 4**

**TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL ZONING ORDINANCE (TITLE 14)**

	<p>7) The height of the structure is 30', which is 6' less than the maximum height. The elevator shaft extends to a maximum height of 39'-6". However, pursuant to 14.16.120 – Exclusion to Maximum Height Requirement, mechanical appurtenances do not count towards the height limit.</p> <p>8) The property has a maximum lot coverage of 60% or 6,328 sq. ft. and the project proposes a maximum lot coverage of 59.9% or 6,324 sq. ft.</p> <p>9) The project is required to provide a minimum outdoor area of 150 sq. ft. per dwelling unit or 1,350 sq. ft. The project proposes a 2,400 sq. ft. roof deck, eight 62 sq. ft. balconies and a 638 sq. ft. yard for the ground floor unit.</p> <p>10) The project is required to landscape 50% or 589.65 sq. ft. of the front yard. The project currently proposes to landscape 51.9% or 597 sq. ft.</p>								
<p><b>CHAPTER 16- SITE AND USE REGULATIONS</b></p>									
<p><b>14.16.030 Affordable housing requirement.</b></p> <p>Affordable Housing Units--Percentage Required. Residential development projects shall provide affordable housing units as follows:</p> <table border="1" data-bbox="1133 1073 1333 1934"> <thead> <tr> <th>Project Size</th> <th>Percentage of Affordable Housing Units</th> </tr> </thead> <tbody> <tr> <td>2--10 Housing Units*</td> <td>10%</td> </tr> <tr> <td>11--20 Housing Units</td> <td>15%</td> </tr> <tr> <td>21 or more Housing Units</td> <td>20%</td> </tr> </tbody> </table> <p>Concessions Not Requiring Financial Pro Forma from Applicant. The following</p>	Project Size	Percentage of Affordable Housing Units	2--10 Housing Units*	10%	11--20 Housing Units	15%	21 or more Housing Units	20%	<p><i>Consistent</i></p> <p>The project is required to provide a minimum of 10% affordable units or 1 unit affordable at low income levels. This entitles the applicant to a 26% density bonus, which is equal to 2 units (1.86 units, rounded up) and 1 concession. The applicant proposes to utilize the density bonus increasing the density from 7- to 9-units and is electing to use the concession to reduce the garage setback by 20% (4').</p>
Project Size	Percentage of Affordable Housing Units								
2--10 Housing Units*	10%								
11--20 Housing Units	15%								
21 or more Housing Units	20%								



**EXHIBIT 4**

**TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL ZONING ORDINANCE (TITLE 14)**

concessions and incentives shall be available to the applicant without any requirement that the applicant demonstrates to the city that the requested concession or incentive results in identifiable, financially sufficient, and actual cost reductions to the project pursuant to California Government Code Section 65915(1):

Up to a twenty percent (20%) deviation from yard setback requirements, with each deviation counting as one concession or incentive;

**Table 14.16.030-1  
Summary of State Density Bonus Requirements**

Type of Units*	% of Dedicated Units	Density Bonus**	Concessions or Incentives
Lower Income	10%	20%	1
(1.5% increase in density bonus for every 1% of dedicated units over 10% threshold) (max 35% density bonus)			
	20%	35%	2

**14.16.120 Exclusions to the maximum height requirement.**

Flagpoles, aboveground utility distribution facilities including communications towers and public water tanks, windmills, monuments, mechanical appurtenances, satellite dishes in multifamily and nonresidential districts and architectural features such as screening for mechanical equipment, chimneys, steeples and cupolas are not included in height calculations. Structures and architectural features which are over the height limit may require an environmental and design review permit, pursuant to Chapter 14.25, Environmental and Design Review Permits.

**14.16.130 Exclusions to the required minimum yards.**

Architectural features such as fireplaces, cornices, eaves and canopies may extend no more than two feet (2') into any required yard. Open uncovered porches, decks, landing

*Consistent*

The elevator tower currently extends to a maximum height of 39'-6". This type of feature is considered a mechanical appurtenance and is therefore excluded from the maximum height requirement.

*Conditionally Consistent*

Portions of the eaves extend up to 2'-6" into the required setbacks, which exceeds the allowable encroachment of 2'. Staff has added a condition of approval to the resolution stating, in summary, that the building permit

**EXHIBIT 4**

**TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL ZONING ORDINANCE (TITLE 14)**

<p>places or outside stairways may project no more than three feet (3') into any required side and/or rear yard, and no more than six feet (6') into any required front yard. Open, uncovered decks under twelve inches (12") in height may be allowed within required yards. Fountains, statues and other decorative yard improvements, under four feet (4') in height, may be allowed within the required front yard, and under six feet (6') in height may be allowed within required side and rear yards.</p>	<p>plans shall show all eaves complying with the allowable encroachment of 2' as stated in section 14.16.130 of the San Rafael Municipal Code.</p>						
<p><b>14.16.170 - Geotechnical Review</b>                  Development applications require geotechnical reports consistent with the geotechnical matrix in the general plan appendices to assess such hazards as potential seismic hazards, liquefaction, landsliding, mudsliding, erosion, sedimentation and settlement and hazardous soils conditions to determine the optimum location for structures, to advise of special structural requirements and to evaluate the feasibility and desirability of a proposed facility in a specific location</p>	<p><i>Consistent</i>                  The project was reviewed consistent with the City's Geotechnical Review Matrix contained as an appendix to the General Plan 2020. A Geotechnical Investigation Report was prepared for this project. In conclusion, the investigation found that the project would be consistent with the geotechnical policies of the General Plan and that the project would be feasible from a geotechnical engineering standpoint. The report included recommendations that would have to be incorporated during preparation of the construction plans and construction of the project. The City Engineer reviewed the project submittals, including the Geotechnical Investigation Report, and recommended approval subject to conditions, which have been incorporated into conditions of approval.</p>						
<p><b>CHAPTER 18- PARKING STANDARDS</b></p>							
<p><b>14.18.040 Parking requirements.</b></p> <table border="1" data-bbox="1096 1129 1356 1984"> <thead> <tr> <th>Use Classification</th> <th>Off-Street Parking Required</th> </tr> </thead> <tbody> <tr> <td>Two-bedroom units</td> <td>Downtown (Outside District) 1.5 spaces</td> </tr> <tr> <td>Guest parking, multifamily</td> <td>1.5 spaces 1 space per 5 units.</td> </tr> </tbody> </table> <p>If, in the application of the requirements of this chapter, a fractional number</p>	Use Classification	Off-Street Parking Required	Two-bedroom units	Downtown (Outside District) 1.5 spaces	Guest parking, multifamily	1.5 spaces 1 space per 5 units.	<p><i>Consistent</i>                  The project proposes 15 parking spaces.</p> <ul style="list-style-type: none"> <li>• 1.5 spaces x 9 2-bedroom units = 13.5 parking spaces</li> <li>• 1 guest space per 5 units x (9/5) = 1.8 parking spaces</li> <li>• Total Units = 15.3 parking spaces</li> </ul>
Use Classification	Off-Street Parking Required						
Two-bedroom units	Downtown (Outside District) 1.5 spaces						
Guest parking, multifamily	1.5 spaces 1 space per 5 units.						

**EXHIBIT 4**

**TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL ZONING ORDINANCE (TITLE 14)**

<p>is obtained, one (1) parking space or loading berth shall be required for a fraction of one-half (1/2) or more, and no space or berth shall be required for a fraction of less than one-half (1/2).</p>	
<p><b>14.18.110 Compact spaces--Allowable percentage.</b>          Allowable Percentage. A maximum thirty percent (30%) of the required parking spaces may be compact spaces for facilities exceeding five (5) spaces.          Spaces Labeled. Compact spaces shall be labeled in parking facilities as compact spaces to the satisfaction of the city traffic engineer.          Distribution. Compact spaces should be distributed throughout the parking lot to the extent feasible.</p>	<p><i>Consistent</i>          The project provides 5 compact parking spaces, which equals 30% of the provided parking.</p>
<p><b>14.18.130 - Parking Facility Dimensions and Design</b>          A. Minimum Standards.  <ul style="list-style-type: none"> <li>90°, two-way Downtown parking spaces require minimum dimensions to be 8.5' wide by 18' deep with a minimum backup aisle between the parking spaces of 26'.</li> </ul>         B. Parking Stall Access.  <ul style="list-style-type: none"> <li>Use of a required parking space shall not require more than two (2) vehicle maneuvers. At the end of a parking facility with four (4) or more parking spaces, an aisle or driveway providing access to the end parking space shall extend at least two feet (2') beyond the required width of the parking space in order to provide adequate on-site area for turnaround purposes</li> </ul> </p>	<p><i>Consistent</i>          The parking lot layout has been reviewed by the City Engineer and found to be consistent with all applicable City standards, provided that the uncovered spaces are provided a 28' backup distance.</p>
<p><b>14.18.140 - Access to Public Right-of-Way</b>          Driveway Widths. The minimum curb cut for driveways at the face of the curb, for residential uses serving 7-24 spaces, shall have a minimum inside depressed width of 20'.</p>	<p><i>Consistent</i>          The project proposes to access the garage area using a two-way, 22'-wide driveways along Fifth Street.</p>
<p><b>14.18.200 - Location of parking and maneuvering areas.</b>          Parking or maneuvering areas, excluding access driveways, shall be prohibited in all required yard areas in the medium- and high-density residential districts</p>	<p><i>Conditionally Consistent</i>          The project currently has 3 parking spaces located along the northwest corner of the property that overhang 1'-8" into the required side yard. Public Works has determined that a 28' backup space would be sufficient for the parking spaces and Unit 1A will need to be slightly modified by 1' to comply with the standards. Staff has added a condition of approval to the resolution requiring the modification to occur prior to building permit issuance.</p>

**EXHIBIT 5**

**TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL SUBDIVISION ORDINANCE (TITLE 15)**

<p>The proposed subdivision is subject to the major subdivision, condominium provisions, and the Lot Line Adjustment regulations of the Subdivision Ordinance as follows:</p>	
<p><b>CHAPTER 15.02 – MAJOR SUBDIVISIONS</b></p>	
<p><b>15.02.080 Findings required.</b>                  (a) Findings for Approval. Approval or conditional approval of a tentative map shall be supported by the following findings:</p>	<p><i>Conforms</i>                  The proposed map is consistent with the San Rafael General Plan as noted on Page 4 of the staff to the Planning Commission. There is no adopted specific plan or neighborhood plan for the project area.</p> <p><i>Conforms</i>                  The property is currently underutilized based on the HR1.5 zoning designation. The project site is physically suitable for the type, density and intensity of a 9-unit development in that:</p> <ul style="list-style-type: none"> <li>a) Adequate water, sewer and other utility services systems are available to serve the proposed site. Each of the agencies have reviewed the uses and improvements of the project and indicated that there is adequate capacity for this development.</li> <li>b) More than adequate landscaping and usable open space area is provided as indicated in the landscape plan.</li> <li>c) The project is consistent with the base density requirements on the (7 units, 1 unit for every 1,500 sq ft of land area). The project also would provide 1 affordable unit low-income BMR affordable units thereby qualifying for a State density bonus of 2 additional units, for a total of 9-units.</li> <li>d) The project proposes to construct 9 condominium units. Using the one concession allowed under the state density bonus for a 20% front setback reduction for the garage.</li> </ul> <p><i>Conforms</i>                  The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat in that the subject property: a) is currently a graded and was formerly a</p>
<p>(1) The proposed map including the design or improvement of the proposed subdivision is consistent with the San Rafael general plan and any applicable, adopted specific plan or neighborhood plan.</p> <p>(2) The property subject to subdivision is physically suitable for the type, density and intensity of development that is proposed.</p> <p>(3) The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.</p>	<p><i>Conforms</i>                  The proposed map including the design or improvement of the proposed subdivision is consistent with the San Rafael general plan and any applicable, adopted specific plan or neighborhood plan.</p> <p>(2) The property subject to subdivision is physically suitable for the type, density and intensity of development that is proposed.</p> <p>(3) The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.</p>

**EXHIBIT 5**

**TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL SUBDIVISION ORDINANCE (TITLE 15)**

<p>(4) The design of the subdivision or the type of proposed improvements is not likely to cause serious health problems.</p>	<p>developed site, with no environmental resources or immediately surrounding the site; b) is located in a developed neighborhood and is surrounded by graded and developed properties; and c) neither contains, nor is contiguous to existing wetlands or creeks..</p> <p><i>Conforms</i> The design of the subdivision or the type of proposed improvements is not likely to cause serious health problems in that the proposed project would not have a significant impact on the environment. The project is categorically exempt from the provisions of CEQA under CEQA Section 15332 (In-Fill projects) and 15305 (Minor alterations in land use limitations) because: a) the project is consistent with the General Plan and Zoning Ordinance designation for the site which allows residential uses at the proposed density (with the State Density Bonus); b) the site is 0.24 acres, less than 5 acre threshold, and is an infill site located in an urban area that is surrounded by development on all sides; c) the entire site has been formerly graded and developed and there are no known endangered, rare or threatened species on the site or in the immediate surroundings; d) the project has been reviewed by the City's Traffic Division and determined to result in 9 additional peak hour trips (4 in the AM peak hour and 5 in the PM peak hour) and determined to have no impact on LOS in the area; e) all utility agencies have indicated that they can provide required services to the new development; and f) the project does not result in the creation of a new parcel.</p>
<p>(5) The design of the subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the city may approve the map if it is determined that alternative easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired or secured for public use.</p>	<p><i>Conforms</i> There was no easement identified on the property.</p>
<p><b>CHAPTER 12 – CONDOMINIUMS</b></p>	
<p><b>15.12.030 Subdivision map.</b> All condominiums of two (2) or more units shall be</p>	<p><i>Conforms</i> The applicant has submitted for a Tentative map approval for 9 air condominiums on the</p>

**EXHIBIT 5**

**TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL SUBDIVISION ORDINANCE (TITLE 15)**

<p>subject to planning commission approval of a tentative map filed in accordance with this title.</p> <p><b>15.12.040 Compliance with Title 14 (Zoning)</b> All condominiums shall comply with the provisions of Title 14, Zoning, for the zoning district in which the condominium is located. In the event that development standards stated in Title 14 conflict with the development standards stated in this chapter, the more restrictive standard shall apply.</p>	<p>site.</p> <p><i>Conforms</i> The project as proposed conforms with the regulations in the zoning ordinance, as identified in the Zoning Ordinance Consistency Table.</p>
<p><b>15.12.050 Property owners' association</b> a) For all condominiums, a property owners' association shall be established by recordation of the following: (1) Articles of incorporation of the association; (2) Declaration of covenants, conditions and restrictions (CC &amp; Rs); (3) Bylaws of the association.</p>	<p><i>Conforms</i> As proposed, this project would comply with Section 15.12.050 in that the project would establish a property owners' association for the management of the common area proposed within the development and the establishment of declaration of covenants, conditions and restrictions (CC&amp;R's), and bylaws of the association. The CC&amp;R's would include language for maintenance, access, utilities, shared costs and proposed use within the condominiums. CC&amp;R's would have to be submitted and reviewed to the satisfaction of the City Attorney's office prior to recordation of the Final Map if this project is approved.</p>
<p><b>15.12.060 Recreational facilities, residential condominiums</b> All residential condominium developments shall be designed to include the following recreational facilities: (a) Community center or recreational center buildings shall be provided within the development. (b) Bicycle and pedestrian paths shall be provided through the open, common areas of the development. (c) Common areas for outdoor, active and passive recreation shall be provided in central locations throughout the development.</p>	<p><i>Does not Conform</i> The project does not provide a community center or recreation center for the development. The development includes large pedestrian pathways to the main entry. These pathways are large enough to accommodate bicycle. The development includes the project proposes a 2,400 sq. ft. roof deck, eight 62 sq. ft. balconies and a 638 sq. ft. yard for the ground floor unit. Based on the layout of the project site and the ample provision of private and common usable open space areas, staff supports the waiver request, which is discussed on page 8 of the Planning Commission staff report. The approval of this waiver is consistent with the City's position for other smaller downtown projects. The most recent exception to this requirement was 21 G St., an 8-unit condominium project.</p>

EXHIBIT 5

**TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL SUBDIVISION ORDINANCE (TITLE 15)**

For small residential condominium developments, these recreational facility requirements may be reduced or waived based on development size, location and physical property conditions. Should a waiver from these requirements be requested by the subdivider, an exception to the provisions of this title shall be filed and processed consistent with Section 15.01.120 of this title.

**15.12.070 Noise attenuation, residential condominiums.**

All condominiums shall meet the sound transmission control requirements of the Uniform Building Code.

*Conforms*

The compliance with section would be required with the building permit process.

**JCH**

**JOHN C. HOM & ASSOCIATES, INC.**

P.O. Box 150553  
San Rafael, California 94915-0553  
Telephone(415)258-9027

August 21, 2018

Job Number 1892.1

Vincent O'Flynn  
660 23<sup>rd</sup> Avenue  
San Francisco, California 94121

Dear Mr O'Flynn:

Report  
Geotechnical Services  
Proposed Apartment  
1628 Fifth Avenue  
San Rafael, California

This report presents the results of the geotechnical investigation we conducted for the proposed apartment building to be located at 1628 Fifth Avenue in San Rafael, California. We understand that the apartment will be three stories and wood frame construction.

As agreed to in our proposal of December 27, 2017 we were to review published geologic data, to investigate the subsurface conditions at the site to the extend of observing four test borings and to provide recommendations for suitable foundation support. We were to analyze the results of the field work to provide the following information in a written report:

1. A description of the soil, rock and groundwater conditions observed.
2. An opinion of project feasibility from a geotechnical standpoint.
3. Site grading recommendations.
4. Recommended foundation type(s) and design criteria.
5. Retaining wall design criteria.
6. Recommendations for slab-on-grade construction.
7. Soil engineering drainage recommendations.

**RECEIVED**  
**AUG 28 2018**  
**PLANNING**

**WORK PERFORMED**

We reviewed selected published geologic data including:

1. **SMITH, Theodore C., RICE, Salem J., and STRAND, Rudolph G., 1976, "Geology of The Upper Ross Valley and The Western Part of The San Rafael Area, Marin County, California"; California Division of Mines and Geology.**
2. **NATIONAL EARTHQUAKE HAZARD REDUCTION PROGRAM, "NEHRP Recommended Provisions for Seismic Regulations for New Buildings and Other Structures." 2003 Edition.**



3. **WORKING GROUP** on California Earthquake Probabilities, Open File Report 03-214, 2003, "Earthquake Probabilities in the San Francisco Bay Region: 2002 - 2031".

On August 15, 2018, we observed the subsurface conditions at the site to the extent of four test borings. The locations of the test borings are shown on the attached Test Boring Location Plan, Plate 1. Our Field Engineer was on site to locate the test boring, to log the conditions encountered. The materials encountered are shown on Log of Boring, Plate 2 through 5. The soils are described in accordance with the Unified Soil Classification System, as explained on Plate 6. The bedrock materials are described on the Geologic Terms For Rock, Plate 7.

Because of the shallow bedrock, no laboratory testing was necessary.

### SITE CONDITIONS

The flat site is on the north side of Fifth Avenue in San Rafael, California. The site is flat and undeveloped.

The test borings indicate that the site is underlain by firm soils over sandstone bedrock of the Franciscan Formation. The soil is considered to be firm. The bedrock is considered to be relatively firm and incompressible.

At the time of our investigation, we did not encounter any free groundwater. The groundwater table probably varies with seasonal rainfall.

### SEISMICITY

The San Francisco Bay Area, in general, is located in a highly active seismic region. Several major earthquakes resulting in extensive damage have occurred in the San Francisco Bay Area during historic times. Included are the earthquakes of 1868 and 1936 on the Hayward Fault, and the earthquakes of 1838, 1906 and 1989 on the San Andreas Fault.

The project site could be affected by an earthquake with its epicenter on any of the active and potentially active faults that occur in the region. The nearest faults are the San Andreas and Hayward Faults, located about 9 and 9 miles to the southwest and northeast, respectively. At present, it is not possible to predict when or where movement will occur on these faults. However, probabilities of major earthquakes occurring on principal fault segments are being studied and developed. According to the Working Group on California Earthquake Probabilities, a major earthquake (6.7 or greater on the Richter Scale) has a 67-percent probability of occurring in the Bay Area within the next 30 years (beginning 2002). The North Coast segment of the San Andreas Fault has a probability of 21-percent of a Richter magnitude 6.7 or greater earthquake and the Hayward - Rodgers Creek Faults have a probability of 27-percent occurring in the next 30 years, Plate 8.

In the event of a major earthquake in the Bay Area, the site may be susceptible to surface rupture, seismic shaking and related ground failure.

Surface rupture (surface faulting) is highly unlikely since no active faults are known to cross the project site. The site is not located within the Alquist-Priolo Special Studies Zones Map. Also, no evidence of active fault traces or creep zones were observed.

Seismic shaking at the site is highly probable during the life of the project. In the event of a major earthquake on the San Andreas Fault or Hayward Fault, horizontal ground accelerations of 0.5g or greater should be expected at the site. The proposed structure should be designed in accordance with current standards for earthquake resistant construction. The minimum requirement is that the California Building Code be followed.

Ground failures (such as landslides, differential settlement, liquefaction, lurch cracking and lateral spreading that is seismically induced) are related to groundwater, soil and bedrock conditions. The geologic conditions existing at the project site are such that the potential for these failures are considered negligible.

## CONCLUSIONS

Based upon the results of our work, it is our opinion that the project is feasible, from a geotechnical engineering standpoint, provided that the recommendations contained in this report are followed.

Since firm soil was encountered at a shallow depth spread footing and slab on grade may be used

Our following recommendations section will provide details for the work.

## RECOMMENDATIONS

### Seismic Design

We recommend that the Site Class C in accordance with the 2010 California Building Code. For Seismic Design Output we used the application ASCE 7-10 Standard available on the USGS website and the output is summarized on Plate 9.

### Site Grading

We expect minor fills for the project. Areas to receive fill should be scarified to a depth of 6-inches, moisture-conditioned to at least near optimum, and compacted to at least 90-percent of the maximum dry density of the materials, as determined by the ASTM D-1557-79(C) laboratory compaction test procedure. Fill material should be spread in 8-inch thick loose lifts, moisture-conditioned to near optimum and compacted to at least 90-percent relative compaction.

## Foundations

Spread Footings - Spread footings should only be used where excavation for the structure will extend below existing grade and into stiff soil or bedrock. The depth to rock is about four feet. Spread footings should be at least 16-inches wide, 12-inches below adjacent grade, and should extend at least 12-inches into bedrock. The footings should be stepped as necessary to produce level tops and bottoms; and should be deepened as necessary to provide at least 7-feet of horizontal confinement between the footing bottoms and the face of slope. Footings may be sized for 2000-, 2200 and 24000-pounds per square foot (psf) under dead loads, dead plus code live loads, and total load (including wind and seismic) conditions. We recommend that a passive equivalent fluid pressure of 300 pounds per cubic foot (pcf) and a friction factor of 0.30 be used to resist lateral loads.

## Retaining Walls

Retaining walls free to rotate on top and supporting level backfill may be designed to resist an active equivalent fluid pressure of 35 pcf acting in a triangular pressure distribution. Where the backfill slopes up steeper than 3:1, the wall pressure should be increased to 55 pcf. For seismic pressures, these pressures should be increased by 33.3 percent.

We recommend that the retaining wall foundations extend into stiff soil or rock. Foundations extending into firm rock at least 7 horizontal feet from the face of the nearest slope may impose a passive equivalent fluid pressure and a friction factor of 300 pcf and 0.30, respectively, to resist sliding. We recommend that the retaining wall foundations extend into stiff soil or rock.

We recommend that a backdrain be provided behind all retaining walls. The backdrains should consist of a heavy-walled, 4-inch diameter, perforated pipe sloped to drain to outlets by gravity, and of clean, free-draining, 3/4- to 1-1/2-inch crushed rock or gravel. To reduce water infiltration through walls, we recommend that the top of the pipe should be at least 12-inches below adjacent interior finished floor level. The crushed rock or gravel should extend to within 1-foot of the surface. The upper 1-foot should be backfilled with compacted soil to exclude surface water. A Mirafi 140N filter cloth should be placed between the on-site soil and drain rock. A filter cloth would not be required between bedrock and drain rock.

We recommend that the ground surface behind retaining walls be sloped to drain. Under no circumstances should the surface water be diverted into back drains. Where migration of moisture through walls would be detrimental, the walls should be water-proofed

## Slab-On-Grade

Slab on grade should be where excavated into stiff soil or bedrock. The upper 6-inches of slab subgrade should be compacted to at least 90-percent relative compaction, where disturbed. The slabs should be underlain with a capillary moisture break consisting of at least 4-inches of clean, free-draining crushed rock or gravel at least 1/4-inch, and no larger than 3/4-inch, in size. Where

migration of moisture vapor through slabs would be detrimental, an impermeable membrane moisture vapor barrier should be provided between the drain rock and the slabs. Slabs should be reinforced to reduce cracking.

For living area slabs, where vapor mitigation is not tolerable, a vapor barrier is to be considered.

### Soil Engineering Drainage

We recommend that the roofs be provided with gutters and that the downspouts be connected to closed conduits discharging onto the pavement, where possible. Surface water should be channeled away from slopes and foundations.

To reduce seepage conditions beneath the structure, we recommend that drains be placed adjacent to and upslope of all foundations, except on the downhill foundations. Foundation drains should extend at least 6-inches below the lowest adjacent grade. The bottom of the trench should be sloped to drain by gravity. The bottom of the trench should be lined with a few inches of 3/4- to 1-1/2-inch drain rock. Four-inch diameter, perforated pipe, with holes down and sloped to drain, should be placed on top of the thin layer of drain rock. The trench should then be backfilled to within 6-inches of the finished surface with drain rock. The upper 6-inches should consist of compacted soil to reduce surface water inclusion. We recommend that a drainage filter cloth, such as Mirafi 140N, be placed between the soil and the drain rock. The area under the house should be sloped to drain. Outlets through the foundation, to allow drainage from underneath the residence, will be required.

This would reduce but not completely eliminate moisture beneath the addition. To further reduce moisture, the use of a moisture vapor barrier with a rat slab may be considered and generally considered to above the building code requirements.

Roof downspouts and surface drains must be maintained entirely separate from subdrains and foundation drains. The outlets should discharge onto erosion resistant areas, such as the roadway pavement.

### Pavement Section

We recommend a preliminary pavement section of three inches of Asphalt over 8 inches of base rock. The material and compaction should conform with the State of California Department Specifications.

### LIMITATIONS

We judge that this report has been prepared in accordance with generally accepted geotechnical engineering practices, and is in accordance with the standards of practice as set by Geotechnical Engineers in the area. We offer no other warranties or guarantees. Subsurface conditions could vary between those indicated by surface features. This report assumes that a qualified Geotechnical Engineer will be retained to provide construction observation services to observe the conditions,

to provide field and laboratory testing, and to ascertain that the project is constructed in accordance with these recommendations.

The practice of soil engineering changes and, therefore, we should be consulted to update this report if construction is not performed within 18-months.

### SUPPLEMENTAL SERVICES

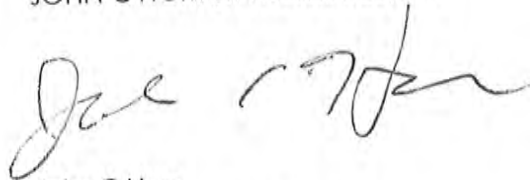
We recommend that we review foundation and grading plans for conformance with the intent of our recommendations. During construction, we should inspect the site grading, including the site excavation; observe the foundation excavations; and observe the installation of drainage facilities. Upon completion of the project, we should perform a final inspection and finalize the results of our work in a final report.

These services will be performed only if we are provided with sufficient notice to perform the work. We do not accept responsibility for items that we are not notified to observe. We recommend that the Owner or the Contractor be responsible for the notification.

We trust this provides the information you require at this time. If you have any questions, please call.

Yours very truly,

JOHN C HOM & ASSOCIATES, INC

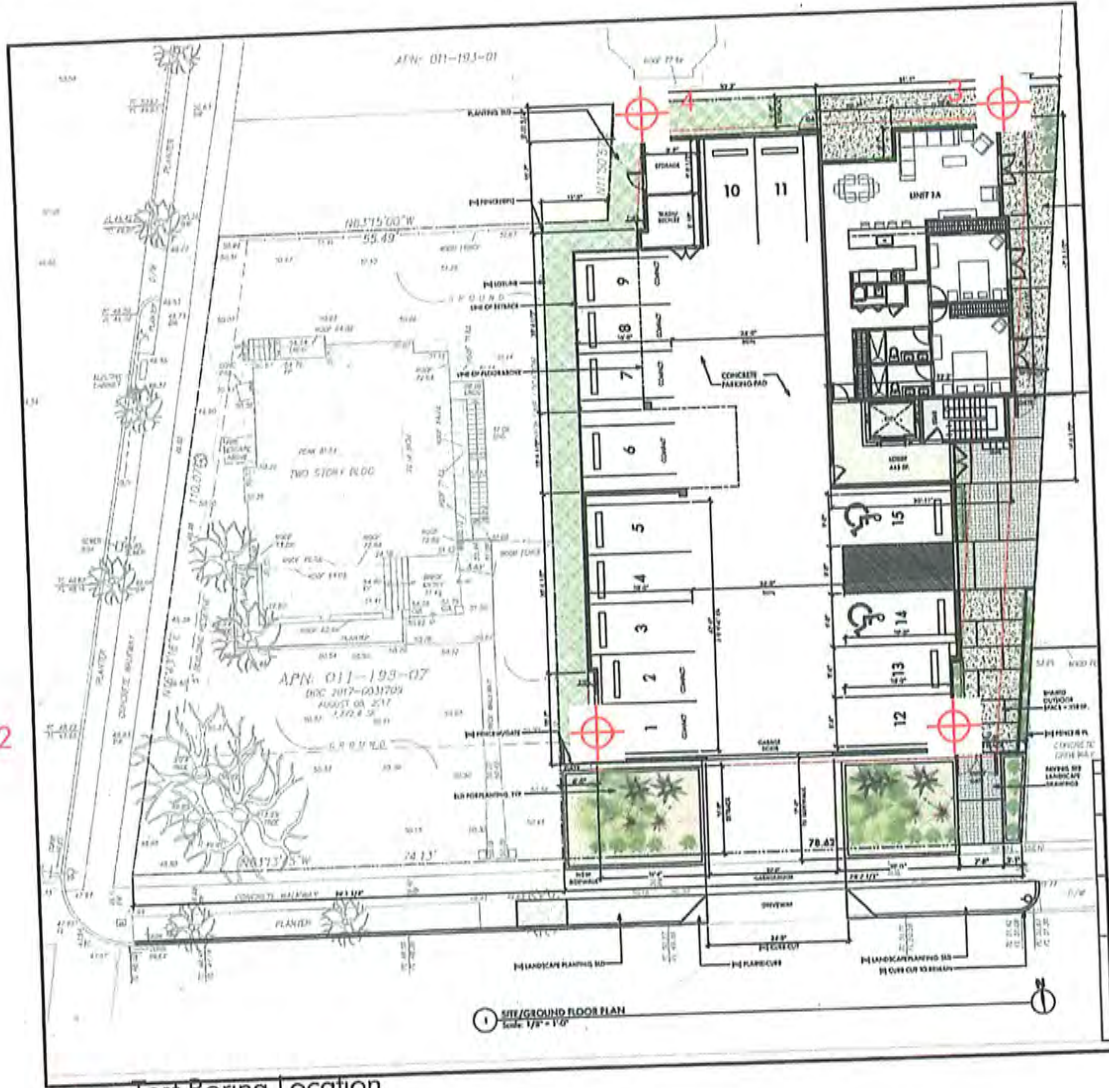


John C Hom  
Civil Engineer - 28877  
Geotechnical Engineer - 412  
Certificates Expire 3/31/19



JCH  
three copies submitted

**JCH**  
**JOHN C. HOM**  
**& ASSOCIATES, INC.**  
*Geotechnical Consultants*



2

Test Boring Location

**JCH**  
**JOHN C. HOM**  
**& ASSOCIATES, INC.**  
 Geotechnical Consultants

Job No. :1892.1  
 Appr: jch  
 Date: 08-18

TEST BORING LOCATION PLAN  
 1628 Fifth Avenue  
 San Rafael, California

PLATE  
**1**

Log of Boring 1

Equipment: 4 inch flight auger  
 Elevation: 61 Date Drilled: 08-15-18

Laboratory Tests

Drill Rate

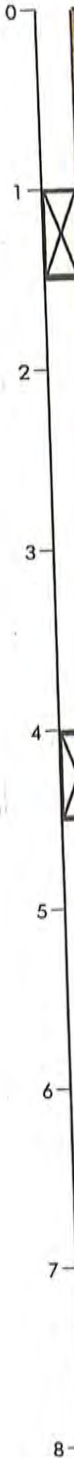
Blows/foot

Moisture Content (%)

Dry Density (pcf)

Depth

Sample



BROWN SILTY SAND (SM), medium dense, moist, (COLLUVIUM)

BROWN SANDSTONE, fractured, weak, highly weathered, (BEDROCK)  
 No free groundwater encountered

Bottom of Boring

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 Geotechnical Consultants



Job No: 1892.1  
 Appr: jch  
 Date: 08-18

LOG OF BORING 1

1628 Fifth Avenue  
 San Rafael, California

PLATE

**2**

Laboratory Tests	Drill Rate	Blows/foot	Moisture Content (%)	Dry Density (pcf)	Depth	Sample	Log of Boring 2 Equipment: 4 inch flight auger Elevation: 61      Date Drilled: 08-15-18
					0		BROWN SILTY SAND (SM), medium dense, moist, (COLLUVIUM)
				1			
					2		BROWN SANDSTONE, fractured, weak, highly weathered, (BEDROCK) No free groundwater encountered
				3			
					4	Bottom of Boring	
				5			
				6			
				7			
					8		

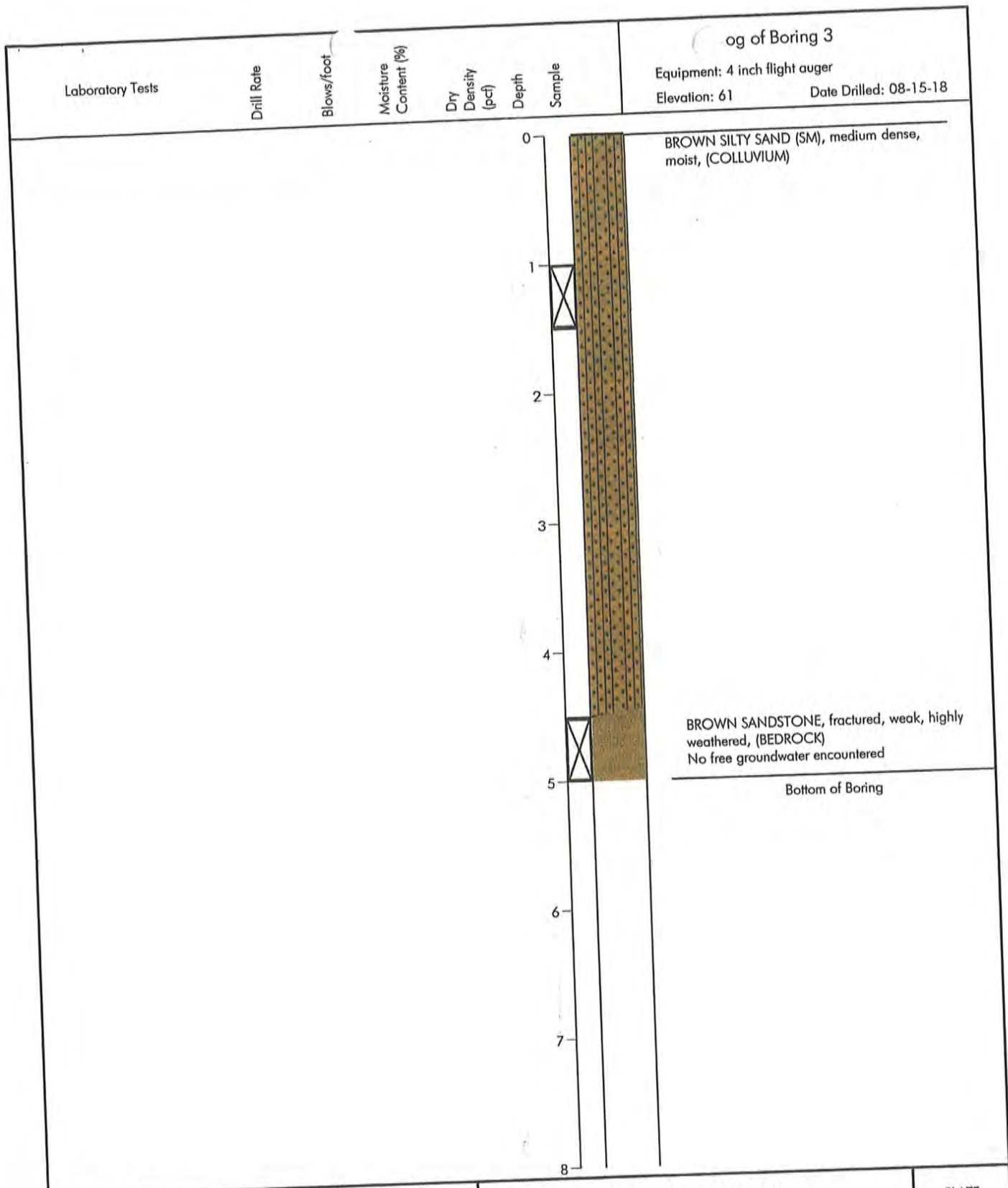
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 Appr: jch  
 Date: 08-18

LOG OF BORING 2  
 1628 Fifth Avenue  
 San Rafael, California

PLATE  
**3**



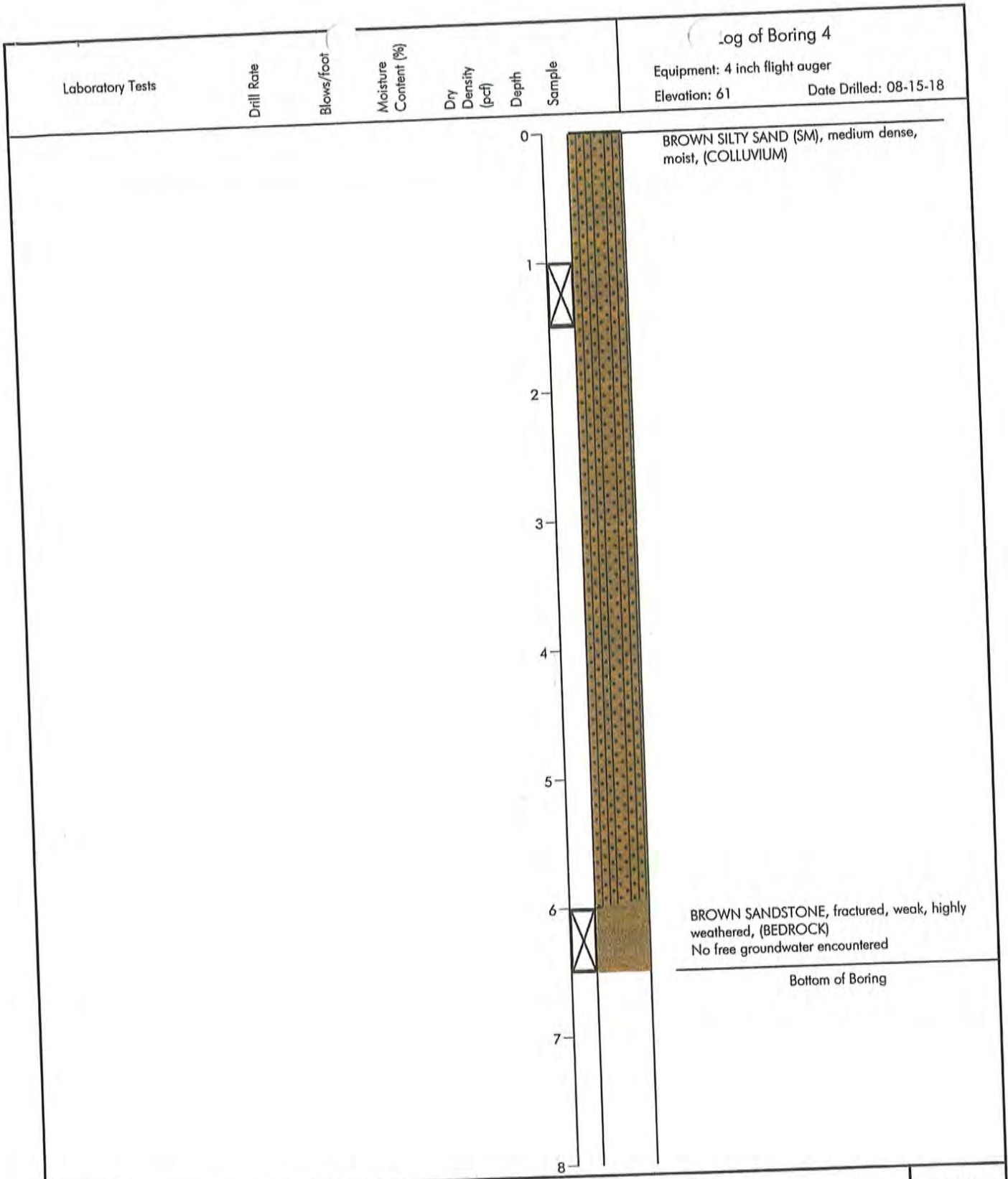


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 Date: 08-18

LOG OF BORING 3  
 1628 Fifth Avenue  
 San Rafael, California

PLATE  
**4**



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 Date: 08-18

LOG OF BORING 4  
 1628 Fifth Avenue  
 San Rafael, California

PLATE  
**5**

MAJOR DIVISIONS		TYPICAL NAMES		
COARSE GRAINED SOILS MORE THAN HALF IS LARGER THAN #200 SIEVE	GRAVELS MORE THAN HALF COARSE FRACTION IS LARGER THAN NO. 4 SIEVE SIZE	CLEAN GRAVELS WITH LITTLE OR NO FINES	GW GP	WELL GRADED GRAVELS, GRAVEL-SAND MIXTURES POORLY GRADED GRAVELS, GRAVEL-SAND MIXTURES
		GRAVELS WITH OVER 12% FINES	GM GC	SILTY GRAVELS, POORLY GRADED GRAVEL-SAND-SILT MIXTURES CLAYEY GRAVELS, POORLY GRADED GRAVEL-SAND-CLAY MIXTURES
			SW SP	WELL GRADED SANDS, GRAVELLY SANDS POORLY GRADED SANDS, GRAVELLY SANDS
		SANDS MORE THAN HALF COARSE FRACTION IS SMALLER THAN NO. 4 SIEVE SIZE	CLEAN SANDS WITH LITTLE OR NO FINES	SM SC
	SANDS WITH OVER 12% FINES			
	FINE GRAINED SOILS MORE THAN HALF IS SMALLER THAN #200 SIEVE	SILTS AND CLAYS LIQUID LIMIT LESS THAN 50	ML	INORGANIC SILTS AND VERY FINE SANDS, SILTY OR CLAYEY FINE SANDS, OR CLAYEY SILTS WITH SLIGHT PLASTICITY
			CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS
			OL	ORGANIC CLAYS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY
		SILTS AND CLAYS LIQUID LIMIT GREATER THAN 50	MH	INORGANIC SILTS, FINE SANDY OR SILTY SOILS, PLASTIC SILTS
			CH	INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS
OH			ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS	
HIGHLY ORGANIC SOILS		Pt	PEAT AND OTHER HIGHLY ORGANIC SOILS	

### UNIFIED SOIL CLASSIFICATION SYSTEM

Consol	Consolidation	Tx	320 (2600)	Unconsolidated Undrained Triaxial
LL	Liquid Limit (in %)	TxCU	320 (2600)	Consolidated Undrained Triaxial
PL	Plastic Limit (in %)	DS	2750 (2000)	Consolidated Drained Direct Shear
PI	Plastic Index (in %)	FVS	470	Field Vane Shear
Gs	Specific Gravity	UC	2000	Unconfined Compression
SA	Sieve Analysis	LVS	700	Laboratory Vane Shear
	Undisturbed Sample	SS	Shrink Swell	
	Auger Sample	EXP	Expansion	
	Standard Penetration Sample	P	Permeability	
	Excavation Sample			
	Sample Attempt No Recovery			

Note: All strength tests on 2.8" or 2.4" diameter samples unless otherwise indicated.

### KEY TO TEST DATA

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 Date: 08-18

SOIL CLASSIFICATION CHART  
 AND KEY TO TEST DATA

1634 Fifth Avenue  
 San Rafael, California

PLATE

**6**

## ROCK TYPES



CONGLOMERATE



SHALE



METAMORPHIC  
ROCKS



SANDSTONE



SHEARED SHALE  
MELANGE



IGNEOUS ROCKS



CHERT



SERPENTINE



GREENSTONE



SANDSTONE  
& SHALE

### BEDDING THICKNESS

Massive - Greater than 6-feet  
 Thickly Bedded - 2- to 6-feet  
 Medium Bedded - 6- to 24-inches  
 Thinly Bedded - 2-1/2- to 8-inches  
 Very Thinly Bedded - 3/4- to 2-1/2-inches  
 Closely Laminated - 1/4- to 3/4-inches  
 Very Closely Laminated - less than 1/4-inch

### JOINT, FRACTURE, OR SHEAR SPACING

Very Widely Spaced - Greater than 6-feet  
 Widely Spaced - 2- to 6-feet  
 Moderately To Widely Spaced - 8- to 24-inches  
 Closely Spaced - 2-1/2- to 8-inches  
 Very Closely Spaced - 3/4- to 2-1/2-inches  
 Extremely Closely Spaced - less than 3/4-inch

### HARDNESS

Soft - pliable; can be dug by hand  
Slightly Hard - can be gouged deeply or carved with a pocket knife  
Moderately Hard - can be readily scratched by a knife blade; scratch leaves heavy trace of dust and is readily visible after the powder has been blown away  
Hard - can be scratched with difficulty; scratch produces little powder and is often faintly visible  
Very Hard - cannot be scratched with pocket knife; leaves a metallic streak

### STRENGTH

Plastic - capable of being molded by hand  
Friable - crumbles by rubbing with fingers  
Weak - an unfractured specimen of such material with crumble under light hammer blows  
Moderately Strong - specimen will withstand a few heavy hammer blows before breaking  
Strong - specimen will withstand a few heavy ringing hammer blows and usually yields large fragments  
Very Strong - rock will resist heavy ringing hammer blows and will yield with difficulty only dust and small flying fragments

### DEGREE OF WEATHERING

Highly Weathered - abundant fractures coated with oxides, carbonates, sulphates, mud, etc., through discoloration, rock disintegration, mineral decomposition  
Moderately Weathered - some fracture coating, moderate or localized discoloration, little to no effect on cementation, slight mineral decomposition  
Slightly Weathered - a few strained fractures, slight discoloration, little or no effect on cementation, mineral decomposition  
Fresh - unaffected by weathering agents, no appreciable change with depth

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Job No.: 1892.1

Appr: jch

Date: 08-18

GEOLOGIC TERMS FOR ROCK

1628 Fifth Avenue  
 San Rafael, California

PLATE

**7**

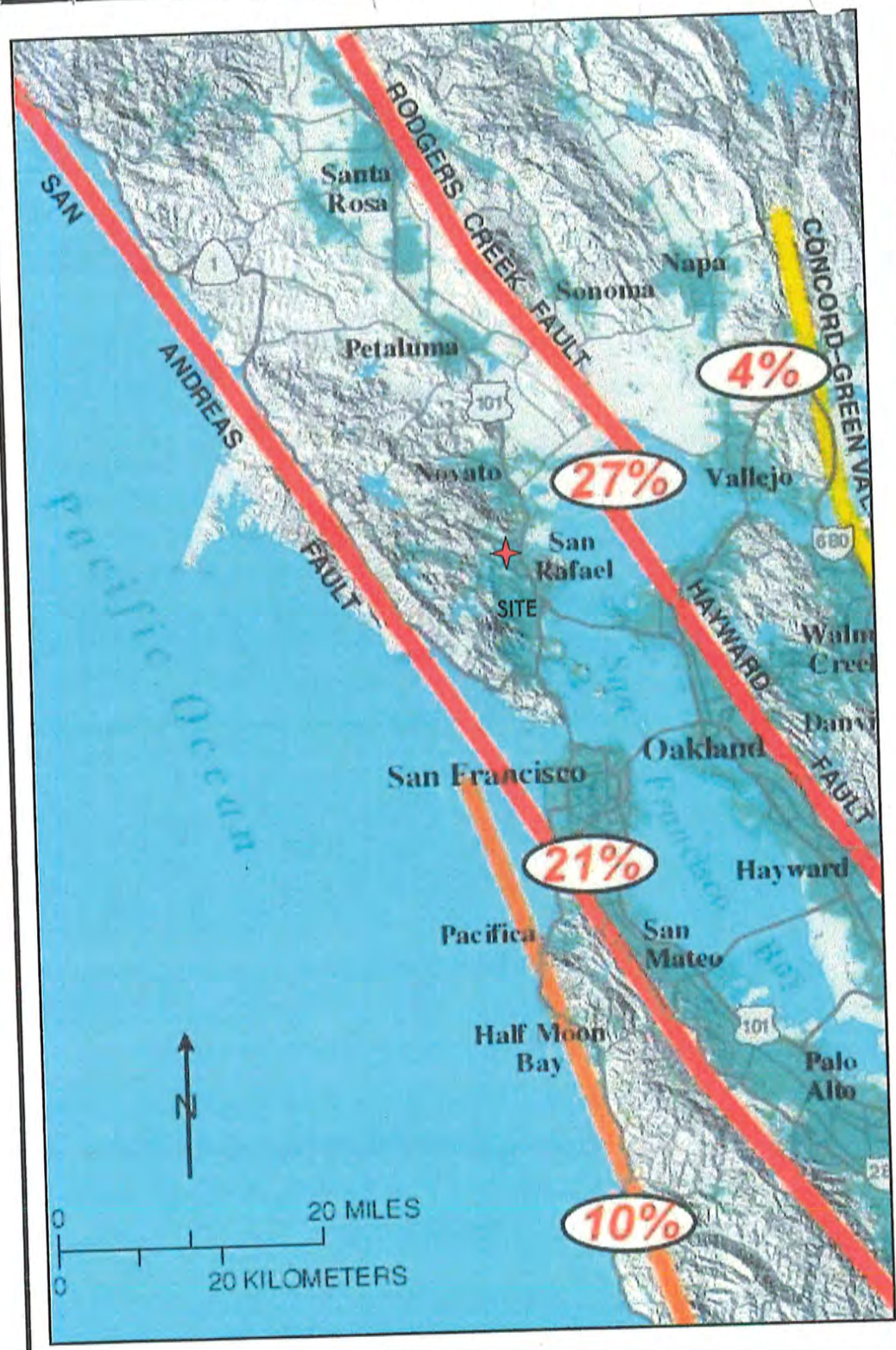
**SAN FRANCISCO BAY REGION  
EARTHQUAKE PROBABILITY**

**M ≥ 6.7**  
probability for one or more  
magnitude 6.7 or greater  
earthquakes from 2003 to 2032.

**EXPLANATION**  
Probability in a 30-year  
period from 2003 to 2032

- >10%
- 4-10%
- 1-4%
- <1%

Reference: Modified from  
Figure ES.1, "Earthquake  
Probabilities in the San  
Francisco Bay Region: 2002  
to 2031" by the Working  
Group on California  
Earthquake Probabilities  
Open File Report 03-214,  
2003.



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Appr: jch  
Date: 08-18

**EARTHQUAKE PROBABILITY MAP**  
1628 Fifth Avenue  
San Rafael, California

PLATE  
**8**

**USGS Design Maps Summary Report**  
**User-Specified Input**

**Report Title** 1634 Fifth Avenue, San Rafael  
 Sun December 31, 2017 18:54:15 UTC

**Building Code Reference Document** ASCE 7-10 Standard  
 (which utilizes USGS hazard data available in 2008)

**Site Coordinates** 37.971°N, 122.5355°W

**Site Soil Classification** Site Class B - "Rock"

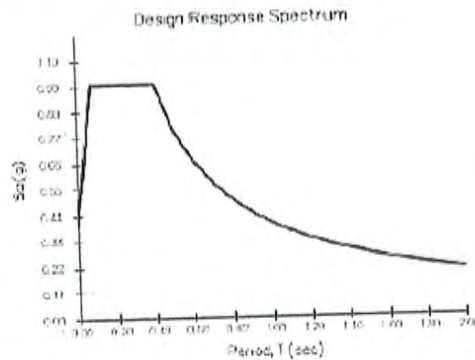
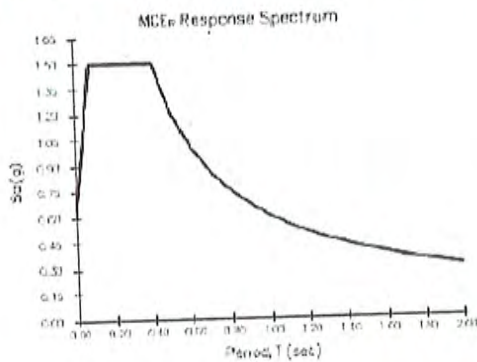
**Risk Category** I/II/III



**USGS-Provided Output**

$S_B = 1.500 \text{ g}$        $S_{M5} = 1.500 \text{ g}$        $S_{D5} = 1.000 \text{ g}$   
 $S_1 = 0.600 \text{ g}$        $S_{M1} = 0.600 \text{ g}$        $S_{D1} = 0.400 \text{ g}$

For information on how the  $S_5$  and  $S_1$  values above have been calculated from probabilistic (risk-targeted) and deterministic ground motions in the direction of maximum horizontal response, please return to the application and select the "2009 NEHRP" building code reference document.



For  $PGA_M$ ,  $T_L$ ,  $C_{RD}$ , and  $C_{R1}$  values, please [view the detailed report](#).

Although this information is a product of the U.S. Geological Survey, we provide no warranty, expressed or implied, as to the accuracy of the data contained therein. This tool is not a substitute for technical subject-matter knowledge.

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**JOHN C. HOM**  
**& ASSOCIATES, INC.**  
 Geotechnical Consultants

Job No. :1892.1  
 Appr:jch  
 Date: 08-18

SEISMIC OUTPUT  
 1628 Fifth Avenue  
 San Rafael, California

PLATE

**9**

# Stormwater Control Plan

BASMA Format July 14, 2014

## Project Data Form and Runoff Reduction Measure Selection

Project Name/Number	5 <sup>th</sup> and G Apartments
Application Submittal Date	8-23-2018
Project Location	1628 Fifth Avenue San Rafael, CA 94901 APN 011-193-06
Name of Owner or Developer	Vincent & Joseph O'Flynn
Project Type and Description	Construct an apartment building on an undeveloped lot.
Total Project Site Area	0.24 acre
Total New or Replaced Impervious Surface Area	8,240 sq ft See attached drawing SW-2
Total Pre-Project Impervious Surface Area	0 sq ft See attached drawing SW-1
Total Post-Project Impervious Surface Area	8,240 sq ft See attached drawing SW-1
Runoff Reduction Measures Selected	<input type="checkbox"/> 1. Disperse runoff to vegetated area <input type="checkbox"/> 2. Pervious pavement <input type="checkbox"/> 3. Cisterns or Rain Barrels <input checked="" type="checkbox"/> 4. Bioretention Facility or Planter Box

### Impervious Areas and Location of Runoff Reduction Measures

See Attached Drawing  
 SW-1 Stormwater Control Plan  
 LTD Engineering, Inc.

**RECEIVED**

**AUG 30 2018**

**PLANNING**

## Runoff Reduction Options

Option 1: Disperse runoff from roofs or pavement to vegetated areas.

This is the simplest option. Downspouts can be directed to vegetated areas adjacent to buildings, or extended via pipes to reach vegetated areas further away. Paved areas can be designed with curb cuts, or without curbs, to direct flow into surrounding vegetation.

On the site plan, show:

- Each impervious area from which runoff will be directed, and its square footage.
- The vegetated areas that will receive runoff, and the approximate square footage of each.
- If necessary, explain in notes on the plan how runoff will be routed from impervious surfaces to vegetated areas.

Confirm the following standard specifications are met:

- Tributary impervious square footage in no instance exceeds twice the square footage of the receiving pervious area.
- Roof areas collect runoff and route it to the receiving pervious area via gutters and downspouts.
- Paved areas are sloped so drainage is routed to the receiving pervious area.
- Runoff is dispersed across the vegetated area (for example, with a splash block) to avoid erosion and promote infiltration.
- Vegetated area has amended soils, vegetation, and irrigation as required to maintain soil stability and permeability.
- Any drain inlets within the vegetated area are at least 3 inches above surrounding grade.

Option 2: Permeable Pavement

This option can be easy to install and maintain, cost-effective, and can add aesthetic value to your project. Permeable pavements may include pervious concrete, pervious asphalt, porous pavers, crushed aggregate, open pavers with grass or plantings, open pavers with gravel, or solid pavers.

Show on your site plan:

- Location, extent and types of pervious pavements.

Confirm the following standard specifications are met:

- No erodible areas drain on to permeable pavement.
- Subgrade compaction is minimal.
- Reservoir base course is of open-graded crushed stone. Base depth is adequate to retain rainfall (3 inches is adequate) and support design loads (more depth may be required).



- No subdrain is included or, if a subdrain is included, outlet elevation is a minimum of 3 inches above bottom of base course.
- Subgrade is uniform and slopes are not so steep that subgrade is prone to erosion.
- Rigid edge is provided to retain granular pavements and unit pavers.
- Solid unit pavers, if used, are set in sand or gravel with minimum 3/8 inch gaps between the pavers. Joints are filled with an open-graded aggregate free of fines.
- Permeable concrete or porous asphalt, if used, are installed by industry-certified professionals according to the vendor's recommendations.
- Selection and location of pavements incorporates Americans with Disabilities Act requirements (if applicable), site aesthetics, and uses.

#### Option 3: Cisterns or Rain Barrels

Use of cisterns or rain barrels to comply with this requirement is subject to municipality approval. Planning and Building Permits may be required for larger systems.

Show on your site plan:

- Impervious areas tributary to each cistern or rain barrel.
- Location of each cistern or rain barrel.

Confirm the following standard specifications are met:

- Rain barrels are sited at grade on a sound and level surface at or near gutter downspouts.
- Gutters tributary to rain barrels are screened with a leaf guard or maximum 1/2-inch to 1/4-inch-minimum corrosion-resistant metallic hardware fabric.
- Water collected will be used for irrigation only.
- Openings are screened with a corrosion-resistant metallic fine mesh (1/16 inch or smaller) to prevent mosquito harborage.
- Large openings are secured to prevent entry by children.
- Rain barrels and gutters are to be cleaned annually.
- The local mosquito and vector control district is informed of the installation. The district will be provided additional information and/or rights of entry if they request.

#### Option 4: Bioretention Facility or Planter Box

An above-ground planter box may be appropriate if the development site lacks level landscaped areas for dispersion and pervious pavements are not practical. Planter boxes and bioretention facilities can treat runoff from impervious surfaces 25 times their area (sizing factor of 0.04).

Detailed design guidance for bioretention facilities is in the *Stormwater Technical Guide*.

Show on your site plan:

- Impervious areas tributary to the planter box.
- Location and footprint of planter box.

Confirm the following standard specifications are met:

- Reservoir depth is 4"-6" minimum.
- 18" depth soil mix with minimum long-term infiltration rate of 5"/hour. See <http://www.cccleanwater.org/c3-guidebook.html> for a list of soil mix suppliers.
- Surface area of soil mix is a minimum 0.04 times the tributary impervious area.
- "Class 2 perm" drainage layer 12" deep.
- No filter fabric.
- Perforated pipe (PVC SDR 35 or approved equivalent) underdrain with outlet located flush or nearly flush with planter bottom.
- Connection with sufficient head to storm drain or discharge point.
- Underdrain has a clean-out port consisting of a vertical, rigid, non-perforated PVC pipe, connected to the underdrain via a sweep bend, with a minimum diameter of 4" and a watertight cap.
- Overflow outlet connected to a downstream storm drain or approved discharge point.
- Planter is set level.
- Emergency spillage will be safely conveyed overland.
- Plantings are suitable to the climate, exposure, and a well-drained soil.
- Irrigation system with connection to water supply, on a separate zone.

#### ATTACHMENTS

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SW-1 Stormwater Control Plan

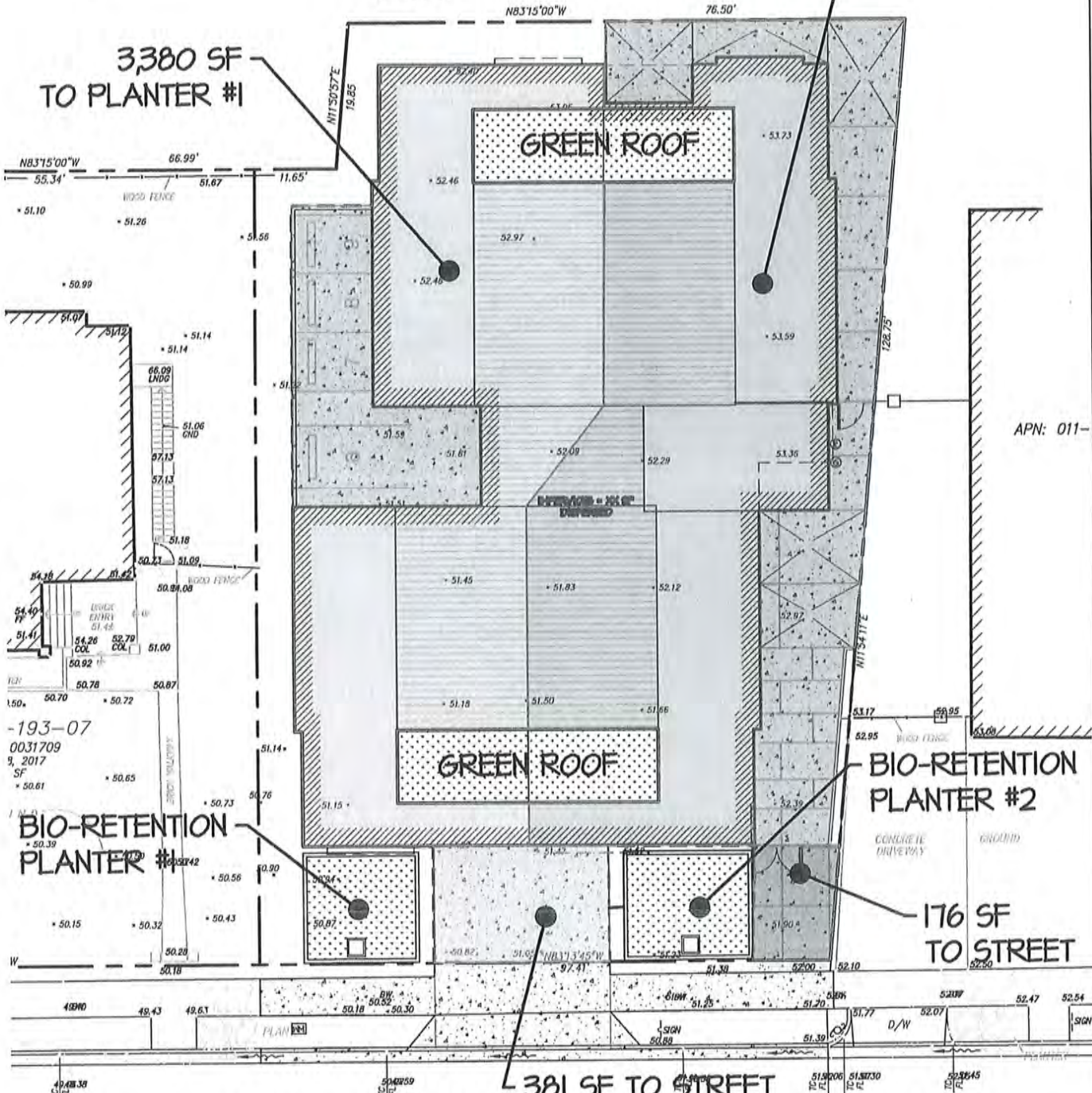
C-2 Grading and Drainage Plan

Bio-Retention Basin Sizing Tables

APN: 011-193-01

4,303 SF  
TO PLANTER #2

3,380 SF  
TO PLANTER #1



APN: 011-

-193-07  
0031709  
9, 2017  
SF

BIO-RETENTION  
PLANTER #1

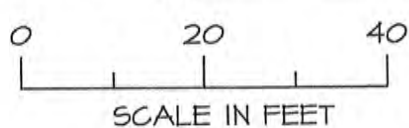
BIO-RETENTION  
PLANTER #2

176 SF  
TO STREET

381 SF TO STREET

**PROPOSED IMPERVIOUS AREA = 8,240 SF**

8/23/2018



5TH AND G APARTMENTS 1628 FIFTH AVENUE SAN RAFAEL, CALIFORNIA	PROJECT NO. 556.001
STORMWATER CONTROL PLAN	FIGURE <b>SW-1</b>

LTD Engineering, Inc.  
 1050 Northgate Drive, Suite 315  
 San Rafael, CA 94903  
 Tel. 415.446.7402 Fax 415.446.7419  
 gdearth@LTDengineering.com



ISSUED FOR  
 REVIEW  
 NOT FOR  
 CONSTRUCTION

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5TH AND G APARTMENT  
 COMPLEX  
 APN 011-193-06  
 1628 FIFTH AVENUE  
 SAN RAFAEL, CALIFORNIA 94901

APN: 011-193-05

EX BUILDING

**STORMWATER DRAINAGE PLAN**

1. THE CONCEPTUAL STORMWATER DRAINAGE PLAN IS DESIGNED TO COMPLY WITH MANAGEMENT AND CONTROL OF STORMWATER RUNOFF TO MINIMIZE OFF-SITE I
2. THE EXISTING IMPERVIOUS AREA ON THE SITE TOTALS 3642 SQUARE FEET (SQ) AREA. THE TOTAL LOT AREA IS 10,510 SQ FT. THE EXISTING IMPERVIOUS AREA,
3. THE PROPOSED DEVELOPMENT PLAN ADDS 4,591 SQ FT OF NEW IMPERVIOUS AREA. TOTAL IMPERVIOUS AREA AMOUNTS TO 70 PERCENT OF THE LOT AREA.
4. A LIVING ROOF AREA WILL BE INCLUDED TOTALING 120 SQ FT. THE LIVING ROOF WILL SLOWLY RELEASE IT TO EVAPOTRANSPIRATION.
5. RUNOFF FROM 1683 SQ FT OF THE PROPOSED NEW IMPERVIOUS AREA WILL BE CAPTURED BY PLANTERS WILL SLOW THE RUNOFF RATE, ALLOW STORMWATER TO INFILTRATE
6. THE BIO RETENTION PLANTERS WILL BE DESIGNED TO CAPTURE THE 10-YEAR STORMWATER. MORE SEVERE STORMS WILL BE CAPTURED AND PARTIALLY INFILTRATING INTO THE SURFACE AREA OF THE BASINS AND DETAILS OF CONSTRUCTION COMPLY WITH MS4
7. RUNOFF FROM THE WESTERN HALF OF THE ROOF WILL BE DISCHARGED TO A BIO-RETENTION PLANTER #1. ABOUT 3300 SQ FT OF IMPERVIOUS ROOF AREA WILL BE DISCHARGED TO 203 SQ FT, COMPARED TO THE MINIMUM REQUIRED AREA OF 137 SQ FT PER MS4
8. RUNOFF FROM THE EASTERN HALF OF THE ROOF AND THE CONCRETE WALKWAY SYSTEM AND DISCHARGED TO BIO-RETENTION PLANTER #2. RUNOFF FROM 433 SQ FT OF IMPERVIOUS ROOF AREA WILL BE DISCHARGED TO 216 SQ FT PER MS4
9. RUNOFF FROM THE ENTRY DRIVEWAY AND A PORTION OF THE ENTRY WALKWAY WILL BE DISCHARGED TO A BIO-RETENTION PLANTER #3.
10. AREA DRAINS ARE LIMITED TO LOCATIONS WHERE THEY ARE NECESSARY TO PREVENT WATER DAMAGE TO THE BUILDING.
11. A FOUNDATION DRAINAGE SYSTEM WILL BE CONSTRUCTED USING PERFORATED DRAINAGE PIPES AT THE FOUNDATION LOCATION. PERMANENT EROSION CONTROL WILL BE INSTALLED AT THE OUTLET OF THE DRAINAGE SYSTEM.

**EXCAVATION & GRADING PLAN**

1. SITE GRADING WILL BE COMPLETED IN CONFORMANCE WITH THE PROJECT GEOTECHNICAL REPORT. EXCAVATION WILL BE LIMITED TO EXCAVATION WITHIN THE FOOTPRINT OF THE BUILDING FOR FOUNDATION AND UNDERGROUND SERVICES.
2. EXCESS EXCAVATED MATERIAL WILL BE LEGALLY DISPOSED OF AT AN OFF-SITE LOCATION.

**EROSION CONTROL**

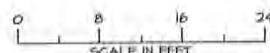
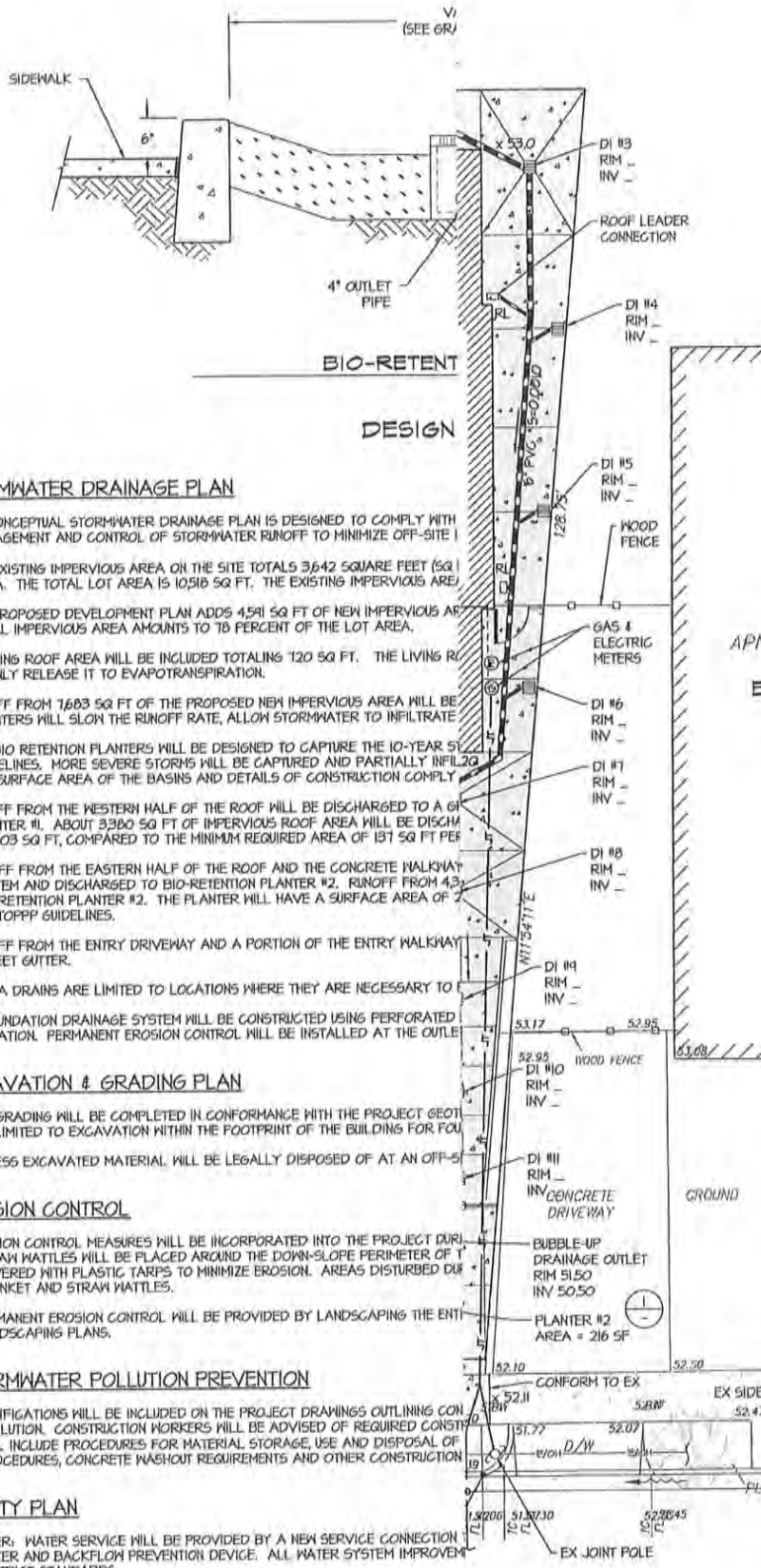
1. EROSION CONTROL MEASURES WILL BE INCORPORATED INTO THE PROJECT DRAINAGE PLAN. STRAW MATTTLES WILL BE PLACED AROUND THE DOWN-SLOPE PERIMETER OF 1' TO 2' AND COVERED WITH PLASTIC TARPIS TO MINIMIZE EROSION. AREAS DISTURBED DURING CONSTRUCTION WILL BE COVERED WITH STRAW MATTTLES.
2. PERMANENT EROSION CONTROL WILL BE PROVIDED BY LANDSCAPING THE ENTIRE SITE WITH PERMANENT VEGETATION.

**STORMWATER POLLUTION PREVENTION**

1. SPECIFICATIONS WILL BE INCLUDED ON THE PROJECT DRAWINGS OUTLINING CONSTRUCTION POLLUTION PREVENTION PROCEDURES. CONSTRUCTION WORKERS WILL BE ADVISED OF REQUIRED CONSTRUCTION POLLUTION PREVENTION PROCEDURES FOR MATERIAL STORAGE, USE AND DISPOSAL OF MATERIALS, CONCRETE WASHOUT REQUIREMENTS AND OTHER CONSTRUCTION POLLUTION PREVENTION PROCEDURES.

**UTILITY PLAN**

1. WATER: WATER SERVICE WILL BE PROVIDED BY A NEW SERVICE CONNECTION TO THE STREET. A BACKFLOW PREVENTION DEVICE WILL BE INSTALLED AT THE METER AND AT THE POINT OF ENTRY TO THE BUILDING. ALL WATER SYSTEM IMPROVEMENTS WILL BE COMPLETED IN CONFORMANCE WITH THE DISTRICT STANDARDS.
2. ELECTRIC POWER: ELECTRIC SERVICE WILL BE LOCATED UNDERGROUND FROM THE STREET TO THE BUILDING. ALL ELECTRICAL WORK WILL BE COMPLETED IN CONFORMANCE WITH THE DISTRICT STANDARDS.
3. COMMUNICATION: PHONE AND CABLE TV SERVICE WILL BE LOCATED UNDERGROUND FROM THE STREET TO THE BUILDING. ALL COMMUNICATIONS WORK WILL BE COMPLETED IN CONFORMANCE WITH THE DISTRICT STANDARDS.
4. NATURAL GAS: ALL GAS SYSTEM IMPROVEMENTS WILL BE COORDINATED WITH THE DISTRICT STANDARDS.
5. SANITARY SEWER: A SEWER LATERAL WILL BE SIZED AND CONSTRUCTED WITH THE DISTRICT STANDARDS.



REVISIONS		
NO.	DATE	DESCRIPTION
1	1/2/18	ISSUED FOR DESIGN REVIEW
2	5/23/18	REVISED BIO-RETENTION BASINS

DESIGNED BY: G. DEARTH  
 DRAWN BY: E. HAYDEN  
 APPROVED BY:  
 SCALE: 1" = 8'-0"  
 DATE: 1/2/2018  
 PROJECT NO: 556.001

**CONCEPTUAL DRAINAGE AND GRADING PLAN**

REVISION: 1  
 SHEET NO: 2 OF 2  
 DRAWING: C-2

# BIO-RETENTION BASIN NO. 1 SIZING

LTD Engineering, Inc.

Calculation method based on:  
 Marin County Stormwater Quality Manual  
 (Version 6, February 2008)

G. Dearth  
 August 24, 2018

**PROJECT: 5th and G Apartments, San Rafael, CA**

Area Name	Area (sq ft)	Surface Type	Runoff Factor	Area x Runoff Factor (sq ft)
Building roof and exposed parking garage area	3,380	Impervious	1.0	3,380
Landscape	340	Grass	0.1	34
				0
<b>TOTAL</b>	<b>3,720</b>	<b>-----</b>	<b>-----</b>	<b>3,414</b>

**Minimum Required Bio-retention Basin Area (sq ft) 137**

**Runoff Factors**

Roofs and paving	1.0
Landscape areas	0.1
Bricks or concrete pavers on sand base	0.5
Pervious concrete or asphalt	0.0
Turfblock or gravel (min 6" thickness)	0.0
Artificial turf	0.0
<b>Bio-retention Basin Sizing Factor</b>	<b>0.04</b>

## BIO-RETENTION BASIN NO. 2 SIZING

LTD Engineering, Inc.

Calculation method based on:  
Marin County Stormwater Quality Manual  
(Version 6, February 2008)

G. Dearth  
August 24, 2018

**PROJECT: 5th and G Apartments, San Rafael, CA**

Area Name	Area (sq ft)	Surface Type	Runoff Factor	Area x Runoff Factor (sq ft)
Building roof and walkway	4,303	Impervious	1.0	4,303
				0
<b>TOTAL</b>	<b>4,303</b>	-----	-----	<b>4,303</b>

**Minimum Required Bio-retention Basin Area (sq ft)**

**172**

### Runoff Factors

Roofs and paving	1.0
Landscape areas	0.1
Bricks or concrete pavers on sand base	0.5
Pervious concrete or asphalt	0.0
Turfblock or gravel (min 6" thickness)	0.0
Artificial turf	0.0
<b>Bio-retention Basin Sizing Factor</b>	<b>0.04</b>

# Stormwater Control Plan for a Regulated Project

## 5th and G Street Apartments

November 5, 2018

Owner: Vincent O'Flynn and Joseph O'Flynn  
vincentoflynn@gmail.com  
415-531-4447

Prepared by: LTD Engineering, Inc.  
1050 Northgate Drive, Suite 315  
San Rafael, CA 94903

Glenn Dearth, PE  
415-446-7402  
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**Attachments**

- Stormwater Control Plan Figure SW-1
- Conceptual Drainage Plan Drawing C-2

This Stormwater Control Plan was prepared using the template dated July 14, 2014.

## I. Project Data

Table 1. Project Data Form

Project Name	5 <sup>th</sup> and G Street Apartments
Application Submittal Date	10-26-2018
Project Location	1628 Fifth Avenue San Rafael, CA 94901 APN 011-193-06
Project Phase No.	NA
Project Type and Description	Three story residential condominium building
Total Project Site Area (acres)	0.24 acres (10,518 sq ft)
Total New and Replaced Impervious Surface Area	8,240 sq ft See attached drawing SW-1
Total Pre-Project Impervious Surface Area	3,686 sq ft See attached drawing SW-1
Total Post-Project Impervious Surface Area	8,240 sq ft See attached drawing SW-1

## II. Setting

### II.A. Project Location and Description

The currently vacant site is located on the North side of Fifth Ave, San Rafael, between G Street and Cottage Avenue. The parcel is intended to be used for (9) residential condominiums in a building that will be (3) stories (30') in height.

The parcel is zoned HR1.5 with side and rear setbacks of 5'-0" and a front setback of 15'-0". HR1.5 zoning requires 150 sf of exterior space per unit, which will be achieved with shared roof and ground level space, as well as individual balconies.

Parking requirements for HR1.5 are 1.5 per unit (2 bedroom) and 1/5 for guest parking which is 15 overall for this use.

Landscape area requirements include 50% of front yard to be planted areas, which we will satisfy with a mixture of trees and native plants (see Landscape drawings).

The neighborhood is of mixed use and style, with majority being of traditional craftsman vernacular, but with many mid-century and transitional styles mixed in. Directly to the east of the parcel, are multi-family multi-story apartment buildings as well as a church, and further down the same block of Fifth Avenue, large buildings associated with Marin Academy. Directly across the street from the parcel is located "Victorian Village" a mixed use commercial/office area that utilizes victorian/craftsman type homes for small office and

commercial spaces. Directly to the west of the parcel is a more traditional residential neighborhood consisting of single family homes with multifamily apartment buildings mixed in. The proposed new building has been designed to take cues from the existing eclectic nature of the neighborhood, but with an emphasis on traditional materials and vernacular elements so as to blend into the fabric.

## II.B. Existing Site Features and Conditions

Site size and shape: 10,518 sq ft Rectangular shaped parcel

- Topography: Nearly flat with slight slope from north to south toward Fifth Avenue
- Hydrologic features
  - Contiguous natural areas: None
  - Wetlands: None
  - Watercourses: None
  - Seeps, or springs: None
- Existing land uses: Vacant undeveloped
- Soil types and hydrologic soil groups:
- Vegetative cover: Grass
- Impervious areas: 3,386 sq ft of asphalt paving
- Existing drainage for site and nearby areas: Site slopes toward Fifth Avenue. There are no existing drainage improvements on the site.
- Location of municipal storm drains: Fifth Avenue

## II.C. Opportunities and Constraints for Stormwater Control

### OPPORTUNITIES

- Existing natural areas: None
- Low areas: None
- Oddly configured or otherwise unbuildable areas: None
- Easements: None
- Required landscape amenities, open space and buffers: San Rafael planning requirements apply to the project.
- Differences in elevation, which can provide needed hydraulic head: The site is nearly flat and there is no difference in elevation between the round surface at the south end of the lot and the gutter flow line.

### CONSTRAINTS:

- Impermeable soils:
- High groundwater: Unknown
- Groundwater pollution or contaminated soils: Unknown
- Steep slopes: None. Nearly flat site
- Geotechnical instability: None; nearly flat site
- Topography: The site is nearly flat and there is no difference in elevation between the round surface at the south end of the lot and the gutter flow line. This lack of hydraulic head precludes the use of a standard bioretention basin with an underdrain unless raised planters are constructed as bioretention basins. If raised planters are constructed, stormwater runoff will need to be routed through piping located with the building and discharged to the planters

at an elevation several feet above the finished grade of the adjacent driveway. This means that only runoff from the roof can be discharged to the bioretention planters. Runoff from the exposed portion of the parking level and hardscape along the east side of the building will discharge directly to the gutter at the street. This configuration will prevent discharging DMA #3 and the parking garage portion of DMA#2 into bioretention planter #2. This configuration will also prevent discharging the paved walkway area in DMA #1 into bioretention planter #2. During final design of the project, consideration will be given to pros and cons of the two alternative designs and the preferred alternative will be implemented.

- Alternative 1: Diversion of nearly all impervious area to a bioretention basin without an underdrain
- Alternative 2: Diversion of only part of the impervious area to a bioretention basin with a standard underdrain; the remaining impervious area would be discharged directly to the gutter at Fifth Avenue.
- Density/high-intensity land use: High density condominium project maximizes the building footprint on the site within the required property line setbacks.
- Heavy pedestrian or vehicular traffic: Heavy traffic on Fifth Avenue
- Utility locations: All utilities located in Fifth Avenue
- Safety concerns: None

### **III. Low Impact Development Design Strategies**

#### **III.A. Optimization of Site Layout**

##### **III.A.1. Limitation of development envelope**

The footprint of the building conforms to property line setbacks and uses all of the allowable building area on the site. This leaves little space for stormwater improvements.

##### **III.A.2. Preservation of natural drainage features**

The natural overland drainage slope toward Fifth Avenue will be preserved. There are no drainage swales, wetlands or stream channels to preserve.

##### **III.A.3. Setbacks from creeks, wetlands, and riparian habitats**

Not Applicable. No creeks, wetlands or riparian habitat on the site.

##### **III.A.4. Minimization of imperviousness**

A portion of the roof totaling 718 sq ft will be a living roof.

##### **III.A.5. Use of drainage as a design element**

A portion of the roof totaling 718 sq ft will be a living roof. This area also provides landscape area required for planning approval.

#### **III.B. Use of Permeable Pavements**

No permeable paving proposed.

III.C. Dispersal of Runoff to Pervious Areas

DMA#2 discharges to a pervious swale along the west side of the property leading to Bioretention basin #1.

III.D. Stormwater Control Measures

Bioretention planters will be constructed to receive runoff from nearly all impervious area.

IV. Documentation of Drainage Design

IV.A. Descriptions of Each Drainage Management Area

IV.A.1. Table of Drainage Management Areas. See Figure Sw-1.

DMA Name	Surface Type	Area (square feet)
#1 East Roof & Walkway	Impervious	4,303
#2 West Roof	Impervious	3,380
#3 West Landscape	Pervious	920
#4 Entry Walkway	Impervious	176
#5 Driveway	Impervious	381
#6 North Green Roof	Pervious	359
#7 South Green Roof	Pervious	359

IV.A.2. Drainage Management Area Descriptions

**DMA #1**, totaling ,4,303 square feet, drains the east half of the roof. DMA #1 drains to Bioretention Planter #2.

**DMA #2**, totaling ,3,380 square feet, drains the west half of the roof. DMA #2 drains to Bioretention Planter #1.

**DMA #3**, totaling 920 square feet, drainsthe landscape area along the west side of the building. DMA #3 drains to Bioretention Planter #1.

**DMA #4**, totaling 176 square feet, drains the concrete entry walkway. DMA #3 drains to the gutter at the street. The elevation of the walkway at the lowest point of the site preclude discharge to a bioretention basin or other landscape area.

**DMA #5**, totaling 381 square feet, drains the concrete driveway entrance . DMA #5 drains to the gutter at the street. The elevation of the walkway at the lowest point of the site preclude discharge to a bioretention basin or other landscape area.

**DMA #6**, totaling 359 square feet, drains the northern green roof area. Overflow from DMA #6 drains to Bioretention Planter #2.

**DMA #7**, totaling 359 square feet, the southern green roof area. Overflow from DMA#7 drains to Bioretention Planter #1.

IV.B. Tabulation and Sizing Calculations

IV.B.1. Information Summary for Bioretention Facility Design

Total Project Area	0.24 acres (10,518 sq ft)
DMA #1	4,303 sq ft
DMA #2	3,380 sq ft
DMA #3	920 sq ft
DMA #6	359 sq ft
DMA #7	359 sq ft

IV.B.2. Self-Treating Areas

Table 2 Self Treating Areas

DMA Name	Area (square feet)
Self Treating Areas Not Used	

IV.B.3. Self-Retaining Areas

Table 3 Self Retaining Areas

DMA Name	Area (square feet)
Self Retaining Areas Not Used	

IV.B.4. Areas Draining to Self-Retaining Areas

Table 4 Areas Draining to Self Retaining Areas

DMA Name	Area (square feet)	Post-project surface type	Runoff factor	Product (Area x runoff factor)[A]	Receiving self-retaining DMA	Receiving self-retaining DMA Area (square feet) [B]	Ratio [A]/[B]
Self Retaining Areas Not Used							

IV.B.5. Areas Draining to Bioretention Facilities

Table 5a LID Facility Sizing Calculations

DMA Name	DMA Area (square feet)	Post-project surface type	DMA Runoff factor	DMA Area runoff factor	Facility Name		
					Bio-Retention Basin No. 1		
#2	3,380	impervious	1	3,380	Sizing factor	Minimum Facility Size	Proposed Facility Size
#3	920	pervious	0.1	92			
#7	359	pervious	0.1	36			
Total>				3,508	0.04	140	203

Table 5b LID Facility Sizing Calculations

DMA Name	DMA Area (square feet)	Post-project surface type	DMA Runoff factor	DMA Area runoff factor	Facility Name		
					Bio-Retention Basin No. 2		
#1	4,303	impervious	1	4,303	Sizing factor	Minimum Facility Size	Proposed Facility Size
#6	359	pervious	0.1	36			
Total>				4,339	0.04	174	216

V. Source Control Measures

V.A. Site activities and potential sources of pollutants

Parking lot for apartments will be a source of oil, grease and other materials from parked vehicles.

Residential trash collection area will be a potential source of pollutants

Landscape areas will be a potential source of fertilizers, pesticides and herbicides.



V.B. Source Control

Table 6 Sources and Source control Measures

<b>Potential source of runoff pollutants</b>	<b>Permanent source control BMPs</b>	<b>Operational source control BMPs</b>
On-site Storm Drain Inlets	Mark all inlets with the words "No dumping! Flows to Bay"	<ul style="list-style-type: none"> <li>• Maintain and periodically repaint or replace inlet markings.</li> <li>• Provide stormwater pollution prevention information to new site owners, lessees, or operators.</li> <li>• See applicable operational BMPs in Fact Sheet SC-44, "Drainage System Maintenance," in the CASQA Stormwater Quality Handbooks at <a href="http://www.casqa.org/resources/bmp-handbooks">www.casqa.org/resources/bmp-handbooks</a></li> <li>• Include the following in lease agreements: "Tenant shall not allow anyone to discharge anything to storm drains or to store or deposit materials so as to create a potential discharge to storm drains."</li> </ul>
Interior floor drains and elevator shaft sump pumps	Interior floor drains and elevator shaft sump pumps will be plumbed to sanitary sewer.	<ul style="list-style-type: none"> <li>• Inspect and maintain drains to prevent blockages and overflow.</li> </ul>
Interior Parking Garage	Parking garage floor drains will be plumbed to the sanitary sewer except for the portions of the garage exposed to direct rainfall.	<ul style="list-style-type: none"> <li>• Inspect and maintain drains to prevent blockages and overflow.</li> </ul>

<p>Landscape/ Outdoor Pesticide Use/Building and Grounds Maintenance</p>	<p>Final landscape plans will accomplish all of the following.</p> <ul style="list-style-type: none"> <li>• Preserve existing native trees, shrubs, and ground cover to the maximum extent possible.</li> <li>• Design landscaping to minimize irrigation and runoff, to promote surface infiltration where appropriate, and to minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.</li> <li>• Where landscaped areas are used to retain or detain stormwater, specify plants that are tolerant of saturated soil conditions.</li> <li>• Consider using pest-resistant plants, especially adjacent to hardscape.</li> <li>• To insure successful establishment, select plants appropriate to site soils, slopes, climate, sun, wind, rain, land use, air movement,</li> </ul>	<ul style="list-style-type: none"> <li>• Maintain landscaping using minimum or no pesticides.</li> <li>• See applicable operational BMPs in Fact Sheet SC-41, "Building and Grounds Maintenance," in the CASQA Stormwater Quality Handbooks at <a href="http://www.casqa.org/resources/bmphandbooks">www.casqa.org/resources/bmphandbooks</a></li> <li>• Provide IPM information to new owners, lessees and operators.</li> </ul>
--	---	---

	ecological consistency, and plant interactions	
Refuse Areas	<p>Refuse will be collected in dumpsters.</p> <p>Signs will be posted on or near dumpsters with the words "Do not dump hazardous materials here".</p>	<ul style="list-style-type: none"> <li>• Provide adequate number of receptacles.</li> <li>• Inspect receptacles regularly; repair or replace leaky receptacles.</li> <li>• Keep receptacles covered.</li> <li>• Prohibit/prevent dumping of liquid or hazardous wastes.</li> <li>• Post "no hazardous materials" signs.</li> <li>• Inspect and pick up litter daily and clean up spills immediately.</li> <li>• Keep spill control materials available on-site. See Fact Sheet SC-34, "Waste Handling and Disposal" in the CASQA Stormwater Quality Handbooks at <a href="http://www.casqa.org/resources/bmp/handbooks">www.casqa.org/resources/bmp/handbooks</a></li> </ul>

V.C. Features, Materials, and Methods of Construction of Source Control BMPs

Standard construction methods and materials will be used conforming to the Building Code. Details will be provided on the construction drawings issued for building permit.

**VI. Stormwater Facility Maintenance**

VI.A. Ownership and Responsibility for Maintenance in Perpetuity

The Project Owner agrees to execute any necessary maintenance agreements.

The Project Owner accepts responsibility for interim operation and maintenance of stormwater treatment and flow-control facilities until such time as this responsibility is formally transferred to a subsequent owner."

VI.B. Summary of Maintenance Requirements for Each Stormwater Facility

During final design of the project, and operation and maintenance plan will be prepared in accordance with Chapter 5 of the *Post-Construction Manual*.

## VII. Construction Checklist

Table 7 Construction Plan C-3 Checklist

<b>Stormwater Control Plan Page #</b>	<b>Source Control or Treatment Control Measure</b>	<b>See Construction Plan Sheet No.</b>
6	Bioretention planters	

## VIII. Certifications

The preliminary design of stormwater treatment facilities and other stormwater pollution control measures in this plan are in accordance with the current edition of the BASMAA *Post-Construction Manual*.

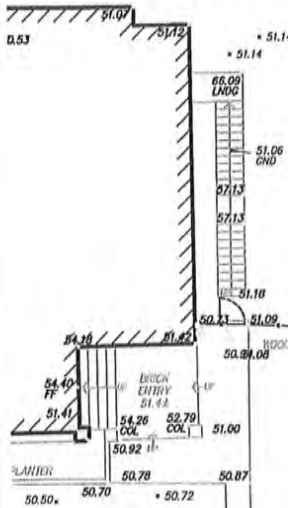
APN: 011-193-01

DMA #6  
359 SF  
TO PLANTER #2

DMA #1  
4,303 SF  
TO PLANTER #2

DMA #2  
3,380 SF  
TO PLANTER #1

DMA #3  
920 SF  
TO PLANTER #1



1-193-07  
17-0031709  
T 08, 2017  
72.4 SF  
BIO-RETENTION  
PLANTER #1

BIO-RETENTION  
PLANTER #2

DMA #7  
359 SF  
TO PLANTER #1

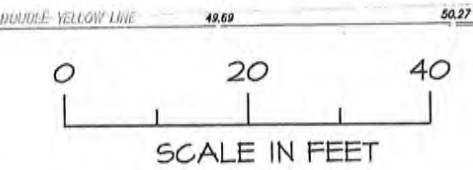
BIO-RETENTION  
PLANTER #2

DMA #4  
176 SF  
TO STREET

DMA #5 381 SF TO STREET

**PROPOSED IMPERVIOUS AREA = 9,160 SF**

10/31/2018



5TH AND G APARTMENTS 1628 FIFTH AVENUE SAN RAFAEL, CALIFORNIA	PROJECT NO. 556.001
STORMWATER CONTROL PLAN	FIGURE <b>SW-1</b>

**PROGRESS PRINT**  
 NOT FOR CONSTRUCTION

DATE: \_\_\_\_\_

ISSUED FOR REVIEW  
 NOT FOR CONSTRUCTION

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**5TH AND G APARTMENT COMPLEX**  
 APN 011-193-06  
 1628 FIFTH AVENUE  
 SAN RAFAEL, CALIFORNIA 94901

APN: 011-193-05  
 EX BUILDING

**STORMWATER DRAINAGE PLAN**

1. THE CONCEPTUAL STORMWATER DRAINAGE PLAN IS DESIGNED TO COMPLY WITH THE MANAGEMENT AND CONTROL OF STORMWATER RUNOFF TO MINIMIZE OFF-SITE IMPACT.
2. THE EXISTING IMPERVIOUS AREA ON THE SITE TOTALS 3,642 SQUARE FEET (SQ FT) AREA. THE TOTAL LOT AREA IS 10,510 SQ FT. THE EXISTING IMPERVIOUS AREA AS A PERCENT OF THE TOTAL LOT AREA IS 34.6%.
3. THE PROPOSED DEVELOPMENT PLAN ADDS 4,591 SQ FT OF NEW IMPERVIOUS AREA. THE TOTAL IMPERVIOUS AREA AMOUNTS TO 78 PERCENT OF THE LOT AREA.
4. A LIVING ROOF AREA WILL BE INCLUDED TOTALING 720 SQ FT. THE LIVING ROOF SLOWLY RELEASE IT TO EVAPOTRANSPIRATION.
5. RUNOFF FROM 1,603 SQ FT OF THE PROPOSED NEW IMPERVIOUS AREA WILL BE DISCHARGED TO BIO-RETENTION PLANTERS. PLANTERS WILL SLOW THE RUNOFF RATE, ALLOW STORMWATER TO INFILTRATE AND BE CAPTURED BY THE PLANTERS.
6. THE BIO RETENTION PLANTERS WILL BE DESIGNED TO CAPTURE THE 10-YEAR STORMWATER RUNOFF. MORE SEVERE STORMS WILL BE CAPTURED AND PARTIALLY INFILTRATED. THE SURFACE AREA OF THE BASINS AND DETAILS OF CONSTRUCTION COMPLY WITH THE BIO-RETENTION DESIGN GUIDELINES.
7. RUNOFF FROM THE WESTERN HALF OF THE ROOF WILL BE DISCHARGED TO A GRASS PLANTER #1. ABOUT 3,300 SQ FT OF IMPERVIOUS ROOF AREA WILL BE DISCHARGED TO 203 SQ FT, COMPARED TO THE MINIMUM REQUIRED AREA OF 137 SQ FT PER MINIMUM.
8. RUNOFF FROM THE EASTERN HALF OF THE ROOF AND THE CONCRETE WALKWAY AREA WILL BE DISCHARGED TO BIO-RETENTION PLANTER #2. RUNOFF FROM 4,303 SQ FT OF IMPERVIOUS ROOF AREA AND 216 SQ FT OF CONCRETE WALKWAY AREA WILL BE DISCHARGED TO 216 SQ FT, COMPARED TO THE MINIMUM REQUIRED AREA OF 137 SQ FT PER MINIMUM.
9. RUNOFF FROM THE ENTRY DRIVEWAY AND A PORTION OF THE ENTRY WALKWAY TO THE STREET GUTTER.
10. AREA DRAINS ARE LIMITED TO LOCATIONS WHERE THEY ARE NECESSARY TO PREVENT WATER DAMAGE TO THE BUILDING.
11. A FOUNDATION DRAINAGE SYSTEM WILL BE CONSTRUCTED USING PERFORATED PVC PIPE. PERMANENT EROSION CONTROL WILL BE INSTALLED AT THE OUTLET LOCATION.

**EXCAVATION & GRADING PLAN**

1. SITE GRADING WILL BE COMPLETED IN CONFORMANCE WITH THE PROJECT GEOTECHNICAL REPORT. EXCAVATION WILL BE LIMITED TO EXCAVATION WITHIN THE FOOTPRINT OF THE BUILDING FOR FOUNDATION.
2. EXCESS EXCAVATED MATERIAL WILL BE LEGALLY DISPOSED OF AT AN OFF-SITE LOCATION.

**EROSION CONTROL**

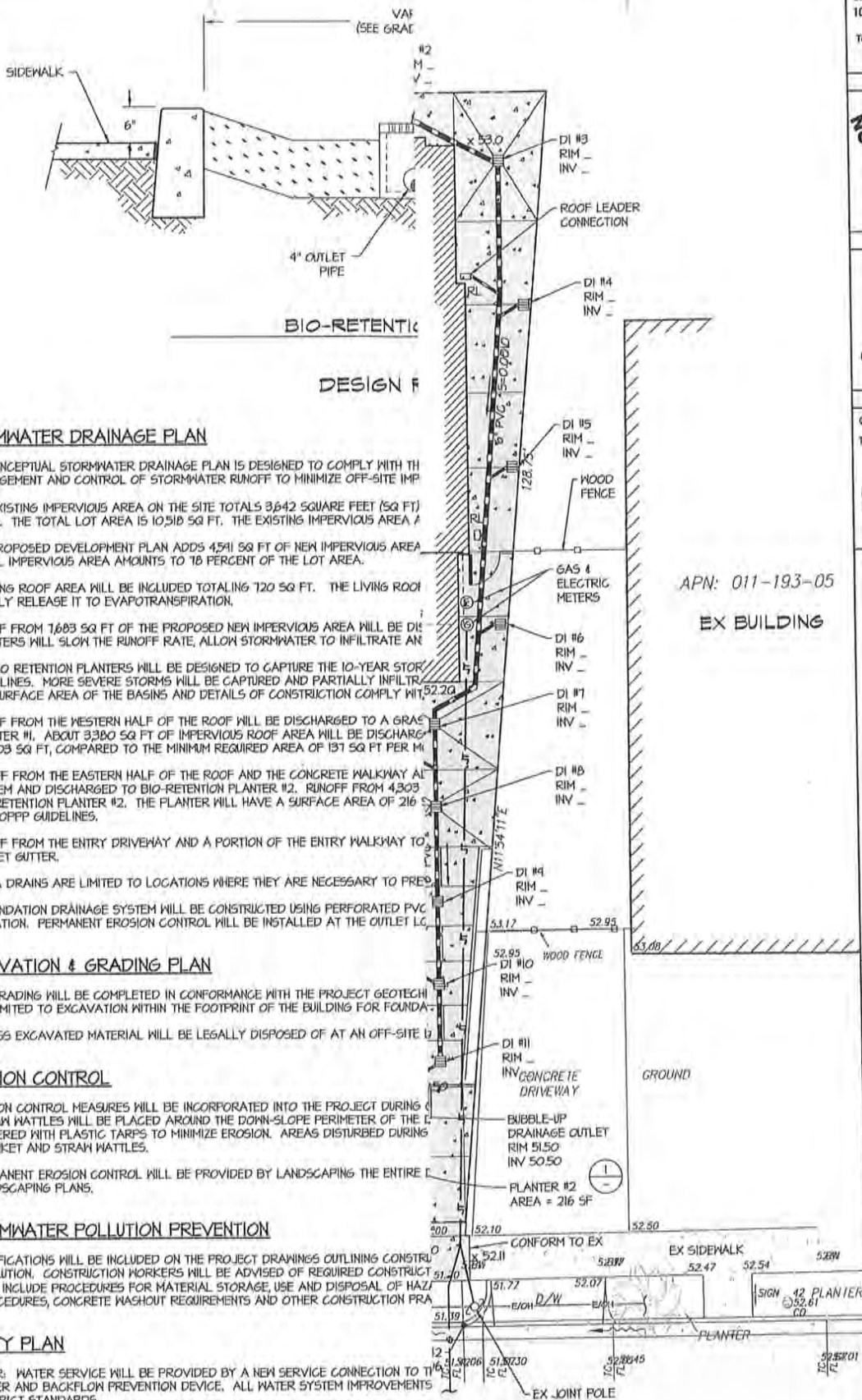
1. EROSION CONTROL MEASURES WILL BE INCORPORATED INTO THE PROJECT DURING CONSTRUCTION. STRAW MATS WILL BE PLACED AROUND THE DOWN-SLOPE PERIMETER OF THE EXCAVATION. AREAS DISTURBED DURING CONSTRUCTION WILL BE COVERED WITH PLASTIC TARP. AREAS DISTURBED DURING CONSTRUCTION WILL BE COVERED WITH PLASTIC TARP.
2. PERMANENT EROSION CONTROL WILL BE PROVIDED BY LANDSCAPING THE ENTIRE SITE. LANDSCAPING PLANS WILL BE PROVIDED.

**STORMWATER POLLUTION PREVENTION**

1. SPECIFICATIONS WILL BE INCLUDED ON THE PROJECT DRAWINGS OUTLINING CONSTRUCTION POLLUTION PREVENTION. CONSTRUCTION WORKERS WILL BE ADVISED OF REQUIRED CONSTRUCTION POLLUTION PREVENTION PROCEDURES FOR MATERIAL STORAGE, USE AND DISPOSAL OF HAZARDOUS MATERIALS, CONCRETE WASHOUT REQUIREMENTS AND OTHER CONSTRUCTION POLLUTION PREVENTION PROCEDURES.

**UTILITY PLAN**

1. WATER: WATER SERVICE WILL BE PROVIDED BY A NEW SERVICE CONNECTION TO THE STREET. A WATER METER AND BACKFLOW PREVENTION DEVICE, ALL WATER SYSTEM IMPROVEMENTS WILL BE COORDINATED WITH THE DISTRICT STANDARDS.
2. ELECTRIC POWER: ELECTRIC SERVICE WILL BE LOCATED UNDERGROUND FROM THE STREET. ALL ELECTRICAL SERVICE WILL BE COORDINATED WITH PACIFIC GAS AND ELECTRIC (PG&E) AND COMPLETED IN CONFORMANCE WITH THE DISTRICT STANDARDS.
3. COMMUNICATION: PHONE AND CABLE TV SERVICE WILL BE LOCATED UNDERGROUND FROM THE STREET. ALL COMMUNICATIONS IMPROVEMENTS WILL BE COORDINATED WITH AT&T AND COMCAST. THE WORK WILL BE COMPLETED IN CONFORMANCE WITH THE DISTRICT STANDARDS.
4. NATURAL GAS: ALL GAS SYSTEM IMPROVEMENTS WILL BE COORDINATED WITH PACIFIC GAS AND ELECTRIC (PG&E) STANDARDS.
5. SANITARY SEWER: A SEWER LATERAL WILL BE SIZED AND CONSTRUCTED WITH AN INLET TO THE STREET. ALL SEWER SYSTEM IMPROVEMENTS WILL BE COORDINATED WITH THE DISTRICT STANDARDS.



REVISIONS

NO.	DATE	DESCRIPTION
1	7/2/10	ISSUED FOR DESIGN REVIEW
2	8/23/10	REVISED BIO-RETENTION BASINS

DESIGNED BY: G. DEARTH  
 DRAWN BY: E. HAYDEN  
 APPROVED BY: \_\_\_\_\_

SCALE: 1" = 8'-0"

DATE	PROJECT NO.
7/2/2010	556.001

**CONCEPTUAL DRAINAGE AND GRADING PLAN**

REVISION	1
SHEET NO.	2 OF 2
DRAWING	C-2

## Exhibit 8

December 12, 2018

To: San Rafael Design Review Board  
From: Gayle Wittenmeier Mills  
Re: 1628 Fifth Avenue Proposal

As a former planning commissioner (2006-2008) and a 45-year resident of the Sun Valley Neighborhood, a neighborhood that uses Fifth Avenue as its main street, I would like to add my comments to your consideration of the 3-story, 9-unit complex being proposed at 1628 Fifth Avenue.

Overall, in my opinion, the design is out of character for its location. Not only does it not reflect its historic neighbors, which of course is often the way of innovation, but it also doesn't seem to know it is not in Emeryville or San Francisco. It would be beautiful in the San Fernando Valley of Los Angeles. Why? Because the current design is a fortress, with its hidden, two-step-locked entryway; its second story apartments, removed from street life by its first story parking; and its concrete coverage of 78% of the lot. That is an urban design, not suburban.

It is a great urban design, given its rooftop gardens, albeit for only half the residents, and its low-maintenance and secured exterior, with warehouse-high windows. If I were in a densely populated area, I might appreciate those things.

However, I would not characterize the West End Neighborhood of San Rafael as urban. It's more relaxed, more friendly, more naturally infused with trees, a softer context. The proposed design disrupts this quiet sense—clashing like a cymbal of a future that I would like to think is not on the books for West End.

Dealing with specifics, I question the treatment of runoff on a structure that covers 78% of the lot with impermeable substance and then funnels much of the drainage into the city street. I question its design to withstand only a 10-year flood level, when all indicators point to more intense rainfall as climate change progresses. I question why the entire roof is not set up to accept rainfall?

I question allowing 5' setbacks on three sides instead of requiring a greater setback from its rear neighbor, a neighbor who, as I understand it, has registered a complaint. A greater rear setback would increase permeable space and allow greater landscaping.

I question a design that, in earthquake country, puts parking underneath. I also question funneling traffic onto Fifth at a very dangerous spot. Especially during commute and school delivery times, this is the point at which drivers get blinded by the sun. Added to the sun, are the shadows of the trees which obscure foot and bicycle traffic. Knowing that the developers own both parcels at the corner of Fifth and G streets, I question why they did not circulate the 18+ cars from this 9-unit building in from Fifth and out onto G?

Referencing said house at G and Fifth, I appreciate that they kept its historic design and seem to have done a solid job on the renovation, but adding a fence with identical color lends, again, to a fortress-style impression.

In conclusion, I thank the DRB for considering my comments and hope they will guide the design for 1628 Fifth to one that recognizes the existing water sink at 5<sup>th</sup> and H, the already difficult flow of Fifth Avenue traffic between E and H, and the quiet, friendly nature of homes all along 5<sup>th</sup>, thus preserving the allure of our West End Neighborhood.

December 10, 2019

To the San Rafael Planning Department,

We are the owners of the property at 210 G St, a stately old mansion that now houses apartments in the Forbes area of San Rafael. We are very unhappy with the proposal for developing the adjacent lot at 1628 5th Ave. but feel that we are powerless because of City actions of which we had no notice or opportunity to comment. When we went to the Planning Department to ask questions about this, they said that the property at 1628 5th was designated as an "Opportunity Site" for housing. I looked at your website to find out more about designated housing opportunity sites and was unable to find anything. We get notices in the mail whenever anyone has a project in our neighborhood. Why did we never get any notice about this designation since it affects our property so much? Why is there no readily accessible information about these sites? When you identified it as such why no notification? We never had any issue with the building that was on that property before it burned down years ago. We assumed that something would be built there to take its place but never dreamed that it would be so much larger and so much closer to our building. The old building was 60 feet away from the property line that we share. The new building is set to be 5 feet from the line and our building is within only a few feet of that property line so we are shocked and unhappy about this.

The new owners of 1628 are only doing what they have a right to do and have been explicitly directed by the City to do. All of our objections to this project are over-riden by what the City has directed but has not gone through any public notice about. We appreciate the need to provide housing in San Rafael but you have a responsibility to the neighborhoods to make sure that what is built fits into the neighborhood and doesn't adversely affect the neighbors. This new building will cover the entire lot, unlike its predecessor and unlike the other buildings on the block and loom over our building with windows looking directly and closely into our bedrooms and living rooms. It will also rob our building of privacy and light. (I see in the zoning chart for the property that the rear setback is 5' with the additional note "(I) In order to provide adequate privacy and sunlight, additional separation may be required through design review." Unfortunately, this note was ignored by the Design Review Board. Besides blocking the sunlight and invading our privacy, there is no space to soften or screen the buildings from each other or give privacy with plantings of trees because it is so close to the property line.

The City is supposed to act for the benefit of all. In this case the developers get all the benefit and we get all of the negative results. They get a view into our back garden and out over our cottage and garage. (Also, a view into our bedroom and living room.) We lose all views, sunlight and privacy. It is an urban infill project that would fit well a few blocks away where adjacent buildings are designed for minimum setbacks. It is also directly across the street from the historically designated "Victorian Village" and the rest of the project's neighbors are vintage homes. How does a condo block fit here, really? We feel that the City is not giving property owners notification of plans and designations that they impose that will affect them when development happens. We only find these things out after someone has made development plans that we can never be happy with but have no recourse to fix because the City has already laid the groundwork unbeknownst to us. We would like an answer about these issues. We feel ignored and we don't understand what the public process is for these decisions.

Skag Dukkers & Anne McClain  
[mcclaindukkers@comcast.net](mailto:mcclaindukkers@comcast.net)  
PO Box 684  
Forest Knolls, CA 94933  
415.488.0328



From: Anne McClain <mcclaindukkers@comcast.net>

Sent: Monday, December 10, 2018 4:30 PM

To: planning

Subject: Proposed project at 1628 Fifth Ave.

To the Planning Commission and the Design Review Board:

We are the owners of the building at 210 G St. directly adjacent to the north of the proposed project. We have owned this property since the early 1990s. We attended the Design Review Board meeting regarding the proposed project at 1628 Fifth Avenue on December 4th. That meeting did nothing to allay our concerns about the project. It seemed to us that none of the board members, with the exception of Mr. Kent, was really that familiar with the particulars of the lot and direct neighbors. One commented that the setback was adequate because our building was well away from the property line. That is incorrect. The property jogs toward the house to the west of 1628 giving the front of our building a large side setback from 1630 but at 1628 the property line jogs toward our building with the back section of our building being only 3 feet from the fence so we are talking about only 8' between our building and the proposed project. On the first floor our building has a sunroom with windows all around and the second floor has a bedroom in that part of the building closest to the project (within 8 feet!). They will be most affected by the invasion of privacy, blocking of natural light during the day and intrusion of artificial light from the adjacent windows of the project at night.

Another thing we noticed but had no opportunity to comment on or correct was that the Chairman asked if we lived there and then seemed to be dismissive of what we had to say when we said that we don't live there. That is unfair. We care deeply about the building, have owned and cared for it for many years, our daughter currently lives there, and we have considered perhaps moving there in the future. We also care about the living experience of our tenants in the building. This project looms over our property and the large windows of the project look directly into the bedrooms and living rooms of our apartments.

The developers also really minimized the views of the impacts on our property in the plans that they presented. They showed their two next door neighbors on the plot plan but not our buildings on their plans. We may be their backyard neighbors but they are next door to our building and probably the property most severely impacted by the project. I think that was an unfair representation of the situation.

We understand that story poles were never erected or required to illustrate for the community the scope of the project. We think that is a mistake given the nature of this project and the fact that it is so

much more intensive as far as lot coverage than anything else in the direct neighborhood. A mini-Win Cup project!

Our building, and most of the buildings directly adjacent, are beautiful old vintage homes and former mansions. Formerly, there was a multi-unit building of a similar vintage to our building (early 1900s) at 1628 Fifth Ave. That building fit comfortably on the lot and in the neighborhood and did not impinge on the light or views from our property. It was set 60 feet away from the property line (as we verified with Planning.) This distance was one reason our building was spared from the fire that consumed 1628 Fifth Ave. a decade ago. We were shocked to discover that the new building is proposed to be only 5 feet from the property line rather than the previous 60 feet! This is too big a change. Before, there had been space and trees between the buildings providing peace and privacy for both. This new proposal will scrape away all the existing trees and leave us with a huge structure filling the entire lot and blocking the sun. No new landscaping or trees are proposed except on the roof. Our building will be literally overshadowed as this new massive structure will block all the sunlight and privacy from our apartments, the backyard cottage and the garden. The living room windows and balconies of the new building will be looking directly and closely into our bedrooms and living rooms. It is just too close. We understand that something will be built here and that it complies with legal requirements but it is hugely disrespectful to the existing neighborhood. If there were space provided between our buildings for trees and plantings to screen one from the other it would be more palatable and nicer for the future tenants of the new project as well. Meanwhile, our tenants will suffer through the noise and upheaval of this construction project and will be left with no privacy and no light reaching their windows or the garden. Our property and garden provide a nice view for the new project and we get only negative results. This project is of no benefit only detriment to us. Of course, we accept that something will be built on this lot but we don't understand why it should be so very much larger and so incredibly close to our existing building—55 feet closer!

Skag Dukkers & Anne McClain

PO Box 684

Forest Knolls, CA 94933

415.488.0328

mcclaindukkers@comcast.net

To: San Rafael Planning Department

Re: Proposed Project at 1628 Fifth Ave.

December 4, 2018

We are the owners of the building at 210 G St. directly adjacent to the north of the proposed project. We have owned this property since the early 1990s. Our building, and most of the buildings directly adjacent, are beautiful old vintage homes and former mansions. Formerly, there was a multi-unit building of a similar vintage to our building (early 1900s) at 1628 Fifth Ave. That building fit comfortably on the lot and in the neighborhood and did not impinge on the light or views from our property. It was set 60 feet away from the property line (as we verified with Planning.) This distance was one reason our building was spared from the fire that consumed 1628 Fifth Ave. a decade ago. We were shocked to discover that the new building is proposed to be only 5 feet from the property line rather than the previous 60 feet! This is too big a change. Before, there had been space and trees between the buildings providing peace and privacy for both. This new proposal will scrape away all the existing trees and leave us with a huge structure filling the entire lot and blocking the sun. No new landscaping or trees are proposed except on the roof. Our building will be literally overshadowed as this new massive structure will block all the sunlight and privacy from our apartments, the backyard cottage and the garden. The living room windows and balconies of the new building will be looking directly and closely into our bedrooms and living rooms. It is just too close. Our tenants will suffer through the noise and upheaval of this construction project and will be left with no privacy and no light reaching their windows or the garden. Of course we accept that something will be built on this lot but we don't understand why it should be so very much larger and so incredibly close to our existing building—55 feet closer!

Skag Dukkers & Anne McClain

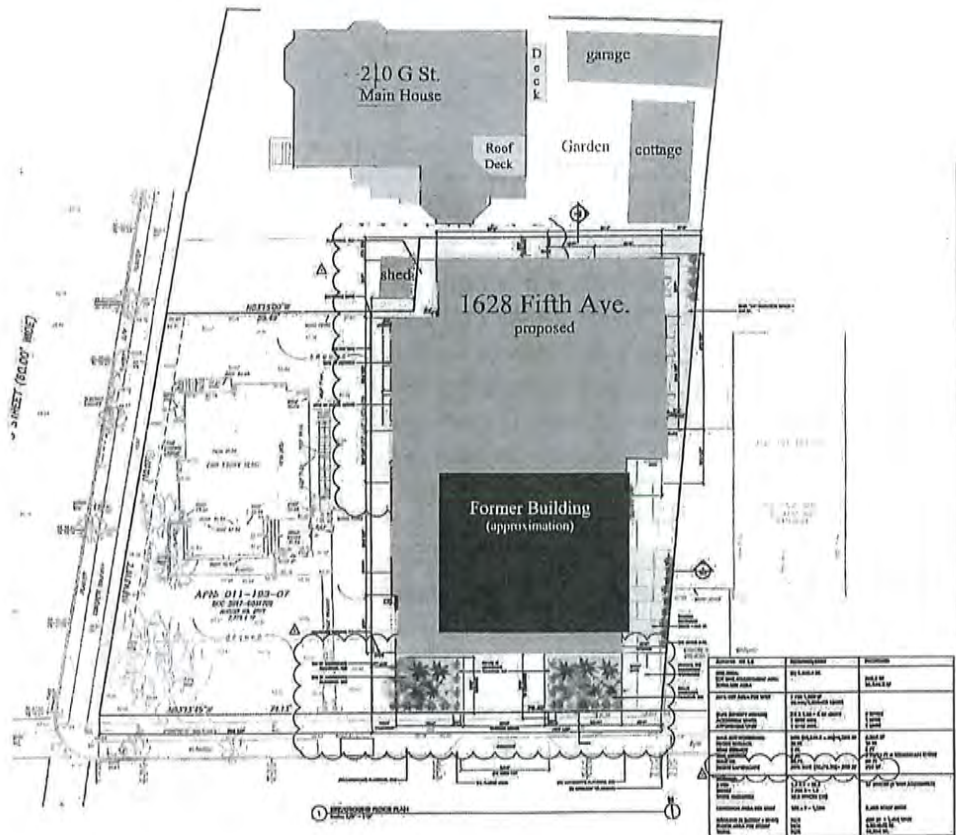
PO Box 684

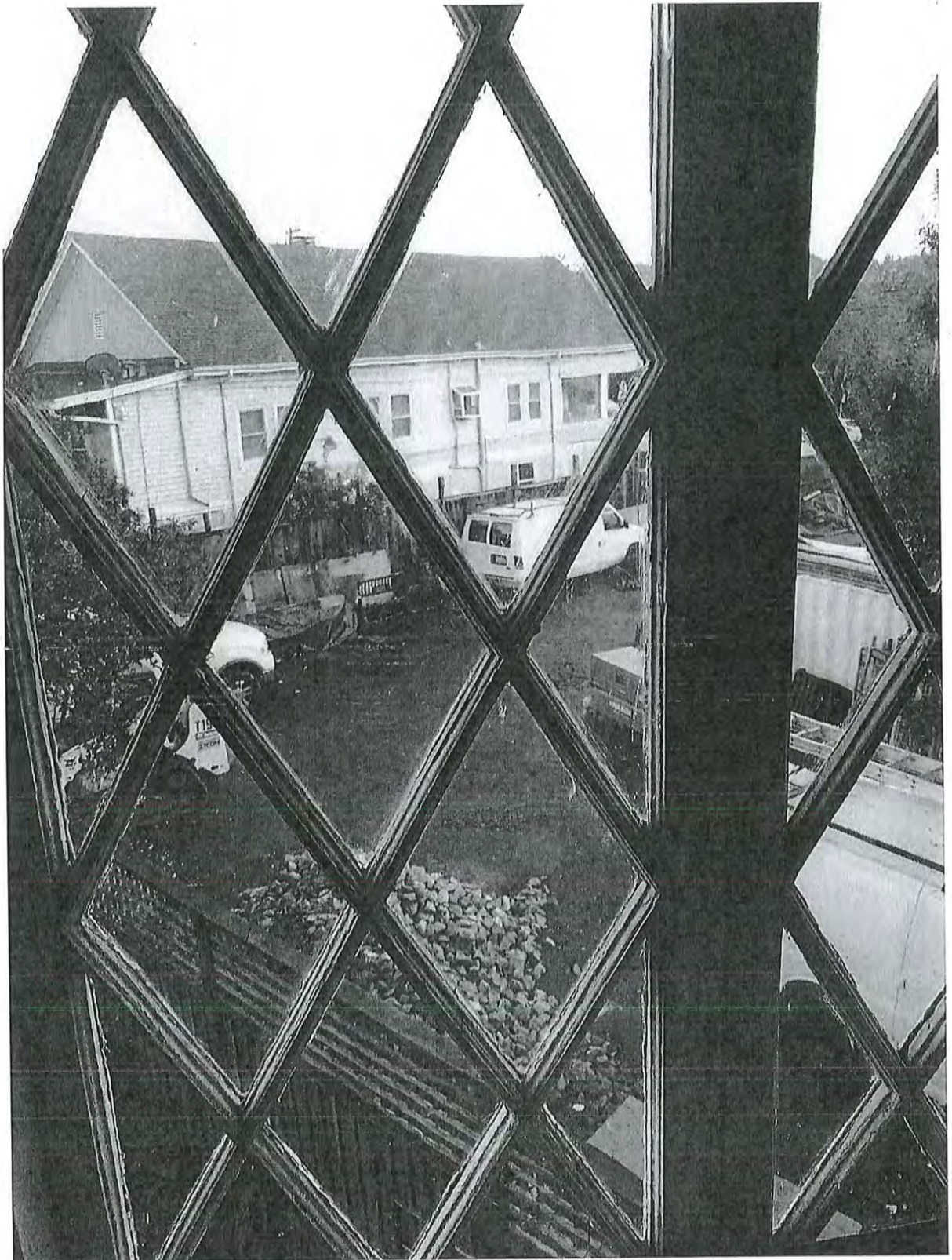
Forest Knolls, CA 94933

415.488.0328

[mcclaindukkers@comcast.net](mailto:mcclaindukkers@comcast.net)

Please see attached map and photos.





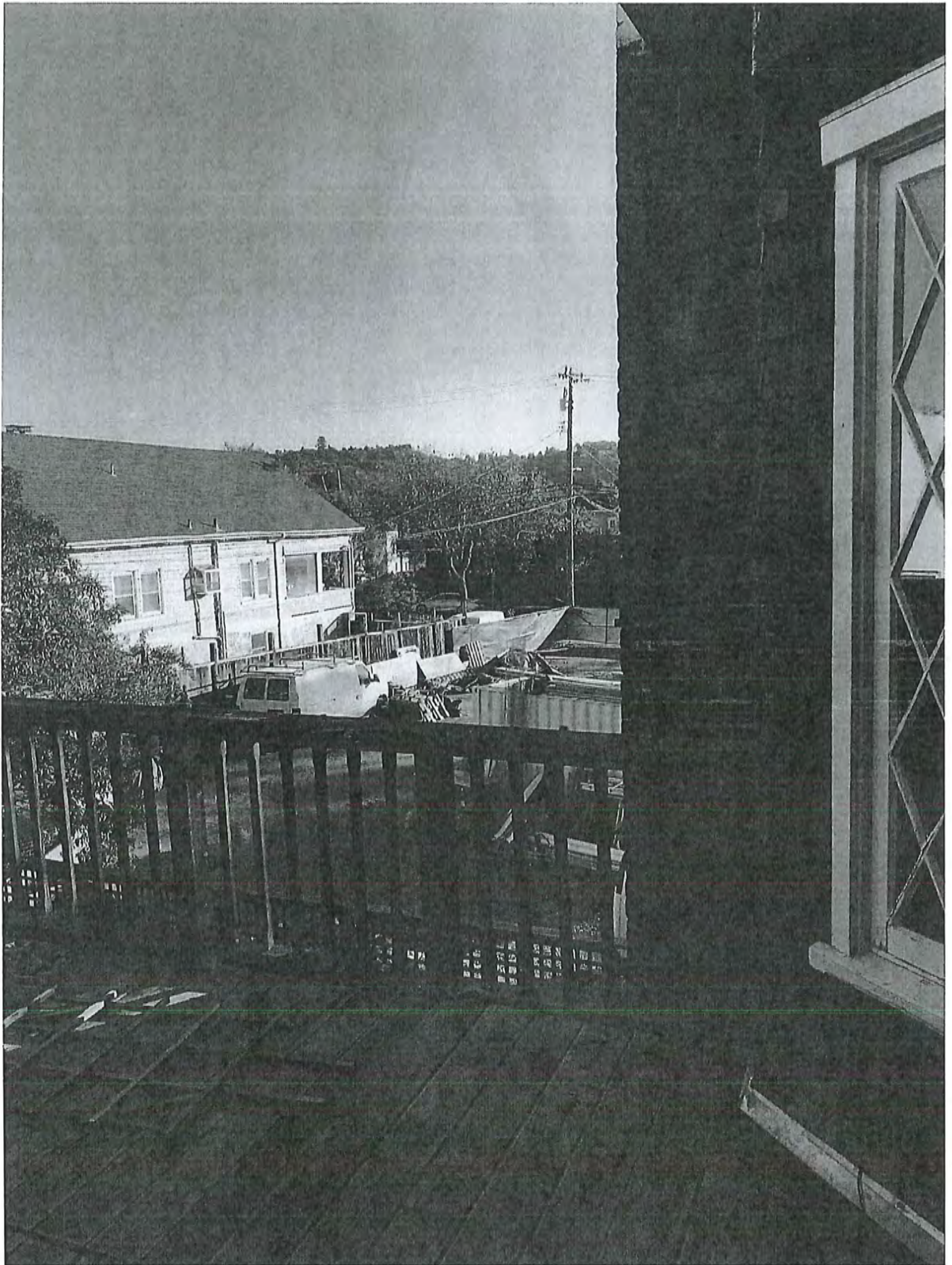




Exhibit 9

**CROME**Architecture

02.05.19

City of San Rafael, Planning department  
1628 Fifth Avenue – New Condominium Building  
Waiver of SR Muni Code Sec. 15.12.060 recreational facilities

Applicant requests waiver of Muni Code section 15.12.060 Recreational Facilities,  
Residential Condominiums based on following criteria:

- A. 1628 Fifth Avenue condominium development is a stand alone residential building and is not part of a larger grouping of buildings. Therefore, due to it's small building and lot size, the inclusion of a dedicated recreation/community center building, separate from the residential building, is not feasible for a small lot like this one.
- B. The size of the lot and proposed building does not allow for "bicycle and pedestrian paths" through the open parts of the lot as the building and parking itself occupies the site. This provision seems to be intended for large developments with multiple buildings and with more land area.
- C. Common areas, such as roof decks and ground level open areas, as well as private decks and patios, are provided for the use of residents for outdoor activities. The location of the project within the Downtown area of San Rafael provides for ample opportunity for residents to participate in active outdoor pursuits.

Scott Myers  
Director of Architecture and Design



# 1628 Fifth Avenue

## 9 Unit Apartment Complex

APN: 011.193.06

### Project Team

**OWNER**  
 J. Joseph O'Flynn  
 482 25th Avenue  
 San Rafael, CA 94131  
 P: 415.231.7440  
 jfo@jfoflynn.com

**ARCHITECT**  
 CROMÉ ARCHITECTURE  
 1428 Fifth Avenue  
 San Rafael, CA 94131  
 P: 415.453.0790  
 info@cromearchitecture.com  
 Email: info@cromearchitecture.com

**LANDSCAPE ARCHITECT**  
 44 J Street  
 San Rafael, CA 94131  
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 Email: info@cromearchitecture.com

**CIVIL ENGINEER**  
 1025 Highway One, STE 215  
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 P: 415.453.0790  
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**CONTRACTOR**  
 44 J Street  
 San Rafael, CA 94131  
 P: 415.453.0790  
 Email: info@cromearchitecture.com

**CONTRACTOR**  
 44 J Street  
 San Rafael, CA 94131  
 P: 415.453.0790  
 Email: info@cromearchitecture.com

### Sheet Index

**ADDITIONAL**  
 A1.0 Existing Survey  
 A1.1 Utility Assessment  
 A1.2 Site Plan  
 A1.3 Ground Floor Plan  
 A1.4 Roof Plan  
 A1.5 Building Section  
 A1.6 Street Elevation  
 A1.7 Landscaping  
 A1.8 Handicapped  
 A1.9 Handicapped  
 A1.10 Handicapped

**CIVIL**  
 C1 Cover Sheet  
 C2 Conceptual Driveway  
 C3 Site Plan

**LANDSCAPE**  
 L1.0 Landscaping Plan  
 L1.1 Landscaping Plan  
 L1.2 Landscaping Plan  
 L1.3 Landscaping Plan  
 L1.4 Landscaping Plan  
 L1.5 Landscaping Plan



CROMÉ Architecture

**Fifth & G**  
 Apartment Complex  
 1428 Fifth Avenue  
 San Rafael, CA 94131  
 APN: 011.193.06

DATE: 08/14/18  
 DRAWING: AS NOTED  
 SCALE: AS SHOWN

905 FOURTH STREET  
 SAN RAFAEL, CA 94131  
 415.453.0790

CONCEPT REVIEW: 03.08.18  
 DESIGN REVIEW: 07.27.18  
 DESIGN REVIEW FINAL: 08.13.18  
 DESIGN REVIEW COMPLETE: 02.23.19

COVER SHEET

SHEET NUMBER  
**A0.0**

Existing Site Photos



Project Data	
ZONING: RFL 1.2	PROPOSED: 76.3 SF TOTAL LOT AREA
SITE AREA: 10,347,130 SF	REQUIRED/PROJ: 1 PER 1,000 SF
LOT LINE ADJUSTMENT ADD: 78 X 124 = 8,832 UNITS	RECOMMENDED: 9 UNITS
MIN. LOT AREA PER UNIT: 1 UNIT MIN.	1 UNIT
MAX. DENSITY BONUS/ACCESSIBLE UNIT: 69% (10,347.5 x .69) = 7,138 SF	1 UNIT
MAX. LOT COVERAGE: 5 FT. (DEPT. FOR GARAGE)	5 FT. (DEPT. FOR GARAGE)
REAR SETBACK: 5 FT.	5 FT.
SIDE SETBACK: 5 FT.	5 FT.
MAX. HT.: 34 FT.	34 FT.
PARKING: 2 BED	15 SPACES (INCLUDES 1 VAN ACCESSIBLE)
TOTAL REQUIRED: 15.3 SPACES (15)	2,400 ROOF DECK
OUTDOOR AREA PER UNIT: N/A	480 SF = 1,440 UNIT
GROUND R. (LOBBY + UNIT): N/A	1,428 SF
ROOF AREA PER STORY: N/A	14,238 SF
TOTAL:	

**Parcel Map**

**Vicinity Map**

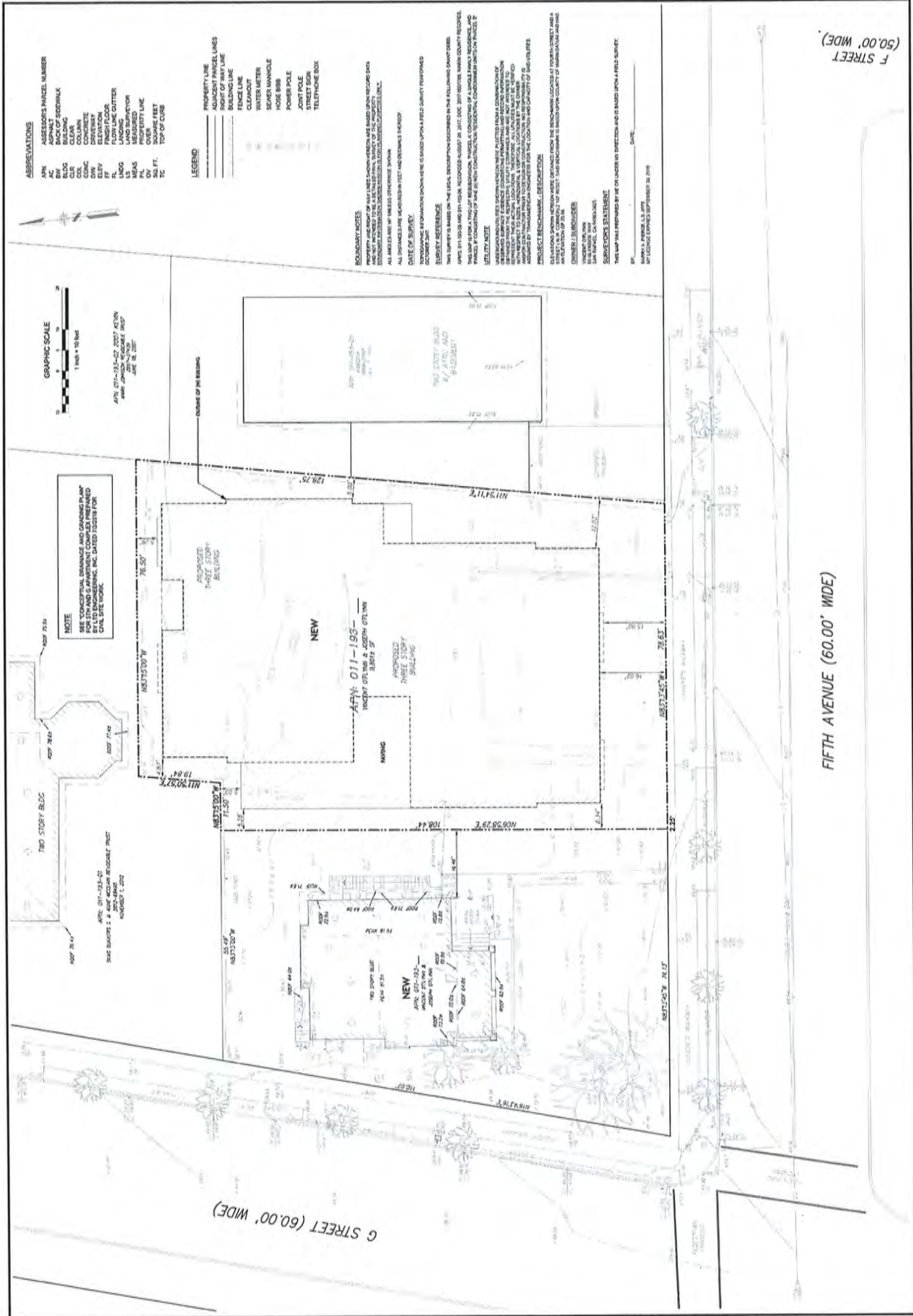




APR 03 09:44	DATE	APPROVED	APPROVED
1507 1	PROJECT	APPROVED	APPROVED
JUNE 2008	DATE	APPROVED	APPROVED
MA	STATE	APPROVED	APPROVED
0618	CITY	APPROVED	APPROVED
0618	LOT	APPROVED	APPROVED
JUL 2007	DATE	APPROVED	APPROVED
JUN 2007	DATE	APPROVED	APPROVED

**TENTATIVE MAP**  
 A UNIT CONDOMINIUM PROJECT  
 RECORDED ON  
 1628 5TH AVE, SAN RAFAEL  
 AS DOC  
 MARIN COUNTY RECORDS  
 CALIFORNIA

**TRANSMERICAN ENGINEERS**  
 ENGINEERS  
 2700 CALIFORNIA ST., SUITE 200  
 SAN RAFAEL, CA 94903  
 TEL: 415-456-1234  
 FAX: 415-456-1234  
 WWW.TRANSMERICANENGINEERS.COM



**ABBREVIATIONS**  
 APN ASSESSOR'S PARCEL NUMBER  
 AC ASPHALT  
 BLDR BUILDING  
 CONCR CONCRETE  
 COLN COLUMN  
 CULV CULVERT  
 ELEV ELEVATION  
 FLD FLOW LINE  
 FLOU FLOW LINE CENTER  
 LAND LANDING  
 MEAS MEASURED  
 OVN OVER  
 TOP OF CURB  
 TOP OF POLE

**LEGEND**  
 PROPERTY LINE  
 ADJACENT PARCEL LINES  
 BUILDING LINE  
 FENCE LINE  
 CLEANOUT  
 UTILITY METER  
 WATER METER  
 HOSE BIBB  
 POWER POLE  
 JOINT POLE  
 STREET SIGN  
 TELEPHONE BOX

**BOUNDARY NOTES**  
 PROPERTY AND ADJACENT PARCEL LINES BASED UPON RECORD DATA AND FIELD SURVEY.  
 ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE SHOWN.  
**DATE OF SURVEY**  
 ALL DIMENSIONS AND LOCATIONS WERE OBTAINED FROM A FIELD SURVEY PERFORMED ON OCTOBER 20, 2007.  
**SURVEY REFERENCE**  
 THIS SURVEY IS BASED ON THE LEGAL DESCRIPTION DESCRIBED IN THE FOLLOWING DEEDS:  
 PARCELS 111-1918 AND 111-1919, RECORDED UNDER 95-1611 DOC. 2001 IN MARIN COUNTY RECORDS.  
 PARCELS 111-1918 AND 111-1919, RECORDED UNDER 95-1611 DOC. 2001 IN MARIN COUNTY RECORDS.  
**UTILITY NOTE**  
 THE EXISTING UTILITY LINES SHOWN ON THIS PLAN WERE OBTAINED FROM A FIELD SURVEY PERFORMED ON OCTOBER 20, 2007.  
 THE EXISTING UTILITY LINES SHOWN ON THIS PLAN WERE OBTAINED FROM A FIELD SURVEY PERFORMED ON OCTOBER 20, 2007.  
 THE EXISTING UTILITY LINES SHOWN ON THIS PLAN WERE OBTAINED FROM A FIELD SURVEY PERFORMED ON OCTOBER 20, 2007.  
**PRODUCT DESCRIPTION - DESCRIPTION**  
 THIS MAP IS PREPARED AS A TENTATIVE MAP AND IS BASED UPON A FIELD SURVEY.  
 THE MAP IS PREPARED AS A TENTATIVE MAP AND IS BASED UPON A FIELD SURVEY.  
 THE MAP IS PREPARED AS A TENTATIVE MAP AND IS BASED UPON A FIELD SURVEY.

**NOTE**  
 SEE CONCEPTUAL DRAINAGE AND GRADING PLAN  
 FOR CITY AND COUNTY APPROVAL. THE CONCEPTUAL  
 DRAINAGE AND GRADING PLAN IS DATED 10/20/07 FOR  
 CIVIL SITE WORK.

**NOTE**  
 SEE CONCEPTUAL DRAINAGE AND GRADING PLAN  
 FOR CITY AND COUNTY APPROVAL. THE CONCEPTUAL  
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**NOTE**  
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 DRAINAGE AND GRADING PLAN IS DATED 10/20/07 FOR  
 CIVIL SITE WORK.

F STREET (50.00' WIDE)

FIFTH AVENUE (60.00' WIDE)

G STREET (60.00' WIDE)

DATE: 03.14.18  
 JOB NO.:  
 SCALE: AS NOTED

**Fifth & G**  
 Apartment Complex

1628 Fifth Avenue  
 San Rafael, CA 94901  
 APN: 011-193-01

**CROME Architecture**



905 FOURTH STREET  
 SAN RAFAEL, CA 94901  
 TEL: 415.453.0700  
 WWW.CROMEARCHITECTURE.COM

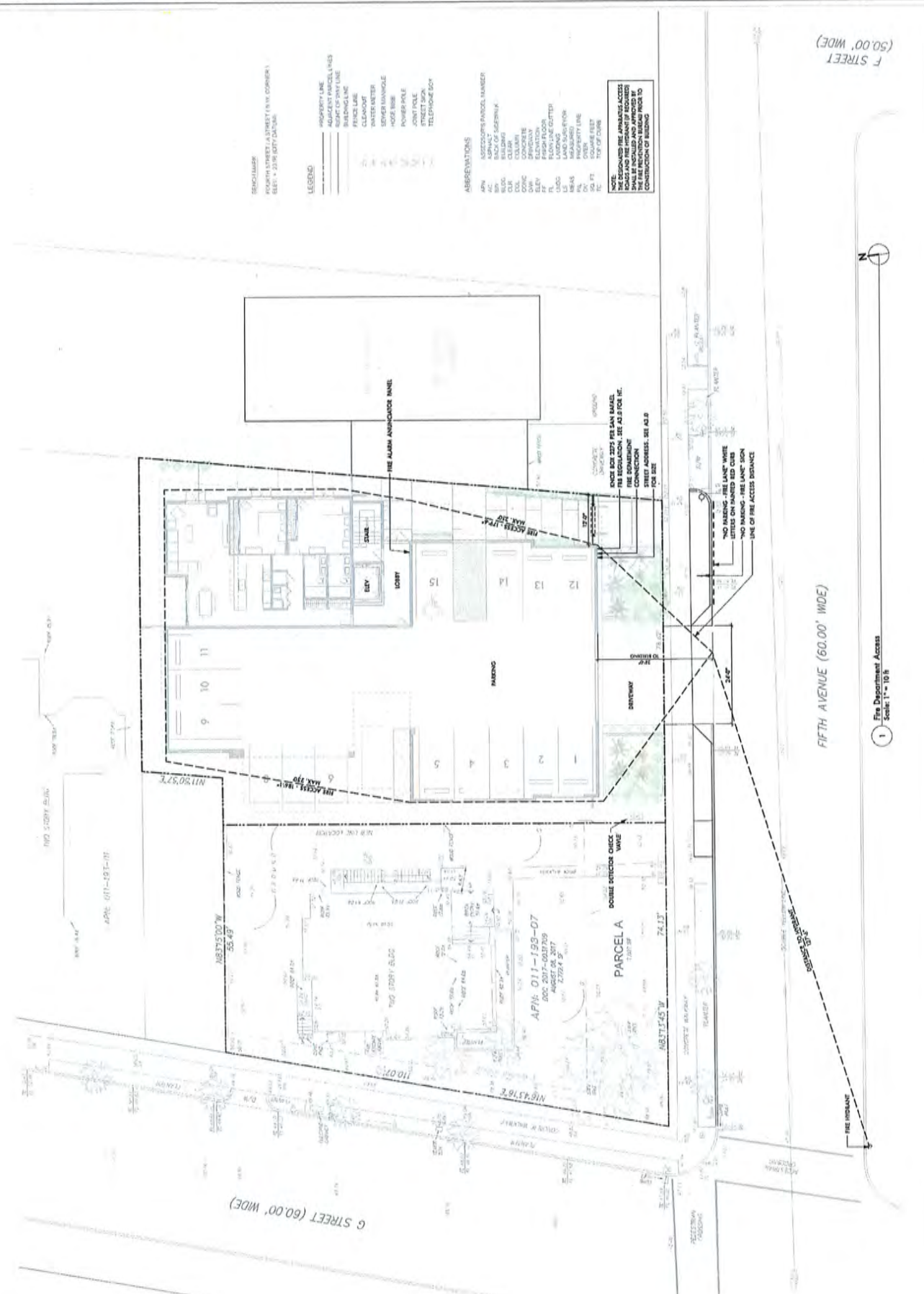
DESIGNER: CROME ARCHITECTURE  
 CHECKED BY: J. BROWN  
 DATE: 03.14.18

**SITE PLAN**

SHEET NUMBER: **A1.0**

PROPOSED	REQUIRED (DIST)	ZONING NR 1.5	SITE AREA (EXCLUDING ADJ. TOTAL LOT AREA)
245.5 SF 10,546.3 SF	[R] 9,800 SF	MIN. LOT AREA PER UNIT	1,159,150 SF
9 UNITS 1 UNIT 1 UNIT	1 PER 1,500 SF 25 X 128 = 3,200 SF 1 UNIT MIN.	[R] DENSITY BONUS] ATTORNEYS UNIT	432.5 SF 5 FT 5 FT 32 FT 404 SF
4,324 SF 13 FT 5 FT 22 FT 404 SF	43% (10,546.3 x .43%) = 4,538 SF 15 FT 34 FT 50% MIN. (13478.2) = 990 SF	MAX. LOT COVERAGE FRONT SETBACK REAR SETBACK MAX. IN. FRONT LANDSCAPE	2,400 ROOF DECK 490 SF + 1,400 UNIT 6,526(SQ) SF 14,534 SF
13 SPACES (1 VAN ACCESSIBLE)	1.2 X 9 = 10.8 1 PER 5 = 1.8 0.3 SPACES (10)	PARKING: 2-BED TOTAL REQUIRED	159 x 9 = 1,430 N/A N/A
2,400 ROOF DECK 490 SF + 1,400 UNIT 6,526(SQ) SF 14,534 SF	159 x 9 = 1,430 N/A N/A	OUTDOOR AREA PER UNIT GROUND R. (BOBBY + UNIT) FLOOR AREA PER STORY TOTAL	

1 SITE/GROUND FLOOR PLAN  
 Scale: 1/8" = 1'-0"



DATE: 02.14.18  
 DRAWN BY: J. HARRIS  
 SCALE: AS NOTED

**Fifth & G**  
 Apartment Complex

1625 FIFTH AVENUE  
 SAN RAFAEL, CA 94901  
 APN: 011-193-001

**GROME Architecture**

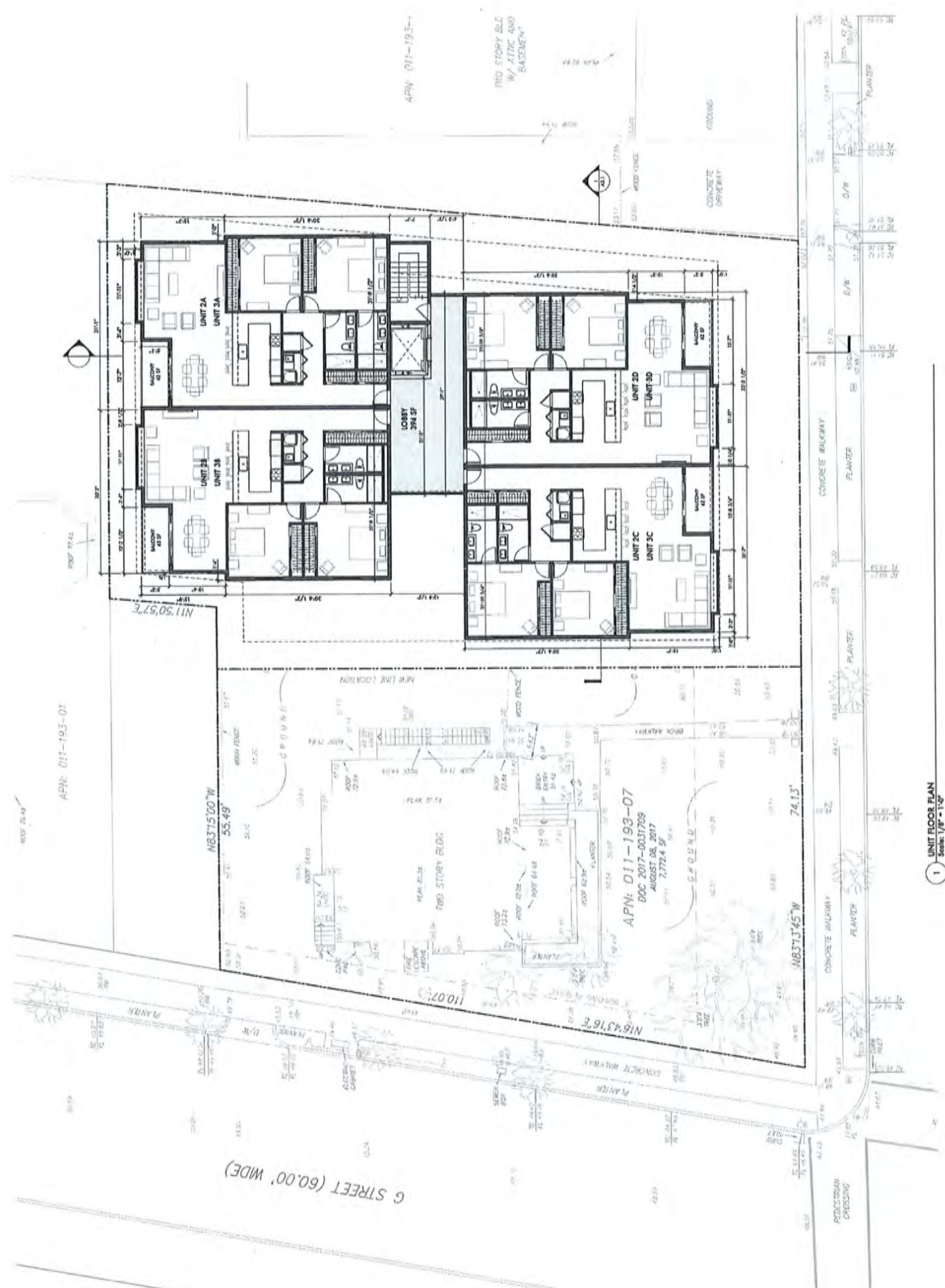
905 FOURTH STREET  
 SAN RAFAEL, CA 94901  
 GROMEARCHITECTURE.COM  
 415.433.0700

CONCEPT DESIGN: 02.28.18  
 DESIGN DEVELOPMENT: 07.22.18  
 DESIGN REVIEW FINAL: 08.29.18

**SECOND AND  
 THIRD FLOOR PLAN**

SHEET NUMBER

**A1.1**



1 UNIT FLOOR PLAN  
 Scale: 1/8" = 1'-0"

DATE: 03.14.18  
JOB NO.  
SCALE: AS NOTED

# Fifth & G Apartment Complex

1628 Fifth Avenue  
San Rafael, CA 94901  
APN: 011-193-00

CROME Architecture

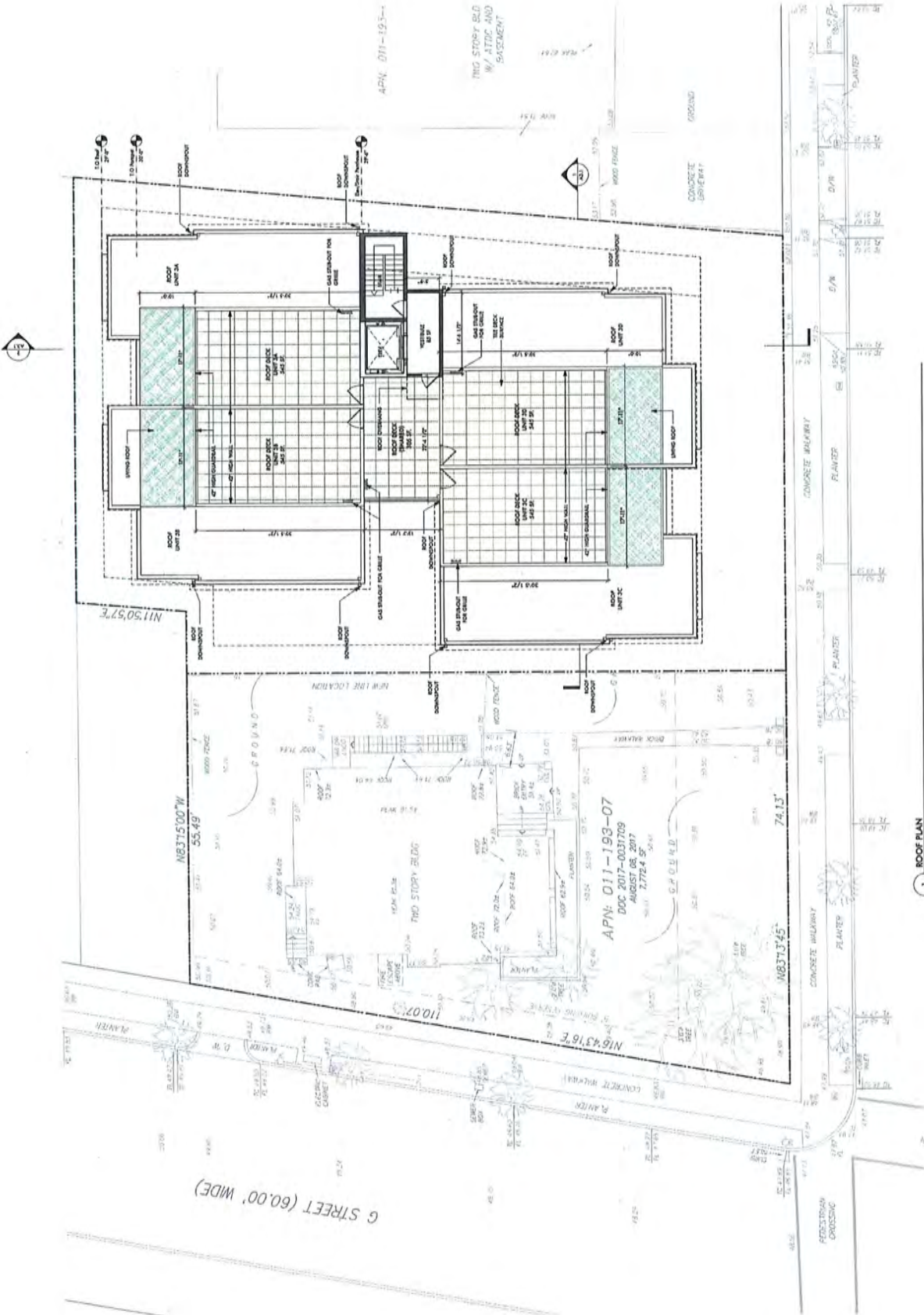
905 FOURTH STREET  
SAN RAFAEL, CA 94901  
TEL: (415) 453-0700

DATE: 03.14.18  
DESIGN REVIEW: 03.22.18  
DESIGN REVIEW: 03.22.18  
DESIGN REVIEW: 03.22.18  
DESIGN REVIEW: 03.22.18

ROOF PLAN

SHEET NUMBER

A1.2



1 ROOF PLAN  
Scale: 1/8" = 1'-0"



DATE: 03.14.16  
 DRAWING NO.: AS NOTED  
 SCALE: AS NOTED

**Fifth & G**  
 Apartment Complex

1435 FIFTH AVENUE  
 SAN RAFAEL, CA 94901  
 APR. 2017/2016

CROME Architecture

505 FOURTH STREET  
 SAN RAFAEL, CA 94901  
 TEL: 415.453.0700


SUBMITTAL  
 CONCEPT REVIEW: 03.28.16  
 DESIGN REVIEW: 07.22.16  
 DESIGN REVIEW FINAL: 10.13.16  
 DESIGN REVIEW COMMENT: 12.13.16

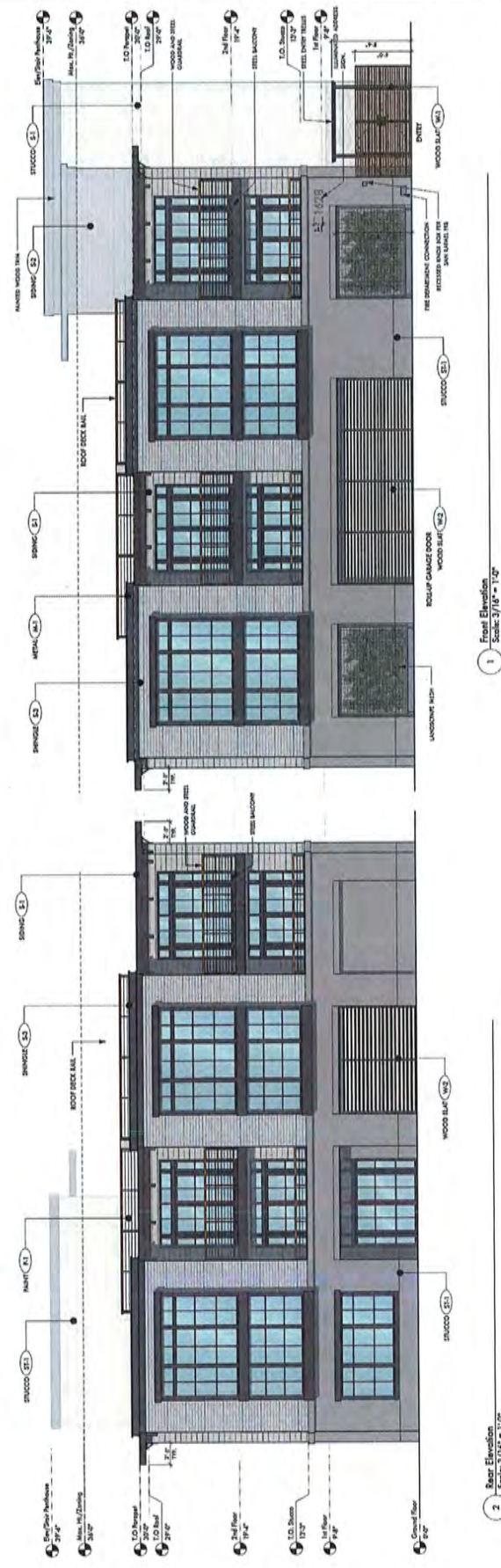
EXTERIOR ELEVATIONS

SHEET NUMBER

A3.0

Exterior Finish Legend

	STUCCO (S1)	STEEL TONING/SLIP - RESISTANT TAN
	SPRINKLE (S1)	MADE SPRINKLE - MONUMENT BLUE
	SPRINKLE (S2)	MADE SPRINKLE - THAYER BARK
	SPRINKLE (S3)	MADE SPRINKLE - MONUMENT TAPE
	STONE VENEER (S1)	PROFIT EDGESTONE - WHITE GOOD
	METAL (M1)	ANODIZED ALUMINUM MESH - JUNE CONCRETE



2 Rear Elevation Scale: 3/16" = 1'-0"

DATE: 03.14.18  
 JOB NO:  
 SCALE: AS NOTED

**Fifth & G**  
 Apartment Complex  
 1428 Fisk Avenue  
 San Rafael, CA 94901  
 PHN: 011.702.6

CROME Architecture

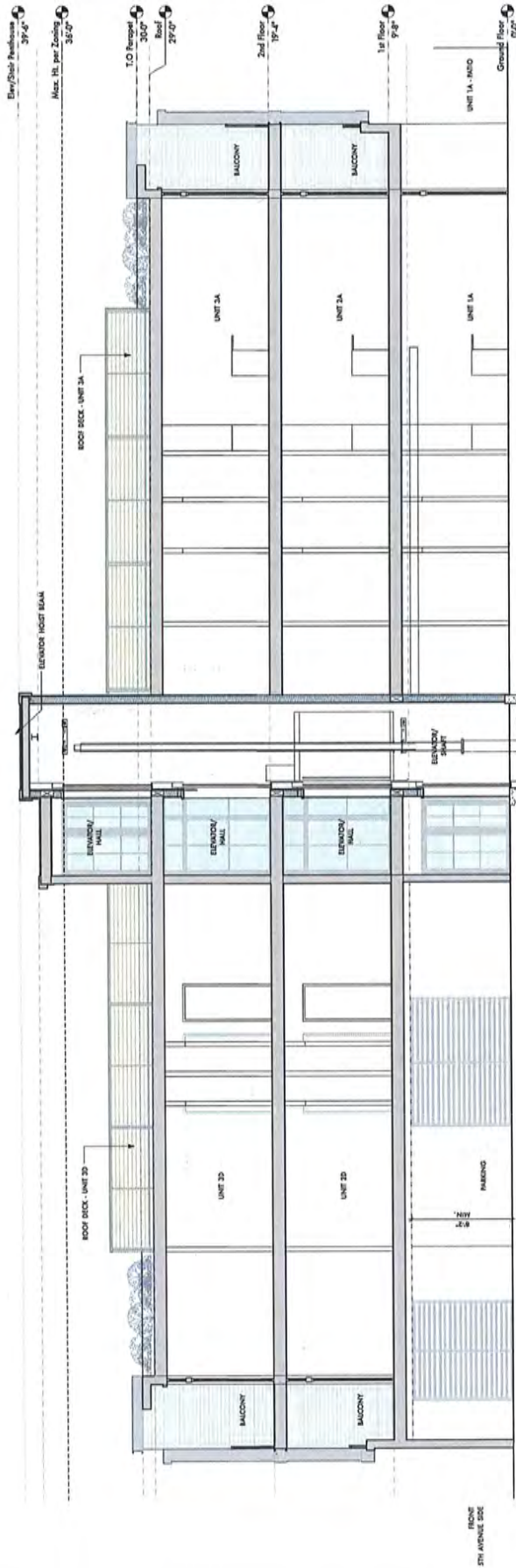
505 FOURTH STREET  
 SAN RAFAEL, CA 94901  
 TEL: 415.453.0700

CONCEPT REVIEW: 02.08.18  
 DESIGN REVIEW: 07.02.18  
 DESIGN REVIEW FINAL: 08.20.18  
 DESIGN REVIEW COMMENT: 12.13.18

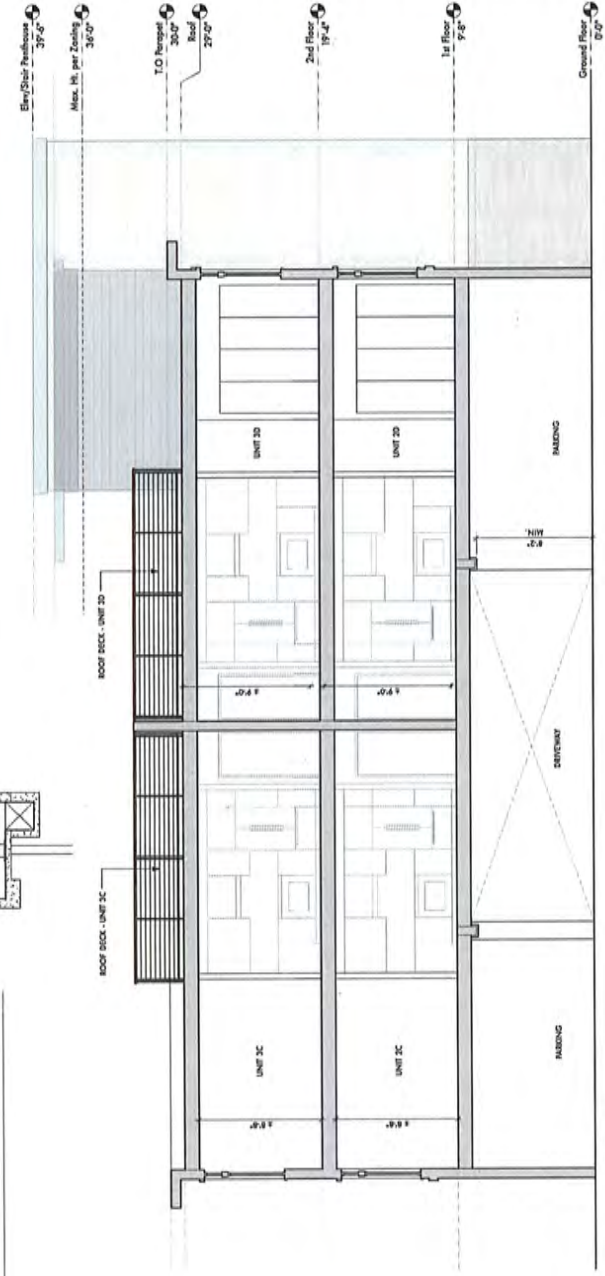
BUILDING SECTIONS

SHEET NUMBER

A3.1



2 Section @ Lobby/Elevator  
 Scale: 1/4" = 1'-0"



1 Section @ Apartments  
 Scale: 1/4" = 1'-0"

DATE: 03.14.18  
 DRAWN: [unintelligible]  
 SCALE: AS NOTED

**Fifth & G**  
 Apartment Complex

1428 Fifth Avenue  
 San Rafael, CA 94901  
 JUN. 2011-10.05

**CROME**Architecture

905 FOURTH STREET  
 SAN RAFAEL, CA 94901  
 415.453.0100

DESIGN:  
 CONCEPT REVIEW: 02.08.18  
 DESIGN REVIEW: 02.02.18  
 DESIGN REVIEW FINAL: 10.10.18  
 DESIGN REVIEW COMPLETE: 12.12.18

SITE CONTEXT  
 RENDERING/ELEVATION

SHEET NUMBER

**A4.0**



1 Fifth Avenue Street Elevation  
 Scale: 1/8" = 1'-0"

DATE: 03.14.18  
JOB NO.:  
SCALE: AS NOTED

# Fifth & G

Apartment Complex

1629 Fifth Avenue  
San Rafael, CA 94901  
PHN: 011-774-03

CROME Architecture

905 FOURTH STREET  
SAN RAFAEL, CA 94901  
PHN: 415-453-0700

CONCEPT REVIEW: 02.08.18  
DESIGN REVIEW: 07.02.18  
DESIGN REVIEW / FINAL: 10.23.18  
DESIGN REVIEW / CONSENT: 12.12.18

RENDERINGS

SHEET NUMBER

A5.0

RENDERED ROOF OVERHANG



2 East Elevation  
N/S



1 Fifth Ave  
N/S

DATE: 03.14.18  
DRAWING NO:  
SCALE: AS NOTED

### Fifth & G Apartment Complex

1628 Fifth Avenue  
San Rafael, CA 94901  
APN: 011-19305

CROME Architecture

905 FOURTH STREET  
SAN RAFAEL, CA 94901  
C.A. 1628 FIFTH AVENUE  
415.453.0100

DESIGNER:  
CONCEPT REVIEW: 05.08.18  
DESIGN REVIEW: 07.02.18  
DESIGN REVIEW FINAL: 10.10.18  
DESIGN REVIEW COMPLETE: 02.28.18

RENDERINGS

SHEET NUMBER

A5.1



2 Fifth Ave - Street Elevation  
N/S



1 Fifth Ave/Entry Elevation  
N/S

DATE: 03.14.18  
DRAWING: 01  
SCALE: AS NOTED

**Fifth & G**  
Apartment Complex  
1628 Fifth Avenue  
San Rafael, CA 94901  
APN: 011-19303

**CROME**Architecture

505 FOURTH STREET  
SAN RAFAEL, CA 94901  
TEL: 415.453.0700  
WWW.CROMEARCH.COM

DESIGNER: CROME ARCHITECTURE  
CONCEPT REVIEW: 02.08.18  
DESIGN REVIEW: 07.27.18  
DESIGN REVIEW FINAL: 08.30.18  
DESIGN REVIEW COMPLETE: 03.14.18

RENDERINGS

SHEET NUMBER  
**A5.2**



DATE: 02.14.18  
JOB NO:  
SCALE: AS NOTED

# Fifth & G

Apartment Complex

1628 Fifth Avenue  
San Rafael, CA 94901  
APN: 011319265

CROME Architecture

905 FOURTH STREET  
SAN RAFAEL, CA 94901  
415.423.0700

DESIGNER:  
CONCEPT REVIEW: 02.08.18  
DESIGN REVIEW: 02.02.18  
DESIGN REVIEW FINAL: 02.02.18  
ARCHITECT REVIEW COMMENTS: 02.02.18

RENDERINGS

SHEET NUMBER

A5.3



2 West Elevation  
N/S



1 Entry/East Elevation  
N/S

ENTRANCE ROOF OVERHANG

ENTRANCE ROOF OVERHANG

DATE: 03.14.18  
JOB NO:  
SCALE: AS NOTED

# Fifth & G Apartment Complex

1428 Fifth Avenue  
San Rafael, CA 94901  
PH: 415-453-0700

CROME Architecture

905 FOURTH STREET  
SAN RAFAEL, CA 94901  
PH: 415-453-0700

DESIGNER:  
CONCEPT REVIEW: 02.08.18  
DESIGN REVIEW: 07.02.18  
DESIGN REVIEW FINAL: 08.20.18  
DESIGN REVIEW COMPLETE: 02.21.18

## RENDERINGS

SHEET NUMBER

A5.4



2 Rear Elevation  
NTS



1 Rear Site Aerial  
NTS



DATE: 03/14/18  
 JOB NO:  
 SCALE: AS NOTED

**Fifth & G**  
 Apartment Complex

1428 Fifth Avenue  
 San Rafael, CA 94901  
 APN: 011-193203

**CROME Architecture**

505 FOURTH STREET  
 SAN RAFAEL, CA 94901  
 415.453.0700

DESIGNER:  
 CONCEPT REVIEW: 03.14.18  
 DESIGN REVIEW: 07.27.18  
 DESIGN REVIEW FINAL: 10.13.18  
 DESIGN REVIEW COMPLETE: 12.13.18

**RENDERINGS**

SHEET NUMBER:

**A5.5**



LANDSCAPE TREES

WALKWAY TREES



WALKWAY TREES

LTD Engineering, Inc.  
1905 Harbinger Drive, Suite 111  
San Ramon, CA 94583  
Tel: (925) 391-1811  
www.ltdengineering.com

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NOT FOR CONSTRUCTION

ISSUING OR  
REVISION  
NOT FOR CONSTRUCTION

DRAWING NO.	DESCRIPTION
C-1	COVER SHEET
C-2	CONCEPTUAL GRADING AND DRAINAGE PLAN

APR 01 11 09 00  
5TH AND 6TH APARTMENT  
SAN RAFAEL, CALIFORNIA 94901

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REVISIONS

NO.	DATE	DESCRIPTION
1	04/01/11	ISSUED FOR DESIGN
2	04/01/11	ISSUED FOR PERMITS
3	04/01/11	FOR CONSTRUCTION

COVER SHEET

PROJECT NO. 11  
SHEET NO. 1 OF 2  
SCALE: AS SHOWN

INDEX OF DRAWINGS

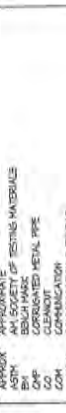
ABBREVIATIONS

STORMWATER PLAN SUMMARY



UTILITY CONNECTION NOTES:

- THE PROPOSED ALLOWANCES FOR UTILITY SERVICE CONNECTIONS WAS NOT BEEN APPROVED BY SERVICE PROVIDERS. CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH UTILITY SERVICE PROVIDERS TO DETERMINE ALL PROPOSED UTILITY LOCATIONS AND DRAINAGE DETAILS WITH THE ENGINEER PRIOR TO CONSTRUCTION.
- UTILITY SERVICES TO THE PROJECT SITE ARE PROVIDED BY:
  - WATER: MARIN MUNICIPAL WATER DISTRICT
  - SEWER: SAN RAFAEL SANITATION DISTRICT
  - ELECTRIC POWER: PACIFIC GAS AND ELECTRIC (PG&E)
  - GAS: PACIFIC GAS AND ELECTRIC (PG&E)
  - TELEPHONE: ATT
  - CABLE: COMCAST



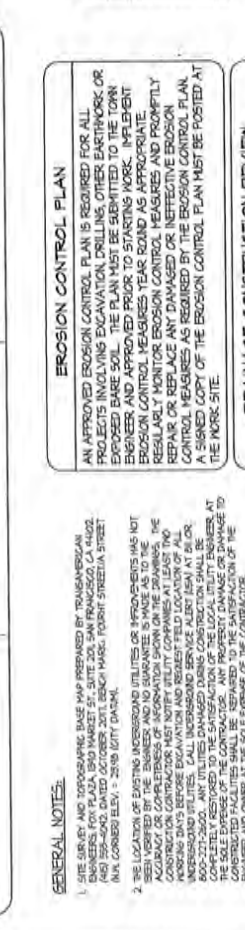
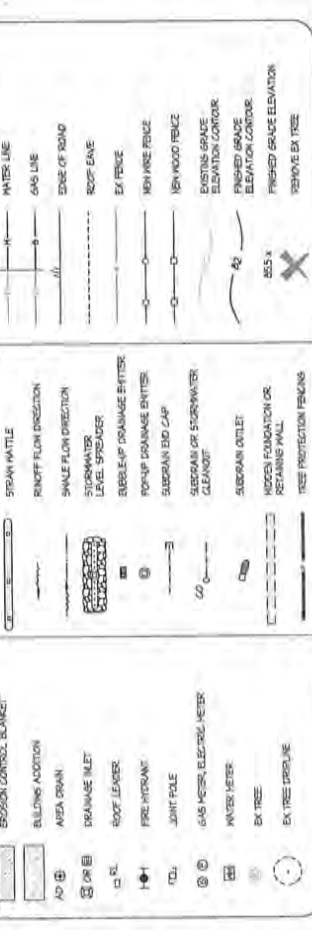
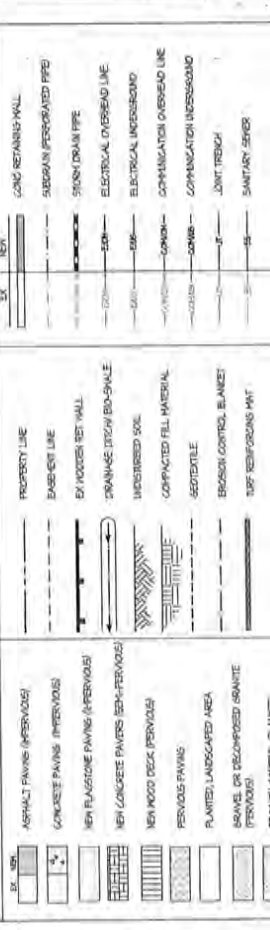
EARTHWORK NOTES:

- QUANTITIES ARE "IN-PLACE" ESTIMATES AND DO NOT INCLUDE AN ALLOWANCE FOR SHRINK OR SWELL. ESTIMATES ARE FOR PERMITTING PURPOSES ONLY. CONTRACTOR IS RESPONSIBLE FOR INDEPENDENTLY DETERMINING QUANTITIES FOR CONSTRUCTION PURPOSES.
- LEGALLY DEDUCTIBLE OF EXCESS MATERIAL, OFF-SITE.
- SITE GRADING IS NOT PERMITTED BETWEEN OCTOBER 15 AND APRIL 9 UNLESS PERMITTED IN WRITING BY THE BUILDING OFFICIAL/DIRECTOR OF PUBLIC WORKS.

GREEN BUILDING STANDARDS

- THE GRADING AND DRAINAGE PLAN SHOWN ON THE DRAWINGS CONFORMS WITH CALIFORNIA GREEN BUILDING CODE STANDARDS SECTION 4.08.3 REQUIRING MANAGEMENT OF SURFACE WATER FLOWS TO KEEP WATER FROM ENTERING BUILDINGS.
- THE CONTRACTOR IS RESPONSIBLE FOR MANAGING STORMWATER DRAINAGE DURING CONSTRUCTION TO PREVENT EROSION AND DAMAGE TO THE SITE AS REQUIRED BY CALIFORNIA GREEN BUILDING CODE STANDARDS SECTION 4.08.2.

LEGEND



GENERAL NOTES:

- SITE SURVEY AND STORMWATER BASE MAP PREPARED BY TRANSMERICAN ENGINEERS, 1001 PALMA BLVD, MARKET ST., SUITE 200, SAN FRANCISCO, CA 94102. (NAD 83 COORDS) DATED OCTOBER 2011. BEYOND MARKET STREET (NAD 83 COORDS ELEV. = 2816.01 FT) DRAINAGE.
- THE LOCATION OF EXISTING UNDERGROUND UTILITIES OR IMPROVEMENTS WAS NOT DETERMINED BY THE ENGINEER. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES AND IMPROVEMENTS PRIOR TO CONSTRUCTION. CONTRACTOR MUST NOTIFY UTILITY COMPANIES AT LEAST TWO WORKING DAYS BEFORE EXCAVATION. CALL 811 TO REPORT ANY UNDERGROUND UTILITIES AT 811. 800-277-3600. ANY UTILITIES DAMAGED DURING CONSTRUCTION SHALL BE COMPLETELY REPAIRED TO THE SATISFACTION OF THE SERVICE PROVIDER. ANY PROPOSED DAMAGE OR DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED TO THE SATISFACTION OF THE SERVICE PROVIDER AND OWNER AT THE SOLE EXPENSE OF THE CONTRACTOR.

PERMITS AND APPROVALS

PERMITS ARE REQUIRED FOR EXCAVATION, DRAINAGE, AND GRADING WORK.

LTD Engineering, Inc.  
1850 Berman Drive, Suite 315  
San Diego, CA 92108  
Tel: 619-594-1111  
www.ltdengineering.com

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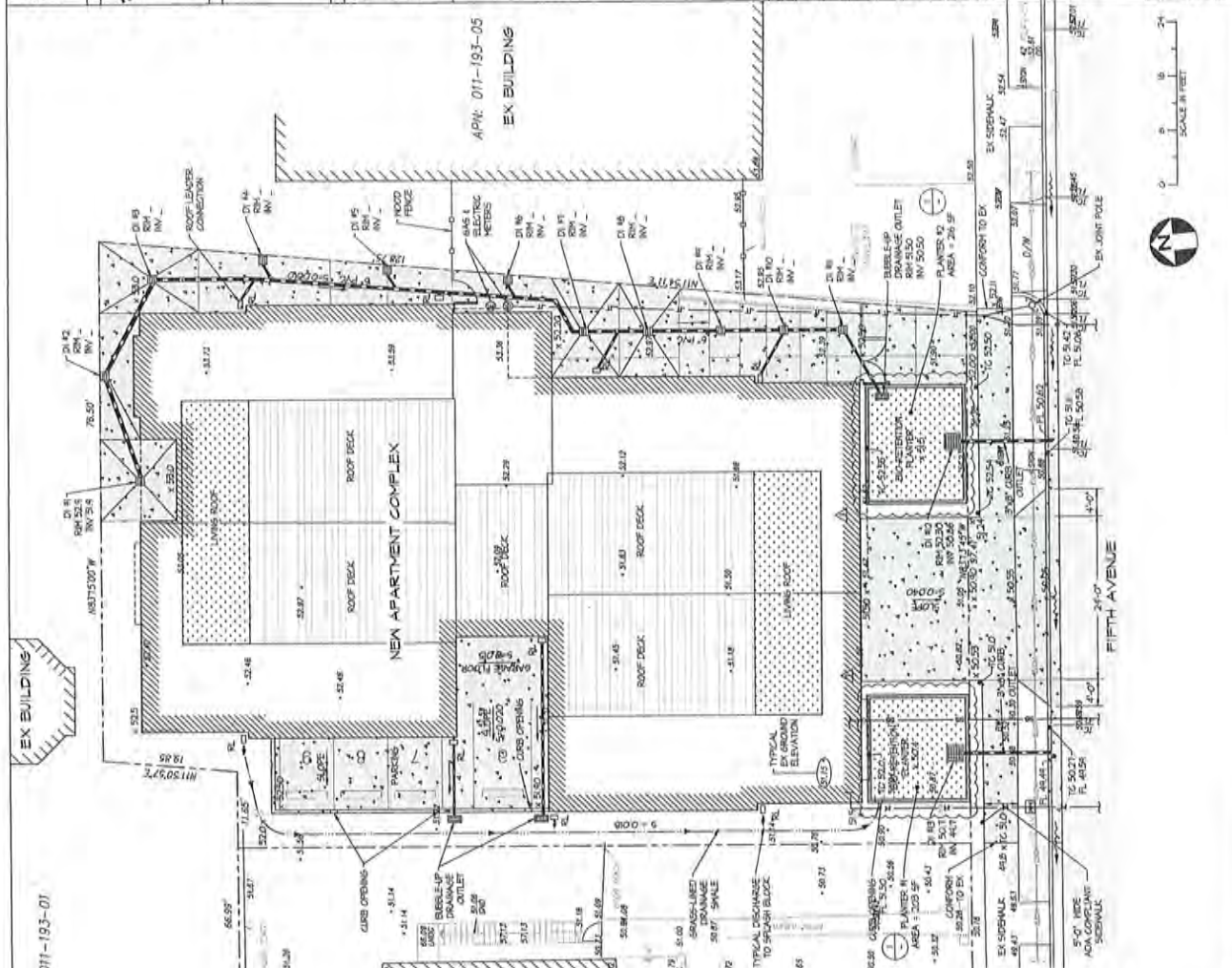
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5TH AND 6TH APARTMENT  
1028 FIFTH AVENUE  
APN 011-193-05  
SAN RAFAEL, CALIFORNIA 94901

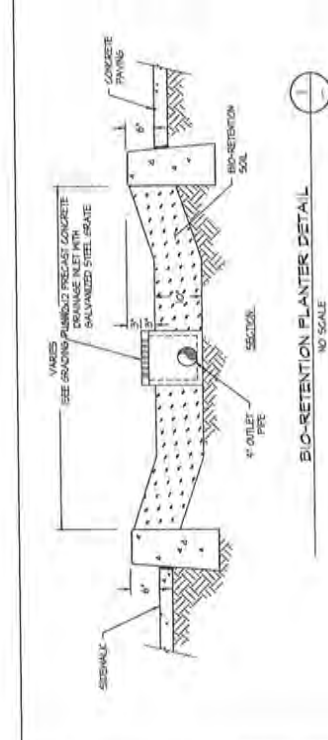
NO.	DATE	DESCRIPTION
1	01/11/09	ISSUED FOR REVIEW
2	01/11/09	REVISED PER COMMENTS
3	01/11/09	REVISED PER COMMENTS
4	01/11/09	REVISED PER COMMENTS
5	01/11/09	REVISED PER COMMENTS

DESIGNED BY: S. LEAVEN  
DRAWN BY: E. HAVEN  
CHECKED BY: J. HAVEN  
SCALE: 1" = 10'-0"  
DATE: 01/11/09

CONCEPTUAL DRAINAGE AND GRADING PLAN  
REVISION: 1  
SHEET NO: 2 OF 2  
DRAWING: C-2



011-193-01



BIO-RETENTION PLANTER DETAIL  
NO SCALE

**DESIGN REVIEW NOTES**

1. THE CONCEPTUAL STORMWATER DRAINAGE PLAN IS SUBMITTED TO COMPLY WITH THE CITY OF SAN RAFAEL REQUIREMENTS FOR ON-SITE STORMWATER MANAGEMENT AND CONTROL OF STORMWATER RUNOFF TO PREVENT OFF-SITE EROSION AND IMPROVE STORMWATER QUALITY.
2. THE EXISTING IMPERVIOUS AREA ON THE SITE TOTALS 3443 SQUARE FEET (50 FT) OF WHICH IS 29 PERCENT OF THE TOTAL LOT AREA.
3. THE PROPOSED DEVELOPMENT PLAN ADDS 458 SQ FT OF NEW IMPERVIOUS AREA, BRINGING A TOTAL OF 3901 SQ FT OF IMPERVIOUS AREA. THE PROPOSED TOTAL IMPERVIOUS AREA AMOUNTS TO 79 PERCENT OF THE LOT AREA.
4. A LIVING ROOF AREA WILL BE INCLUDED TOTALING 700 SQ FT. THE LIVING ROOF COMPOSED OF SOIL AND PLANTS WILL RETAIN DIRECT RAINFALL AND SLOWLY RELEASE IT TO EVAPORATION.
5. RUNOFF FROM 700 SQ FT OF THE PROPOSED NEW IMPERVIOUS AREA WILL BE DISCHARGED TO TWO ON-SITE BIO-RETENTION PLANTERS. THE BIO-RETENTION PLANTERS WILL SLOW THE RUNOFF RATE, ALLOW SUFFICIENT TIME TO SOAK IN, AND PROVIDE STORMWATER TREATMENT.
6. A BIO-RETENTION PLANTER WILL BE DESIGNED TO CAPTURE THE OVER-TOPPING AND EXCESS FLOW FROM THE EXISTING 100% PERMEABLE CONCRETED DRIVEWAY. THE SURFACE AREA OF THE DRIVEWAY AND DETAILS OF CONSTRUCTION COMPLY WITH 1625000P GUIDELINES.
7. RUNOFF FROM THE WESTERN WALL OF THE ROOF WILL BE DISCHARGED TO A REINFORCED DRAINAGE CHUTE WHICH WILL THEN RUN TO BIO-RETENTION PLANTER 1. THE CHUTE WILL BE ABOUT 140 FT OF IMPERVIOUS ROOF AREA WILL BE DISCHARGED TO BIO-RETENTION PLANTER 1. THE PLANTER WILL HAVE A SURFACE AREA OF 200 SQ FT, COMPARED TO THE MINIMUM REQUIRED AREA OF 81 SQ FT PER 1625000P GUIDELINES.
8. RUNOFF FROM THE EASTERN WALL OF THE ROOF AND THE CONCRETE WALKWAY ALONG THE SIDE OF THE BUILDING WILL BE COLLECTED IN A PERFORATED DRAINAGE SYSTEM AND DISCHARGED TO BIO-RETENTION PLANTER 2. RUNOFF FROM 4500 SQ FT OF IMPERVIOUS ROOF AND WALKWAY AREA WILL BE DISCHARGED TO BIO-RETENTION PLANTER 2. THE PLANTER WILL HAVE A SURFACE AREA OF 26 SQ FT, COMPARED TO THE MINIMUM REQUIRED AREA OF 172 SQ FT PER 1625000P GUIDELINES.
9. RUNOFF FROM THE ENTRY DRIVEWAY AND A PORTION OF THE ENTRY WALKWAY TOTALING 340 SQ FT OF IMPERVIOUS AREA WILL SHEET FLOW TO THE EXISTING STREET GUTTER.
10. AREA DRAINAGE ARE LOCATIONS WHERE THEY ARE NECESSARY TO PREVENT WATER PONDING THAT COULD DAMAGE THE BUILDING.
11. A FOUNDATION DRAINAGE SYSTEM WILL BE CONSTRUCTED USING PERFORATED PVC PIPE. THE SYSTEM WILL OUTLET TO THE GROUND SURFACE AT A SUITABLE LOCATION. PERMANENT EROSION CONTROL WILL BE INSTALLED AT THE OUTLET LOCATION.

**EXCAVATION & GRADING PLAN**

1. SITE GRADING SHALL BE COMPLETED IN CONFORMANCE WITH THE PROJECT GEOTECHNICAL REPORT AND THE APPROVED SITE GRADING PLAN. SITE GRADING SHALL BE LIMITED TO EXCAVATION WITHIN THE FOOTPRINT OF THE BUILDING FOR FOUNDATION CONSTRUCTION AND PARKING LEVEL PAVING. NO FILL IS PLANNED.
2. EXCESS EXCAVATED MATERIAL SHALL BE LEGALLY DISPOSED OF AT AN OFF-SITE LOCATION TO BE DETERMINED BY THE CONSTRUCTION CONTRACTOR.

**EROSION CONTROL**

1. EROSION CONTROL MEASURES SHALL BE INCORPORATED INTO THE PROJECT DURING CONSTRUCTION AND IMPLEMENTED BY THE CONSTRUCTION CONTRACTOR. STORM WATER SHALL BE COLLECTED AND STORED IN A 100% PERMEABLE CONCRETE DRIVEWAY. AREAS DISCHARGED DURING CONSTRUCTION SHALL BE RESTORED BY INSTALLATION OF EROSION CONTROL BLANKET AND STRAIN MATS.
2. PERMANENT EROSION CONTROL SHALL BE PROVIDED BY LANDSCAPING THE ENTIRE DISTURBED AREA AT THE COMPLETION OF THE WORK IN ACCORDANCE WITH THE LANDSCAPING PLAN.

**STORMWATER POLLUTION PREVENTION**

1. POLLUTION PREVENTION MEASURES SHALL BE INCORPORATED INTO THE PROJECT DURING CONSTRUCTION AND IMPLEMENTED BY THE CONSTRUCTION CONTRACTOR. STORM WATER SHALL BE COLLECTED AND STORED IN A 100% PERMEABLE CONCRETE DRIVEWAY. AREAS DISCHARGED DURING CONSTRUCTION SHALL BE RESTORED BY INSTALLATION OF EROSION CONTROL BLANKET AND STRAIN MATS.
2. POLLUTION PREVENTION MEASURES SHALL BE INCORPORATED INTO THE PROJECT DURING CONSTRUCTION AND IMPLEMENTED BY THE CONSTRUCTION CONTRACTOR. STORM WATER SHALL BE COLLECTED AND STORED IN A 100% PERMEABLE CONCRETE DRIVEWAY. AREAS DISCHARGED DURING CONSTRUCTION SHALL BE RESTORED BY INSTALLATION OF EROSION CONTROL BLANKET AND STRAIN MATS.
3. POLLUTION PREVENTION MEASURES SHALL BE INCORPORATED INTO THE PROJECT DURING CONSTRUCTION AND IMPLEMENTED BY THE CONSTRUCTION CONTRACTOR. STORM WATER SHALL BE COLLECTED AND STORED IN A 100% PERMEABLE CONCRETE DRIVEWAY. AREAS DISCHARGED DURING CONSTRUCTION SHALL BE RESTORED BY INSTALLATION OF EROSION CONTROL BLANKET AND STRAIN MATS.
4. MATERIALS SHALL BE STORED IN A SANITARY MANNER. ALL GAS SYSTEM IMPROVEMENTS SHALL BE COMPLETED WITH PACIFIC GAS AND ELECTRIC (PG&E) AND COMPLETED IN CONFORMANCE WITH PG&E STANDARDS.
5. SANITARY SEWER, A SEWER LATERAL, SHALL BE SIZED AND CONSTRUCTED WITH AN APPROPRIATE BACK FLOW PREVENTION DEVICE CONFORMING TO SAN RAFAEL SANITARY DISTRICT STANDARDS.



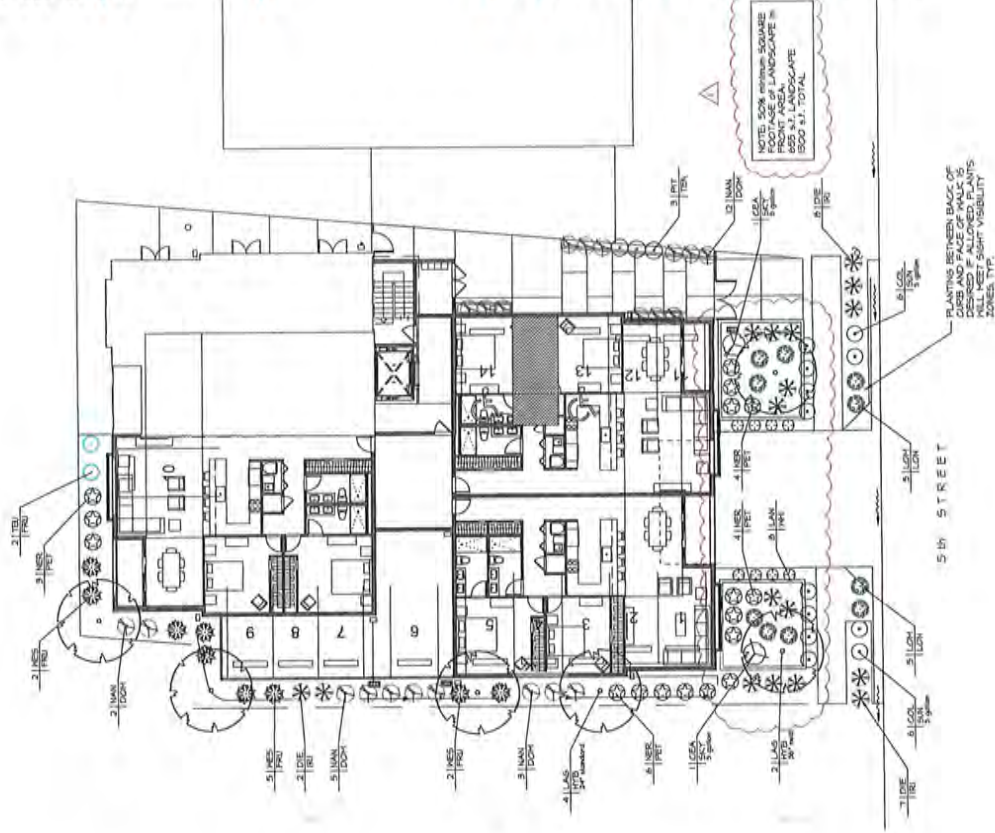
DATE	AUGUST 17, 2018
DESIGN REVIEW	RESUBMITTAL
REVISIONS	
PROJECT	2018-10-10 FRONT MARDI LANDSCAPE AREA

5th and G Streets  
Orlym Development  
SAN RAFAEL, CALIFORNIA

Drawing Title

PLANTING PLAN  
and PLANT LIST  
(Ground Floor)

L 1  
Of Sheets



- NOTES:**
1. A minimum of 8 inches of non-mechanically compacted soil shall be available for water absorption and root growth in planted areas.
  2. Incorporate compost or natural fertilizer into the soil to a minimum depth of 8 inches at a minimum rate of 6 cubic yards per 1000 square feet or per specific amendment recommendations from a soils laboratory report.
  3. A minimum 3 inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, and direct seeding applications.
  4. Root barriers to be used on all trees within 4' of building, curb, walk, or underground utility.

TOTAL LANDSCAPE AREA = 2,658 s.f. (1,845 s.f. ground level + 713 s.f. roof)

**PLANT LIST**

NOTE: QUANTITIES ARE TO BE CONFIRMED PRIOR TO ORDERING.

Tree Key	Scientific Name	Common Name	Container	Height	Width	Cal	Remarks/Notes
1	LAG HYB	Lagaviransia Hybrid Mulogel	38" Box	4'-0"	4'-0"	1.75"	L, multi-trunk
2	LAG HYB	Lagaviransia Hybrid Mulogel	24" Box	7'-0"	3'-0"	1.5"	L, standard

Shrub Key	Scientific Name	Common Name	Container	Remarks/Notes
1	CEA SKY	Ceanothus Skyline	1 Gal	L
2	CEA SKY	Ceanothus Skyline	5 Gal	L
3	LOR OLE	Loropetalum chinensis 'Ever Red'	5 Gal	L
4	MAN DDM	Manisotoma diandra	5 Gal	L
5	MAN DDM	Manisotoma diandra	5 Gal	L
6	MAN DDM	Manisotoma diandra	5 Gal	L
7	MAN DDM	Manisotoma diandra	5 Gal	L
8	MAN DDM	Manisotoma diandra	5 Gal	L
9	MAN DDM	Manisotoma diandra	5 Gal	L
10	COL SUN	Colonnata puberula 'Sunset Gold'	1 Gal	M
11	COL SUN	Colonnata puberula 'Sunset Gold'	5 Gal	M
12	COL SUN	Colonnata puberula 'Sunset Gold'	1 Gal	M
13	LAN NEW	Lambertia New York	1 Gal	L
14	LAN NEW	Lambertia New York	5 Gal	L
15	LAN NEW	Lambertia New York	1 Gal	L
16	LAN NEW	Lambertia New York	5 Gal	L
17	DIAS HYB	Dianella Hybrid	5 Gal	L
18	DIAS HYB	Dianella Hybrid	1 Gal	M
19	DIAS HYB	Dianella Hybrid	5 Gal	L
20	DIAS HYB	Dianella Hybrid	1 Gal	M
21	DIAS HYB	Dianella Hybrid	5 Gal	L

Groundcover Key	Scientific Name	Common Name	Remarks/Notes
1	CEA SKY	Ceanothus Skyline	L
2	CEA SKY	Ceanothus Skyline	L
3	LOR OLE	Loropetalum chinensis 'Ever Red'	L
4	MAN DDM	Manisotoma diandra	L
5	MAN DDM	Manisotoma diandra	L
6	MAN DDM	Manisotoma diandra	L
7	MAN DDM	Manisotoma diandra	L
8	MAN DDM	Manisotoma diandra	L
9	MAN DDM	Manisotoma diandra	L
10	COL SUN	Colonnata puberula 'Sunset Gold'	M
11	COL SUN	Colonnata puberula 'Sunset Gold'	M
12	COL SUN	Colonnata puberula 'Sunset Gold'	M
13	LAN NEW	Lambertia New York	L
14	LAN NEW	Lambertia New York	L
15	LAN NEW	Lambertia New York	L
16	LAN NEW	Lambertia New York	L
17	DIAS HYB	Dianella Hybrid	L
18	DIAS HYB	Dianella Hybrid	L
19	DIAS HYB	Dianella Hybrid	L
20	DIAS HYB	Dianella Hybrid	L
21	DIAS HYB	Dianella Hybrid	L

Accents Key	Scientific Name	Common Name	Remarks/Notes
1	CEA SKY	Ceanothus Skyline	L
2	CEA SKY	Ceanothus Skyline	L
3	LOR OLE	Loropetalum chinensis 'Ever Red'	L
4	MAN DDM	Manisotoma diandra	L
5	MAN DDM	Manisotoma diandra	L
6	MAN DDM	Manisotoma diandra	L
7	MAN DDM	Manisotoma diandra	L
8	MAN DDM	Manisotoma diandra	L
9	MAN DDM	Manisotoma diandra	L
10	COL SUN	Colonnata puberula 'Sunset Gold'	M
11	COL SUN	Colonnata puberula 'Sunset Gold'	M
12	COL SUN	Colonnata puberula 'Sunset Gold'	M
13	LAN NEW	Lambertia New York	L
14	LAN NEW	Lambertia New York	L
15	LAN NEW	Lambertia New York	L
16	LAN NEW	Lambertia New York	L
17	DIAS HYB	Dianella Hybrid	L
18	DIAS HYB	Dianella Hybrid	L
19	DIAS HYB	Dianella Hybrid	L
20	DIAS HYB	Dianella Hybrid	L
21	DIAS HYB	Dianella Hybrid	L



Date	AUGUST 27, 2018
Design Review	REVISIONAL
Revisions	
Project	

5th and G Streets  
O'Flynn Development  
SAN RAFAEL, CALIFORNIA

Drawing Title  
**PLANTING PLAN**  
(Roof Level)

SEE SHEET L1 for PLANT LIST, NOTES, and TOTAL SQUARE FOOTAGE.

