



AGENDA

**SAN RAFAEL PLANNING COMMISSION
REGULAR MEETING
TUESDAY, April 23, 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, 3/26/19
2. **1200 Irwin St. ("Dominican Townhomes")** – Appeal of Planning staff's December 7, 2018 denial without prejudice of an Environmental and Design Review Permit (ED17-073) proposing to legalize and modify miscellaneous design changes incorporated into an existing approved, constructed and occupied 15-unit multifamily residential development; APN: 011-013-05; Multifamily Residential – Medium Density (MR2) District; 524 Mission Street, LLC, owner; Casey Clements for Thompson Development, Inc., applicant and appellant; File No.: AP18-004 and ED17-073. Project Planner: Steve Stafford
THIS IS A CONTINUATION OF THE PLANNING COMMISSION HEARING HELD ON MARCH 12, 2019

PUBLIC HEARING

3. **1201 Fifth Ave** - Request for Use Permit and Environmental and Design Review for a new 54-foot high, 140-room hotel building with parking and other associated guest amenities located on a 28,719 square foot lot; APN: 011-212-03; Fifth/Mission Residential/Office (5/M R/O) District; 1201 5th LLC, owners/applicant; File No(s): UP18-045/ED18-106. Project Planner: Alicia Giudice
4. **General Plan 2040 and Downtown Precise Plan.** The City of San Rafael (City) will prepare an Environmental Impact Report (EIR) for the San Rafael General Plan 2040 and Downtown Precise Plan (proposed project) and will hold a public meeting to receive comments on the scope of the EIR, as detailed below. Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15206, the proposed project is considered a project of statewide, regional, or areawide significance. The City, acting as the Lead Agency, determined that the proposed project could result in potentially significant environmental impacts and an EIR is required. The City will prepare a Programmatic-Level EIR to address the potential environmental impacts associated with the project at a programmatic level consistent with CEQA Guidelines Section 15168. The program-level EIR will evaluate the project for potential impacts on the environment and analyze the proposed policies to determine the potential environmental consequences of future change. An evaluation of project alternatives that could reduce significant impacts will also be included. Project Planner: Barry Miller

DISCUSSION

5. Update on General Plan 2040

**DIRECTOR'S REPORT
COMMISSION COMMUNICATION
ADJOURNMENT**

- I. Next Meeting: May 14, 2019
- II. I, Anne Derrick, hereby certify that on Friday, April 19, 2019, I posted a notice of the April 23, 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, March 26, 2019



**Regular Meeting
San Rafael Design Review Board Minutes**

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

CALL TO ORDER

Present: Jack Robertson
Barrett Schaefer
Aldo Mercado
Berenice Davidson
Mark Lubamersky
Jeff Schoppert

Absent: Sarah Loughran

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, March 12, 2019

Jack Robertson moved and Mark Lubamersky seconded to approve Minutes as presented. The vote is as follows: (Note: Commissioner Schaefer arrived at 7:10 pm was not present to vote on the Minutes)

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

PUBLIC HEARING

- 2. 4000 Civic Center – Request for Use Permit Amendment to UP03-028 to allow a reduction in the parking requirement and allow the conversion of 38,190 sq.ft. of existing office space to medical office use. No change in building square footage or number of parking stalls is proposed. APN: 180-124-13 and 180-124-16; Office (O) Zoning District; Theresa Krueger, PSAI Realty, Applicant; SFF MEC LLC, Owner; UP18-038. Project Planner: Caron Parker**

[Staff Report](#)

Barrett Schaefer moved and Berenice Davidson seconded to adopt Resolution approving the project with conditions. The vote is as follows:

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

[DIRECTOR'S REPORT](#)

[COMMISSION COMMUNICATION](#)

[ADJOURNMENT](#)

ANNE DERRICK, Administrative Assistant III

APPROVED THIS ____ DAY OF _____, 2019

Jeff Schoppert, Vice-Chair



SAN RAFAEL
THE CITY WITH A MISSION

Community Development Department – Planning Division

Meeting Date: April 23, 2019
Agenda Item:
Case Numbers: AP18-004; ED17-073
Project Planner: Steve Stafford –
(415) 458-5048

REPORT TO PLANNING COMMISSION

SUBJECT: 1200 Irwin St. (“Dominican Townhomes”) – Appeal of Planning staff’s December 7, 2018 denial without prejudice of an Environmental and Design Review Permit (ED17-073) proposing to legalize and modify miscellaneous design changes incorporated into an existing approved, constructed and occupied 15-unit multifamily residential development; APN: 011-013-05; Multifamily Residential – Medium Density (MR2) District Zone; Casey Clements for Thompson Development, Inc., applicant and appellant; 524 Mission Street, LLC, owner; File No.: AP18-004 and ED17-073.

Continued from the March 12, 2019 Planning Commission Hearing

EXECUTIVE SUMMARY

On March 12, 2019, the Planning Commission (Commission) reviewed an appeal of staff’s denial to legalize design changes to an existing approved, constructed and occupied 15-unit, multifamily residential development located at 1200 Irwin St. (‘Dominican Townhomes’). At their hearing, the Commission elected to continue their review to allow the owner/applicant/appellant and staff an opportunity to work towards resolution on four (4) outstanding issues, including trash enclosure, wainscot building base, driveway and motor court paving, and entry trellis structures. Staff and the owner/applicant/appellant have agreed to resolutions on each of these outstanding issues and staff now supports granting the appeal and overturning the staff denial of the proposed design changes, as revised. The attached resolution (Exhibit 2) includes conditions of approval (see Conditions No. 2 and 4) with milestones or deadlines in which the owner/applicant/appellant must obtain building permit issuance for all design changes and bring the site into compliance.

RECOMMENDATION

It is recommended that the Planning Commission adopt the attached draft Resolution, granting the appeal (AP18-004) and overturning the December 7, 2018 staff denial of an Environmental and Design Review Permit (ED17-073) proposing to legalize miscellaneous design changes incorporated into an existing approved, constructed and occupied 15-unit multifamily residential development, located at 1200 Irwin St. (Exhibit 1).

BACKGROUND

The project was approved in 2007 and the entitlements were extended through several time extensions. Design changes were requested by the owner/applicant in 2015 and approved by staff with the recommendation of the Design Review Board (Board) in order to help make the project more efficient to construct. In 2016, building and grading permits were issued for the project. During construction of the project, staff notified the owner/applicant that additional design changes were incorporated without approval and inconsistent with the building permit. In 2017, construction of the project was completed with the ‘as-built’ design changes and the owner/applicant submitted an Environmental and Design Review Permit (ED17-073) to legalize these additional design changes. Dominican University of California

(Dominican University) subsequently leased the project and a TCO (Temporary Conditional Occupancy) was quickly issued to allow occupancy for the Fall 2017 academic term.

In October 2017, staff referred the 'as-built' design changes to the Board for review. At that meeting, the Board continued their review though indicated that they generally did not support legalizing the additional design changes because it did not meet the original design quality of the project. After more than one (1) year of inaction by the owner/applicant, staff scheduled the project to return to the Board for follow-up review and recommendations. In December 2018, the Board determined the applicant's efforts to resolve the outstanding design issues lacked sincerity to address the lack of design quality and unanimously (5-0 vote) recommended denial of the project. Staff subsequently denied the proposed legalization of these 'as-built' design changes, without prejudice, based on the recommendation of the Board.

The owner/applicant subsequently appealed staff's denial of the proposed design changes to the Planning Commission (Commission), citing the project "substantially conforms to the design intent" of the approved design. On March 12, 2019, the Commission continued their review of the appeal to allow the owner/applicant/appellant and staff an opportunity to work towards resolution on the four (4) outstanding issues, including trash enclosure, wainscot building base, driveway and motor court paving, and entry trellis structures. Staff and the owner/applicant/appellant have agreed to resolutions on each of these outstanding issues.

ANALYSIS

Commission's Continued Review of Appeal

On March 12, 2019, the Commission reviewed an appeal of the staff denial to legalize design changes to an existing approved, constructed and occupied 15-unit, multifamily residential development located at the subject site ('Dominican Townhomes'). At their hearing, the Commission unanimously elected to continue their review to allow the owner/applicant/appellant and staff an opportunity to work towards resolution on four (4) outstanding issues, including trash enclosure, wainscot building base, driveway and motor court paving, and entry trellis structures.

Staff and the owner/applicant/appellant have agreed to resolutions on each of these outstanding issues and staff now supports granting the appeal and overturning the staff denial of the proposed design changes, as revised:

Trash Enclosure

The approved project design included three (3) required 'guest' parallel parking spaces located along the north property line, where the driveway entrance and the motor court areas meet. The owner/applicant/appellant originally proposed to legalize the conversion of one (1) of these three (3) existing 'guest' parking spaces to a trash enclosure providing common refuse collection service. The site currently relies on an unscreened dumpster for trash pick-up. The owner/applicant/appellant proposed a trash enclosure structure, 112 sq. ft. (8' x 14') in area, comprised of 6'-tall wood 'privacy' fencing to match the design of the adjacent rear fence. Planning staff, with the recommendation of the Board, supported the elimination of the guest parking space, subject to the design of the trash enclosure matching the same high-quality exterior finishes (color and materials) as the residential buildings on the site (stucco and/or shingle siding painted to match with composition fiberglass roof shingles).

Staff Response. The owner/applicant/appellant has coordinated with the collection service provider, Marin Sanitary Service, and determined a communal debris bin is unnecessary for the site. The current debris bin will be removed in lieu of individual carts (landfill, recycling and composting) for each of the 15 units. Tenants of each unit will be responsible for storing their carts in their garages and transporting their carts to and from the Irwin St. curb face for service on their scheduled service day.

Wainscoting of Building Base

The approved project design included textured cement plaster or “dash finish” stucco wainscot along the base of each building with scored into 2’ x 4’ sections and separated from the fiber cement shingles by a beveled wood transition band. The owner/applicant/appellant originally proposed to legalize the installation of 2’ x 4’ HardiePanel fiber cement siding panels in stucco pattern with each panel framed in wood 2” x 2” trim. Planning staff, with the recommendation of the Board, required stucco texturing of the building base and the elimination of the wood trim framing. More importantly, staff and the Board required appropriate ‘build up’ of the building base prior to stucco skim coating.

Staff Response. The owner/applicant/appellant has provided a resubmittal package, dated March 22, 2019 (Exhibit 3), which includes a typical detail, showing the proposed build up of the building base and stucco skim coating. In addition, the owner/applicant/appellant has also created a large mockup of the proposed wainscot treatment along the Green Way frontage to assist the Commission and staff get a better sense of how the wainscot improvements will look like (see Exhibit 3, Exhibit D). These are not consistent; the typical detail shows an additional ½” buildup of the wainscot base. The owner/applicant/appellant has indicated that buildup of the wainscot base will result in water intrusion behind the stucco layer and a waterproofing maintenance issue in the future. Under these circumstances, staff has agreed to accept the stucco skim coating (Dryvit “Stone Gray” with a “Quarzputz” finish) without the additional buildup of the wainscot building base.

Driveway/Motor Court Paving

The approved project design included colored and textured paving for the entire driveway and throughout a bulk of the interior motor court area. The owner/applicant/appellant proposed to reduce the paving retreatment to a small portion (approx. 20’ x 25’ in size). Planning staff, with the recommendation of the Board, required a greater extent of colored and textured pavement treatment throughout the driveway and motor court.

Staff Response. The owner/applicant/appellant has agreed to the satisfaction of staff to extend the colored and textured pavement treatment the full length of the driveway (approx. 20’ x 70’ in size). The driveway is proposed to be converted to a herringbone-stamped pattern, painted red, with stacked brick borders. The interior motor court area would remain ‘as is’ and would be legalized a standard asphalt paving.

Entry Trellises

The approved project design included freestanding wood trellises, approx.25 sq. ft. (5’ x 5’) in size and painted dark green in color, located on the staircases at the upper landings to the unit entrances. The owner/applicant/appellant proposed to reduce the size of the trellis structures to approx..10 sq. ft. (2’ x 5’) in size and relocate these directly to the face of the building above the unit entrances. Staff, with the recommendation of the Board, required the freestanding trellis structures to be constructed as approved.

Staff Response. The owner/applicant/appellant has agreed to the satisfaction of staff to construct freestanding trellis structures located on the staircases at the upper landings to the unit entrances. The trellis structures are proposed to slightly larger (25 sq. ft. +) in size and constructed with the same high-quality details and dark green color as originally approved. These trellis structures are important to help reduce the perceived visual bulk/mass of the project.

NEIGHBORHOOD MEETING / CORRESPONDENCE

Though the Commission continued their review of the appeal to a date certain, staff updated the existing notice boards located at the Mission Ave., Grand Ave. and Green Way frontages with the new hearing date, a minimum of 15 calendar days prior to this hearing.

At the time of printing staff’s report, no comments have been received as a result of the updated notice boards.

OPTIONS

The Planning Commission has the following options:

1. Adopt the resolution granting the appeal (AP18-004) and overturning Planning staff's December 7, 2018 denial of an Environmental and Design Review Permit (ED17-073) with the revisions, as agreed upon (*staff's recommendation*).
2. Deny the appeal and uphold staff's denial of the project and the Board's recommendation, without prejudice, and direct staff to return with a revised resolution,
3. Continue the matter to allow the owner/applicant/appellant and/or staff to address any comments or concerns of the Planning Commission.

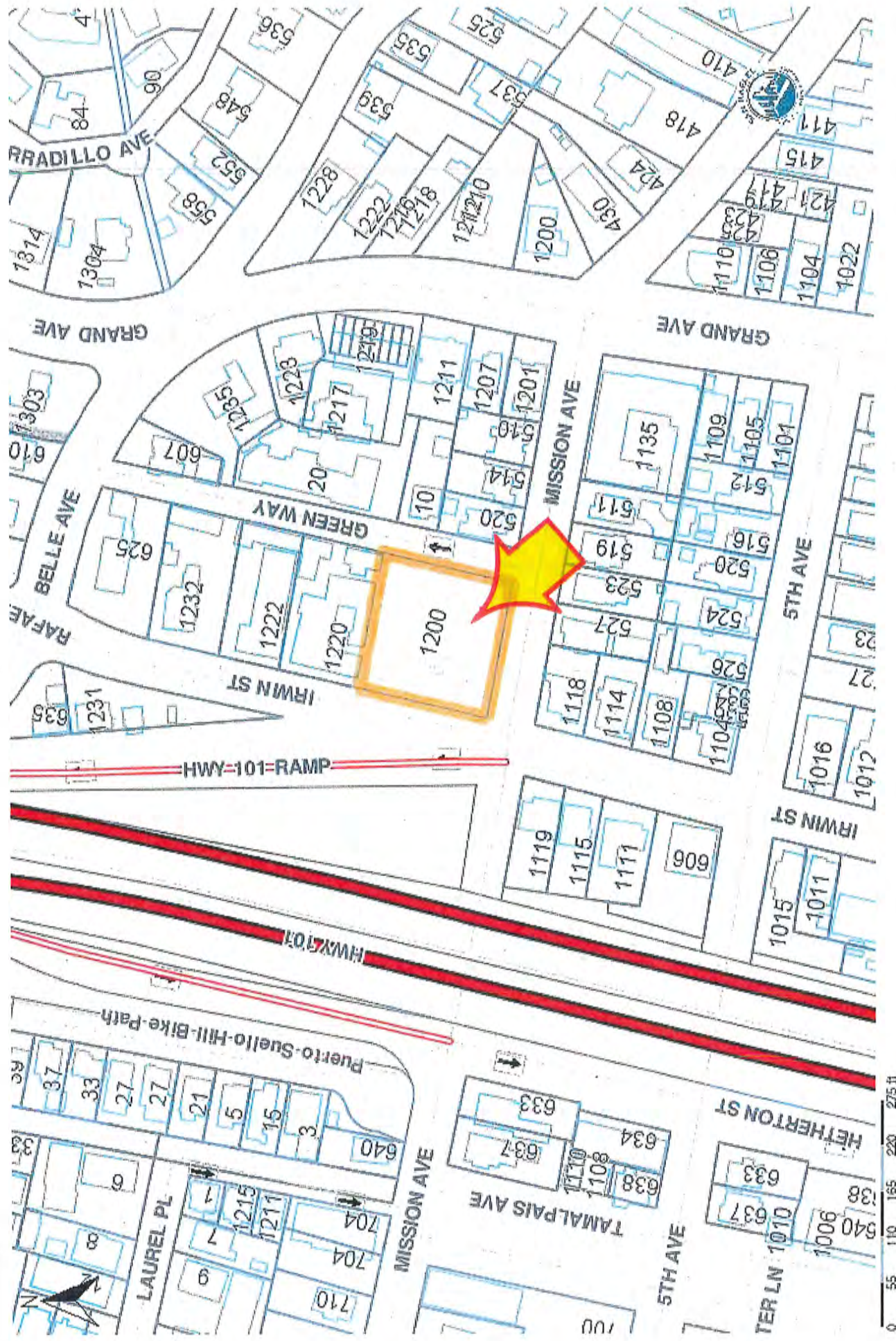
EXHIBITS

1. [Vicinity/Location Map](#)
2. [Draft Resolution, Granting the Appeal and Overturning Staff's Denial Without Prejudice](#)
3. Owner's/Applicant's/Appellant's 3/22/19 Resubmittal Package with Exhibits

cc. Casey Clements – Thompson Development, Inc.; 250 Bel Marin Keys, Bldg. A; Novato, CA 94949
524 Mission Street. LLC – 250 Bel Marin Keys, Bldg. A; Novato, CA 94949

While we strive to produce maps with good accuracy and with current accompanying data, the accuracy of the information herein cannot be guaranteed. This map was prepared using programetric computer aided drafting techniques, and it does not represent legal boundary survey data.

1200 Irwin St. ('Dominican Townhomes')



RESOLUTION NO. 19-_____

RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION GRANTING AN APPEAL (AP18-004) AND OVERTURNING THE DECEMBER 7, 2018 STAFF DENIAL OF AN ENVIRONMENTAL AND DESIGN REVIEW PERMIT (ED17-073) PROPOSING TO LEGALIZE AND MODIFY MISCELLANEOUS DESIGN CHANGES INCORPORATED INTO AN EXISTING APPROVED, CONSTRUCTED AND OCCUPIED 15-UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT (“DOMINICAN TOWNHOMES”), LOCATED AT 1200 IRWIN ST. (APN: 011-013-05)

WHEREAS, on July 16, 2007, the City Council conditionally approved the redevelopment of 1200 Irwin St., through the following actions:

- Rezoning (ZC06-002) the site from MR2.5 to MR2 to allow for higher density proposed by the project; and
- Environmental and Design Review Permit (ED06-024) and Tentative Map (TS06-001) to demolish the existing residences, which have been determined to be ‘cultural resources’ under CEQA, and to construct 15, ‘carriage house’ attached townhome condominium units (13 ‘market-rate’ units and 2 ‘affordable’ units at low-income housing levels) within three buildings and associated parking and landscape improvements; and

WHEREAS, the State legislature subsequently approved a series of one- and two-year automatic time extensions on all subdivision map approvals for which the City also automatically extends all Planning approvals related to the State-approved map extensions, for which the project approvals were set to expire on July 16, 2016; and

WHEREAS, in 2015, the site and these entitlements came under new ownership, who remains the current owner of the site; and

WHEREAS, on July 7, 2015, Planning staff, with the recommendation of the Board, approved certain design changes (Environmental and Design Review Permit ED15-017) requested by the new owner in order to make the project easier to construct and more cost-effective; and

WHEREAS, on July 18, 2016, a building permit was issued for the construction of the new 15-unit townhome. The project was subsequently constructed and during construction, City building inspectors informed the contractor/owner of inconsistencies with building materials and other exterior design features that were not in accordance with the approved building permit plans, and approved Design Review; and

WHEREAS, in August 2017, the construction was completed, and the owner/contractor requested a temporary occupancy, while seeking to finalize their request to legalize the design changes and their need to meet lease obligations with Dominican University who had leased the units for as independent student housing; and

WHEREAS, on September 5, 2017, the owner/applicant submitted an application for an Environmental and Design Review Permit (ED17-073) to request legalization of the additional changes to the project design that were installed during construction without the required prior approval from the City, including 1) Deviations from the approved exterior colors and materials; 2) Deviations to the approved finishes of the driveway and motor court; 3) Deviations to the approved design, size and location of wood trellis features; and 4) Conversion of one (1)

required and approved guest parking space to a common trash enclosure; and

WHEREAS, on October 17, 2017, the San Rafael Design Review Board (Board) (Commissioner Paul as Planning Commission Liaison) held a duly-noticed public hearing on Environmental and Design Review Permit ED17-073, accepting all oral and written public testimony and the written report of Planning staff, and continued their review to a date uncertain to allow staff to work with the applicant to help meet the original design quality of the project. Specifically, the Board provided the following recommendations:

- The project should incorporate the approved colors and materials;
- The design quality of the wainscot needs to be improved, including building-up the thickness so that it projects further out from the exterior wall plane the same as shingle façade, greater texturing and elimination of the trim boarding;
- The asphalt driveway entry and motor court should be stamped and colored as approved;
- The entry trellises to individual units need to be constructed as approved;
- The project shall include a new trash enclosure which should match the approved colors and materials of the buildings; and
- The site lighting needs follow-up from staff to either reduce the lighting levels and/or shield the light fixtures; and

WHEREAS, on October 1, 2018, after a year of inactivity and at the urging of Community Development Department staff, the applicant resubmitted the project for re-review by the Board; and

WHEREAS, on December 4, 2018, the Board held a duly-noticed public hearing to continue their review on resubmitted Environmental and Design Review Permit (ED17-073), accepting all oral and written public testimony and the written report of Planning staff, and unanimously (5-0 vote; Commissioner Schaeffer as PC Liaison) recommended denial of the proposed design changes, without prejudice, due to the inadequacy of the resubmittal in responding to the Board's prior recommendations of wanting to preserve the project's original approved high-quality design; and

WHEREAS, on December 4, 2018, the Board also reviewed a request for continuance from the owner/applicant, citing a scheduling conflict and illness, for which the Board recommended denial of the design changes proposed by Environmental and Design Review Permit ED17-073, without prejudice, and without acting on the request for continuance; and

WHEREAS, on December 7, 2018, staff administratively denied Environmental and Design Review Permit (ED17-073), without prejudice, denying the application based on the recommendation of the Board that the design changes did not meet the design quality of the approved project and finding project was inconsistent with the applicable General Plan policies, residential design guidelines, and review criteria for Environmental and Design Review Permits: and

WHEREAS, on December 14, 2018, the owner/applicant filed an appeal of staff's denial of the design changes proposed by Environmental and Design Review Permit (ED17-073), citing the project "substantially conforms to the design intent" of the approved design; and

WHEREAS, on March 12, 2019, the San Rafael Planning Commission (Planning Commission) held a duly noticed appeal hearing to consider the Appeal (AP18-004), accepted and considered all oral and written public testimony and the written report of Planning staff. On

a motion made by Commission Robertson and seconded by Commissioner Lubamersky, the Commission unanimously continued their review to a date certain to allow the owner/applicant/appellant and staff a final opportunity to work towards resolution on four (4) outstanding issues, including: 1) trash enclosure; 2) wainscot building base; 3) driveway and motor court paving; and 4) entry trellis structures; and

WHEREAS, the owner/applicant/appellant and staff have met and agreed to resolutions on each of these outstanding issues and staff now supports granting the appeal and overturning staff's denial of Environmental and Design Review Permit (ED17-073), with the revisions now proposed by the owner/applicant/appellant; and

WHEREAS, on April 23, 2019, the Planning Commission continued their appeal hearing to consider the Appeal (AP18-004), accepted and considered all oral and written public testimony and the written report of Planning staff; and

WHEREAS, the custodian of documents which constitute the record of proceedings upon which this decision is based is the Community Development Department; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission hereby grants the Appeal (AP18-004) and overturns the December 7, 2018 staff decision denying, without prejudice, the design changes requested by Environmental and Design Review Permit (ED17-073). The Planning Commission finds and determines that, since the owner/applicant/appellant and staff have agreed to resolutions on each of the four (4) outstanding issues and staff now supports granting the appeal, the design changes with the agreed upon revisions "substantially conforms to the design intent" of the approved project design. The Commission further finds and determines that the design changes with the agreed upon revisions (in **bold**) meets the design quality of the approved project, as recommended by the Board:

Trash Enclosure

The approved project design included three (3) required 'guest' parallel parking spaces located along the north property line, where the driveway entrance and the motor court areas meet. The owner/applicant/appellant originally proposed to legalize the conversion of one (1) of these three (3) existing 'guest' parking spaces to a trash enclosure providing common refuse collection service. The site currently relies on an unscreened dumpster for trash pick-up. The owner/applicant/appellant proposed a trash enclosure structure, 112 sq. ft. (8' x 14') in area, comprised of 6'-tall wood 'privacy' fencing to match the design of the adjacent rear fence. Planning staff, with the recommendation of the Board, supported the elimination of the guest parking space, subject to the design of the trash enclosure matching the same high-quality exterior finishes (color and materials) as the residential buildings on the site (stucco and/or shingle siding painted to match with composition fiberglass roof shingles).

The Planning Commission finds that the owner/applicant/appellant has coordinated with the collection service provider, Marin Sanitary Service, and determined a communal debris bin is unnecessary for the site. The current debris bin will be removed in lieu of individual carts (landfill, recycling and composting) for each of the 15 units. Tenants of each unit will be responsible for storing their carts in their garages and transporting their carts to and from the Irwin St. curb face for service on their scheduled service day.

Wainscotting of Building Base

The approved project design included textured cement plaster or "dash finish" stucco wainscot along the base of each building with scored into 2' x 4' sections and separated

from the fiber cement shingles by a beveled wood transition band. The owner/applicant/appellant originally proposed to legalize the installation of 2' x 4' HardiePanel fiber cement siding panels in stucco pattern with each panel framed in wood 2" x 2" trim. Planning staff, with the recommendation of the Board, required stucco texturing of the building base and the elimination of the wood trim framing. More importantly, staff and the Board required appropriate 'build up' of the building base prior to stucco skim coating.

The Planning Commission finds that the owner/applicant/appellant has agreed to the satisfaction of staff to skim coat stucco treatment (Dryvit "Stone Gray" with a "Quarzputz" finish) without buildup of the wainscot building base. The resubmittals include a typical detail of the proposed improvements to the building wainscoting, which include both a buildup of the building base so that the stucco projects, at least, to the same the exterior wall plane as the fiber cement shingle siding. The owner/applicant/appellant has also created a large mockup of the proposed wainscot treatment along the Green Way frontage to assist the Commission and staff get a better sense of how the wainscot improvements will look like. These are not consistent; the typical detail shows an additional ½" buildup of the wainscot base. The owner/applicant/appellant has indicated that buildup of the wainscot base will result in water intrusion behind the stucco layer and create a waterproofing maintenance issue in the future. Under these circumstances, staff has agreed to accept the stucco skim coating without the additional buildup of the wainscot building base

Driveway/Motor Court Paving

The approved project design included colored and textured paving for the entire driveway and throughout a bulk of the interior motor court area. The owner/applicant/appellant proposed to reduce the paving retreatment to a small portion (approx. 20' x 25' in size). Planning staff, with the recommendation of the Board, required a greater extent of colored and textured pavement treatment throughout the driveway and motor court.

The Planning Commission finds that the owner/applicant/appellant has agreed to the satisfaction of staff to extend the colored and textured pavement treatment the full length of the driveway (approx. 20' x 70' in size). The driveway is proposed to be converted to a herringbone-stamped pattern, painted red, with stacked brick borders. The interior motor court area would remain 'as is' and would be legalized a standard asphalt paving.

Entry Trellises

The approved project design included freestanding wood trellises, approx. 25 sq. ft. (5' x 5') in size and painted dark green in color, located on the staircases at the upper landings to the unit entrances. The owner/applicant/appellant proposed to reduce the size of the trellis structures to approx. 10 sq. ft. (2' x 5') in size and relocate these directly to the face of the building above the unit entrances. Staff, with the recommendation of the Board, required the freestanding trellis structures to be constructed as approved.

The Planning Commission finds that the owner/applicant/appellant has agreed to the satisfaction of staff to construct freestanding trellis structures located on the staircases at the upper landings to the unit entrances. The trellis structures are proposed to slightly larger (25 sq. ft. +) in size and constructed with the same high-quality details and dark

green color as originally approved. These trellis structures are important to help reduce the perceived visual bulk/mass of the project

BE IT FURTHER RESOLVED, that the Planning Commission grants the appeal (AP18-004) and overturns the December 7, 2018 staff denial of Environmental and Design Review Permit (ED17-073), proposing miscellaneous design changes with revisions as agreed upon by the owner/applicant/appellant and staff, based on the following findings:

**Environmental and Design Review Permit (ED17-073)
Findings**

A. The design changes to the approved project, as revised, are in accordance with the City of San Rafael General Plan 2020, the objectives of the Zoning Ordinance, and the purposes of Chapter 25 of the Zoning Ordinance (*Environmental and Design Review Permits*), in that;

1. The project will be consistent with Community Design Policies CD-3 (*Neighborhoods*), CD-11a (*Compatibility of Building Patterns; Multifamily Design Guidelines*) and CD-19 (*Lighting*) of the General Plan, in that; a) The proposed design changes will respect the context of the existing neighborhood in the vicinity, which includes an assortment of residential structures with high-quality site and building design; b) The proposed design changes are compatible with the neighborhood building patterns in the vicinity, which include detailed texturing of exterior building materials; and c) At the October 17, 2017 Board meeting on the project, public comments were made that the site lighting needed refinement to reduce off-site glare, which the Board incorporated as a recommendation. The project approval includes a lighting review period, to commence once the building permit is finalized. This allows staff to make further refinements in the site lighting levels and/or require shields on light fixtures within 90 days of building permit final; and

2. The project will be consistent with the objectives of Title 14 of the San Rafael Municipal Code (*the Zoning Ordinance*), in that:

As discussed in Finding #A1 above, the project will implement, support and promote, generally, all applicable goals and policies of the San Rafael General Plan 2020 that are intended to protect the public health, safety and welfare;

As discussed in Finding #A1 above, the project will be particularly consistent with all applicable Community Design Policies of the General Plan; and

As discussed in Finding #A1 above, the project will promote design quality in all aspects of development;

3. The project will be consistent with the specific purposes of Chapter 25 (*Environmental and Design Review Permits*) of the Zoning Ordinance, in that: the project will promote design excellence. The owner/applicant/appellant has agreed to the satisfaction of staff to improve the design quality of the communal sanitary service area (eliminate), the wainscot base of the residential buildings (stucco skim-coat), the asphalt driveway/interior motor court (colored and stamped texturing) and the unit entries (construct freestanding trellis structures); and;

- B. The design changes to the approved project, as revised, are consistent with all applicable site, architecture and landscaping design review criteria and guidelines for the Multifamily Residential – Medium Density (MR2) District in which the site is located, in that;
1. As discussed above, the revised design changes will be consistent with design-related General Plan policies, including, but not limited to:
 - a) Community Design Policy CD-3 (Neighborhoods);
 - b) CD-11 (Multifamily Residential Guidelines); and
 - c) CD-19 (Lighting); and
 2. The proposed design changes will be consistent with San Rafael Design Guidelines, in that;
 - a) *Lighting sources should be shielded to prevent glare and illumination beyond the boundaries of the property.* At the October 17, 2017 Board meeting on the project, public comments were made that the site lighting needed refinement to reduce off-site glare, which the Board incorporated as a recommendation. The project approval includes a lighting review period, to commence once the building permit is finalized. This allows staff to make further refinements in the site lighting levels and/or require shields on light fixtures within 90 days of building permit final;
 - b) *Additions and alterations to a residential building should relate to the original building design, including materials, and the quality of materials and detailing should be consistent with or better than the original design.* The owner/applicant/appellant has agreed to the satisfaction of staff to improve the design quality of the communal sanitary service area (eliminate), the wainscot base of the residential buildings (stucco skim-coat), the asphalt driveway/interior motor court (colored and stamped texturing) and the unit entries (construct freestanding trellis structures); and
 3. The proposed design changes, as revised, will be consistent with the site and architectural review criteria for Environmental and Design Review Permits, in that;
 - a) *There should be a harmonious relationship within the development, between all structures on the site and there should be consistent organization of materials and a balanced relationship of design elements.* The owner/applicant/appellant has agreed to the satisfaction of staff to improve the design quality of the communal sanitary service area (eliminate), the wainscot base of the residential buildings (stucco skim-coat), the asphalt driveway/interior motor court (colored and stamped texturing) and the unit entries (construct freestanding trellis structures);
 - b) *Design elements and approaches are encouraged to create interest in the building elevations. Equal attention to design of all facades. High-quality building materials are required.* The owner/applicant/appellant has agreed to the satisfaction of staff to improve the design quality of the communal sanitary service area (eliminate), the wainscot base of the residential buildings (stucco skim-coat), the asphalt driveway/interior motor court (colored and stamped texturing) and the unit entries (construct freestanding trellis structures);

- c) *Lighting sources should be shielded to prevent glare and illumination beyond the boundaries of the property.* At the October 17, 2017 Board meeting on the project, public comments were made that the site lighting needed refinement to reduce off-site glare, which the Board incorporated as a recommendation. The original project approvals included a lighting review period, to commence once the building permit is finalized. This allows staff to make further refinements in the site lighting levels and/or require shields on light fixtures within 90 days of building permit final; and
- d) *Additions and alterations to a residential building should relate to the original building design, including materials, and the quality of materials and detailing should be consistent with or better than the original design.* The project has been previously reviewed by the Board during two (2) separate, noticed meetings and, on December 4, 2018, the Board recommended denial of the project, finding the proposed design changes did not adequately meet the same design quality as the approved project design; and

Lighting sources should be shielded to prevent glare and illumination beyond the boundaries of the property. At the October 17, 2017 Board meeting on the project, public comments were made that the site lighting needed refinement to reduce off-site glare, which the Board incorporated as a recommendation. The original project approvals included a lighting review period, to commence once the building permit is finalized. This allows staff to make further refinements in the site lighting levels and/or require shields on light fixtures within 90 days of building permit final. The original building permit for the project has not been finalized. Staff is unable to final the building permit for the project, or require modifications to reduce the off-site glare on the site, until the project is constructed consistent with the approved design; and

Additions and alterations to a residential building should relate to the original building design, including materials, and the quality of materials and detailing should be consistent with or better than the original design. The owner/applicant/appellant has agreed to the satisfaction of staff to improve the design quality of the communal sanitary service area (eliminate), the wainscot base of the residential buildings (stucco skim-coat), the asphalt driveway/interior motor court (colored and stamped texturing) and the unit entries (construct freestanding trellis structures); and

- C. The design changes to the approved project, as revised, will minimize potential adverse environmental impacts; in that; the owner/applicant/appellant has agreed to the satisfaction of staff to improve the design quality of the communal sanitary service area (eliminate), the wainscot base of the residential buildings (stucco skim-coat), the asphalt driveway/interior motor court (colored and stamped texturing) and the unit entries (construct freestanding trellis structures); and
- D. The design changes to the approved project, as revised, will not be detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity, in that: in that:; The owner/applicant/appellant has agreed to the satisfaction of staff to improve the design quality of the communal sanitary service area (eliminate), the wainscot base of the residential buildings (build up and stucco skim-coat), the asphalt driveway/interior motor court (colored and stamped texturing) and the unit entries (construct freestanding trellis structures).

California Environmental Quality Act (CEQA) Findings

The minor alteration of existing private and public structures and facilities, involving negligible or no expansion of use beyond that existing at the time of the lead agencies determination, including interior or exterior alternations such as those proposed by the project and revised after agreement by the owner/applicant/appellant and staff, are categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301 (a) (*Class 1: Existing Facilities*) of the CEQA Guidelines.

BE IT FURTHER RESOLVED, that the Planning Commission hereby approves Environmental and Design Review Permit (ED17-073) and the revised design changes, as agreed upon by the owner/applicant/appellant and staff, subject to the following conditions of approval:

Environmental and Design Review Permit (ED17-073) Conditions of Approval

General and On-Going

Community Development Department, Planning Division

1. The building techniques, colors, materials, elevations and appearance of the project, as presented to the Planning Commission at their April 23, 2019 hearing, stamped “approved” and on file with the Community Development Department, Planning Division, shall be the same as required for issuance of all building permits, subject to these conditions. Minor modifications or revisions to the project shall be subject to review and approval of the Community Development Department, Planning Division. Further modifications deemed not minor by the Community Development Director shall require review and approval by the original decision-making body, the Planning Commission, and may require review and recommendation by the City’s Design Review Board.
2. This Environmental and Design Review Permit approval requires the following improvements to be made within the timelines specified below
 - a. Within 30 days of this approval, or May 23, 2019, submit a building permit application, with plans and details to the Community Development Department – Building Division, that illustrates the following modifications to be made to the building
 - i. Remove the current unscreened communal debris bin to be removed and the ‘guest’ parking space to be made available for vehicular parking It will be the responsibility of the tenants of the individual units to manage their sanitary service needs and requirements by obtaining individual carts (landfill, recycling and composting), storing their carts in their garages and transporting their carts to and from the Irwin St. curb face for service on their scheduled service day.
 - ii. Texture the building base of each residential building on the site with a skim coat of stucco in dark gray integral color (Dryvit “Stone Gray” with a “Quarzputz” finish).
 - iii. Replace the current asphalt driveway along the full length of the driveway (approx. 20’ x 70’ in size) with a herringbone-stamped pattern texturing,

painted red, with stacked brick borders. The interior motor court area may remain 'as is' as standard asphalt paving. Construct freestanding trellis structures located on the staircases at the upper landings to the unit entrances.

- b. Within 45 days of building permit submittal, the applicant/owner shall satisfy all plan check and submittal requirements and pay for and obtain the building permit for the work notes above in 2.a
 - c. Within 45 days of the building permit issuance, the applicant shall install the improvements/modifications listed above in 2.a.
3. All construction activities shall comply with the City's adopted noise limits at all times All construction activities shall occur Mondays – Fridays, 7 a.m. – 6 p.m. and Saturdays, 9 a.m. – 6 p.m. Any work on Sundays and federally-recognized holidays is strictly prohibited.
 4. This Environmental and Design Review Permit shall run with the land and shall remain valid regardless of any change of ownership of the project site, subject to these conditions, provided that a building permit is issued and construction commenced and completed **within 4 months (120 days) of approval, or August 23, 2019.**
 5. Failure to obtain a building permit and construct the required improvements within the time frames listed above will result in the expiration of this Environmental and Design Review Permit and the matter will be the property owner will face penalties and administrative hearing to obtain punitive damages and order to complete the work

Prior to Issuance of Grading/Building Permits

Community Development Department, Planning Division

6. The project sponsor, or its successor, shall pay all outstanding balances of fees due the City in the review, approval and/or issuance of Planning and/or Building Permits for entitlements on the project site.

Community Development Department, Building Division

7. The design and construction of all site alterations shall comply with the current editions of the California Building Code, Plumbing Code, Electrical Code, California Mechanical Code, California Fire Code, California Energy Code, Title 24 California Energy Efficiency Standards, California Green Building Standards Code and City of San Rafael Ordinances and Amendments

San Rafael Fire Department, Fire Prevention Bureau

8. The design and construction of all site alterations shall comply with the current editions of the California Fire Code and City of San Rafael Ordinances and Amendments.

Prior to Final Occupancy

Community Development Department, Planning Division

9. Final inspection of the project by the Community Development Department, Planning Division, is required. The applicant shall contact the Planning Division to request a final inspection upon completion of the project. The final inspection shall require a minimum of 48-hour advance notice.

Department of Public Works

10. The project sponsor, or its successor, shall resolve all outstanding permitting issues with the Department of Public Works prior to final occupancy.

After Occupancy

Community Development Department, Planning Division

11. Following the issuance of a Certificate of Occupancy, all new exterior lighting shall be subject to a 90-day lighting level review period by the City to ensure that all lighting sources provide safety for the building occupants while not creating a glare or hazard on adjacent streets or be annoying to adjacent residents. During this lighting review period, the City may require adjustments in the direction or intensity of the lighting, if necessary. All exterior lighting shall include a master photoelectric cell with an automatic timer system, where the intensity of illumination shall be turned off during daylight.

The foregoing Resolution was adopted at the regular City of San Rafael Planning Commission meeting held on the 23rd day of April 2019.

Moved by Commissioner _____ and seconded by Commissioner _____

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

SAN RAFAEL PLANNING COMMISSION

ATTEST: _____
Paul A. Jensen, Secretary

BY: _____
Sarah Loughran, Chair

March 22, 2019

Hand Delivered

Attn: Steve Stafford
City of San Rafael
Community Development Dept.
1400 5th Ave
San Rafael, CA 94901

**RE: Dominican Townhomes – Formerly Known as ‘San Rafael Carriage Houses’
1200 Irwin Street – 15 Residential Units**

Dear Mr. Stafford,

Following the 3/12/19 Planning Commission Hearing, you sat down with Paul Thompson and me at the Community Development Department on Monday, March 18th to review the conversation that transpired during the hearing and discuss possible design solutions to address each of the Commission's requests. After receiving your guidance at that meeting we prepared the following set of design solutions for your consideration:

1. **Trellises-** Project Architect Bob Wright has prepared a ‘Trellis Study’ attached hereto as ‘Exhibit A’. As we discussed during our meeting, we propose to install these trellis elements above the street facing entryways of all 15 units as shown in the original design. They will be painted to match the green trim that currently adorns the building.
2. **Colored Stamped Asphalt-** Please refer to ‘Exhibit B’ which depicts an area of asphalt at the project vehicular entrance which we would propose to stamp and color. As we discussed during our meeting, we expanded the area proposed to be treated to extend to the end of the on-site curb running parallel to the Northern face of western most building. Included as ‘Exhibit C’ is an excerpt from the Integrated Paving Concepts Catalogue. We propose a standard herringbone pattern with a stacked brick border in the color ‘Sienna’.
3. **Trash Enclosure-** During the 3/18 meeting you indicated that an alternate solution to building a trash enclosure would be to terminate the commercial bin service and instead replace it with an individual bin service for each unit. I have discussed this with Rich Garbarino of Marin Sanitary Service and he indicated that MSS could accommodate such a request.

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APR 17 2019
PLANNING

- 4. Stucco Siding-** Per your request we are preparing a large mock-up of the proposed stucco solution on the Green Street side of the building. For your reference, included as 'Exhibit D' is a site plan of the project which indicates the location of this mock-up. Our subcontractor has the materials and we are only waiting for a few dry days in order to install the mock-up. In the meantime I have asked our architect to prepare a sketch; I will endeavor to deliver this to you no later than Tuesday 3/26.

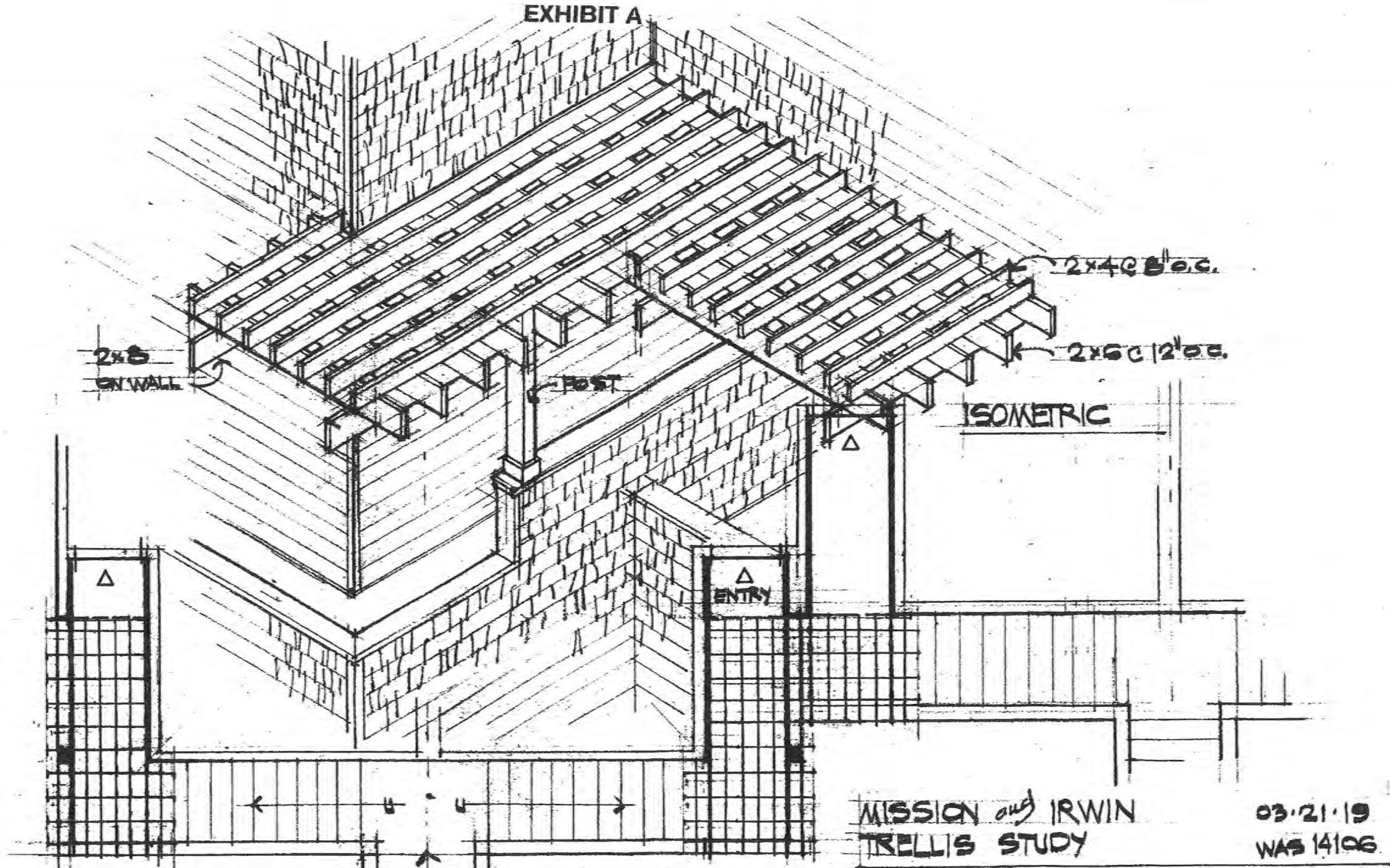
We welcome your feedback on any of these items; it is our sincere goal to present you with a proposal that you can support at the next Planning Commission hearing. We are very grateful for all of the time that City Staff has spent on this project so far.

Sincerely,

Casey Clement
Owner's Representative

Cc: Paul Thompson
Member of 524 Mission Street, LLC

EXHIBIT A



MISSION and IRWIN
TRELLIS STUDY

03.21.19
WAS 14106

PLAN



ARCHITECTURE
Studio

Robert Wright NCARB
 Wright Architecture Studio
 101 Lucas Valley Road, Suite 313, San Rafael, CA 94903
 (415) 491-4447 / FAX (415) 491-4445
 email: bob@wrightarchitecturestudio.com



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 APR 17 2019
 PLANNING

EXHIBIT B



NO.	REVISIONS	DATE
1	ISSUE FOR PERMIT	07/27/2018
2	REVISIONS	08/01/2018
3	REVISIONS	08/01/2018
4	REVISIONS	08/01/2018
5	REVISIONS	08/01/2018
6	REVISIONS	08/01/2018
7	REVISIONS	08/01/2018
8	REVISIONS	08/01/2018
9	REVISIONS	08/01/2018
10	REVISIONS	08/01/2018



PROJECT OWNER
SAN RAFAEL CARRIAGE HOUSES
 1200 IRWIN STREET SAN RAFAEL, CA 94801
 PROJECT OWNER: INDEPENDENT DEVELOPMENT INC.
 PROJECT NUMBER: 1807193

VIGEN
 INCORPORATED
 PLANNING ARCHITECTURE INTERIOR
 1500 MARIN BLVD SUITE 200 SAN RAFAEL, CA 94903
 TEL: 415.499.1111 FAX: 415.499.1112



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PROJECT NO.
CS-1
 COLORED SITE

Exhibit D



Location of stucco mock-up

GREEN WAY

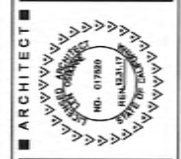
EXISTING BUILDING

MISSION AVENUE

1 SITE PLAN
SCALE: 1" = 10'-0"

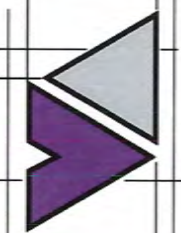


REV.	REVISIONS	DATE
1	REVISED	07/27/2008
2	REVISED	08/14/2008
3	REVISED	08/21/2008
4	REVISED	09/02/2008



PROJECT OWNER
SAN RAFAEL CARRIAGE HOUSES
1200 IRWIN STREET SAN RAFAEL, CA 94901
PROJECT OWNER: SAN RAFAEL DEVELOPMENT INC.
250 DEL MARIN BLVD. SUITE 200
NOVATO, CA 94949
PROJECT NUMBER: 1009 010

VIGEN INCORPORATED
PLANNING ARCHITECTURE INTERIOR ENGINEERING
8475 SAN RAFAEL BLVD. SUITE 100 SAN RAFAEL, CA 94903
TEL: (925) 471-1144 FAX: (925) 471-1145



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PLDT DATE: 08/07/08
PLDT BY: JAMES CHEN
SHEET NO.
CS-1
COLORED SITE

EXHIBIT C

Integrated Paving Concepts Inc.

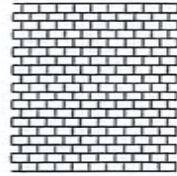
March 2012

last revised: 5/1/12

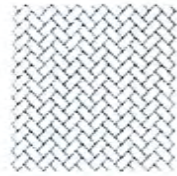
template catalog

Templates shown in this catalog are the most popular templates ordered. For a more expansive library, shipping lead times, and pricing please visit our website at www.streetprint.com. For custom template options please call 1.800.688.5652

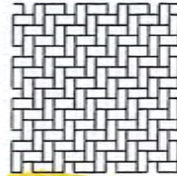
Popular Patterns



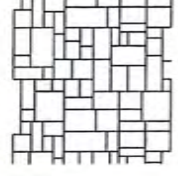
Offset Brick
Section 1.0



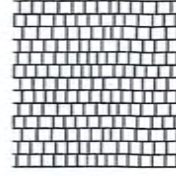
Diagonal Herringbone
Section 2.0



Standard Herringbone
Section 3.0



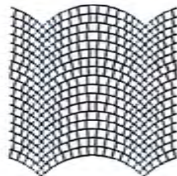
Ashlar Slate
Section 4.0



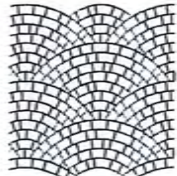
British Cobble
Section 5.0



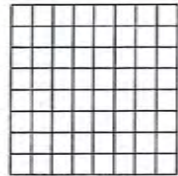
Stone Templates
Section 6.0



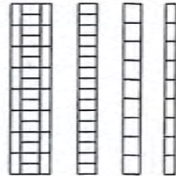
Eurofan Templates
Section 7.0



Scallop Templates
Section 8.0



Tile Sets
Section 9.0

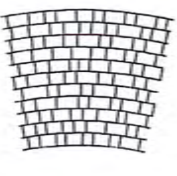


Border Templates
Section 10.0

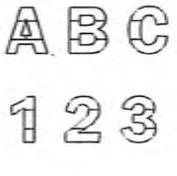
Special Purpose



Accent Templates
Section 11.0



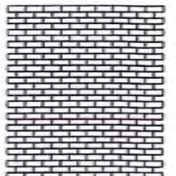
Radial & Arch Extensions
Section 12.0



Numbers & Letters
Section 13.0



Signage & Playground
Section 14.0



International Templates
Section 15.0

When you see these symbols

Interlocking

means template interlocks on one or more sides - standard practice with use of StreetHeat equipment

end-to-end

means template fits end to end - ideal for behind a paver or printing 2 templates at once

SR-120

template sized for a SR-120

SR-60

template sized for a SR-60

SR-20

template sized for a SR-20

paver

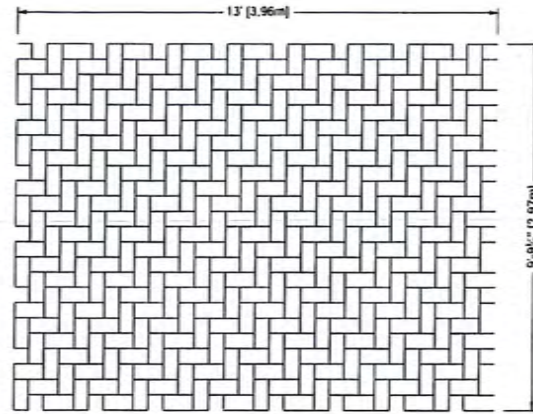
template can be used behind a paver

standard herringbone

STANDARD PATTERN

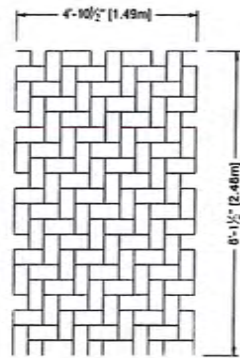
Classic standard Herringbone pattern designed to fit end-to-end **and** interlock on all sides

Section
3.0



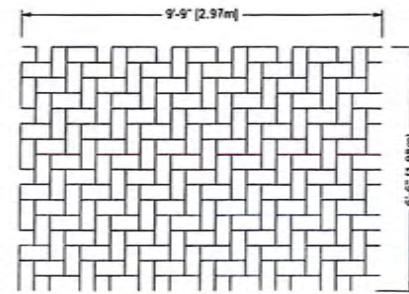
11-120-120

SR-120 all sides all sides



11-1-121

SR-60 all sides all sides



11-1-219

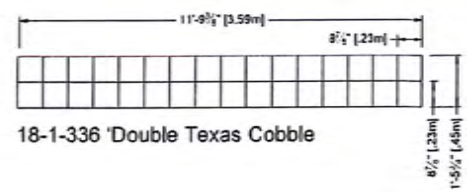
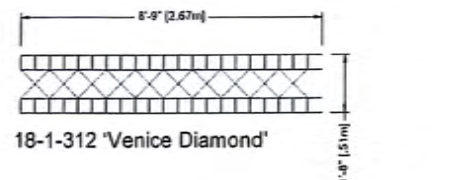
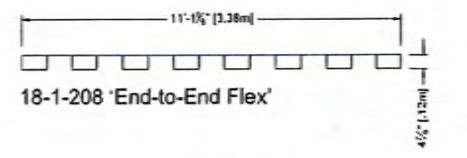
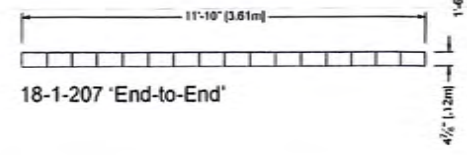
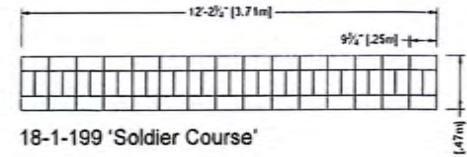
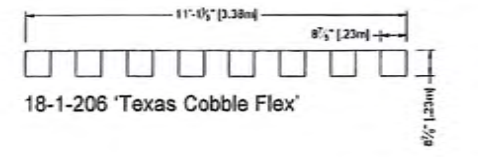
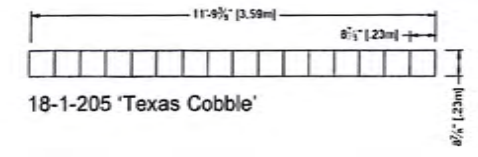
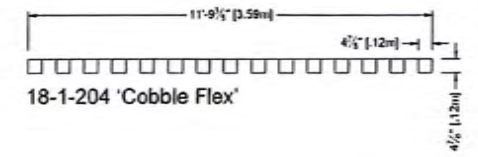
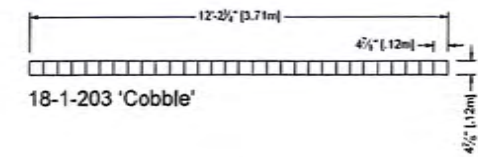
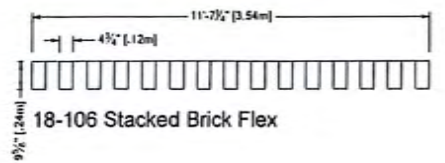
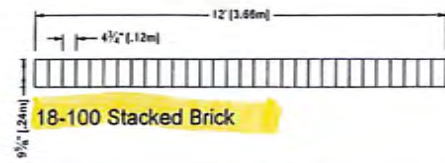
SR-50 all sides all sides

border templates

STANDARD PATTERN

Section 10.0

any SR all ends





TRADITIONAL

San Diego Buff	Taupe
Burnt Sienna	Nutmeg
Terra Cotta	Bedrock
Brick	Brown Suede
Sunset Blush	Concrete Gray
Marigold	Pewter
Sierra	Hunter Green
Black	Slate
Granite	

See the color chart on the back of the sign for more color options.



SOLAR-REFLECTIVE

SR Sandstone Performance: 3.2 Durability: 0.4 Emission: 0.4	(SRI = 36)	SR Khaki Performance: 3.1 Durability: 0.4 Emission: 0.4	(SRI = 37)
SR Irish Cream Performance: 4.3 Durability: 0.4 Emission: 0.4	(SRI = 50)	SR White Performance: 4.0 Durability: 0.4 Emission: 0.4	(SRI = 73)
SR Fawn Performance: 3.1 Durability: 0.4 Emission: 0.4	(SRI = 35)	SR Sun Baked Clay Performance: 2.3 Durability: 0.4 Emission: 0.4	(SRI = 52)
SR Brownstone Performance: 4.0 Durability: 0.4 Emission: 0.4	(SRI = 31)	SR Terra Cotta Performance: 3.1 Durability: 0.4 Emission: 0.4	(SRI = 33)
SR Evergreen Performance: 4.0 Durability: 0.4 Emission: 0.4	(SRI = 32)	SR Safety Blue Performance: 3.0 Durability: 0.4 Emission: 0.4	(SRI = 33)
SR Slate Performance: 2.1 Durability: 0.4 Emission: 0.4	(SRI = 24)	Sustainable SR Colors are available in all colors and finishes to meet LEED goals.	



CYCLE LANE

CL Shamrock Green	CL Celtic Green
CL Emerald Green	

See the color chart on the back of the sign for more color options.



SIGNATURE

Sandy Beige	Driftwood
Buttercatch	Pumpkin Spice
Chestnut Brown	Mocha
Mustard	Down To Earth
Paprika	Avocado
Sea Foam	Aqua
Sage	Truffle
Patriot Blue	Cobalt Blue
Gun Metal	Merlot
Smoky Mauve	Graphite
Bike Path Green	

See the color chart on the back of the sign for more color options.

EXHIBIT D



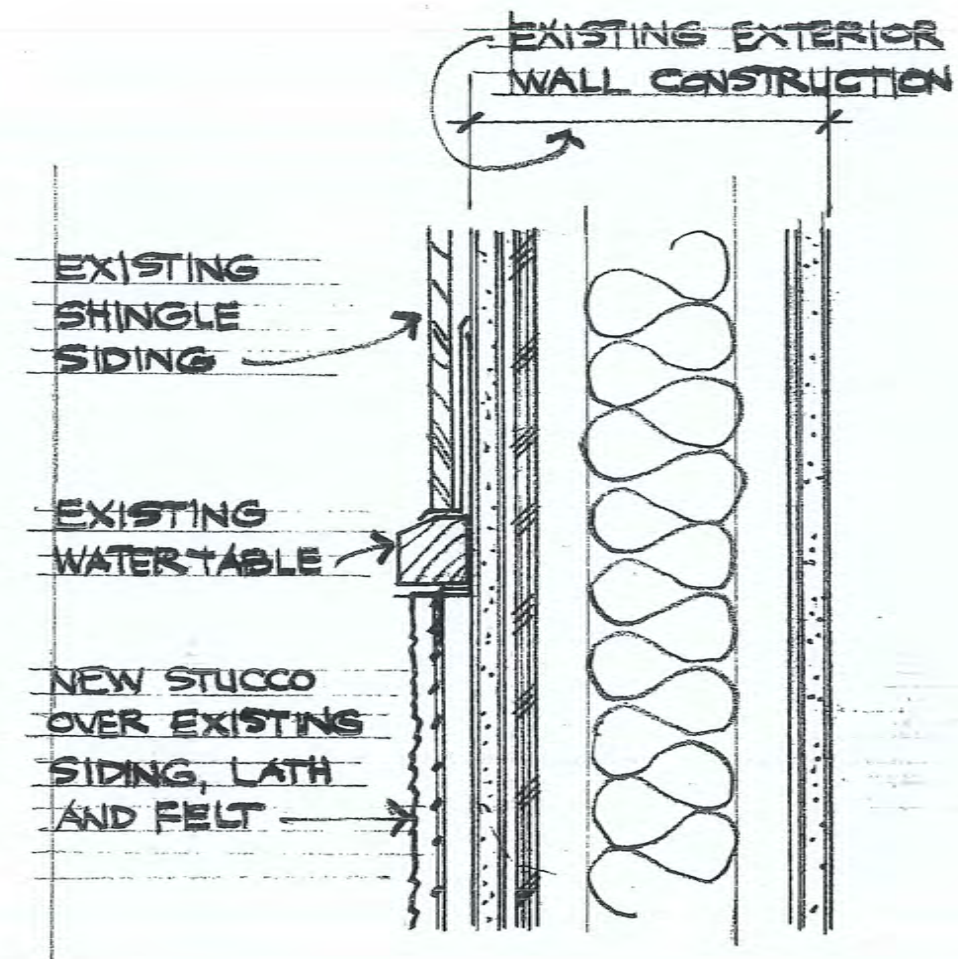
AS-BUILT

1	ARCHITECT	DATE	DESCRIPTION
2	ENGINEER		
3	PLUMBER		
4	ELECTRICIAN		
5	Mechanical		
6	Structural		
7	Other		

ARCHITECT
VIGEN INCORPORATED
1200 IRWIN STREET SAN RAFAEL, CA 94901
TEL: (415) 452-1100
FAX: (415) 452-1101
WWW.VIGEN.COM

PROJECT OWNER
SAN RAFAEL CARRIAGE HOUSES
1200 IRWIN STREET SAN RAFAEL, CA 94901
TEL: (415) 452-1100
FAX: (415) 452-1101
WWW.VIGEN.COM

CS-1
CONTRACT



REVISED EXTERIOR WALL DTL.

N.T.S.

MISSION AND IRWIN - SAN RAFAEL
APRIL 2019



SAN RAFAEL
THE CITY WITH A MISSION

Community Development Department – Planning Division

Meeting Date: April 23, 2019
Agenda Item: 3
Case Numbers: UP18-045/ED18-106
Project Planner: Ali Giudice
415-485-3092

REPORT TO PLANNING COMMISSION

SUBJECT: 1201 Fifth Avenue (AC Marriot Hotel) – Request for a Use Permit and Environmental and Design Review Permit to allow demolition of an existing building located on a 28,719 square foot lot and construction of a new 54-foot tall, 140-room hotel building; APNS: 011-212-03; Fifth/Mission Residential/Office District (5/M R/O) Zoning District; 1201 Fifth Avenue, LLC, Owner/Applicant; Downtown Neighborhood.

EXECUTIVE SUMMARY

The City has received an application for a Conditional Use Permit and Environmental and Design Review for a hotel project for the property at 1201 Fifth Ave. The project site is currently developed with a 10,600 square foot building and associated parking. The project involves the demolition of the existing building and construction of a 54 feet tall, 140-room hotel building and associated parking and landscape improvements.

The project site has a land use designation of Fifth Avenue/Mission Residential/Office (5/M R/O) on the General Plan 2020 Land Use Map and hotels are an allowable use within this designation. The General Plan supports the development of hotels in the downtown district through General Plan Policies NH-18a, LU-20a. and LU-12 which support development of Hotel projects with an allowed base height of 54 feet because of the identifiable economic benefits of this type of use.

The General Plan recognizes the enormous task of having to balance competing concerns and under General Plan NH-17 identifies economic and housing development as high priorities to the health of Downtown. The applicant has provided an economic impact analysis (Exhibit 7) by the Marin Economic Forum. This report concludes that the project will result in over \$1 million in tax revenue as well as other direct, indirect and induced economic benefits to the downtown and to the city as whole.

The Design Review Board (Board) evaluated the design of the hotel project siting appropriateness and compatibility with the downtown, and ultimately voted unanimously (5-0) to recommend approval of the project design to the Planning Commission with conditions of approval. The project was also reviewed by the Citizens Advisory Committee. The Committee submitted a letter showing support for this project (see Exhibit 10)

Staff has evaluated the proposed project and supporting documents; General Plan policies and Zoning regulations; technical reports, including traffic and parking study; and recommendations made by the Design Review Board and Citizens Advisory Committee. Based on this evaluation, staff recommends approval of this project.

RECOMMENDATION

1. It is recommended that the Planning Commission Adopt a Resolution conditionally approving a Use Permit to allow hotel within the 5/M R/O zoning district and approving a parking modification to allow valet parking with a reduction in the overall parking requirement and conditionally approving Environmental and Design Review for a hotel building.

PROPERTY FACTS

Address/Location:	1201 Fifth Ave.	Parcel Number(s):	011-212-03
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Property Size:	28,719 square feet	Neighborhood:	Downtown
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Site Characteristics			
	General Plan Designation	Zoning Designation	Existing Land-Use
Project Site:	Fifth/Mission Residential/Office	5/M R/O District	Vacant office building
North:	Fifth/Mission Residential/Office	5/M R/O District	Office/Financial Services
South:	Fourth Street Retail Core	4SRC District	Residential/Retail
East:	Fifth/Mission Residential/Office	5/M R/O District	Office/Financial Services
West:	Fifth/Mission Residential/Office	5/M R/O District	Public Parking

Site Description/Setting:

The project site is located at 1201 Fifth Ave. in Downtown San Rafael. The property is a 28,719 square foot (0.65 acres) lot currently developed with a one-story vacant 10,600 square-foot office building, surface parking lot and associated landscaping including mature redwood trees located along the southwesterly corner of the property. The property has frontage on Fifth Ave. and on B St. The original building design featured a drive through banking window, thus requiring a second access/exit driveway. As such, vehicular access driveways are currently located on both B St. and Fifth Ave. Pedestrian access to the existing building is currently on the Fifth Ave. frontage near the corner of Fifth and B.

The property has a slope of approximately 6% sloping from Fifth Avenue downward toward Fourth St. (to the south). The majority of the site is covered with either the building footprint or paved portions of the parking lot. Landscape islands provide the only source of unpaved space. The site is located within 500 feet of City Hall (including Police Department and temporary Fire Station 51 facilities). To the west of the project site is a City Parking Lot and beyond that, the future City of San Rafael Downtown Public Safety building (currently under construction).

The project site is located within the City of San Rafael’s downtown and approximately ½ a mile of the City’s multi-modal (the San Rafael Transit Center and the Downtown SMART Commuter Rail Station) transit center. Uses surrounding the site include a variety of office, retail, and food service uses as well as City facilities mentioned above.

PROJECT DESCRIPTION

The applicant is requesting Environmental and Design Review and a Conditional Use Permit for a new 140-room hotel project as follows:

- Environmental and Design Review is required for new construction of non-residential projects. The project qualifies as a “major project” due to the size of the building (exceeds 40% of the existing building) and therefore requires Planning Commission consideration.

- Conditional Use Permit is required to allow a hotel in the 5/M R/O zoning district. One element of the use permit review is evaluation of the parking proposed for the project based on review of a parking study. In addition, the applicant requests parking modification to allow tandem parking and a valet program. Both the hotel project and the parking proposal requires Planning Commission consideration.

The proposal includes a building that is 54-foot tall and 107,490 square feet in floor area (includes garage). The proposed building is a L- shaped building with the legs of the “L” bordering Fifth Ave. and B St. The first level of the building is primarily glass. A concrete base is introduced along B St. to fill in where the lot slopes. Materials used for the upper levels is a mix of a warm colored brick wall with glass panels for the guest rooms as well as at the base of the building along Fifth Ave. and B St. At the corner of Fifth and B, the first floor is setback creating a covered entry.

Parking would be provided within 2 parking decks. Access to these parking decks would be from B Street (lower parking area) and from 5th Avenue (upper parking area). Landscape plans show removal of 8 on-site trees and 1 street tree; and installation of 8 new street trees (Chinese Pistache).

A full set of plans/drawings are on file with the Community Development Department.

ANALYSIS

San Rafael General Plan 2020 Consistency:

The site is designated as “Fifth Avenue Mission Residential/Office (5/M R/O)” on the General Plan 2020 Land Use Map and hotels are an allowable use within this designation. Design policies relevant to the downtown are included in the General Plan 2020. A full list of General Plan Policies can be found in the General Plan and an evaluation of the projects consistency with applicable General Plan policies is included in a General Plan Consistency Table (Exhibit 6). The following is list of relevant policies for the Planning Commission to consider:

NH-18a. Hotel/Cineplex - Support the development of a hotel within the downtown district.

The project is a hotel project proposed within the downtown district. The General Plan supports the development of hotels in the downtown district because it has been identified as a use that can enhance the retail, restaurant and entertainment venues by increasing the potential pedestrian population within the downtown areas. As such, the project is consistent with Land Use Policy NH-18a.

LU-12. Building Heights - Height limits in the Downtown San Rafael area are varied. The maximum height limit for this property is 42 ft with an allowable height bonus of 12 feet with use permit approval. However, hotels are allowed a height limit of 54-ft by right. Hotels are also allowed an additional 12 feet of height with a height bonus request, however, the applicant is not requesting a height bonus at this time. As such, the project is consistent with Land Use Policy LU-12.

LU-14. Land Use Compatibility - Design new development in mixed residential and commercial areas to minimize potential nuisance effects and to enhance their surroundings. The project was reviewed by the Design Review Board. The Board unanimously (5-0) recommended Planning Commission approval (see Design Review Board Section).

LU-20a. Hotel Zoning & NH-16. Economic Success - General Plan Policy LU-20a recognizes hotels as “..a desired land use because they are a low traffic-generator and a high tax-generator, and because they have identifiable benefits to the neighborhood such as job training programs.”

General Plan Policy NH-16 calls for expansion of “..*Downtown’s economic success and increase opportunities for retail, office and residential development.*” The 140-room hotel is expected to have an 85% occupancy rate. This could potentially add an additional 119 people to the downtown area. Hotel occupants are anticipated to frequent existing and future businesses in the Downtown and help achieve the City’s goal of ‘alive-after-five’ by providing an opportunity to activate the Downtown in the evenings and on weekends.

NH-17. Competing Concerns. - The General Plan recognizes the enormous task of having to balance competing concerns related to factors such as design, environmental changes, housing, and economics. The General Plan identifies economic and housing development as high priorities to the health of Downtown. The applicant has provided an economic impact analysis (Exhibit 7) by the Marin Economic Forum that summarizes the direct, indirect and induced economic benefits that the project brings to the downtown and to the city as whole. The project is expected to have the following economic impacts:

Business revenues projected during construction - Approximately \$23 million in revenue generated as a direct result of hotel construction, and an additional \$11.1 million in revenue that will benefit related business industries, supporting over 193 jobs during construction of the project.

Fees and taxes collected during construction:- The project is expected to generate over \$1.1 million in one-time fees and \$1.4 million in taxes during construction.

Business revenues projected during operations: - Business revenues of \$12.3 million will be generated in the first year of hotel operations, while approximately \$6 million will be generated by related business industries during that same time period. Over \$95 million is expected to be generated for years 2-5 from the hotel and related industries, supporting the creation of 107 jobs to operate the hotel.

Tax revenues projected during operations:- Operation of the hotel is expected to generate over \$10.5 million in hotel room sales in year 1 and increase incrementally as room rates rise (by approximately 1.88%/yr.) for years 2-5. This results in over \$1 million in transient occupancy taxes for year one, rising about 2% per year for years 2-5. An additional \$2.3 million is expected from state and local tax receipts in the first year and incrementally increasing for years 2-5.

CD-5. Views. - *Respect and enhance to the greatest extent possible, views of the Bay and its islands, Bay wetlands, St. Raphael’s church bell tower, Canalfront, marinas, Mt. Tamalpais, Marin Civic Center and hills and ridgelines from public streets, parks and publicly accessible pathways.*

The project is a 54 foot tall structure that is designed as a L-shaped building. Parking is located within two levels of parking: one is below grade and the other is located in the rear of the property where it is less visible from the street. Views of Mt. Tamalpais from Fifth Ave. and B St. right-of-way near the project site are limited due to existing development. Beyond the adjacent streets, the tip of Mt. Tam is directly visible from spot locations along B street uphill from the project site and from Mission Ave. near its intersection with B St.. Otherwise views to Mt. Tam are obscured from B St. and from Mission due to the existing tree canopy during the spring and summer.

As noted above under Policy NH-17, the General Plan recognizes the difficulty in balancing competing concerns. In this case, the Planning Commission must find the right balance between the need to address view protection outlined in Policy CD-5 with the clear economic benefits of the project. The General Plan address this by identifying economic and housing development as high priorities to the health of Downtown. Because this is a hotel project that has a positive economic benefit (Exhibit 7) and is identified as a desirable use (LU-20a) staff supports the proposed use and recommends Planning Commission approval despite minor loss of views of Mt. Tamalpais.

Zoning Ordinance Consistency:

The site is located within the 5/M R/O zoning district. Hotels are allowable uses with prior conditional use permit review and approval by the Planning Commission. In addition, the applicant is requesting review of a parking modification Environmental and Design Review is also required for this project because it would involve demolition of an existing building, substantial grading to accommodate the below grade parking deck and construction of a new hotel building. In addition to compliance with the General Plan Policies noted above, the applicant will need to demonstrate compliance with the San Rafael Design Guidelines for nonresidential development and the Good Design Criteria for development in the downtown.

*Development Standards*Setbacks

The property is located in the 5/M R/O zoning district which does not have minimum setback requirements.

FAR

The project is a hotel project and is not subject to FAR requirements, per General Plan Land Use Policy LU-20.

Building height

As mentioned above height limits in the Downtown San Rafael area are varied and range from 30-66 feet with the exception that the property located on the corner of 4th and A, which has a maximum height of 102 feet. Hotels are recognized as a positive contribution to the downtown and thus are allowed a base height limit of 54 feet. An additional 12 feet of height could be allowed with a request for a height bonus, however, the applicant is not requesting a height bonus at this time.

Parking

In January 2018, the City Council received a Downtown Parking and Wayfinding report which outlined parking capacity in the downtown. This report concluded that even during times of highest use, the Downtown as a whole has more than enough parking to accommodate demand. The report included a number of implementation measures geared toward reducing the base parking obligation for new development. In addition, the report recommends additional allowances for tandem parking and other forms of innovative parking solutions.

A parking study is required for hotel projects that include food service or meeting facilities. The ultimate parking requirement is determined by Use Permit (see table 14.18.040). The applicant has submitted a parking study that identifies a total of 86 parking spaces as the base parking obligation based on parking ratios contained in SRMC Chapter 14.18 with additional reductions available for nonresidential uses located in the downtown zoning districts. The parking obligation is based on provisions recently adopted by the City Council based on recommendations contained in the Downtown Parking and Wayfinding study prepared in 2018 and constitute the base parking obligation for the use. The parking obligation and available reductions include the following:

- Allows a “0” parking requirement for the first 1.0 FAR for non-residential uses in the downtown zoning district. This was previously available within a small portion of the downtown. In November 2018, the City Council expanded the boundaries to encompass the entirety of the downtown zoning district boundaries.
- For all non-residential uses in the downtown, a 20% parking reduction is allowed by right without use permit.
- An additional parking reduction is allowed for projects that accommodate more than the standard bicycle parking requirement (section 14.18.090). This project requires 4 short-term parking spaces and 4 long term parking spaces. The applicant is proposing a total of 12 bicycle spaces. A condition of project approval will require the applicant to provide 6 additional bicycle parking spaces (a total of 18) to compensate for the reduction on overall parking modification.

As mentioned above, the parking requirement is determined by use permit and can include innovated parking solutions as part of a parking modification request. The applicant proposes to provide a total of 76 vehicle parking spaces to include tandem parking and valet services for all room guests. Tandem parking is allowed in the downtown, provided that the tandem spaces are assigned to the same unit or tenant. Valet service allows for unique parking like the proposed tandem configuration, which are commonly used by Marriott (see Exhibit 4). Valet parking pairs well with tandem parking given the availability of a parking attendant to provide access to vehicles at all times. A condition of approval requires the applicant to provide a Parking Demand Management Plan that clearly describes the proposed transportation and parking solutions, including the proposed valet service, taxis or ridesharing and loading/unloading. This plan will have measurable implementation strategies and regular reporting on the effectiveness.

Site and Use Regulations

The project is required to comply with the following site and use regulations contained in Chapter 14.16 of the Zoning Ordinance:

- 14.16.243 - Mechanical equipment screening.
Ground-mounted or rooftop mechanical equipment placed on the rooftop shall be adequately screened from public view. The applicant will be required to demonstrate that all ground mounted and rooftop mounted equipment is screened prior to issuance of a building permit.
- 14.16.025 - Refuse enclosure requirement
Projects are required to provide a suitable area for collection of garbage and recyclable materials. Refuse storage areas shall be adequately screened from view. The applicant proposes garbage and recyclable storage/collection area on the west side of the property within the existing building footprint. The garbage/recycling area will be secured by three double doors. The Design Review Board recommended that the location of the enclosure be moved back off the street to provide better screening. This requirement has been added as a condition of approval.
- 14.16.227 - Light and glare.
Projects are required to incorporate colors, materials and lighting designed to avoid creating undue off-site light and glare impacts. The project is expected to comply with the following standards
 - ✓ Glossy finishes and reflective glass such as glazed or mirrored surfaces are discouraged, and prohibited where it would create an adverse impact. The primary building material proposed for this project includes a brick panelized system, the use of glazing for at the base of the building (on the north side and east side), and glazing as a full length corner feature at

- the northeast corner of the building (5th and B). Because the glazing material is oriented toward the north and northeast, reflectivity is not a concern.
- ✓ Lighting fixtures shall be appropriately designed and/or shielded to conceal light sources from view off-site and avoid spillover onto adjacent properties. The project includes one pole mounted light fixture and several low-profile light bollards within the parking lot area and downcast lights within the entry canopy. A condition of project approval will require the submittal of spec sheets and a 90-day post installation review
 - ✓ The foot-candle intensity of lighting should be the minimum amount necessary to provide a sense of security at building entryways, walkways and parking lots. In general terms, acceptable lighting levels would provide one (1) foot-candle ground level overlap at doorways, one-half (½) foot-candle overlap at walkways and parking lots and fall below one (1) foot-candle at the property line. A photometric diagram will be required as part of the building permit submittal.

DESIGN REVIEW BOARD RECOMMENDATION

The hotel project received Conceptual Design Review on July 17, 2018 (picture at right). Commissioner Schoppert served as PC liaison. The Design Review Board had the following concerns about this proposed design:

- A. The Board felt that the design was too contemporary and too “stark” for this location and needed to be softened through architecture and materials and colors.
- B. Board recommended a revised design that:
 - Considers existing architecture of surrounding development and incorporate elements of existing buildings;
 - Incorporate more architectural articulation;
 - Provides more pedestrian oriented approach;
 - Incorporate upper level building step back;
 - Include street trees with the formal landscape plan.



Concept Design NOT accepted by the Design Review Board

The applicant modified the design approach and presented the changes to the Design Review Board on March 5, 2019 (Commissioner Mercado as PC liaison). The overall response by the majority of the Design Review Board to this proposed design approach was very positive. The Board supported the project and noted that the project design greatly improved from its original submittal.



CORNER @ 5TH AVENUE & B STREET

The Board supported the project and noted that the project design greatly improved from its original submittal. The Board felt the project was appropriate in design and incorporated elements that reflected development within the downtown. However, the Board continued a recommendation (5-0) asking that the project be brought back on consensus with additional changes, which included terracing of the concrete wall located along 5th avenue and adding additional changes to the end elements of the building.

The modified design was presented to the Board on March 19, 2019 (Commissioner Mercado as PC liaison). The Board voted

unanimously (5-0) recommending Planning Commission approval with the following directives:

- Continue to pursue rideshare loading on 5th Avenue or on B Street. While there may be an interest in allowing for rideshare/passenger loading along one of these streets, the final decision will involve multiple departments and is not within the control of the applicant. However, the applicant has committed to work with the City on a solution.
- The applicant was encouraged to explore swapping the locations of the loading area and trash enclosure on the site next to kitchen, to move trash back behind the loading and take it out of public view. The applicant's plans were not modified to reflect this change.

ENVIRONMENTAL DETERMINATION

Staff conducted a "preliminary review" of the project application, plans and supportive studies and reports and determined that the application is defined as a "project" under CEQA, pursuant to CEQA Guidelines Section 15060. A project is exempt from CEQA if it qualifies for a Categorical Exemption under Article 19, Section 15300. Given the project location, scope and use, staff recommends that the project qualifies for an exemption under CEQA Guidelines Section 15332. Section 15332 exempts "infill development projects" that meet the following conditions:

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designations and regulations.
- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c. The project site has no value as habitat for endangered, rare or threatened species.
- d. Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.
- e. The site can be adequately served by all required utilities and public services.

NEIGHBORHOOD MEETING / CORRESPONDENCE

Notice of hearing for the project was conducted in accordance with noticing requirements contained in Chapter 29 of the Zoning Ordinance. A Notice of Public Hearing was mailed to all property owners and occupants within a 300-foot radius of the subject site and the Downtown Business Improvement District, and all other interested parties, 15 calendar days prior to the date of all meetings, including this hearing. Public notice was also posted on the subject site 15 calendar days prior to the date of all meetings, including this hearing.

Copies of all written public correspondence on the proposed project received to date are attached to this report as Exhibit 10. In summary, the public comments express concerns about the following topics:

- **Loss of views for individual units**

As mentioned above General Plan Policy CD-5 identifies consideration and protection of public views to certain features, which include public views to Mt. Tam. The General Plan does not call out protection of private views from individual residences.

Views of Mt. Tamalpais from Fifth Ave. and B St. right-of-way near the project site are limited due to existing development. Beyond the adjacent streets, the tip of Mt. Tam is directly visible from spot locations along B street uphill from the project site and from Mission Ave. near its intersection with B St. Otherwise views to Mt. Tam are obscured from B St. and from Mission due to the existing tree canopy during the spring and summer.

As noted above under Policy NH-17, the General Plan recognizes the difficulty in balancing competing concerns. In this case, the Planning Commission must find the right balance between the need to address view protection outlined in Policy CD-5 with the clear economic benefits of the project. While the project may result in minor loss of views from certain spot locations from B Street and from Mission, the General Plan identifies economic and housing development as high priorities to the health of Downtown. For that reason staff supports the proposed use and recommends Planning Commission approval despite minor loss of public views to Mt. Tamalpais.

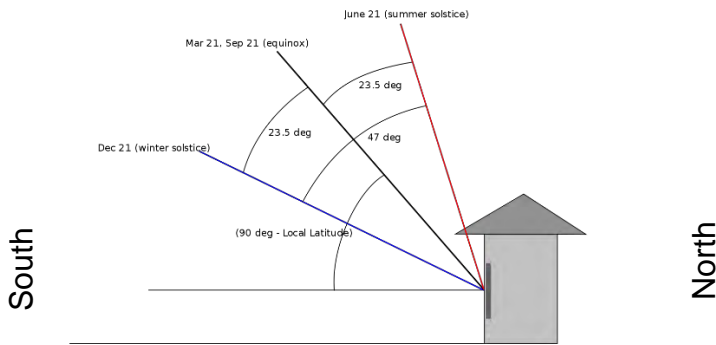
- **Impacts on privacy of the south-facing residential balconies of the Boyd Court Condominium due to north-facing hotel room windows.**

The project is subject to Environmental and Design Review. Privacy is not identified as a criteria for evaluating a commercial project. Nonetheless, staff investigated this concern and concludes that the balconies are currently directly visible from public vantage points and from the Umpqua Bank parking lot area at 1200 Fifth Avenue see picture at right. Therefore, the project will not result in impact on private outdoor balconies.



- **Glare/reflectivity of glass at the northeast corner of the building**

A full-length glass feature is located at the northeast corner of the building. The sun generally angles from a south with the most extreme angle occurring during the winter months (see picture below). Because the glass feature is located on the northeast corner of the building, the glass is not expected to result in excessive glare. Other materials include the use of concrete and brick panels. These materials are not considered to be reflective. Therefore, staff concludes that the project will not use materials that will result in excessive glare or reflectivity.



Source: https://en.wikipedia.org/wiki/Sun_path#Effect_of_the_Earth's_axial_tilt

- **Glare from lights**

Zoning Code Section 14.16.227 deals with potential impacts from lighting by requiring lighting fixtures to be appropriately designed and/or shielded to conceal light sources from view off-site and avoid spillover onto adjacent properties. The project includes one pole-mounted light fixture and several low-profile light bollards within the parking lot area and downcast lights within the entry canopy. A condition of project approval will require the submittal of spec sheets and a 90-day post installation review. In addition, the project will be required to comply with lighting intensity limits established by section 14.16.227

- **Increase in traffic**

A traffic study was prepared by W-trans and reviewed by the City's traffic engineer. The study evaluates traffic using trip generation rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual – 10th Edition. The study concludes that the study intersection currently operates at a Level of Service A and will continue to operate at a Level of Service A with the proposed project. Therefore, the project will not result in a significant effect related to traffic.

- **Potential for parking impacts**

The project proposes to provide 76 parking spaces. A parking study was prepared which identifies 86 parking spaces as the required parking for the project. The applicant is requesting modifications to allow tandem parking as part of a valet parking program. In January 2018, the City Council received a Downtown Parking and Wayfinding report which outlined parking capacity in the downtown. This report concluded that even during times of highest use, the Downtown as a whole has more than enough parking to accommodate demand. The report included a number of implementation measures geared toward reducing the parking obligation for new development. These measures include allowing for tandem parking and other forms of innovative parking solutions. As mentioned above, the applicant is proposing tandem parking, and bicycle parking in excess of the bicycle parking required for the project. Additional bicycle parking will be required as a condition of approval. As noted in the General Plan Consistency Analysis section above, the General Plan recognizes the enormous task of having to balance competing concerns related to factors such as design, environmental changes, housing, and economics (GP Policy NH-17). The General Plan identifies economic and housing development as high priorities to the health of Downtown. An economic impact analysis prepared by the Marin Economic

Forum (Exhibit 7) concludes that the project will result in direct, indirect and induced economic benefits the downtown and to the city as whole. Finally, a condition of project approval require that the applicant submit a Parking Demand Management Plan that clearly describes the proposed transportation and parking solutions, including the proposed valet service, taxis or ridesharing and loading/unloading. This plan will have measurable implementation strategies and require regular reporting on the effectiveness.

- **Fit and compatibility with the 5/M R/O district**

As summarized in the *Analysis* section above, the General Plan supports the development of hotels in the downtown district through Policies NH-18a, LU-20a, and LU-12. The site is located within the 5/M R/O zoning district and is located within the boundaries of the downtown zoning districts. Hotels are allowable uses with prior conditional use permit review and approval by the Planning Commission. The Design Review Board voted unanimously (5-0) recommending Planning Commission approval noting that project was appropriate in design and incorporated elements that reflected development within the downtown. Therefore, staff concludes that the project is compatible with the 5/M R/O district.

OPTIONS

The Planning Commission has the following options:

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

EXHIBITS

1. Vicinity/Location Map
2. Draft Resolution
3. Letters from applicant, dated December 19, 2013 and February 4, 2019
4. Letter from Mathew DeBold, AC Hotels, dated March 4, 2019
5. Traffic and Parking Study
6. GP Consistency Table
7. Economic Brief, prepared by Marin Economic Forum, dated February 2019
8. Public Correspondence

Plans – 11x17 sets have been distributed *to the Planning Commission only*

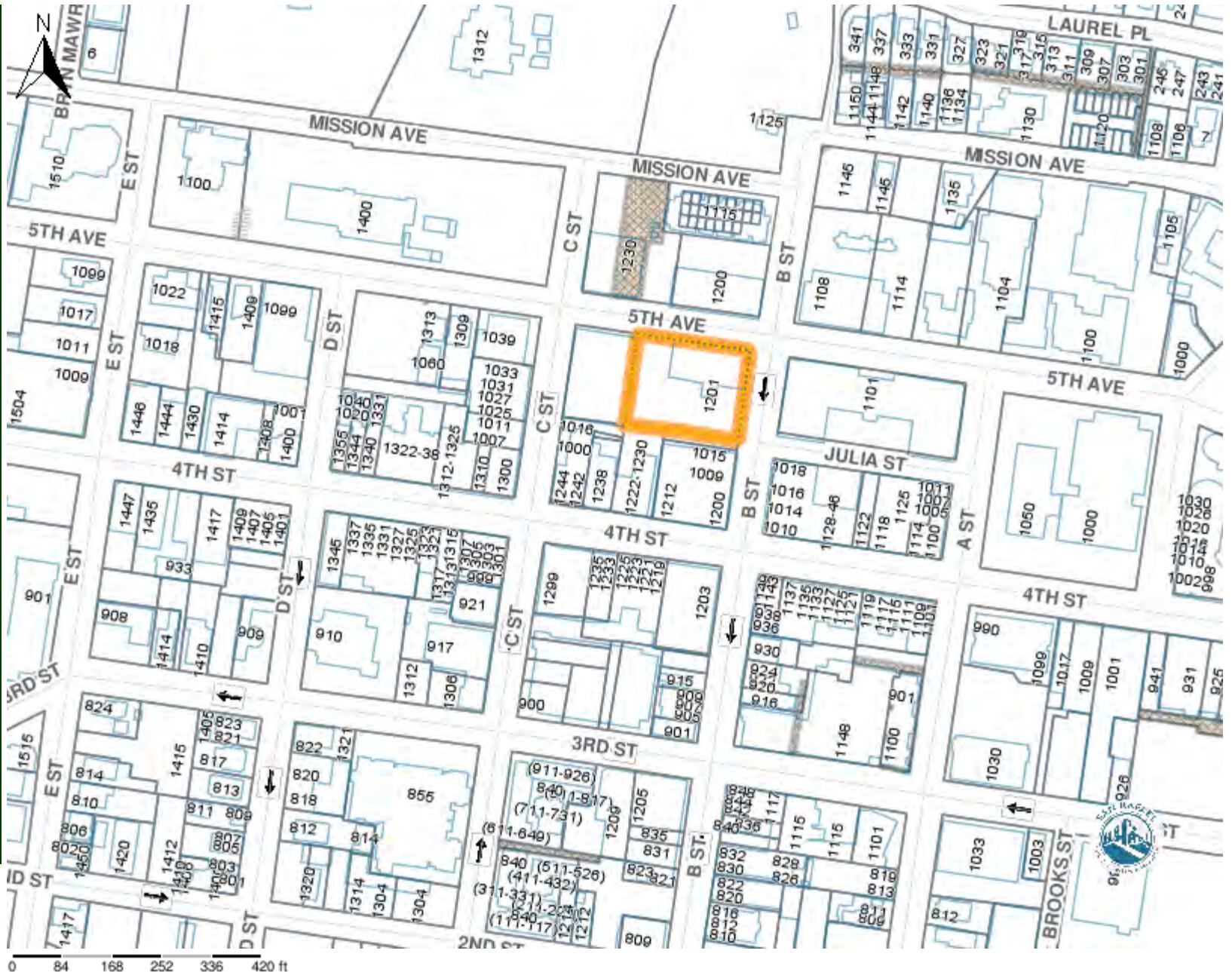


City of San Rafael

While we strive to produce maps with good accuracy and with current accompanying data, the accuracy of the information herein cannot be guaranteed. This map was prepared using programetric computer aided drafting techniques, and it does not represent legal boundary survey data.

Legend

- Bay Waters**
 - Bay Waters
- Parcels**
 - Parcels
- ROW**
 - ROW
- Other Easements**
 - EASEMENTS
- MMWD Easements**
 - EASEMENTS
- Boat Docks**
 - Boat Docks
- Buildings**
 - Buildings
- OneWayArrows**
 - One Way Arrows
- Medians**
 - Medians
- Street Centerline**
 - Street Centerline
- Street Names**
 - Street Names
- Label**
 - SITUS
- San Rafael Sphere of Influence**
 - San Rafael Sphere of Influence
- San Rafael City Limit**
 - City Limit Line
- Query Results**
 - Results



RESOLUTION NO. 19-

RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION APPROVING A USE PERMIT AND ENVIRONMENTAL AND DESIGN REVIEW FOR A NEW 54-FOOT TALL, 140-UNIT HOTEL PROJECT LOCATED AT 1201 FIFTH AVENUE
APN:011-212-03

WHEREAS, the City of San Rafael has received an application for Use Permit and Environmental and Design Review for a 54-foot tall, 140-room hotel building at 1201 Fifth Avenue in the downtown 5/M R/O Zoning District; and

WHEREAS, on March 5, 2019 and on March 19, 2019, the City of San Rafael Design Review Board reviewed the project and on a unanimous vote of 5-0 recommended Planning Commission approval of the project; and

WHEREAS, on April 23, 2019, the San Rafael Planning Commission held a duly noticed public hearing on the proposed Use Permit (UP18-045) and Environmental and Design Review Permit (ED18-106), accepting all oral and written public testimony and the written report of the Community Development Department staff.

WHEREAS, upon review of the application, the Planning Commission finds that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the CEQA Guidelines because it involves an infill development project that meets the following criteria:

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designations and regulations.
- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c. The project site has no value as habitat for endangered, rare or threatened species.
- d. Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.
- e. The site can be adequately served by all required utilities and public services.

NOW THEREFORE BE IT RESOLVED, the Planning Commission makes the following findings relating to the Use Permit (UP18-045) and Environmental and Design Review (ED18-106):

**Use Permit
Findings (UP18-045)**

- A. That the proposed use is in accord with the general plan, the objectives of the zoning ordinance, and the purposes of the district in which the site is located:**

The site is designated as “Fifth Avenue Mission Residential/Office (5/M R/O)” on the General Plan 2020 Land Use Map and hotels are an allowable use within this designation. In addition, the project is consistent with the General Plan and specifically with the following General Plan Policies:

NH-18a Hotel/Cineplex. Through this policy, the General Plan supports the development of hotels in the downtown district because it has been identified as a use that can enhance the retail, restaurant and entertainment venues by increasing the potential pedestrian population within the downtown areas. As such, the project is consistent with Land Use Policy NH-18a.

LU-12. Building Heights – LU-12 establishes height limits in the Downtown San Rafael area are varied. Hotels are allowed a height limit of 54-ft by right with an additional 12 feet with request for a height bonus. The project consists of a hotel with a height of 54 feet. No additional height bonus is requested by the applicant. As such, the project is consistent with Land Use Policy LU-12.

LU-14. Land Use Compatibility calls for designs that minimize potential nuisance effects and enhance their surroundings. The Board reviewed the proposed design and on March 19, 2019 voted unanimously (5-0) recommending Planning Commission approval

LU-20a. Hotel Zoning & NH-16. Economic Success - General Plan Policy LU-20a recognizes hotels as “..a desired land use because they are a low traffic-generator and a high tax-generator, and because they have identifiable benefits to the neighborhood such as job training programs.” General Plan Policy NH-16 calls for expansion of “..Downtown’s economic success and increase opportunities for retail, office and residential development.” The 140-room hotel is expected to have an 85% occupancy rate. This could potentially add an additional 119 people to the downtown area. Hotel occupants are anticipated to frequent existing and future businesses in the Downtown and help achieve the City’s goal of ‘alive-after-five’ by providing an opportunity to activate the Downtown in the evenings and on weekends.

B. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the city:

The project has been reviewed by appropriate city departments, including the Building Division, the Fire Department, Department of Public Works, and San Rafael Sanitation District. A building permit is required for this project. As conditioned, the project will be required to comply with Building Code and Fire Code requirements prior to construction. In addition, the applicant will be required to comply with Department of Public Works and San Rafael Sanitation District conditions of approval.

C. That the proposed use complies with each of the applicable provisions of the zoning ordinance:

The project is a 54-foot tall, 140 room hotel project which does not have minimum setback or maximum floor area requirements. The project complies with the maximum height for a hotel, which is 54 feet.

With incorporation of appropriate conditions of approval, the project will comply with the following site and use regulations contained in Chapter 14.16 of the Zoning Ordinance:

14.16.243 - Mechanical equipment screening.

Ground-mounted or rooftop mechanical equipment placed on the rooftop shall be adequately screened from public view. The applicant will be required to demonstrate that all ground-mounted and rooftop mounted equipment is screened prior to issuance of a building permit.

14.16.025 - Refuse enclosure requirement

Projects are required to provide a suitable area for collection of garbage and recyclable materials. Refuse storage areas shall be adequately screened from view. The applicant proposes garbage and

recyclable storage/collection area on the west side of the property within the existing building footprint. Three double doors will secure the garbage/recycling area. In accordance with Design Review Board recommendations that the location of the enclosure shall be moved back off the street to provide better screening. This requirement has been added as a condition of approval.

14.16.227 - Light and glare.

Projects are required to incorporate colors, materials and lighting designed to avoid creating undue off-site light and glare impacts. Proposed building material include a brick panelized system, the use of glazing for at the base of the building (on the north side and east side) and glazing as a full-length corner feature at the northeast corner of the building (5th and B). Because the glazing material is oriented toward the north and northeast, reflectivity is not a concern. The project includes one pole mounted light fixture and several low-profile light bollards within the parking lot area and downcast lights within the entry canopy. A condition of project approval will require the submittal of spec sheets and a 90-day post installation review. In addition, the project will be required to demonstrate maximum intensity levels established by the Zoning Ordinance through submittal of a photometric diagram will be required as part of the building permit submittal.

**Environmental and Design Review
Findings (ED19-106)**

A. That the project design is in accord with the general plan, the objectives of the zoning ordinance and the purposes of this chapter:

The project site has a land use designation of Fifth Avenue/Mission Residential/Office (5/M R/O) on the General Plan 2020 Land Use Map and is within the 5/M R/O Downtown Zoning District. Hotels are an allowable use within this zoning district with prior Conditional Use Permit approval by the Planning Commission. The General Plan supports the development of hotels in the downtown district through the following policies:

- General Plan Policy NH-18a. Hotel/Cineplex, identifies hotels as a use that can enhance the retail, restaurant and entertainment venues by increasing the potential pedestrian population within the downtown areas;
- General Plan Policy LU-20a recognizes hotels as “a desired land use because they are a low traffic-generator and a high tax-generator, and because they have identifiable benefits to the neighborhood such as job training programs;” and
- General Plan Policy LU-12 allows hotels a height of 54 feet with an additional height bonus of 12 feet (if requested), which is not requested in this particular case.

Recognizing the enormous task of having to balance competing concerns related to factors such as design, environmental changes, housing, and economics. General Plan NH-17 identifies economic and housing development as high priorities to the health of Downtown. The applicant has provided an economic impact analysis (Exhibit 7) by the Marin Economic Forum. This report supports the assumption made under General Plan Policy LU20a by concluding that the project will result in over \$1 million in tax revenue as well as other direct, indirect and induced economic benefits to the downtown and to the city as whole.

The Design Review Board (Board) evaluated the design of the hotel project on July 17, 2018 as part of Conceptual Design Review and on March 5, 2019 and March 19, 2019 as part of a formal

design review. The Board found that the project was appropriate in design and incorporated elements that reflected development within the downtown, and ultimately unanimously (5-0) recommended approval of the project design to the Planning Commission.

B. That the project design is consistent with all applicable site, architecture and landscaping design criteria and guidelines for the district in which the site is located:

The Design Review Board (Board) evaluated the design of the hotel project on July 17, 2018, as part of conceptual design review and on March 5, 2019 and March 19, 2019 as part of a formal design review. The Board found that the project was appropriate in design and incorporated elements that reflected development within the downtown, and ultimately unanimously (5-0) recommended approval of the project design to the Planning Commission.

C. That the project design minimizes adverse environmental impacts:

The project is exempt under CEQA Guidelines Section 15332 as an “infill development projects” for the following reasons:

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designations and regulations.
- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c. The project site has no value as habitat for endangered, rare or threatened species.
- d. Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.
- e. The site can be adequately served by all required utilities and public services.

To support the above conclusions, the applicant has provided a traffic study, noise study, and greenhouse gas assessment. Standard conditions of approval require the applicant to comply with MCSTOPP requirements for stormwater and erosion control. The project has been routed to the appropriate departments and appropriate conditions of approval have been incorporated.

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, given that the project has been reviewed by the appropriate agencies and appropriate conditions of approval have been incorporated accordingly.

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

**Conditional Use Permit
Conditions of Approval (UP18-045)**

1. This Use Permit approves a 54-foot tall, 140-room hotel project with associated parking, access and landscape improvements at 1201 Fifth Avenue and within the 5/M R/O downtown zoning district. The building techniques, materials, elevations, appearance of the project, as presented for approval on plans approved on April 23, 2018, shall be the same as required for issuance of a Building Permit except as modified by these conditions of approval.

2. This Use Permit shall run with the land. This Use Permit shall become null and void if not vested within one (2) years from the date of approval, or no later than April 23, 2022, unless a time extension is granted before that date. Vesting shall include issuance of necessary building permits or commencement of business operations.
3. Building Permit plans shall demonstrate compliance with standard conditions required by Building Official Memorandum, dated June 25, 2018.
4. As part of the ongoing operation of the project, the applicant shall implement a valet parking program as part of the tandem parking approval.
5. Prior to Issuance of Building Permits, the applicant shall pay all outstanding Planning Division application processing fees.
6. Prior to Issuance of Building Permits, the applicant shall be all development impact fees required for this project, including those fees mentioned herein and other fees required by ordinance (ie affordable housing in-lieu fee, etc.).
7. Prior to Issuance of Building Permits, the applicant shall submit plans that show the required bicycle parking space (4 long term and 4 short term) plus additional required parking spaces (10 short term or long term) to compensate for the reduction in vehicle spaces.
8. The applicant shall comply with all applicable requirements of the San Rafael Municipal Code and of the implementing zone classification of 5/M R/O Downtown Zoning District.
9. 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.
10. The project shall comply with the City construction operation limits as follows:
 - a. Construction hours shall be limited to
 - i. Weekdays between 7:00am and 6:00pm
 - ii. Saturdays between 9:00am and 6:00pm
 - iii. Sundays and holidays NO construction permitted.
 - b. Minimize concrete saw use within 50 feet of residences to the south as feasible.
 - c. Prohibit all unnecessary idling of internal combustion engines.
 - d. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. Air compressors and pneumatic equipment should be equipped with mufflers, and impact tools should be equipped with shrouds or shields.
 - e. Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.
 - f. Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
 - g. Notify all adjacent noise sensitive land uses of the construction schedule in writing.

- h. Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.
11. Building Permit plans shall demonstrate compliance with standard conditions outlined in Fire Department Memorandum, dated December 24, 2018
 12. Prior to Issuance of Building Permit, the applicant shall submit plans and documents demonstrating compliance with all requirement of the San Rafael Sanitation District Memorandum, dated January 7, 2019.
 13. Prior to Issuance of Building Permit, the applicant shall demonstrate compliance with the following Department of Public Works requirements:
 - a. The applicant shall submit a Parking Demand Management (PDM) Plan that clearly describes the proposed transportation and parking solutions, including the proposed valet service, taxis or ridesharing and loading/unloading. This plan shall include measurable implementation strategies and shall commit to annual reporting on the effectiveness.
 - b. In the event the parking strategy proposed as part of the PDM is ineffective, the applicant will be required to provide a parking solution which may include one or more of the following:
 - i. Additional bicycle parking
 - ii. Off-site parking solutions
 - iii. Vanpool/Transportation services
 - iv. Other parking solution found suitable by the Department of Public Works.
 14. Due to the extent and scope of the project, third party inspection may be required on behalf of the City and funded by the developer on a deposit basis.

**Environmental and Design Review
Conditions of Approval (ED18-106)**

1. This Environmental and Design Review approves a 54-foot tall, 140-room hotel project with associated parking, access and landscape improvements at 1201 Fifth Avenue and within the 5/M R/O downtown zoning district. The building techniques, materials, elevations, appearance of the project, as presented for approval on plans approved on April 23, 2018, shall be the same as required for issuance of a Building Permit except as modified by these conditions of approval.
2. This Design Review Permit (ED18-108) shall be valid for two years from approval or until April 23, 2019, and shall be null and void if a building permit is not issued or a time extension granted prior to the expiration date.
3. Pursuant to SRMC section 14.18.170 Lights provided to illuminate any parking facility or paved area shall be designed to reflect away from residential use and motorists. It is the intent to maintain light standards in a low-profile design, as well as to be compatible to the architectural design and landscape plan. Light fixtures (e.g., pole and wall-mount) should be selected and spaced to minimize conflicts with tree placement and growth.

4. The project is subject to a 90-post installation lighting inspection to evaluate the need for adjustment and assure compliance with SRMC Section 14.16.227.
5. Prior to issuance of a building permit, the applicant demonstrate compliance with Marin Municipal Water District water conservation measures.
6. Prior to Issuance of Building Permits, the plans shall be revised to show the location of the garbage enclosure be moved back further off the street to provide better screening.
7. Prior to Issuance of Building Permits the applicant shall submit updated plans that show all mechanical equipment (including rooftop equipment) shall be adequately screened from public view.
8. Prior to Installation of signs for this project, the applicant shall apply for sign review of the proposed signage.
9. Prior to Issuance of Building Permit, the plans shall be revised to show the following:
 - a. provide clear parking and driveway dimensions called out as required by DPW memorandum dated April 9, 2019. Parking dimensions shall comply with Municipal Code Section 14.18.
 - b. The structural columns shall not be located in the required maneuvering area. When parking spaces are located adjacent to columns, do not block the end of the space where turning movements are initiated.
 - c. Show the accessible parking on the plan.
 - d. Show the accessible path of travel for these spaces, as well as from the public Right-of-Way. Structural columns and drive aisles shall not conflict with the pedestrian areas.
 - e. Show turning movements on the plan, in particular for entering and exiting restricted parking spaces, in addition to the aisles where they do not meet City standard.
 - f. The loading area on 5th Avenue shall be revised to standard sidewalk, curb and gutter.
 - g. Queuing for loading/unloading and other services shall not back up onto the City streets.
10. Site runoff shall not be increased. Show the proposed drainage system on the plan, including drainage management areas and treatment area sizing.
11. Prior to Issuance of Building Permit, the applicant shall submit the stormwater control plan, which includes a written document, in addition to the erosion control plan shown on the plan set. A stormwater facility maintenance agreement shall be required. More specific information is available from MCSTOPPP, hosted on the Marin County Website. See tools and guidance, and post construction requirements at

<http://www.marincounty.org/depts/pw/divisions/mcstoppp/development/new-and-redevelopment-projects>
12. Prior to Issuance of Building Permit, the applicant shall show installation of a new catch basin that utilizes gravity flow to the creek. The drainage shall be coordinated with the Department of Public Works.
13. Prior to Issuance of Building Permits, provide a grading plan, with cut and fill amounts. For projects with 50 cubic yards or more of earthwork, a grading permit shall be required from the Department of Public Works, located at 111 Morphew St.
14. Frontage improvements shall be required for the site. Prior to Issuance of a Building Permit the applicant shall provide improvement plans that include the following:
 - a. Full sidewalk, curb and gutter.
 - b. Curb ramps for the intersection of 5th Avenue and B Street
 - c. Resurfacing of the intersection and fronting roadway.
 - d. New signals and lighting may be required, including detection and pedestrian push buttons.
 - e. Conduit along the project frontage may be required for the City's future use.
 - f. Details of this shall be coordinated with the City Traffic Engineer.

15. Prior to commencing work within the right-of-way, the applicant shall obtain an encroachment permit is required for any work within the Right-of-Way, from the Department of Public Works located at 111 Morphew St.
16. Fifth Avenue is currently a moratorium street. Full width resurfacing shall be required.
17. Prior to Issuance of Building Permit, the applicant shall update the traffic study as follows:
 - a. On page 1, the traffic impact study states the project will generate 55 trips during the morning peak hour and 45 during the evening peak hour. The total number of trips after accounting for existing uses should also be stated in the executive summary.
 - b. In Table 7 on page 11, the gross trip generation was used, instead of the net new number of trips. The trip distribution table should show the net new trips.
 - c. The minimum required bicycle parking shall be calculated using 5% of the total required vehicle spaces.
 - d. 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.
18. Archeological Features: In the event that any archaeological features, such as concentrations of artifacts or culturally modified soil deposits including trash pits older than fifty years of age, are discovered at any time during grading, scraping, or excavation within the property, all work shall be halted in the vicinity of the find, the Planning Division shall be notified, and a qualified archaeologist shall be contacted immediately to make an evaluation. If warranted by the concentration of artifacts or soils deposits, an archaeologist shall monitor further work in the discovery area.
19. If human remains are encountered during grading and construction, all work shall stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist shall be notified immediately so that an evaluation can be performed. The Coroner shall contact the Native American Heritage Commission, if the remains are deemed to be Native American and prehistoric, so the “most likely descendant” can be designated.

The foregoing Resolution was adopted at the regular City of San Rafael Planning Commission meeting held on the 23rd day of April, 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

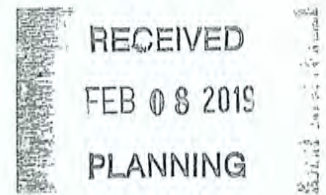
ATTEST: _____
Paul A Jensen, Secretary

BY: _____
Sarah Loughran, Chair

ATTACHMENT:

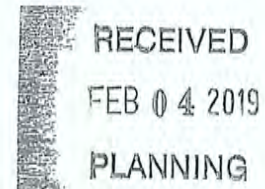
1201 FIFTH AVENUE, LLC

1101 FIFTH AVENUE #300
SAN RAFAEL, CA 94901



February 8, 2018

Alicia Guidice
San Rafael City Hall- Community Development Department
1400 Fifth Avenue
San Rafael, CA 94901



RE: Completeness Review #1- Design Review and Use Permit Submittal for 1201 Fifth Avenue Hotel

Dear Ms. Guidice,

Our team has thoroughly reviewed your completeness review dated January 11, 2019. We have addressed all comments as they relate to building design and function, and join the greater community in our excitement to bring this iconic project to Downtown. As previously noted in my submittal letter dated December 14, 2018, this project brings tremendous benefit to Downtown San Rafael. As you and I discussed at our February 4th meeting, I have attached an economic benefits summary, which provides clarity to the figures presented in the last submittal letter. In addition, an economic impacts analysis is being prepared by Dr. Robert Eyster of the Marin Economic Forum. Highlights of the report note that the Project generates in excess of \$1.0M in annual TOT Tax for the City, and is a significant contributor to Downtown commerce; generating over \$6.0M in annual indirect and induced spending within the Community, as well as millions in generated taxes.

The following are responses to each item of Planning's Completeness Review Letter dated January 11, 2019:

1. A Greenhouse Gas Assessment is attached. Neither the construction emissions nor operational emissions exceed the GHG significance threshold. The project would have a *less-than-significant* impact regarding GHG emissions.
2. Scale has been revised on the plans in accordance with the submittal checklist.
3. Landscaping sheet L1.0 has been updated to represent planted condition at lower garage level.

4. A cultural resource study is underway. The site contains a large concrete building on an entirely paved site, with significant concrete site improvements. If archeological remains are encountered, appropriate measures would be taken.
5. An isometric drawing was reviewed at the meeting with architect, planning, DPW and Owner on January 23, 2019. It is included within this submittal on sheet A6.3.
6. Exterior lighting has been added to the architectural plans. Per our discussion on January 23, 2019 a photometric study is not required at this point in project review.
7. The parking study has been revised to include parking supply for the both the lobby bar, and the rooftop bar. Based on San Rafael Municipal Code 14.18.040, on-site parking for the project has a required demand of 86 spaces. The Project conservatively fits 87 spaces and still allows for circulation. The lower garage will have a full-time parking attendant to manage the garage parking operation. The true capacity of the garage is greater than 87, when managed by a valet attendant.

Additionally, the parking study notes the hotel's peak demands are inverse to the majority of Downtown users. The office and retail users of Downtown predominately utilize parking supply during the day, while the hotel guests are not at the hotel. Citing the City of San Rafael's Downtown Parking and Wayfinding Study, the parking consultant has noted there is an excess supply of 268 parking spaces within City-owned Downtown garages within 1/5th mile of the Project, during the weekday peak period (1:00-3:00pm). Surplus parking supply in City-owned Downtown garages increases towards the end of the day as office users depart Downtown. There is ample availability in the evenings when the hotel peak demand is experienced, and office users' demand is exceptionally low. The study concludes there is sufficient parking onsite, and that if any event were to occur which exceeds this forecasted demand, there is more than sufficient parking supply in City-owned lots within close proximity.

8.
 - a. Passenger loading at lower garage level has been revised to not interfere with the travel lane of traffic.
 - b. Both driveway width and travel direction have been revised in accordance with Comment 8b.
 - c. Civil sheets have been updated to provide driveway profiles at both entrances. A6.2 has been updated to show clear heights within building entrances.
 - d. It is understood the project frontage is to be replaced.
 - e. Truck turning radii have been added to the Ground Floor plan. As result of the coordination meeting with DPW and Planning on 1/23/19, two loading zones have been added on the Ground Floor.
 - f. Drainage plan has been updated to address requests of this comment.
 - g. New transformer plans to be subsurface.

9. Traffic study has incorporated comments from DPW. Full Traffic Study will be submitted under separate cover.
10. All comments from Building Dept. are able to be accommodated.
11. Coordination has taken place with Marin Sanitary. A loading zone has been added on Fifth Avenue. Trash room and adjacent ramps have been revised to accommodate.
12. All comments from SRFD are able to be accommodated.
13. Civil Plans are updated to address SRSD standards.

As noted in my email to you on 1/31/19, we believe the building design is in substantial conformance with all departments, and there are only minor details remaining to coordinate. We have received tremendous support from numerous City Officials, departments, and organizations. We would strongly appreciate an opportunity to go before Design Review Board as soon as possible. The schedule developed with both our Lender and Operations Partner have targeted a Q3 2019 demolition permit. We would request to present at the March 5, 2019 DRB meeting, or to schedule a special meeting with DRB.

Sincerely,



Geoff Forner
Monahan Parker Inc.
415-456-0600

1201 FIFTH AVENUE, LLC

1101 FIFTH AVENUE #300
SAN RAFAEL, CA 94901

December 17, 2018

Alicia Guidice
San Rafael City Hall- Community Development Department
1400 Fifth Avenue
San Rafael, CA 94901

RECEIVED
DEC 18 2018
PLANNING

RE: Design Review and Use Permit Submittal for 1201 Fifth Avenue Hotel

RECEIVED
DEC 19 2018
PLANNING

Dear Ms. Guidice,

Following our July 17, 2018 Conceptual Design Review hearing, we have started fresh with a new architectural firm, and a completely new building design. The new proposal incorporates the comments and feedback from the DRB Members, Planning Staff and members of the public. We are pleased to present the City of San Rafael with a revised building design and submittal package for the AC San Rafael Hotel. The Hotel is located on a single parcel, APN 011-212-03 at the Southwest Corner of Fifth Avenue and B Street in Downtown San Rafael. This parcel is 28,719 SF and is within the 5/M Residential/Office Zoning. In accordance with San Rafael Municipal Code section 14.05.022, we are applying for Design Review, and a Conditional Use Permit for a Hotel Use. In addition, we are requesting a height bonus based on code section 14.16.190.E.

We have partnered with AC Marriott to bring this exciting new 140-room hotel to San Rafael. AC Hotels have a contemporary style, and blend functionality with guest amenities. The Hotel is designed to serve business and leisure guests with comfortable lounges, bars, meeting space and outdoor courtyard space. These common areas will create desirable gathering areas for local residents and hotel guests.

The Project complies with, and achieves San Rafael's General Plan goals and objectives. The beautifully designed building will bring a much-needed resource to Downtown. The Project will create jobs, and activate the Downtown at all hours of the day. The new hotel replaces an obsolete building, and surface parking lot, and will create tremendous economic activity for the City, and Downtown businesses.

The Project will support San Rafael's *Alive After Five* initiative by providing meeting, dining and entertainment space to the public, while providing 140 guest rooms for hotel-stay. Guest and public experience is further enhanced by the City's only roof deck. The Project will generate

economic benefits to the community with proceeds from the transient occupancy tax, and additional economic activity Downtown.

Building Design

Looking to queues from the surrounding neighborhood, the design of the AC Marriot Hotel in San Rafael seeks to be a contextual and timeless contribution to the rich pallet of architecture in the Downtown San Rafael neighborhood. As shown on sheet A0.2, there are a number of building vocabularies and elements that have influenced the project, such as recessed window openings in brick, strong corner entry presences, clear defined base, middle and top, as well as prominent flat roof canopy projections. The resulting building architecture provides transparency where there are active uses, and visual interest in more solid portions of the façade, that breaks down scale and even creates moments that change depending on the direction one approaches the project on foot or a vehicle.

The base of the building encloses underground parking and is primarily comprised of textured "board form" concrete that invites touch and shows depth across the surface, depending on the angle of the sun. Along the private alley just south of the property, the concrete face of the garage opens up to reveal plantings on mesh screens. Sitting atop the concrete is a glazed plane, with low profile mullions, that forms a transparent ribbon along the sidewalk frontage the with views into the active uses along the ground floor lobby, including an indoor bar/lounge, fitness center, and an exterior patio and lounge in the rear courtyard. The glass is set back from the sidewalk 18", and in that recess planters are formed in the textured concrete base. The glass ribbon briefly pushes the concrete down along B Street, where the main feature stair between the garage and lobby emerges, and then wraps up the corner of 5th and B to form a prominent lobby entry, and a glowing lantern at night.

On either side of the glass corner, above the lobby level, are the guestroom wings, faced with warm brick. Each guestroom, along the street front, features a punched window module recesses, with an angled glass line. Where the angle forms a deeper recess, a golden/orange accent panel appears. The direction of the angled glass plane within the modules actually varies from left to right across the façade, meaning passers by will see the accent color emerge in different places as they approach the building from North, East, West, or Southern vantages. Combined with wood texture slats that screen mechanical intakes, these openings break down the scale of the brick faces and offer a rich palette to engage the surrounding community. Prominent canopies, with wood textured undersides, are used to signify building entries at the lobby and garage. Topping the building is a generous flat roof canopy, accentuating the recess of the corner glass element, and reducing visibility of rooftop equipment and masses.

Set back 4ft from the edge of canopy, the building roof deck is approximately 3,000 SF. To encourage evening activity (in line with San Rafael's Alive After 5 initiative), along with the indoor

amenities provided at the lobby level, the roof deck offers a small bar area, lounge, plantings, and gorgeous views of Mount Tam and Downtown San Rafael. The roof deck is located on the courtyard side of the building, and is not visible from the public view. Glass railings will be on the perimeter of the roof deck, and the roof deck will be accessed primarily from the elevator, as well as both the North and South Stairs.

Community Benefits

The AC San Rafael Hotel will provide several benefits to the City of San Rafael.

1. General Plan Compliance:

The City's General Plan Land Use Policy 20 states, *"Visitor accommodations are a desired land use because they are a low traffic-generator and a high tax-generator, and because they have identifiable benefits to the neighborhood such as job training programs."*

The proposed hotel will achieve this goal.

2. Redevelopment of Obsolete Building:

AC San Rafael Hotel replaces an outdated office building on a site predominately composed of surface parking with a beautiful new building.

3. Increased Commerce

The project will increase commerce activity Downtown, and satisfy a need for a Downtown Hotel. Business travelers visiting local businesses such as BioMarin, Autodesk, California Film Institute, Dominican University and others, will be typical weekday guests. Leisure travelers in town for local weddings, graduations from local schools, and other events will utilize the hotel for weekend stays.

All user groups will benefit from the hotel's prominent, walkable location in close proximity to all of Downtown San Rafael's shopping, dining, public transportation, entertainment, and business venues. Similarly, Downtown businesses will benefit from the hotel guests who will utilize amenities throughout the City.

4. Amenities for Local Residents and Visiting Guests

The Hotel will bring a key benefit to San Rafael residents by providing a contemporary bar, meeting space, garden courtyard, and the City's only rooftop bar & lounge.

5. Employment Opportunities

The Project creates an employment opportunity in the community. Approximately 50 members of the community will be directly employed. Additional indirect jobs will also be supported for local vendors, employees of Downtown businesses, as the users of the hotel

direct their spending in the community. An estimated 85 one-time construction jobs will be created. See the attached summary of Project Economic Benefits.

6. Activates Downtown

The Project largely contributes to the City's *Alive After Five* initiative by providing 24-hour accommodation Downtown for guests, as well as meeting, dining and entertainment space located Downtown for all users.

7. Transient Occupancy Tax

The Hotel generates approximately \$1.3M in annual tax revenue from the 12% Transient Occupancy Tax in its first year of operation. Within the first 30 years of operations, the Hotel is expected to generate a total of \$52.6M in TOT revenues to the City.

8. Annual Property Taxes

The Hotel will generate an additional \$290,000 of annual property taxes over the current assessment, equivalent to an increase of \$10.1M of property taxes over a thirty year period. The Food & Beverage operations will also provide substantial sales tax revenue to the City.

9. City Fees Generated

The Project will generate approximately \$1.1M of one-time City development impact, and building, fees.

Height Bonus

Due to strong market demand and Marriott's requirements for a minimum room count of 140 rooms, it is necessary to request a height bonus to provide a sufficient room count.

As referenced in Municipal Code Section 14.16.190.E, and Land Use Policy 20 of the General Plan, we are requesting an 11'-4" height bonus. The Municipal Code allows for up to a 12' height bonus in this zoning for a hotel use. Comments received from the July 17th Conceptual DRB Meeting had included requests to recess the upper level. Due to Marriott's standard room design, this was one design element we could not incorporate, but are confident the building's architecture sufficiently reduces the massing by other methods.

A building height of 53'-4" is measured in accordance with UBC 1997, and demonstrated on Sheet A6.0. UBC 1997 states that building on sites with greater than 10' of variance between the highest and lowest points are to add 10' to the lowest elevation, and measure building height from that datum point. San Rafael measures buildings to the top of the flat roof, and considers elevator overruns, mechanical screening, roof deck screening, etc. as architectural elements. The elevations on this site vary from 50.1' to 37.6'

Parking, Circulation and Traffic

Industry experts and Marriott Hotel's experience suggest that car sharing, carpools, Uber, Lyft and other shared-options reduce the traditional parking requirements. These trends are anticipated to only increase in coming years.

Hotel guests traveling from SFO and Oakland Airports will likely use Uber, Lyft, taxis, shuttles or other forms of shared transportation to arrive at the AC San Rafael. Similarly, ever-increasing professional services in Downtown San Rafael will likely market the hotel to business travelers. Many of these business travelers will be within walking distance for their daily meetings and functions, and will not require personal vehicles during their stay in San Rafael. Additionally, both business and leisure guests will benefit from an active Downtown in walking distance for dining, shopping, entertainment and transportation. The labor pool from San Rafael, and surrounding communities, has ample access for walking, biking and public transportation to this Downtown location.

San Rafael City Code calculates required parking by the following requirements: 1 space per hotel room, 1 space per manager and 1 space for every two employees, or a total of 147 parking spaces. City Code further notes that the Downtown Parking District allows for 1.0 FAR to be reduced from the parking demand. 1.0 FAR is calculated as 61 hotel keys, at 467 square feet each. Additionally, San Rafael Parking code was recently amended to note that uses in the Downtown Parking District are to qualify for additional reductions to parking standards. One of the additional reductions listed is for a 20% reduction in required parking, or 17 spaces. The total parking requirement for this project is 69 spaces. See attached parking study conducted by W-Trans.

This Project proposes to provide well in excess of the calculated demand of 69 parking spaces. Of the 86 provided parking spaces, 14 are accessed from 5th Avenue, and 72 are supplied in the B Street subgrade garage. The B Street garage accommodates both valet and self-parking, while the 5th Avenue lot will be for short-term initial arrivals. Guests familiar with the hotel operation will likely arrive directly to the B Street entrance. Attached letters from the both the Parking Consultant, and Marriott note that the Hotel's parking supply exceeds both its demand and requirement.

If the Hotel parking demand ever were to exceed the supplied parking on site, there are numerous available locations for parking in Downtown. The most immediate location is the 91 parking space City-owned parking structure adjacent to the site. These 91 parking spaces are predominately utilized during the day, and currently have high vacancies during the evenings. Peak parking demand for hotels is during the evening hours, which perfectly complements a majority of the parking options in Downtown San Rafael that are mainly used by daytime office users.

The site currently has four curb cuts. The proposed project proposes to remove two of the curb cuts and retain access from both the 5th Avenue entrance, and the B Street entrance.

Landscaping and Biofiltration

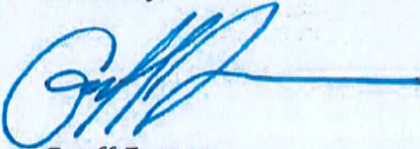
Landscaping and proper biofiltration have been provided in accordance with City of San Rafael and MCSTOPP requirements. Existing street trees are proposed to be replaced with new trees and grates. Urban landscaping features are proposed at the Ground Floor parking area, roof deck, and the Ground Floor courtyard. The building perimeters features planting locations, and the Southern building wall is planned to have a planted wall.

Green Building

The building will aim to satisfy numerous elements of the CalGreen initiatives. Features include, but are not limited to sustainable building materials, energy efficient building design, drought tolerant plants, stormwater treatment, wiring & accommodation for future solar, and electric vehicle and bicycle charging stations.

We look forward to bring this exciting new building to Downtown San Rafael. We are excited to present to Design Review Board in a timely manner.

Sincerely,



Geoff Forner
Monahan Parker Inc.
415-456-0600



Marriott International, Inc.
Corporate Headquarters

10400 Fernwood Road
Bethesda, MD 20817
301.380.3000

Matthew DeBold
Senior Design Manager
Global Design Americas
(703) 407-3066
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March 4, 2019

Geoff Forner
Monahan Pacific Corporation
1101 Fifth Avenue, Suite 300
San Rafael, CA 94901

RE: **AC Hotel in San Rafael, California**

Dear Mr. Forner,

Thank you for your concern regarding the parking capacity and configuration at your proposed AC Hotel in San Rafael, California. As we discussed, you intend to provide 87 parking spaces for 140 hotel keys. This parking ratio (.62 spaces / key) is above what we would typically see for hotels in similar urban locations.

In practice we find that (1) demand is typically far less than one parking space per key for urban locations and (2) off-site garage parking is readily available in most markets to meet over-flow demand. In fact, properties like the AC Hotel San Rafael site and setting typically demonstrate a demand for .3 parking spaces / key.

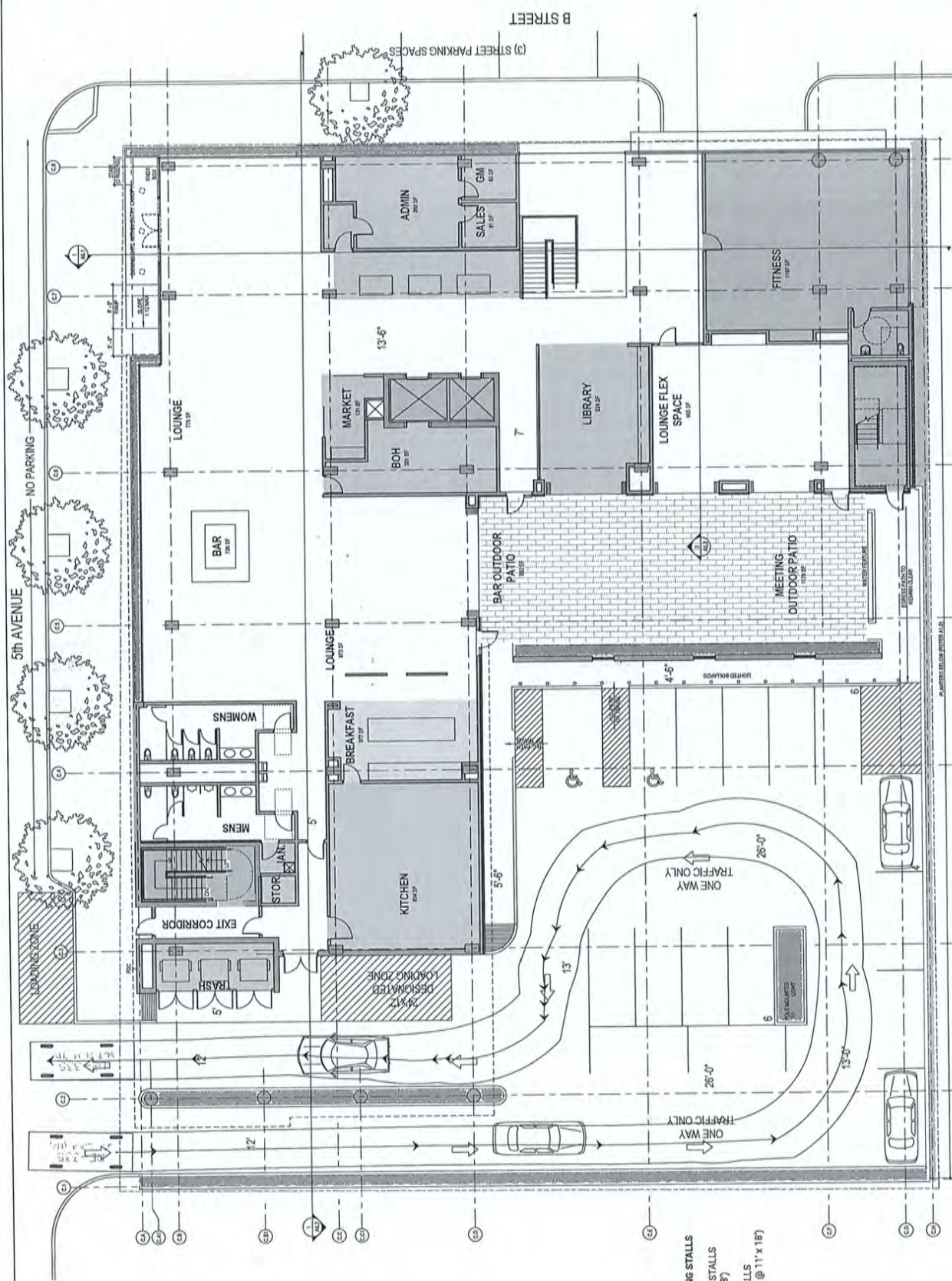
The proposed parking plan for the AC Hotel in San Rafael illustrates tandem parking spaces – Marriott commonly sees tandem parking configurations in urban properties with a valet attendant, as this is a common strategy to increase total parking capacity. Marriott has no concern regarding tandem, valet attended parking spaces.

The proposed plan for the vehicular drop-off area illustrates a total of three (3) loading/unloading spaces, which is what Marriott would require at similar properties. Given the availability of three (3) loading / unloading spaces and the direction of a valet attendant, it is unlikely that the queueing of vehicles would have any effect on the surrounding public streets or sidewalks.

The parking garage circulation and valet operations as shown in the attached plan will function to Marriott's satisfaction and standards.

Kind regards,

Matthew DeBold
Sr. Design Manager
703-407-3066 (phone)
matthew.debold@marriott.com



16 TOTAL PARKING STALLS
14 STANDARD STALLS
(8'-5" x 18')
2 ADA STALLS
(1 @ 8'-5" x 18' & 1 @ 11" x 18')

LOBBY PLAN - LEVEL 01
SCALE 1/8" = 1'-0"



Draft Report

Traffic Impact Study for the 1201 Fifth Avenue Hotel Project

Prepared for the
City of San Rafael

February 1, 2019

490 Mendocino Avenue, Suite 201 **SANTA ROSA**, CA 95401 707.542.9500

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w-trans.com

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- B. Intersection Level of Service Calculations
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Executive Summary

The proposed project is a 140-room hotel to be located on Fifth Avenue in the City of San Rafael. Based on standard trip generation rates it would be expected to generate an average of 563 daily trips, including 55 trips during the morning peak period and 45 trips during the evening peak period.

The intersection of Fifth Avenue and B Street was evaluated to determine the potential impacts associated with development of the project under Existing and Future conditions. Under Existing conditions, the intersection operates acceptably at LOS A overall during both peak hours and is expected to continue operating at the same service level under Existing plus Project conditions. Similarly, the intersection is expected to operate at LOS A overall during both peak periods under anticipated future volumes, with and without the project.

Existing and planned pedestrian, bicycle, and transit facilities would provide adequate access for the anticipated demand. No bicycle parking facilities are shown on the plans; however, the project needs to provide at least three bicycle parking spaces on-site to meet City requirements.

Sight distances at the existing driveways on Fifth Avenue and B Street are adequate for the 25-mph speed limit. A left-turn lane on Fifth Avenue at the location of the project driveway is not warranted.

Parking as proposed for passenger vehicles is adequate to meet the requirements of the City's code; however, the applicant should incorporate TDM strategies to reduce the project's parking demand.

Introduction

This report presents an analysis of the potential traffic impacts that would be associated with development of a proposed hotel project. The traffic study was completed in accordance with the criteria established by the City of San Rafael and is consistent with standard traffic engineering techniques.

Prelude

The purpose of a traffic impact study is to provide City staff and policy makers with data they can use to make an informed decision regarding the potential traffic impacts of a proposed project, and any associated improvements that would be required to mitigate these impacts to a level of insignificance as defined by the City's General Plan or other policies. Vehicular traffic impacts are typically evaluated by determining the number of new trips that the proposed use would be expected to generate, distributing these trips to the surrounding street system based on existing travel patterns or anticipated travel patterns specific to the proposed project, then analyzing the impact the new traffic would be expected to have on critical intersections or roadway segments. Impacts relative to access for pedestrians, bicyclists, and to transit are also addressed.

Project Profile

The proposed 140-room business hotel project would be located at 1201 Fifth Avenue in the City of San Rafael, as shown in Figure 1, replacing an existing 10,600 square foot office building. Site access would continue to be gained via the existing driveways on Fifth Avenue and B Street.



Traffic Impact Study for the 1201 Fifth Avenue Hotel Project
Figure 1 – Study Area, Lane Configurations, and Existing Traffic Volumes



Transportation Setting

Operational Analysis

Study Area and Periods

The study area consists of Fifth Avenue and B Street fronting the project site and the project access points as well as the intersection of Fifth Avenue and B Street.

Operating conditions during the a.m. and p.m. peak periods were evaluated to capture the highest potential impacts for the proposed project as well as the highest volumes on the local transportation network. The morning peak hour occurs between 7:00 and 9:00 a.m. and reflects conditions during the home to work or school commute, while the p.m. peak hour occurs between 4:00 and 6:00 p.m. and typically reflects the highest level of congestion during the homeward bound commute.

Study Intersections

Fifth Avenue/B Street is a signalized four-legged intersection with permitted left-turn phasing on all approaches. Crosswalks are marked across all legs. The location of the study intersection and the existing lane configurations and controls is shown in Figure 1.

Collision History

The collision history for the study intersection was reviewed to determine any trends or patterns that may indicate a safety issue. Collision rates were calculated based on records available from the California Highway Patrol as published in their Statewide Integrated Traffic Records System (SWITRS) reports. The most current five-year period available is October 1, 2013 through September 30, 2018.

As presented in Table 1, the calculated collision rate for the study intersection was compared to the average collision rate for similar facilities statewide, as indicated in *2014 Collision Data on California State Highways*, California Department of Transportation (Caltrans). In the most recent five-year period, the intersection experienced a lower collision rate than the statewide average for the type of facility, indicating a lack of any demonstrated safety concern. The collision rate calculations are provided in Appendix A.

Table 1 – Collision Rates at the Study Intersections

Study Intersection	Number of Collisions (2013-2018)	Calculated Collision Rate (c/mve)	Statewide Average Collision Rate (c/mve)
1. Fifth Ave/B St	6	0.25	0.27

Note: c/mve = collisions per million vehicles entering

Alternative Modes

Pedestrian Facilities

Pedestrian facilities include sidewalks, crosswalks, pedestrian signal phases, curb ramps, curb extensions, and various streetscape amenities such as lighting, benches, etc. In general, a network of sidewalks, crosswalks,

pedestrian signals, and curb ramps provide access for pedestrians near the proposed project site. There are continuous sidewalks with curb ramps provided along both sides of Fifth Avenue and B Street within the vicinity of the project site and the signal at Fifth Avenue/B Street is programmed to include pedestrian recall.

Bicycle Facilities

The *Highway Design Manual*, Caltrans, 2017, classifies bikeways into four categories:

- **Class I Multi-Use Path** – a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross flows of motorized traffic minimized.
- **Class II Bike Lane** – a striped and signed lane for one-way bike travel on a street or highway.
- **Class III Bike Route** – signing only for shared use with motor vehicles within the same travel lane on a street or highway.
- **Class IV Bikeway** – also known as a separated bikeway, a Class IV Bikeway is for the exclusive use of bicycles and includes a separation between the bikeway and the motor vehicle traffic lane. The separation may include, but is not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking.

In the project area, Class III bike routes exist on Fourth Street and D Street. Bicyclists ride in the roadway and/or on sidewalks along all streets within the project study area. Table 2 summarizes the existing bicycle facilities in the project vicinity, as contained in the *San Rafael Bicycle & Pedestrian Master Plan*.

Status Facility	Class	Length (miles)	Begin Point	End Point
Existing				
Fourth St	III	1.40	West End Ave	Union St
D St	III	0.68	Fourth St	Antonette Ave

Source: *San Rafael Bicycle & Pedestrian Master Plan*, Alta Planning + Design, 2018

Transit Facilities

Marin Transit and Golden Gate Transit provide fixed route bus service in Marin County and the greater Bay Area, respectively. Both transit agencies serve the bus stops located at Fourth Street/C Street. Marin Transit Route 22 provides regional service to Marin City and operates Monday through Friday with approximately half-hour to hourly headways between 6:00 a.m. and 11:00 p.m. Weekend service operates with hourly headways from 7:00 a.m. to 10:00 p.m.

Marin Transit Route 23 provides regional service to Fairfax and the Canal area. Route 23 operates on weekdays with hourly headways between the hours of 6:00 a.m. and 11:00 p.m. and on weekends with hourly headways from 7:00 a.m. to 10:00 p.m.

Routes 68 provide regional service to unincorporated Marin County between San Rafael and Inverness. The service operates Monday through Friday with approximately one- to two-hour headways between 6:00 a.m. and 11:00 p.m. and during the weekend with one- to three-hour headways between 7:00 a.m. and midnight.

Golden Gate Transit Route 27 provide regional service from San Rafael to San Francisco. It operates on weekdays with half-hour to hourly headways between 6:00 a.m. and 6:30 p.m.

Two bicycles can be carried on most Marin Transit and Golden Gate Transit buses. Bike rack space is on a first come, first served basis. Additional bicycles are allowed on Marin and Golden Gate Transit buses at the discretion of the driver.

Dial-a-ride, also known as paratransit, or door-to-door service, is available for those who are unable to independently use the transit system due to a physical or mental disability. Main Transit Paratransit is designed to serve the needs of individuals with disabilities within the City of San Rafael and the greater Marin County area.

Sonoma-Marín Area Rail Transit (SMART)

The project site is within one-half mile of both the San Rafael SMART train station, as well as the San Rafael Transit Center. The SMART commuter rail system currently includes 43 miles of rail corridor and ten stations from the Sonoma County Airport to Downtown San Rafael. Upon completion, the passenger rail service will extend 70 miles from Cloverdale, at the north end of Sonoma County, to Larkspur where the Golden Gate Ferry connects Marin County with San Francisco. Along with commuter rail service, a multi-use pathway is planned and exists in some areas parallel to the rail corridor.

DRAFT

Capacity Analysis

Intersection Level of Service Methodologies

Level of Service (LOS) is used to rank traffic operation on various types of facilities based on traffic volumes and roadway capacity using a series of letter designations ranging from A to F. Generally, Level of Service A represents free flow conditions and Level of Service F represents forced flow or breakdown conditions. A unit of measure that indicates a level of delay generally accompanies the LOS designation.

The study intersection was analyzed using the signalized methodology published in the *Highway Capacity Manual* (HCM), Transportation Research Board, 2010. This source contains methodologies for various types of intersection control, all of which are related to a measurement of delay in average number of seconds per vehicle. The signalized methodology is based on factors including traffic volumes, green time for each movement, phasing, whether the signals are coordinated or not, truck traffic, and pedestrian activity. Average stopped delay per vehicle in seconds is used as the basis for evaluation in this LOS methodology. For purposes of this study, delays were calculated using signal timing obtained from the City.

The ranges of delay associated with the various levels of service are indicated in Table 3.

Table 3 – Signalized Intersection Level of Service Criteria

LOS A	Delay of 0 to 10 seconds. Most vehicles arrive during the green phase, so do not stop at all.
LOS B	Delay of 10 to 20 seconds. More vehicles stop than with LOS A, but many drivers still do not have to stop.
LOS C	Delay of 20 to 35 seconds. The number of vehicles stopping is significant, although many still pass through without stopping.
LOS D	Delay of 35 to 55 seconds. The influence of congestion is noticeable, and most vehicles have to stop.
LOS E	Delay of 55 to 80 seconds. Most, if not all, vehicles must stop and drivers consider the delay excessive.
LOS F	Delay of more than 80 seconds. Vehicles may wait through more than one cycle to clear the intersection.

Reference: *Highway Capacity Manual*, Transportation Research Board, 2010

Traffic Operation Standards

City of San Rafael

The City of San Rafael's Level of Service (LOS) standard is published in the *San Rafael General Plan 2020 Draft EIR*. For a signalized intersection the operational standard is LOS D except that LOS E operation is allowed at intersections in the Downtown as well as select additional locations, not including the study intersection.

Existing Conditions

The Existing Conditions scenario provides an evaluation of current operation based on existing traffic volumes during the a.m. and p.m. peak periods. This condition does not include project-generated traffic volumes. Volume data was collected on December 6, 2018 while local schools were in session.

Intersection Levels of Service

Under existing conditions, the study intersection operates acceptable at LOS A during both peak periods. The existing traffic volumes are shown in Figure 1. A summary of the level of service calculations is contained in Table 4, and copies of the calculations are provided in Appendix B.

Table 4 – Existing Peak Hour Intersection Levels of Service

Study Intersection	AM Peak		PM Peak	
	Delay	LOS	Delay	LOS
1. Fifth Ave/B St	6.5	A	5.0	A

Notes: Delay is measured in average seconds per vehicle; LOS = Level of Service

Future Conditions

Year 2040 intersection turning movements were developed using a growth factor of one-half percent per year, as directed by City Staff.

Under the anticipated Future volumes, the study intersection is expected to continue operating acceptably at LOS A during both peak hours. Future volumes are shown in Figure 2 and operating conditions are summarized in Table 5.

Table 5 – Future Peak Hour Intersection Levels of Service

Study Intersection	AM Peak		PM Peak	
	Delay	LOS	Delay	LOS
1. Fifth Ave/B St	7.3	A	5.8	A

Notes: Delay is measured in average seconds per vehicle; LOS = Level of Service

Project Description

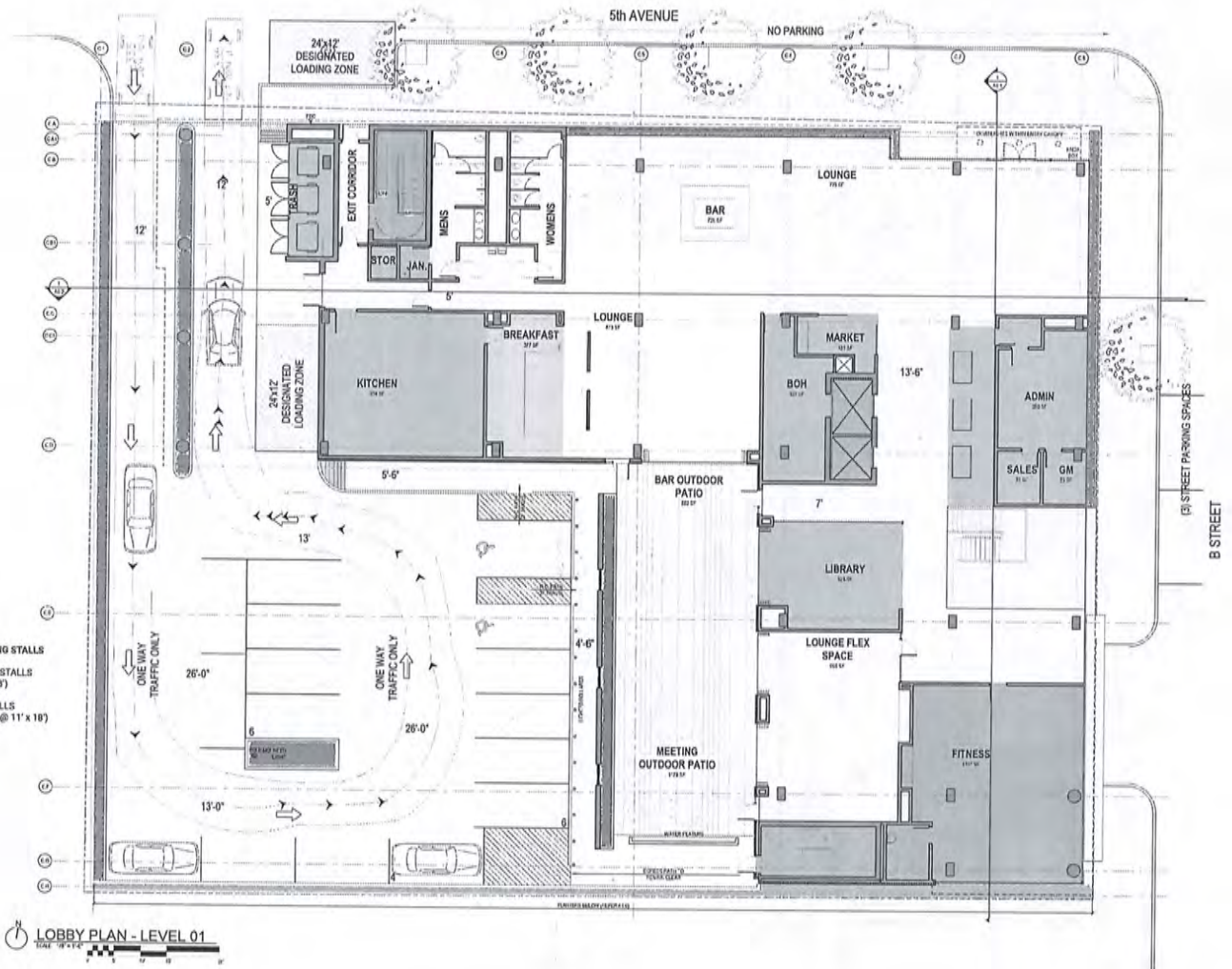
The project is a proposed 140-room hotel to be located at 1201 Fifth Avenue in the City of San Rafael. There is an existing, vacant 10,600 square foot building on the site that was previously occupied by commercial offices. Project patrons would access the site via two existing driveways on Fifth Avenue and B Street. The driveway on B Street would be a ramp to the basement parking garage. The proposed project site plan is shown in Figure 3.

Trip Generation

The anticipated trip generation for the proposed project was estimated using standard rates published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual*, 10th Edition, 2017 for "Business Hotel" (LU #312). Because the site is currently occupied by a 10,600 square foot building previously used for office space, rates for "General Office Building" (LU #710 (F)) were applied to this previous use. The expected trip generation potential for the proposed project is indicated in Table 6 with deductions taken for trips made to and from the previous office use at the site. The proposed project is expected to generate an average of 563 trips per day, including 55 trips during the a.m. peak hour and 45 during the p.m. peak hour. After deductions for the prior use are considered, the project would be expected to generate 443 new trips daily, including 19 during the morning peak hour and 31 during the evening peak hour; these new trips represent the increase in traffic associated with the project compared to previously existing volumes.



Traffic Impact Study for the 1201 Fifth Avenue Hotel Project
Figure 2 – Future Traffic Volumes



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 Architecture Engineering Planning Interiors
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 2018.12.12
 REVISED

LOBBY LEVEL
AC Hotel San Rafael

1201 FIFTH AVENUE
 SAN RAFAEL, CA 94901

CONCEPT
DESIGN REVIEW
PRE-APPLICATION
REVISION 01



Table 6 – Trip Generation Summary

Land Use	Units	Daily		AM Peak Hour				PM Peak Hour							
		Rate	Trips	Rate	Trips	In	Out	Rate	Trips	In	Out				
Existing															
General Office Building	-10.6 ksf	11.35	-120	3.44	-36	-31	-5	1.27	-14	-2	-12				
Proposed															
Business Hotel	140 rms	4.02	563	0.39	55	23	32	0.32	45	25	20				
Net Increase in Trips		443		19		-8		27		31		23		8	

Note: ksf = 1,000 square feet; rms = rooms

Trip Distribution

The pattern used to allocate new project trips to the street network was based on familiarity with the surrounding area. The applied distribution assumptions and resulting trips are shown in Table 7.

Table 7 – Trip Distribution Assumptions

Route	Percent	Daily Trips	AM Trips	PM Trips
From/to the east via Fifth Ave	25	141	14	11
From/to the south via B St	50	281	27	23
From/to the north via B St	25	141	14	11
TOTAL	100	563	55	45

Intersection Operation

Existing plus Project Conditions

Upon the addition of project-related traffic to the Existing volumes, the study intersections are expected to operate acceptably at LOS A during both peak periods. These results as well as the results for existing (without project) conditions are summarized in Table 8. Project traffic volumes are shown in Figure 4.

Table 8 – Existing and Existing plus Project Peak Hour Intersection Levels of Service

Study Intersection	Existing Conditions				Existing plus Project			
	AM Peak		PM Peak		AM Peak		PM Peak	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
1. Fifth Ave/B St	6.5	A	5.0	A	6.7	A	5.1	A

Notes: Delay is measured in average seconds per vehicle; LOS = Level of Service

Finding – The study intersection is expected to continue operating acceptably at the same level of service upon the addition of project-generated traffic to existing volumes.



Traffic Impact Study for the 1201 Fifth Avenue Hotel Project
Figure 4 – Project Traffic Volumes

Future plus Project Conditions

Upon the addition of project-generated traffic to the anticipated Future volumes, the study intersection is expected to operate acceptably. The Future and Future plus Project operating conditions are summarized in Table 9.

Table 9 – Future and Future plus Project Peak Hour Intersection Levels of Service

Study Intersection	Future Conditions				Future plus Project			
	AM Peak		PM Peak		AM Peak		PM Peak	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
1. Fifth Ave/B St	7.3	A	5.8	A	7.5	A	5.9	A

Notes: Delay is measured in average seconds per vehicle; LOS = Level of Service

Finding – The study intersection is expected to continue operating acceptably with project traffic added to anticipated Future volumes, at the same Level of Service as without it.

Alternative Modes

Pedestrian Facilities

Given that the site is located downtown and near transit facilities, it is reasonable to assume that some project patrons and employees will want to walk, bicycle, and/or use transit to reach the project site. It is understood that many project patrons may be coming from BioMarin, which is located one-half mile south of the proposed project site. Full sidewalk connectivity exists between BioMarin's campus and the project site, as well as to and from the SMART train station and the San Rafael Transit Center.

Finding – Pedestrian facilities serving the project site are adequate.

Bicycle Facilities

Existing bicycle facilities, including bike routes on Fourth Street and D Street, together with shared use of minor streets provide adequate access for bicyclists.

Finding – Bicycle facilities serving the project site are adequate.

Transit

Existing transit routes are adequate to accommodate project-generated transit trips. Existing stops are within one-quarter-mile of the site, which is considered acceptable walking distance.

Finding – Transit facilities serving the project site are adequate.

Access and Circulation

Site Access

The project would be accessed via the two existing driveways on Fifth Avenue and B Street. It is noted that the driveway on Fifth Avenue served the previous use as an entrance and the driveway on B Street was an exit-only driveway. As proposed, the Fifth Avenue driveway would be converted to provide full access to the project site and the driveway on B Street would be limited to right turns in and out only as B Street is a one-way street. The B Street driveway would provide access to the proposed underground parking garage and the Fifth Avenue driveway would provide access to the street level parking lot.

Sight Distance

At driveways a substantially clear line of sight should be maintained between the driver of a vehicle waiting at the driveway and the driver of an approaching vehicle. Adequate time should ideally be provided for the waiting vehicle to either cross, turn left, or turn right, without requiring the through traffic to radically alter their speed.

Sight distances along Fifth Avenue and B Street at the project driveways were evaluated based on sight distance criteria contained in the *Highway Design Manual* published by Caltrans. The recommended sight distance for driveway approaches is based on stopping sight distance. Additionally, the stopping sight distance needed for a following driver to stop if there is a vehicle waiting to turn into a side street or driveway is evaluated based on stopping sight distance criterion and the approach speed on the major street.

Based on a posted speed of 25 mph, the minimum stopping sight distance needed is 150 feet. Fifth Avenue is generally flat and straight near the project driveway and sight lines are clear for more than 150 feet in both directions. Similarly, drivers on Fifth Avenue will have visibility of a vehicle stopped to turn left into the driveway for more than 150 feet. Sight lines along B Street extend approximately 400 feet north past the intersection with Fifth Avenue, which is adequate for speeds of up to 45 mph.

Finding – Sight distances along Fifth Avenue and B Street are adequate to accommodate all turns into and out of the site.

Recommendation – Because landscaping and signs can impede clear sight lines, any new plantings or signs to be located along the street frontages should be designed to ensure that adequate sight lines will be maintained.

Access Analysis

Left-Turn Lane Warrants

The need for a left-turn lane on Fifth Avenue at the project driveway was evaluated based on criteria contained in the *Intersection Channelization Design Guide*, National Cooperative Highway Research Program (NCHRP) Report No. 279, Transportation Research Board, 1985, as well as an update of the methodology developed by the Washington State Department of Transportation and published in the *Method For Prioritizing Intersection Improvements*, January 1997. The NCHRP report references a methodology developed by M. D. Harmelink that includes equations that can be applied to expected or actual traffic volumes to determine the need for a left-turn pocket based on safety issues. Under worst-case Future plus Project p.m. peak hour volumes and with consideration for safety criteria a left-turn lane is not warranted on Fifth Avenue at the project driveway. A copy of the warrant spreadsheet is provided in Appendix C.

Parking

The project was analyzed to determine whether the proposed parking supply would be sufficient for the anticipated parking demand. The project site as proposed would provide 16 parking spaces in the street level parking lot and 71 valet spaces in the underground parking garage, for a total of 87 off-street parking spaces.

The City's off-street parking supply requirements are included in the City of San Rafael's Municipal Code, Chapter 14.18.040; Parking Requirements. Per the City Code, hotels are required to provide parking at a rate of one space per room plus one space per manager and one for each two employees. The proposed 140-room hotel project would include three shifts per day. The shifts with the highest numbers of employees would occur in the morning and afternoon, during which times there would be 12 employees plus one manager on-site. This translates to a required supply of 147 spaces.

Hotels with supplemental facilities such as a convention room, meeting space, restaurant/bar, etc. require parking in addition to the hotel requirement. The hotel would include bar and lounge areas on the ground floor and rooftop that would be open in the evening hours after 6:00 p.m. Although these areas are primarily expected to serve hotel guest demand, they would be open to the public. Per the City Code, food and beverage service establishments are required to provide parking at a rate of one space per 50 square feet of floor area intended for public use. The project would allocate 1,041 square feet for bar/food uses. Although the bar and lounges would be open to public use, public demand is expected to be low, with most visitors walking to the site from nearby downtown locations. It is likely that at least 80 percent of the demand for the bar and lounges would be generated by hotel guests. For the purpose of arriving at a conservative estimate, the City's parking requirement was applied to the overall bar/lounge space, translating to a parking requirement of 21 spaces for the supplemental facilities and bringing the total required parking for the hotel to 168 spaces.

However, the City's Community Development Department has amended the Municipal Code and the changes are listed in the City Council Agenda Report prepared by Paul A. Jensen on November 5, 2018. The project is located within the boundaries of both the "Downtown Zoning District" and the "Downtown Parking District"; therefore, the project qualifies for reductions to the parking standards as applicable to these Districts due to the potential for various land uses to share parking. This potential is particularly appropriate for a hotel land use as its peak parking occurs during the evening and night-time hours while there is minimal demand for parking to serve nearby offices.

Per the amendment to Section 14.18.060.A, the off-street parking requirement can be waived for up to a Floor Area Ratio (FAR) of 1.0 out of the total square footage of buildings located within the downtown parking district. The project would therefore be exempt from parking requirements for up to 28,719 square-feet, or the size of the lot. The hotel uses would occupy a total of 65,307 square feet and would include 140 guestrooms, which translates to approximately 467 square feet per room. Therefore, a 28,719 square-foot parking exemption translates to a parking waiver for 61 rooms. At one space per room, 61 parking spaces can be waived.

Additionally, per appended Section 14.18.040.G, non-residential uses within the downtown zoning district are allowed a 20 percent reduction to the parking standards. With the allowable reductions applied, the proposed project would need to provide 86 parking spaces. Therefore, the proposed on-site parking supply of 87 spaces is adequate. The City parking requirements, along with the applicable reductions, are shown in Table 10.

Table 10 – Parking Requirements

Land Use	Units	Rate Required	Spaces Required
City Requirements			
Hotel (Downtown Parking District)	140 rooms	1 space per room	140
		≤1.0 FAR reduction in parking	-61
	1 manager	1 space per manager	1
	12 empl	1 space per 2 employees	6
Food and Beverage Service Establishment	1.041 ksf	1 space per 50 sf of floor area	21
Subtotal			107
<i>Downtown Zoning District Reduction</i>		<i>-20% of total requirement</i>	<i>-21</i>
Total Required			86
Total Proposed On-Site			87

Notes: empl = employees; ksf = 1,000 square feet

Consideration was also given to hotel patron use of alternative modes, the potential shared use of nearby downtown parking facilities, and the implementation of transportation travel demand management methods such as parking fees to ensure that the parking supply will be adequate.

Given the downtown location, hotel patrons would have nearby access to the San Rafael Transit Center and SMART commuter rail station. The transit station is served by Golden Gate Transit, Marin Transit, Sonoma County Transit, as well as Greyhound, which provide connections to the greater Bay Area.

There are four public parking facilities located within a quarter-mile walking distance of the project site including two public lots and two public garages. According to the City of San Rafael's *Downtown Parking/Wayfinding Study*, these four public parking facilities have a total parking surplus of 268 spaces during the peak weekday parking demand period, which occurs from 1:00 to 3:00 p.m. The peak period occupancy levels in the nearby downtown public parking facilities are shown in Table 11.

Table 11 – Downtown Peak Period Occupancy Levels

Off-Street Public Parking	Supply	Walking Distance to Project Site (miles)	Weekday Peak Period (1 p.m. – 3 p.m.)		
			Occupancy (Spaces)	Occupancy (%)	Surplus
C St Garage; 900 C St	390	0.20	260	67%	130
A St Garage; 1163 3 rd St	388	0.20	285	73%	103
Fifth Ave and C St Lot	95	0.05	69	73%	26
Fifth Ave and D St Lot	31	0.13	22	71%	9
Total	904	-	636	70%	268

Source: *Downtown Parking/Wayfinding Study*, City of San Rafael, 2017

As is typical of garages in a commercial district, parking demand significantly decreases during the evening and overnight. Parking demand for hotel and bar uses peaks at night when commercial and office uses have limited parking demand, so hotel patrons could park at one of these garages overnight and would typically leave for work well ahead of the midday peak demand period. This offset in parking demand would be an efficient use of the available parking space in the downtown garages.

Finding – Based on the abundance of access via alternative modes, including walking and transit, together with the potential to make better use of the City’s downtown garages by adding the complementary hotel demand to the existing office and retail demands, it is anticipated that the parking needs of this project can easily be met between the on-site supply and use of nearby public garages.

Recommendation – To further reduce demand for on-site parking, the applicant should incorporate Transportation Demand Management (TDM) strategies. One such strategy should include charging hotel patrons for the use of on-site parking or charging for a valet service. Additionally, the applicant should consider implementation of an on-site car share vehicle for hotel patron use and provision of transit passes to interested employees to further reduce parking demand.

Bicycle Storage

The project site plan does not identify the provision of bicycle parking or storage facilities.

The City’s bicycle parking supply requirements are included in the City of San Rafael’s Municipal Code, Chapter 14.18.090; Bicycle Parking. Based on City requirements, non-residential buildings should provide five percent of the required vehicle parking spaces, with a minimum of one space. Therefore, the project would be required to provide three bicycle parking spaces.

Finding – The site plan does not indicate the provision of on-site bicycle parking.

Recommendation – The applicant should provide a minimum of three on-site bicycle parking spaces.

Conclusions and Recommendations

Conclusions

- The proposed project is anticipated to generate an average of 563 daily trips, with 55 trips during the a.m. peak hour and 45 during the p.m. peak hour. With deductions taken from the previous land use, the proposed project is expected to generate an average of 443 new daily trips, including 19 new trips during the morning peak period and 31 new trips during the evening peak period.
- Under Existing Conditions, the study intersection of Fifth Avenue/B Street is operating acceptably at LOS A during both peak hours and would be expected to continue doing so upon the addition of project-generated traffic.
- Under anticipated Future Conditions, the study intersection is expected to operate acceptably, with and without project traffic added.
- Existing pedestrian facilities, bicycle facilities and transit services are adequate.
- Stopping sight distances at the project driveways are adequate to meet the applied criteria for both entering and exiting movements.
- A left-turn lane is not warranted on Fifth Avenue at the project driveway.
- The proposed on-site parking supply would be adequate to meet the City's requirement.

Recommendations

- The applicant should provide a minimum of three on-site bicycle parking spaces.
- To maintain sight lines for vehicles leaving the site, it is recommended that landscaping be trimmed such that tree canopies are at least seven feet above the ground. Low-lying vegetation should no greater than three feet in height. Any signs or monuments planned along the project's frontage should not obstruct sight distance at the project driveway.
- The application should incorporate TDM strategies to reduce demand for on-site parking.
- The applicant should consider implementing an on-site car share vehicle for hotel patron use.
- The applicant should consider providing transit passes to interested employees to reduce parking demand.

Study Participants and References

Study Participants

Principal in Charge	Dalene J. Whitlock, PE, PTOE
Assistant Engineer	Kevin Rangel, EIT
Assistant Planner	Julia Walker
Graphics	Katia Wolfe
Editing/Formatting	Alex Scrobonia
Report Review	Dalene J. Whitlock, PE, PTOE

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Exhibit 6

REVIEW OF GENERAL PLAN 2020 GOALS AND POLICIES 1201 Fifth Avenue Project Consistency with San Rafael General Plan 2020 Policies

LAND USE ELEMENT	
<p>Policy LU-9 Intensity of Nonresidential Development and Policy LU-20 Hotels, Motels, and Inns. Commercial areas have been assigned floor area ratios (FARs) to identify appropriate intensities. The project site has a 1.75 FAR. However, pursuant to General Plan Policy LU-20, hotels are not subject to FAR requirements.</p>	<p><i>Consistent</i> The proposed project is a hotel and therefore is not limited by FAR requirements.</p>
<p>Policy LU-12. Building Heights and Policy LU-13 Height Bonus. Height limits in the Downtown San Rafael area are varied. The maximum height limit for this property is 42 feet. Hotel projects are allowed a maximum height of 54 feet with an allowable height bonus of 12 feet with Use Permit approval.</p>	<p><i>Consistent</i> The maximum height limit for this property is 42 feet with an allowable height bonus of 12 feet with use permit approval. However, hotels are allowed a height limit of 54-feet. Hotels are also allowed an additional 12 feet of height with a height bonus request, however, the applicant is not taking advantage of a height bonus at this time. As such, the project is consistent with Land Use Policy LU-12.</p>
<p>Policy LU-14. Land Use Compatibility. 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 proposed project is a modern L- shaped building with the legs of the "L" bordering Fifth Avenue and B Street. The first level of the building is primarily glass. A concrete base is introduced along B Street to fill in where the lot slopes. This concrete base is stepped down to create 4-foot high terraces. Landscaping is introduced within these terraces to soften the appearance of the wall. Materials used for the upper levels is a mix of a warm colored brick wall with glass panels for the guest rooms as well as at the base of the building along Fifth Ave. and B Street. At the corner of Fifth and B, the first floor is setback creating a covered entry. The design approach and materials used are compatible with neighboring development. The Design Review Board evaluated the proposed design and recommended approval of the project.</p>
<p>LU-20a. Hotel Zoning. Maintain zoning ordinance regulations allowing height bonus and exemption from FARs for hotels.</p>	<p><i>Consistent</i> The project consists of a 140-room hotel project on a 28,719. There are no limits on FAR for this project because it is a hotel project. The project complies with maximum height limit of 54 feet and no height bonus is being requested at this time.</p>

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<p>Policy LU-23. Land Use Map and Categories. Land use categories are generalized groupings of land uses and titles that define a predominant land use type. The zoning code implements the land use categories by identifying the type of use that can be permitted within a district 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.</p>	<p><i>Consistent,</i> The project site is has a land use designation of Fifth/Mission Residential/Office (5/M R/O). This land use category is aligned with the 5/M R/O zoning district, which allows a mix of commercial and residential uses. Hotels are one of the uses allowable within this district with prior use permit approval by the Planning Commission. Because the project is a hotel, it is not subject to FAR standards as noted in General Plan Policy LU-20 above.</p>
HOUSING ELEMENT	
<p>Policy H-9. Funding for Affordable Housing. Seek proactive and creative ways to lower housing costs for lower income households and people living with special needs. Continue to use local, state and federal assistance to achieve housing goals and to increase ongoing local resources to provide for affordable housing.</p>	<p><i>Consistent</i> The project will be required to contribute to the City's affordable housing obligations as outlined in SRMC Table 14.16.030-3. Hotel projects are obligated to 0.0075 affordable housing units per 1,000 square feet of hotel space plus 0.0225 per 1000 square feet of restaurant/bar, retail and/or meeting facilities associated with the hotel. The applicant would be obligated to either provide the affordable housing on site or pay an in-lieu fee (currently 343,969.47) multiplied by the total number of required affordable housing unit (estimated to be 1.674). The applicant's total obligation will be calculated at the time the applicant submits for a building permit.</p>
<p>Program H-9c. In-Lieu Fees for Affordable Housing. Dedicate in-lieu fees for affordable housing, including rehabilitation, acquisition and design support for second units and infill housing.</p>	<p><i>Consistent</i> As stated under response to Policy H-9, the applicant's total obligation will be calculated as part of the formal use permit application analysis.</p>
NEIGHBORHOOD ELEMENT	
<p>NH-15. Downtown Vision. Continue to implement Our Vision of Downtown San Rafael.</p> <p>NH-16. Economic Success. Substantially expand Downtown's economic success and increase opportunities for retail, office and residential development.</p>	<p><i>Consistent</i> General Plan Policy LU-20a recognizes hotels as "...a desired land use because they are a low traffic-generator and a high tax-generator, and because they have identifiable benefits to the neighborhood such as job training programs." General Plan Policy NH-16 calls for expansion of "...Downtown's economic success and increase opportunities for retail,</p>

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<p>NH-17. Competing Concerns. In reviewing and making decisions on projects, there are competing economic, housing, environmental and design concerns that must be balanced. No one factor should dominate; however, economic and housing development are high priorities to the health of Downtown</p> <p>NH-18. Economic Center. Strengthen Downtown’s position as a major business, financial and office center for the city and the county by maintaining a diversified economic base reflecting a mutually supportive combination of retail, office, service and government uses.</p> <p>NH-18a. Hotel/Cineplex. Support the development of a hotel to sustain the office market and a Cineplex to enhance the retail, restaurant and entertainment offerings in Downtown.</p>	<p>office and residential development.”</p> <p>The 140 room hotel is expected to have an 85% occupancy rate. This could potentially add an additional 119 people to the downtown area. Hotel occupants are anticipated to frequent existing and future businesses in the Downtown and help achieve the City’s goal of ‘alive-after-five’ by providing an opportunity to activate the Downtown in the evenings and on weekends.</p> <p>NH-17. Competing Concerns.</p> <p>The General Plan recognizes the enormous task of having to balance competing concerns related to factors such as design, environmental changes, housing, and economics. The General Plan identifies economic and housing development as high priorities to the health of Downtown. The applicant has provided an economic brief that summarizes the direct, indirect and induced economic benefits that the project brings to the downtown and to the city as whole. The project is expected to have the following beneficial impacts:</p>
<p>NH-29. Downtown Design. New and remodeled buildings must contribute to Downtown’s hometown feel.</p> <p>NH-29a. Implement Downtown Design Guidelines. Implement the Downtown Design Guidelines through the design review process.</p>	<p><i>Generally Consistent</i></p> <p>The proposed building is a L- shaped building with the legs of the “L” bordering Fifth Avenue and B Street. The first level of the building is primarily glass. A concrete base is introduced along B Street to fill in where the lot slopes. Materials used for the upper levels is a mix of a warm colored brick wall with glass panels for the guest rooms as well as at the base of the building along Fifth Ave. and B Street. At the corner of Fifth and B, the first floor is setback creating a covered entry. The proposed design adopts warm colors and materials from the surrounding development. This is in contrast with the original more modern submittal which was rejected by the Design Review Board. The more recent proposed design received an affirmative recommendation from the Design Review Board on March 19, 2019.</p>
<p>NH-31. Ground Floor Designed for Pedestrians. Ensure that all buildings, regardless of height, are comfortable for people at the street level. This includes:</p> <ul style="list-style-type: none"> ● Relating wall and window heights to the height of people, 	<p><i>Generally Consistent</i></p> <p>The project proposes a design that features glazing at the first level. This is a 15-foot high element that provides a pedestrian scale along Fifth Avenue and B Street. Along B Street where the building slopes in a southerly direction the project building features a concrete terraced</p>

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<ul style="list-style-type: none"> • Use of architectural elements to create visual interest, • Adding landscaping and insets and alcoves for pedestrian interest, and, <p>Stepping upper stories back as building height increases.</p>	<p>landscape wall. The upper story is not stepped back, however a roof overhang is treated with wood-grain metal material provided variation in the upper level. The Design Review Board reviewed this project and recommended approval of the proposed project.</p>
<p>NH-32. Historic Character. 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>Policy NH-45. Fifth/Mission Residential/Office District Design Considerations.</p> <p>d. Fifth/Mission pedestrian character. Enhance the pedestrian character by preserving mature landscaping, planting more street trees and by enhancing views down the cross streets. In addition, establish a strong visual and pedestrian access connection on B Street from Boyd Park to Albert Park, and stronger connections between the Fifth/Mission District and surrounding neighborhoods.</p>	<p><i>Consistent</i> The project is located on the edge of downtown which contains a eclectic collection of buildings and architectural styles. As mentioned above, materials used for the upper levels is a mix of a warm colored brick wall with glass panels for the guest rooms as well as at the base of the building along Fifth Ave. and B Street. At the corner of Fifth and B, the first floor is setback creating a clear pedestrian entry. The proposed design adopts warm colors and materials from the surrounding development.</p> <p><i>The project proposes to remove existing street trees along Fifth Avenue and B Street. However, these trees will be replaced with Chines Pistache. Two additional trees will be installed along B street.</i></p> <p>On March 19, 2019, the Design Review Board evaluated the project an determined that the project adopted colors, materials, and design elements of the surrounding nearby buildings. Therefore, the project is deemed to contribute to the existing nearby street pattern and is consistent with this policy</p>
<p>COMMUNITY DESIGN ELEMENT</p>	
<p>Program CD-10a. Nonresidential Design Guidelines - Visual Compatibility. Ensure that new structures are visually compatible with the neighborhood and encourage neighborhood gathering places. Guidelines may address screening of service functions, materials and detailing, screening of roof equipment, lighting, landscaping, outdoor café seating and pedestrian amenities.</p>	<p><i>Consistent</i> The project would be consistent with Nonresidential Guidelines that address requirements for screening of service function areas, materials and detailing, screening of roof equipment, lighting, landscaping, pedestrian amenities, etc. Please see Exhibit 13 (Table San Rafael Design Guidelines) for a detailed discussion of Nonresidential Guidelines. The project received an affirmative recommendation from the Design Review Board.</p>
<p>Policy CD-15. Participation in Project Review.</p>	<p><i>Consistent</i></p>

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<p>Provide for public involvement in the review of new development, renovations, and public projects with the following: a) design guidelines and other information relevant to the project as described in the Community Design Element that would be used by residents, designers, project developers, City staff, and City decision makers; b) distribution of the procedures of the development process that include the following: submittal information, timelines for public review, and public notice requirements; c) standardized thresholds that state when design review of projects is required (e.g. residential conversions, second-story additions); and d) effective public participation in the review process.</p> <p>Program CD-15a. Notification and Information about Development Projects. Continue to enhance San Rafael's public notification and neighborhood meeting process to encourage early participation in the review of projects. Create succinct and understandable written handouts to guide property owners, designers, residents and business owners through the City submittal, review and approval processes. Continue notifying neighborhood and homeowner associations about proposed projects in nearby nonresidential areas. Evaluate the adequacy of notification procedures and enhance as needed. For example, consider requiring notification of non-owner occupants and requiring large on-site visible notice of projects under review.</p>	<p>When the planning applications for this project were filed, copies of plans were made available to all surrounding neighborhood and special interest groups. Notices of public meetings were mailed to all property owners, occupants and neighborhood groups and interested parties within 300 feet of the project site informing them of the proposed project prior to the Design Review Board meeting. In addition, the site was posted with notice of all public meetings on this proposed project. Comments have been received and considered by the staff and copies of all written correspondence received to regarding this project have been included for the Commission's review.</p>
<p>Policy CD-18. Landscaping. Recognize the unique contribution provided by landscaping, and make it a significant component of all site design.</p>	<p><i>Generally Consistent</i> The project is generally consistent with the City's minimum requirements for landscaping in that the project plans show replacement of street trees and installation of additional street trees along B Street.</p>
<p>Policy CD-19. Lighting. Allow adequate site lighting for safety purposes while controlling excessive light spillover and glare.</p>	<p><i>Generally Consistent</i> The applicant proposes to install one pole mounted light and light bollards within the interior of the property. The applicant will be required to submit specifications for all proposed light fixtures prior to receiving building permit approval. All light fixtures will be required to comply the City's standard requirements that fixtures be directed downward and not result in excessive off-site glare. All light fixtures are subject to Section 14.16.227, which includes a 90-day post installation inspection.</p>
<p>Policy CD-20. Commercial Signage.</p>	<p><i>Generally Consistent</i></p>

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<p>Provide sign regulations and guidelines that allow adequate visual identification necessary for successful commercial uses, while also taking into consideration the visual impact along any given roadway.</p>	<p>The applicant will be required to comply with the City's sign ordinance in terms of size and installation requirements. The project plans identify two wall signs being proposed. However, more details will be required as part of a sign review prior to installation of signs.</p>
<p>Policy CD-21. Parking Lot Landscaping. Provide parking lot landscaping to control heat build-up from pavement, reduce air pollution, provide shade cover for vehicles and soften the appearance of the parking lot. Emphasize the use of trees, and limit the height of shrub plantings so as to avoid creating security problems.</p>	<p><i>Generally Consistent</i> The project includes two parking decks: one is located below grade, thus will be covered; the other will be located at ground level but overlapping the lower level parking. While the applicant proposes shrubs and ground cover within the upper garage, trees are not provided within the parking lot. However, the applicant proposes to replace street trees to be removed as a result of construction work and two additional trees will be installed along B street.</p>
<p>ECONOMIC VITALITY</p>	
<p>Policy EV-2. Seek, Retain, and Promote Businesses that Enhance San Rafael. Recruit and retain businesses that contribute to our economic vitality, thus helping to provide needed local goods, services and employment, and enhance the City's physical environment.</p>	<p><i>Consistent</i> The proposed project would bring a new business to the City thus contributing to the City's economic vitality. The project would result in the redevelopment of a vacant property, which would enhance the physical environment of the area. In addition, hotel projects are considered a desirable use because they are considered a high tax generator and a minimal impact on traffic.</p>
<p>Policy EV-7. Environmentally-Friendly Business Practices. Promote environmentally friendly business practices that reduce the need for nonrenewable resources.</p>	<p><i>Consistent</i> The project will be required to comply with Mandatory and Tier 1 measures of the City of San Rafael Cal Green. These measures include implementation of on-site water management, energy conservation, use of recycled content etc.</p>
<p>Policy EV-8. Diversity of our Economic Base. Keep San Rafael a full-service city by retaining and supporting a broad and healthy range of businesses.</p>	<p><i>Consistent</i> The range of existing businesses in San Rafael is fairly broad and generally healthy. The proposed project will add a visitor accommodations that will contribute to the downtown population. Hotel occupants are anticipated to frequent existing and future businesses in the Downtown and help achieve the City's goal of 'alive-after-five' by providing an opportunity to activate the Downtown in the evenings and on weekends.</p>

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<p>Policy EV-13. Business Areas. Promote San Rafael's economy and the strengths and benefits of all of its business areas. Pursue actions that revitalize and sustain San Rafael's business areas.</p>	<p><i>Consistent</i> The project would be generally consistent with the intent of EV-13 in that it is a hotel project, which is considered a desirable project due to its economic benefit in the form of tax generation and contributions to the downtown businesses.</p>
INFRASTRUCTURE ELEMENT	
<p>Policy I-7. Landscape Maintenance. Provide for low maintenance entryway landscaping. Give priority to maintenance of landscaping along the City's most heavily traveled roadways and gateways as shown on Exhibits 17 (San Rafael Community Design) and Exhibit 18 (Central San Rafael Community Design).</p>	<p><i>Consistent</i> The final landscape plan would be required to comply with water conservation requirements of the the Marin Municipal Water District (MMWD).</p>
SAFETY ELEMENT	
<p>S-4. Geotechnical Review. 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><i>Consistent</i> A geotechnical report is typically required as part of the building permit submittal.</p>
<p>S-5. Minimize Potential Effects of Geological Hazards. 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</i> See discussion under Policy S-4, above.</p>
<p>S-6. Seismic Safety of New Buildings. Design and construct all new buildings to resist stresses produced by earthquakes. The minimum level of seismic design shall be in accordance with the most recently adopted building code as required by State law.</p>	<p><i>Consistent</i> The proposed project will require design measures per recommendations from a qualified structural engineer as part of the Building Permit submittal.</p>

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<p>Policy S-18 Storm Drainage Improvements. Require new development to improve local storm drainage facilities to accommodate site runoff anticipated from a “100-year” storm.</p>	<p><i>Consistent</i> Standard conditions of approval require compliance with storm drain requirements.</p>
<p>Policy S-25. Regional Water Quality Control Board (RWQCB) Requirements. 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</i> See Policy S-18 above.</p>
<p>NOISE ELEMENT</p>	
<ul style="list-style-type: none"> • Policy N-3. Planning and Design of New Development. Encourage new development to be planned and designed to minimize noise impacts from outside noise sources. 	<p><i>Consistent with mitigation measures/conditions</i> This study was completed to assess construction-related noise that would occur for an 18-month time frame, during the prescribed hours for construction established by the Municipal Code. The City of San Rafael's threshold for construction noise is 90 dBA measured from any point outside the construction property plane. The noise study concludes that the project will not result in a significant impact related to noise.</p>
<p>Policy N-4. Noise from New Nonresidential Development. Design nonresidential development to minimize noise impacts on neighboring uses.</p> <p>a. Performance Standards for Uses Affecting Residential Districts. New nonresidential development shall not increase noise levels in a residential district by more than Ldn 3 dB, or create noise impacts that would increase noise levels to more than Ldn 60 dB at the property line of the noise receiving use, whichever is the more restrictive standard.</p> <p>b. Performance Standards for Uses Affecting Nonresidential and Mixed Use Districts. New nonresidential projects shall not increase noise levels in a nonresidential or mixed-use district by more than Ldn 5 dB, or create noise impacts that would increase noise levels to more than Ldn 65 dB (Office, Retail) or Ldn 70 dB (Industrial), at the property line of the noise receiving use, whichever is the more restrictive standard.</p> <p>c. Waiver. These standards may be waived if, as determined by an acoustical study, there are mitigating circumstances (such as higher existing noise levels), and no uses would be adversely affected.</p>	<p>N/A</p>

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CONSERVATION	
Policy CON-16. Landscape with Native Plant Species. Encourage landscaping with native and compatible non-native plant species, especially drought-resistant species.	<i>Consistent</i> The applicant will be required to comply with MMWD water conservation Ordinance.
Policy CON-19. Energy Resources. Support the development of renewable and/or efficient generating resources to reduce the County's reliance on non-renewable energy supplies.	<i>Consistent</i> The project will need to demonstrate compliance with the City of San Rafael/Calgreen requirements.
Policy CON-20. Water Conservation. Encourage water-conserving practices in businesses, homes and institutions and increase the use of recycled water.	<i>Consistent</i> The project will need to demonstrate compliance with the City of San Rafael/Calgreen requirements and compliance with water conservation measures required by MMWD.
Policy CON-21. Waste Reduction/Recycling. Encourage waste reduction practices. Encourage recycling through provision of recycling containers, and developing and promoting both existing and new programs.	<i>Consistent</i> Marin Sanitary Service (MSS) would provide solid waste disposal for the project. The MSS offers recycling programs for their residential and commercial accounts and operates a Resource Recovery and Recycling Center.
Policy CON-22. Resource Efficiency in Site Development. Encourage site planning and development practices that reduce energy demand, support transportation alternatives and incorporate resource- and energy-efficient infrastructure.	<i>Consistent</i> The project will need to demonstrate compliance with the City of San Rafael/Calgreen requirements and compliance with water conservation measures required by MMWD. In addition, the project proposes a total of 12 bicycle parking spaces and conditions of approval require an additional 6 spaces.



**140-Room Hotel in San Rafael, California
An Economic Brief for Monahan Parker Inc.**

February 2019

Executive Summary

A proposed hotel is set for San Rafael, California at the corner of 5th and B streets. This report estimates the potential economic impacts to San Rafael as a result of this hotel being built and operated based on assumptions from the developer on construction budget, operational data on revenues and occupancy, and current tax rates. This hotel would have 140 potential rooms for overnight guests all year round. The hotel is set to have on-site food and beverage, as well as other retail sales. Hotel visitors not only pay for their hotel room and some meals on the restaurant site, they also spend money throughout San Rafael otherwise. The city of San Rafael receives a portion of the transient occupancy tax (TOT) and sales tax revenues that flow from these sales. Jobs and business incomes are supported and increased once operations begin; this hotel's construction also provides positive economic benefits to San Rafael while building takes place. Once complete, the property improvements increase property tax revenues for the city annually.

Construction impacts:

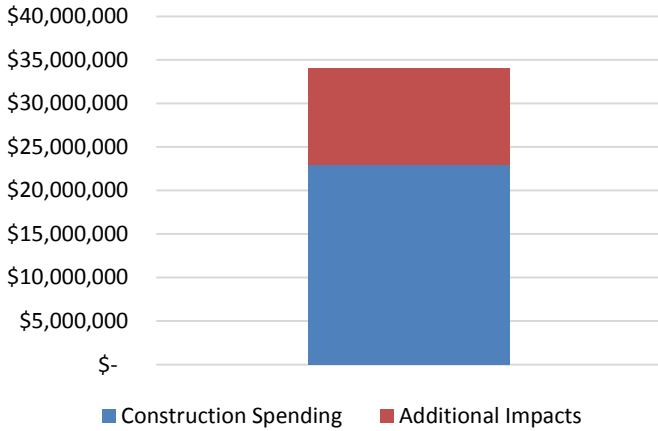
- The hotel is estimated to cost \$23 million to construct, and have fees associated of approximately \$1.1 million;
- These costs and fees generate an additional \$11.1 million in local business revenues and support over 193 jobs during construction, including 118 full-time equivalent jobs associated with the hotel construction alone; and
- Over \$2,578,000 in one-time fees and taxes after construction is complete, where the change property taxes (including the increase in the parcel's value due to the hotel's

Once construction is completed and guests begin to arrive, the hotel's business operations generate:

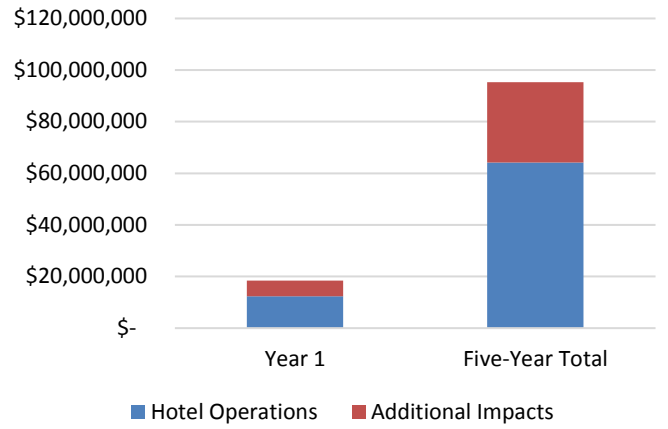
- The total sales of \$12,358,750 have economic impacts on other businesses and employees in San Rafael in year 1 begin the economic impacts for San Rafael's economy;
 - Another \$6 million in business revenues for hundreds of businesses throughout San Rafael;
 - Supporting over 99 jobs throughout in year one, with approximately 75 workers at the hotel and associated spaces; and
 - \$2.309 million in state and local tax revenues generated, including sales taxes on site and throughout the city of an additional \$329,700 in year 1, \$1.086 million in TOT revenues and over \$578,000 in new property tax revenues after the hotel's operations in year 1 (\$330,000 of that amount is from the hotel parcel due to the construction improvements as an ongoing benefit to the city).
 - The impacts are ongoing, such that the effects in years 2 through 5 grow due to hotel revenue growth such that over five years after operations begin:
 - Business revenues throughout San Rafael rise by \$95,358,000;
 - Total jobs supported on-site and at employers throughout San Rafael is 107 workers; and
 - State and local tax revenues are over \$11,985,000, with over \$5.65 million in new TOT, \$1.71 million of new sales tax revenue (for which San Rafael gets some proportion); and augmented property tax revenues of \$2.97 million of which the hotel contributes over \$1.68 million new property tax revenues.

The following figures provide a detailed comparison of each phase and set of impacts.

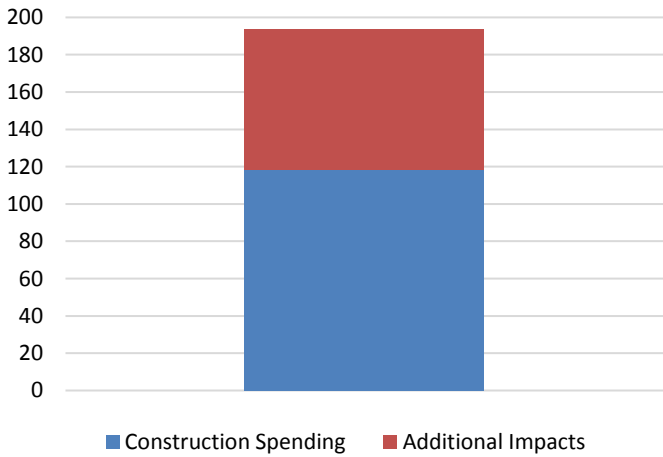
Construction: Business Revenues while Building



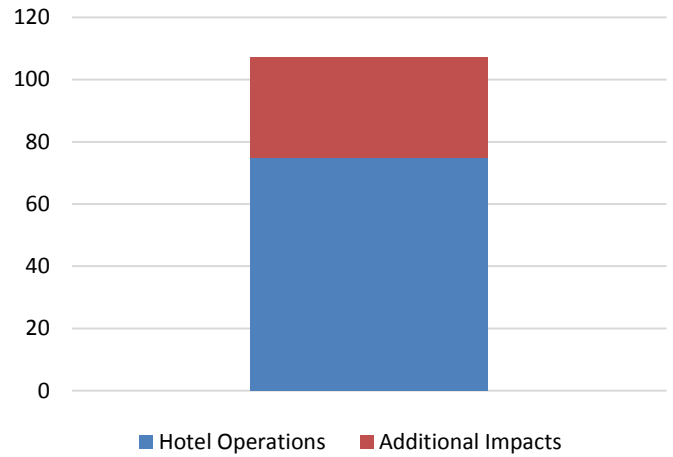
Operations: Business Revenues Year 1 and Five-Year Cumulative Effects



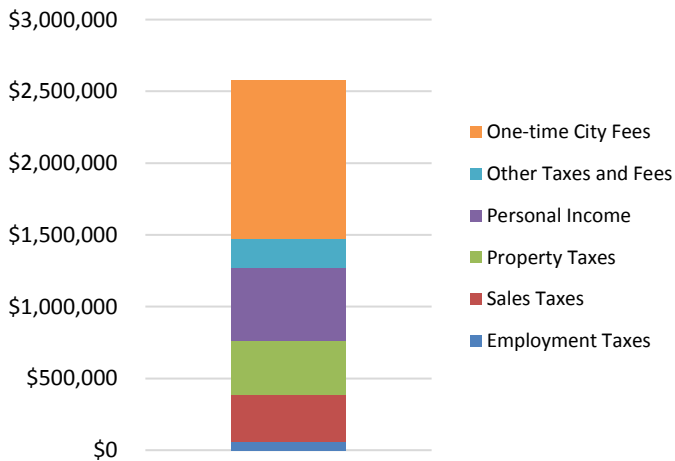
Construction: Number of Jobs Supported



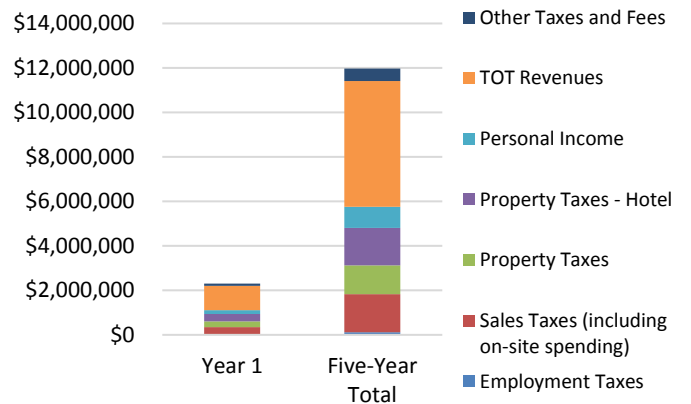
Operations: Number of Jobs Supported



Construction: Tax Revenues while Building



Operations: Additional Tax Revenues Year 1 and Five-Year Cumulative Effects



Introduction

This report examines the economic impacts of a proposed 140-room hotel in San Rafael, California. This study was commissioned by Monahan Pacific and this proposed hotel is moving through the city's planning as of February 2019. This report estimates the hotel's potential economic impacts to San Rafael. The economic impacts come in two stages:

- Stage 1: Construction costs of \$23 million in hard costs and \$1.1 million in city fees; and
- Stage 2: Operations, including hotel room purchases and associated visitor spending if \$12,358,750 in year one and then growth of revenues annually.

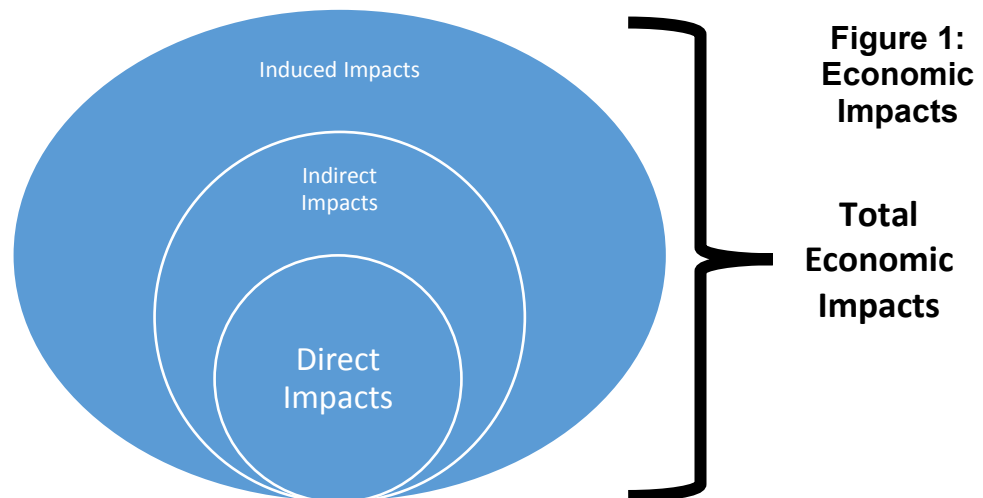
Basic Ideas: Economic Impacts

There are broader economic effects of building and operating the hotel on San Rafael's economy including more supported jobs, new annual business revenues and new tax receipts. Economic impacts come in three "flavors" starting the same way ripples come from throwing a rock into a still pond; the rock illustrates the hotel's construction and operations, rippling out into the broader economy as additional economic impacts. Figure 1 shows the multiplier effect of these rounds of new spending in theory.

Direct effects come from the hotel construction and daily operations. Indirect effects come from vendor relationships that become broader spending. For example, during construction there will be materials and food trucks and purchases made by the developer and on-site workers. The businesses paid from those transactions are **indirectly** affected by the hotel's construction. Once operating, the hotel may

purchase cleaning services from a third-party company for sheets, linens and other laundry needs. This vendor spending supports some portion of the cleaning company and its employees as indirect revenues, wages and supported jobs. This indirect spending leads to induced effects, including the cleaning company's

employees spending their wages on groceries, medical visits, restaurant meals, and various other industries that have nothing to do with the hotel's operations.



Let's look first at the construction spending and then hotel operations. The direct economic impacts are estimated data provided by the developer based on budgets and operations estimates as of February 2019. The broader impacts use the IMPLAN[®] model¹ for San Rafael.

¹ See <http://www.implan.com> for more information on the IMPLAN[®] model; we use the model for San Rafael's zip codes.

Estimated Economic Impacts: Construction Spending

Any commercial real estate construction has a period of time where the economic impacts are due to building the hotel facility before daily operations begin. The estimated budget is:

- HOTEL = \$23 million construction cost for 140 rooms, with \$1.1 million in city fees.

The HOTEL has more land improvements and thus a larger assessed property value after construction; the augmented property tax revenue is shown in the operations estimates. The IMPLAN® model has estimates of full-time equivalent employment levels on-site and also the taxes and business revenues supported by construction spending. Figures 2 through 4 provide the estimated economic effects. A glossary in the Appendix provides more explanations of some of the major industries affected below.

Figure 2: Employment Impacts, Hotel Construction, Full-Time Equivalents Supported

Industry	Direct	Indirect	Induced	Totals
Hotel Construction	118.4	3.6	1.8	123.8
Wholesale trade	0.0	3.6	1.7	5.3
Health and personal care stores	0.0	3.3	1.4	4.7
Miscellaneous store retailers	0.0	3.1	1.3	4.4
Building material and garden equipment and supplies stores	0.0	2.8	1.3	4.1
Internet retailers	0.0	2.3	1.1	3.4
Electronics and appliance stores	0.0	2.2	1.1	3.3
Real estate	0.0	1.9	1.0	2.9
Architectural, engineering, and related services	0.0	1.8	0.9	2.7
Retail - Sporting goods, hobby, musical instrument and book stores	0.0	1.3	0.9	2.2
All Others	0.0	14.2	22.9	37.1
Totals	118.4	40.1	35.4	193.9

Figure 3: Business Revenue Effects Annually, Hotel Construction, 2019 Dollars

Industry	Direct	Indirect	Induced	Totals
Hotel Construction	\$23,000,000	\$930,100	\$890,000	\$24,820,100
Wholesale trade	\$0	\$407,500	\$299,800	\$707,300
Rental Income for Property Owners	\$0	\$403,700	\$293,500	\$697,200
Real estate agencies	\$0	\$373,400	\$202,100	\$575,500
Building material and garden equipment and supplies stores	\$0	\$300,100	\$190,900	\$491,000
Health and personal care stores	\$0	\$289,200	\$164,100	\$453,300
Internet retailers	\$0	\$232,900	\$116,400	\$349,300
Architectural, engineering, and related services	\$0	\$217,300	\$116,100	\$333,400
Truck transportation	\$0	\$200,400	\$112,200	\$312,600
Retail - Miscellaneous store retailers	\$0	\$192,100	\$109,800	\$301,900
All Others	\$0	\$2,185,900	\$2,892,800	\$5,078,700
Totals	\$23,000,000	\$5,732,600	\$5,387,700	\$34,120,300

Figure 4: State and Local Tax Receipts, Hotel Construction, 2019 Dollars

Tax	Totals
Employment Taxes	\$ 57,800
Sales Taxes	\$ 325,100
Property Taxes	\$ 379,800
Personal Income	\$ 510,700
Other Taxes and Fees	\$ 205,200
One-time City Fees	\$1,100,000
Total State and Local taxes	\$2,578,600

The construction impacts last over the time of construction, where new property tax revenue (from land improvements) connect construction impacts to operational impacts.

Estimated Economic Impacts: Hotel Operations

For the hotel, there is an estimated 85 percent occupancy daily with 140 rooms offered 365 nights a year. The average daily rate (ADR) is \$250 in year 1 of operations. The ADR is estimated to rise at two percent per year for years 2 through 5. Overnight stays are just the beginning of revenue generation. There are also on-site food and beverage and other sales while guests are on property. Those additional revenues are estimated to be \$1,500,000 in year 1 and rising at 1.5 percent per year years 2 through 5. To summarize:

- Hotel room sales = \$10,858,750 in year 1 based on occupancy and ADR;
- F&B and other sales = \$1,500,000 in year 1; and
- Annual totals = \$12,358,750, rising at a weighted average of 1.88 percent for years 2 through 5.

Because the hotel room and food, beverage and other sales are taxable in their own ways (transient occupancy tax for hotel stays and sales tax of other sales), there are city and county benefits from this hotel space in terms of public revenue. Property taxes rise due to the construction improvements specific to the hotel parcel to a total of \$330,000 paid annually by the land owner; other property tax revenues increase due to the economic activity annually generated by the hotel's operations, hiring and broader economic impacts (\$248,300). While this additional tax revenue did not come from operations, these additional revenues are **annual, ongoing** additions to public revenue generated from this project. Further, due to enhanced incomes throughout San Rafael and Marin County, there are other sales tax increases and property tax increases through further retail sales and land/home transactions respectively.

- Property tax increase specific to the property estimated to be \$330,000 in year 1 (which is \$290,400 based on hotel improvements), with one percent escalation for each of years 2 through 5;
- Sales taxes increase by \$135,000 in year 1 based on hotel operations, rising at 1.5 percent per year (following on-site retail sales) for years 2 through 5; and
- TOT taxes rise for San Rafael by \$1,085,875 in year 1 and rise 2 percent per year (following hotel room sales escalation in price) in years 2 through 5.

Visitor spending beyond the hotel space has only an "induced" impact, as there are no ripple effects otherwise. Those additional spending levels are estimated in the IMPLAN® model results in Figures 5 through 7. Second, we assume that the occupancy rates and revenue levels hold at the current levels in a competitive, regional marketplace. From this activity, additional economic impacts come to the city economy. Also, we assume the current tax rates hold over the next five years, as does the occupancy rate of 85 percent.

Using the IMPLAN® model, Figures 5 through 7 show the estimated economic impacts from hotel operations. These figures also provide an estimate of the five-year, cumulative effect of hotel operations, as each year builds on the next for the San Rafael economy.

Figure 5: Employment Impacts, Hotel Operations, Year 1 and Five-Year Impacts, 2019 Dollars, Full-Time Equivalents Supported

Industry	Direct	Indirect	Induced	Hotel Year 1	Five Year Cumulative
Hotel Operations	58.5	1.2	0.6	60.4	65.1
All other food and drinking places	16.5	0.8	0.6	17.9	19.2
Real estate agencies	0.0	0.7	0.5	1.2	1.2
Full-service restaurants	0.0	0.6	0.5	1.1	1.1
Wholesale trade	0.0	0.5	0.4	1.0	1.0
Limited-service restaurants	0.0	0.5	0.4	0.9	0.9
Advertising, public relations, and related services	0.0	0.5	0.4	0.8	0.8
Management of companies and enterprises	0.0	0.4	0.3	0.8	0.8
Services to buildings	0.0	0.4	0.3	0.7	0.7
Maintenance and repair construction	0.0	0.4	0.3	0.7	0.7
All Others	0.0	6.2	8.0	14.2	15.4
Totals	75.0	12.1	12.4	99.5	107.2

Figure 6: Business Revenue Effects Annually, Operations, Year 1 and Five-Year Impacts, 2019 Dollars

Industry	Direct	Indirect	Induced	Hotel Year 1	Five-Year Cumulative
Hotel Operations	\$10,858,700	\$ 267,900	\$ 476,600	\$11,603,200	\$60,238,500
All other food and drinking places	\$ 1,500,000	\$ 261,600	\$ 163,300	\$ 1,924,900	\$ 9,993,500
Rental Income for Property Owners	\$ -	\$ 220,500	\$ 158,700	\$ 379,200	\$ 1,968,600
Real estate agencies	\$ -	\$ 158,600	\$ 109,600	\$ 268,200	\$ 1,392,000
Wholesale trade	\$ -	\$ 154,100	\$ 103,200	\$ 257,300	\$ 1,335,500
Management of companies and enterprises	\$ -	\$ 132,200	\$ 88,600	\$ 220,800	\$ 1,146,400
Advertising and related services	\$ -	\$ 113,200	\$ 62,800	\$ 176,000	\$ 913,700
Insurance carriers	\$ -	\$ 108,300	\$ 62,700	\$ 171,000	\$ 887,700
Maintenance and repair construction	\$ -	\$ 94,900	\$ 61,200	\$ 156,100	\$ 810,200
Cable and other subscription programming	\$ -	\$ 83,600	\$ 60,200	\$ 143,800	\$ 746,700
All Others	\$ -	\$1,507,300	\$1,560,300	\$ 3,067,600	\$15,926,000
Totals	\$12,358,700	\$3,102,200	\$2,907,200	\$18,368,100	\$95,358,800

Figure 7: State/Local Tax Receipts Annually, Operations, Year 1 and Five-Year Impacts, 2019 Dollars

Tax	Hotel Year 1	Five-Year Cumulative
Employment Taxes	\$23,600	\$ 122,600
Sales Taxes (including on-site spending)	\$329,700	\$ 1,711,600
Property Taxes	\$248,300	\$ 1,289,200
Property Taxes - Hotel	\$330,000	\$ 1,683,300
Personal Income	\$183,700	\$ 953,900
TOT Revenues	\$1,085,900	\$ 5,651,100
Other Taxes and Fees	\$108,700	\$ 564,200
Total State and Local taxes	\$2,309,900	\$11,985,200

Conclusions

The construction spending and day-to-day operations after construction and occupancy for the proposed hotel in San Rafael, California has the following, summary economic impacts on the city's economy.

Summary Economic Impacts

Construction impacts:

- The hotel is estimated to cost \$23 million to construct, and have fees associated of approximately \$1.1 million;
 - This spending generates an additional \$11.1 million in local business revenues and support over 193 jobs during construction, including 118 full-time equivalent jobs associated with the hotel construction alone; and
 - Over \$2,578,000 in one-time fees and various taxes are generated during construction, where the change in property tax revenue (including the increase in the parcel's value due to the hotel's assessed value) is ongoing for the city economy.

Operational impacts:

Once construction is completed and guests begin to arrive, the hotel's business operations generate:

- The overnight stays are estimated to provide revenue of \$10,858,750 in year 1;
- The food and beverage and other sales at the hotel provide another \$1,500,000 in year 1;
- The total sales of \$12,358,750 have economic impacts on other businesses and employees in San Rafael in year 1 begin the economic impacts for San Rafael's economy;
 - Another \$6 million in business revenues for hundreds of businesses throughout San Rafael;
 - Supporting over 99 jobs throughout in year one, with approximately 75 workers at the hotel and associated spaces; and
 - \$2.309 million in state and local tax revenues generated, including sales taxes on site and throughout the city of an additional \$329,700 in year 1, \$1.086 million in TOT revenues and over \$578,000 in new property tax revenues after the hotel's operations in year 1 (\$330,000 of that amount is from the hotel parcel due to the construction improvements as an ongoing benefit to the city).
 - The impacts are ongoing, such that the effects in years 2 through 5 grow due to hotel revenue growth such that over five years after operations begin:
 - Business revenues throughout San Rafael rise by \$95,358,000;
 - Total jobs supported on-site and at employers throughout San Rafael is 107 workers; and
 - State and local tax revenues are over \$11,985,000, with over \$5.65 million in new TOT, \$1.71 million of new sales tax revenue (for which San Rafael gets some proportion); and augmented property tax revenues of \$2.97 million of which the hotel contributes over \$1.68 million new property tax revenues.

References and Glossary

Data on the hotel's construction budget and hotel operations data were provided by Monahan Pacific. Tax rates are as of February 1, 2019.

The following definitions pertain to line items referenced here. Many of these definitions come from the US Bureau of Labor Statistics. Please see www.bls.gov for further details.

- **All other food and drinking places:** All additional restaurants not captured in limited- or full-service restaurants, including food trucks.
- **Full-service restaurants:** Establishments primarily engaged in providing food service to patrons who order and are served while seated, and pay after eating. These establishments may sell alcoholic beverages, provide take-out services, operate a bar or present live entertainment, in addition to serving food and beverages.
- **Insurance carriers:** insurance agents and businesses
- **Limited-service restaurants:** any establishments whose patrons generally order or select items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to customers' locations.
- **Management consulting services:** businesses hired as consultants to help with company operations, decisions, and other aspects of running a business.
- **Management of companies and enterprises:** This sector comprises establishments primarily engaged in managing companies and enterprises and/or holding the securities or financial assets of companies and enterprises, for the purpose of owning a controlling interest in them and/or influencing their management decisions.
- **Medical offices:** health care outside hospitals, based on outpatient general care outside of rehabilitation or skilled nursing and residential health facilities.
- **Rental Income for Property Owners:** The income made by owners of homes they occupy, through rent payments or other savings due to home ownership.
- **Other financial investment activities:** This industry comprises establishments, not classified to any other industry, primarily engaged in providing, on a contract or fee basis, miscellaneous financial investment services, such as trust, fiduciary and custody services, and other investment services.
- **Internet Retailers:** These retail businesses do not have a storefront, but are locally headquartered and sell their goods and services through the internet or catalogs.
- **Wholesale Trade:** Businesses that connect goods producers to retailers, classic distribution and wholesale businesses, including Costco.

About Marin Economic Forum

The Marin Economic forum provides information and opportunities to collaborate for improving Marin County's economic vitality, while seeking to increase social equity and protect the environment.

Please see www.marineconomicforum.org for more information.

Mission Statement

The Marin Economic forum enables Marin's economic stakeholders* to collaborate on improving the County's economic vitality, focusing on Marin's targeted industries** while enhancing social equity and protecting the environment.

Marin Economic Forum is...

- Connecting Businesses to partners and solutions;
- Educating on the importance of business for Marin County's future;
- Providing data and information to help businesses and local governments; and
- Supporting economic development efforts for sustainable growth of local businesses.

Strategic Objectives

- Attract, retain, and grow businesses and jobs to continually strengthen Marin County's economy;
- Establish periodic forums for the stakeholders to share their visions and goals, to exchange mutually beneficial information and leverage limited resources;
- Collect, analyze and disseminate economic data and trends;
- Educate Marin County about its economic successes, challenges, and progress;
- Improve "economic sustainability" by prescribing economic development that integrates social equity and environmental balance with economic growth; and
- Encourage governmental bureaucracy reduction and judicious economic policies to support the local economy and a thriving workforce.

The lead author on this work was Robert Eyler, PhD. Robert acts as MEF's chief economist. Dr. Eyler earned a Ph.D. Economics from UC Davis and holds a BA in economics from CSU, Chico.



UNITED GROWTH

April 17, 2019

San Rafael Planning & Zoning Department
1400 Fifth Avenue
San Rafael, CA 94901

Re: In Support of Proposed Hotel for Downtown San Rafael

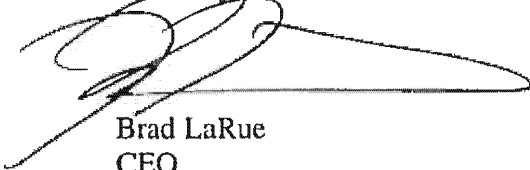
To Whom It May Concern,

I am a local Private Equity Fund owner in downtown San Rafael. Please accept this letter as a vote in full support of the proposed hotel project at 5th & B Street, San Rafael. Unfortunately, I will not be able to attend and voice my approval at the Planning Commission meeting set for April 23, 2019.

I believe having a hotel such as this would be hugely impactful for the community, not only from the direct economic impact of the hotel itself but also the creation of jobs, tourism, greater economic benefits to downtown businesses and restaurants, as well as benefiting over a million dollars of taxes paid directly to the City each year.

I strongly urge you to consider this proposed hotel project which I believe will only enhance our City and make for a more vibrant and bustling downtown.

Sincerely,



Brad LaRue
CEO

□

Date: April 15, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901
415-485-3085
Attn: Alicia Giudice
Senior Planner



Dear Planning Commissioner,

I am writing in support of the AC Marriot Hotel on the corner of Fifth Avenue & B Street in Downtown San Rafael. I am a resident of San Rafael and I am familiar with the downtown area. I believe both San Rafael and as well as Marin County will benefit financially, economically, and culturally from the new hotel

Being a local of resident I know there is a real need for a quality hotel like the one being presented. The project presents a positive influence and development that will increase local revenue. I urge you to please approve this important project.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read "Chase Grieve".

Chase Grieve
Marin County Resident
San Rafael

Alicia Giudice

From: DJ Nagle <[REDACTED]>
Sent: Tuesday, March 5, 2019 6:37 PM
To: Alicia Giudice
Subject: Hotel Project at 1201 Fifth Avenue

Boyd Court Condominium Owners Association
1115 B Street #400
San Rafael, CA 94901

d [REDACTED]

March 4, 2019

Alicia Giudice
San Rafael Community Development Department, Planning Division
City of San Rafael
1400 5th Ave., San Rafael, CA 94901

Dear Ms. Giudice and members of the Community Planning Division,

My name is Darla Nagle. I am the President of the Board for The Boyd Court Condominium Owners Association (BCCOA) and an owner at The Boyd Court Condominiums. I am writing to you on behalf of our board of directors and the homeowners' association. We are the condominium complex located at 1115 B Street—the terra cotta-colored building sandwiched between Umpqua Bank to the south and Boyd Park to the north. With only Umpqua Bank in between and a slight difference in elevation, we sit directly in line with, and no more than 100 feet away from, the proposed site for the new 140 room hotel building at 1201 Fifth Avenue. It is the belief of the BCCOA that permitting this project to move forward would be detrimental to the value and enjoyment of the homes in our community. It would diminish our scenic views as well as our privacy and put further strain on our already existing parking issues.

We are a community of 25 units split up between 3 floors, with 10 units facing north and 15 units overlooking downtown San Rafael. From our decks and windows, we enjoy views of the southern San Rafael hills and Mount Tamalpais. In spring and summer we can spend time on our decks, soaking up the afternoon sun. However, if AC Marriot is allowed to build their hotel at Fifth and B Street, their imposing, 54-foot-tall building—the height of which would significantly exceed its neighbors on every corner—would not only greatly diminish the views of our south-facing homes at Boyd Court, but may also cut out a significant portion of our sunlight. In particular, the hotel's height would severely impact the views and sunlight enjoyed by our second

and first floor homeowners, leaving them living either in the shadows or in the glare of the reflective surface indicated in the current building plans for the hotel.

In addition to the loss of sunlight and views, the south-facing residents of our condominium also stand to lose most of their privacy. Since the Umpqua Bank building is short in structure and the new hotel would be much taller, the north-facing guest rooms would have a view directly onto the decks and into the windows of our south-facing units on the third and possibly second floor. Hotel guests would be able to watch us as we spend time on our decks, in our bedrooms, dining areas, kitchens and living rooms. The only alternative for our south-facing residents would be to retreat behind our curtains, again taking away our ability to enjoy the sunshine of warm San Rafael days.

Another issue this new hotel would create for Boyd Court homeowners relates to parking. The Boyd Court Condominiums are supported by two covered parking areas which leaves us with less than two spaces per unit. It is only the seven extra spaces of our outdoor guest and overflow parking area—in the lot located on Fifth Avenue between Umpqua and Union Banks—that keeps both our carport and our garage from being overtaxed. As it stands, we have to fight to protect these outside spaces. With no way to keep drivers out beyond signage that marks our portion of the parking lot, we are regularly encroached upon by Farmer's Market patrons, St. Raphael parishioners and delivery drivers from Amici's East Coast Pizzeria as well as downtown visitors looking for unpaid parking. If the new hotel were to be built, it would only compound this very real problem.

According to details presented at the previous design review board meeting, the hotel would have a parking garage allowing space for 86 vehicles. With 140 guest rooms and a staff of 30, this parking structure would provide for only half of the hotel's needs on a busy day, leaving a sizeable number of employees and guests to hunt for parking on city streets and in public lots. With Boyd Court's open guest parking directly across the street from the entry/exit of the hotel's parking lot, it's not a stretch to believe that many would find their way into our lot, taking spaces from our residents who are actually entitled to use them.

A closely related issue that we would also ask you to consider concerns the impact of what all these additional cars would have on our already crowded streets. As it is, traffic slows to a crawl during peak times, and although the Smart Train is a welcome improvement, the stoppage of traffic while waiting for trains to pass hasn't helped traffic matters any. The added traffic that comes with a large hotel would make driving in downtown San Rafael during rush hour a chore like no other.

As our final point, we would like to refute AC Marriot's claim that short-term housing is necessary in downtown San Rafael. San Rafael is not a tourist destination and as business districts go, we are quite small, catering mostly to small local merchants. Furthermore, we have two fine hotels filling the short-term housing needs that already exist. The Embassy Suites and Four Points San Rafael are only two freeway exits from the downtown area and are well served by both Golden Gate Transit and the Smart Train. Patrons of either hotel have no more than a two block walk to the nearest stop to catch what equals a five or so minute ride into town. For guests with cars, the trip is even simpler and quicker.

To sum up the concerns of the members of The Boyd Court Condominium Owners Association, we fear that the building of this hotel would diminish the homeowner privacy, sunlight, landscape views and parking privileges that make our condominium complex such a desirable place to live. We also believe these negative impacts on our quality of life would be detrimental to our property values. All of this for a hotel that would fit poorly into the existing ambiance of the city, would only worsen traffic on our streets and Would serve no need except for one that has already been filled.

The Boyd Court Condominiums have been a part of the downtown San Rafael community for 25 years. Our building was originally designed to be a five story structure, but due to the concerns of the Laurel Heights community, we were scaled down to the three story building we are today. As you make decisions about this hotel project, we ask that you give us the same consideration accorded to those homeowners so many years ago. Please do not allow this ill-conceived project to move forward. Make the current residents of downtown San Rafael your first priority and preserve the history and aesthetics we have created in our great city.

Sincerely,

The Boyd Court Condominium Owners Association Board of Directors

Alicia Giudice

From: DJ Nagle <dnagle@mail.ccsf.edu>
Sent: Tuesday, March 19, 2019 5:40 PM
To: Alicia Giudice
Subject: 140 Room at 1201 Fifth Avenue

March 19, 2019

Alicia Giudice
Planning Division
1400 Fifth Ave.
San Rafael, CA 94901

RE: Hotel Project at 1201 Fifth Avenue

Dear Ms. Giudice,

My name is Darla Nagle. I am the President of the Board for the Boyd Court Condominium Owner's Association. We are the terra cotta colored building that is located at 1115 B Street. Our building is in between Boyd Park and Umpqua Bank. The board of directors sent you a lengthy letter at the time of the last Design Review Board meeting that spoke of our many objections to the hotel project at 1201 Fifth Avenue.

This time I am writing you as an individual owner that is quite disappointed with the outcome of the March 5th meeting of the Design Review Board. So many issues that the developer of the hotel was asked to address seemed to go unanswered and the concerns of the many community members who spoke at the July meeting and wrote letters also seemed to fall on deaf ears.

The DRB requested the building be both stepped back from the street and stepped back in height. There was no change in the plans showing a step back from the street and when the height was discussed and a possible decrease in the number of guest rooms brought up the representatives of the developer only stated that economically speaking all 140 rooms are necessary. They were unwilling to budge when it came to the building's height and in fact want to increase it more with their guest facilities on the roof. What was even more disturbing is that the Review board had no response to this. They seemed to be giving the developer's a pass despite strong objections by the community.

Similarly, the DRB requested the parking situation to be looked at. The original design only provides parking for half of the hotels needs on a busy day. Not only did the plans and discussions reflect no remedy for the inadequate parking, but a drop off space somewhere near the corner of Fifth Avenue and B Street was discussed. This would only compound the issue of congestion surrounding the building. Landscaping was also brought up at the July meeting and again the developer's solution was minimal at best.

These issues and several others were brought up by community members at the July meeting and again at the March 5th meeting. The building is just too big for that space. The height will take away views that more than half of our 25 residents now enjoy and our privacy will be nonexistent. The traffic issues this hotel will create will effect several downtown neighborhoods. These issues could all be addressed with a scaling back of the project. However, our objections are seemingly going unheard and our voice taken away. At the last meeting notices for the meeting were sent out in only a 300-foot

radius and many were left unaware. This can't possibly be considered sufficient notice by anyone with common sense.

The residents of downtown San Rafael are what give the city its heart. We have a strong voice and deserve to be heard. I ask that you not let the DRB just give this hotel project a pass. Please listen to the community and make the developer supply answers for all of the board's requests and for those of the San Rafael citizens. Require the developer to scale back the project and make it a better fit for our community.

Sincerely,

Darla Nagle



March 4, 2019

To: Alicia Guidice, project planner

Re: Hotel at 1201 Fifth Avenue

Dear Alicia,

I would like to add my voice to those opposing the construction of a hotel at 1201 Fifth Avenue, on the corner of B Street and Fifth Avenue. Following are my concerns:

Fit:

The project is located in the Fifth/Mission Residential/Office district. As the name of the district suggests, a residential project would be appropriate as well as needed at this location. A more desirable location for an AC Marriot type hotel would be in the Fourth Street Retail Core district across from the proposed Bio Marin complex, or better yet, close to the freeway.

The regulations for the district encourages residential uses and structures no higher than three stories (see text copied from City of San Rafael below in blue, in particular: "Building heights will typically range from one to three (3) stories"). A hotel, and particularly one of this size and height (five to six stories), does not belong in this neighborhood.

It is further stated that "This area is a desirable location for *residential* uses because of the convenience of living close to downtown's cultural, entertainment *and* shopping opportunities." This is not a residential use.

Fifth/Mission Residential/Office District (5/M R/O).

1.

Existing Character. The *Fifth/Mission residential/office* district is a mixed-use *residential and office* area between the Fourth Street retail core *and* nearby *residential* areas. Many cultural *and* civic uses, such as city hall, the Falkirk Cultural Center *and* the San Rafael *Mission*, are in or adjacent to this district. *Fifth and Mission* Avenues have some of downtown's nicest places because of their beautiful street tree canopies, historic buildings, *and* Boyd Park.

2.

Allowed Uses. The *Fifth/Mission* district should continue to have *residential, office, civic and* cultural uses. The district provides suitable sites for a wide variety of *office* uses, including medical, bank, professional *and* administrative *offices*. These uses are compatible with *residential* uses, provide a sensitive transition between the core *and* the neighborhoods, *and* are better located along *Fifth and Mission* than on downtown's retail streets. Cultural *and* educational uses are allowed throughout, *and* ground floor retail *and* personal service uses are allowed from "C" Street east, on cross streets between Fourth Street *and* Fifth Avenue. Limits on retail uses *and* drive-up uses protect the livability of the *Fifth/Mission* district. This area is a

desirable location for *residential* uses because of the convenience of living close to downtown's cultural, entertainment *and* shopping opportunities.

3.

Design Intent. Infill development will preserve the scale *and* elegant character of existing buildings along *Fifth and Mission* Avenues. Building heights will typically range from one to three (3) stories, with larger scale buildings closer to the center of downtown.

Height:

When Boyd Court, at 1115 B Street, which is located approximately 100 feet from the proposed project was proposed 26 years ago, the neighborhood protested the height for the 32-unit residential condominium project. The developer was asked to reduce the height and number of units. Boyd Court is therefore one less story and seven units smaller. If the City can request this of a needed housing project, the City can ask the same of a behemoth hotel project.

Parking:

The inadequacy of the parking, as proposed, (140 rooms with 86 parking spaces), will push guest, visitor, delivery and staff/employee parking into a neighborhood already severely and negatively impacted by Downtown events and St. Raphael's visitors that overwhelm the neighborhood, not only all day Sunday, but frequently during other church services.

It is more than naive to believe the developer's assertion that guests will use public transportation and taxis from the airport to get to the hotel. Employees, who assuredly will not be making wages that would allow them to reside anywhere near San Rafael, will need to use their cars to go to work and will also be forced to park in the neighborhood. In addition, because hotel workers are low wage food service or housekeeping employees they would not be able to utilize or afford paid parking structures within the city.

Downtown residents would be expected to compete with hotel employees for parking in the neighborhood.

Traffic:

Although the focus of the Design Review Board (DRB) is design, the impact on traffic must be addressed for a project of this size.

The Farmers' Market and other Downtown events have forced traffic onto Fifth Street and Mission Street. Fifth Avenue is a thoroughfare to and from the West end, San Anselmo and Fairfax communities and the coast. The SMART train impacts traffic not only when trains enter San Rafael, but the additional traffic lights that were added on both sides of the track make it difficult for traffic to flow when the trains are not present. When the SMART train extends to the Larkspur ferry, Second and Third Street, which now relieve some of the traffic flow, will no longer provide that relief. Due to the success of the SMART with commuter, more trains are being added as well.

Had a residential project been proposed, the residents would want to take public transportation to and from their home to work.

Vegetation:

Five tall, mature redwood trees are proposed to be removed. If San Rafael is Tree City, how can we allow the applicant to ride roughshod over existing mature on-site and street trees? Instead retain the Redwood trees that are currently on the site, and don't cover the entire lot with with this big-box building. Include additional planting and possibly an outdoor seating area for guests adjacent to and under the redwoods.

Request that the applicant step the building back from the sidewalk and remove the overhang that would further darken the Fifth Avenue elevation. Again, as stated in the regulations: *Fifth and Mission* Avenues have some of downtown's nicest places because of their beautiful street tree canopies, historic buildings, and Boyd Park.

“Boutique” hotel:

To call this proposal and boutique hotel is a misnomer. According to USA Today, “boutique hotels are small and they pride themselves on their uniqueness”. There is nothing small or even unique about this proposal.

Direct impacts on our adjacent residents/owners:

Privacy:

The 25-unit Boyd Court condominium complex is located less than 100 feet from the proposed project. The impact of this project, as proposed, will have a significant negative impact on our residents. While our complex is situated at a higher elevation than the proposed hotel, the current design will eliminate privacy for all units facing the proposed hotel. All North facing guest rooms will have through and through views of all of our units, both bedrooms, living space, private outdoor decks, and kitchens. Our only remaining areas of privacy will be our bathrooms and a portion of our dining areas.

Considering the height of the building and the fact that guest room windows will face us, we will have guests looking out of their windows and straight into ours. We will also have issues with glare both day and night due to the reflectivity of the exterior of the hotel.

Views:

The height of the building will completely eliminate the views of ten of our units located on the first and second floors of our complex and approximately 70% of the views from third floor residents.

Parking:

Visitor parking for Boyd Court units is located directly across the street in the lot between the Umpqua Bank and Union Bank buildings. Illegal parking is already a problem. The proposed hotel will exacerbate this problem for Boyd Court visitors.

Historic nearby buildings:

The building at 1010 B Street across the street from the proposed project is on the Historical survey list. The design of the project as proposed neither complements nor respects this or other buildings in the vicinity.

Streets Trees:

The tree lines on B Street and Fifth Ave are beautiful mature trees and the proposed design eliminates them.

In short, this project, if approved, will have a significant and increasingly negative impact on our City and in particular the neighborhood.

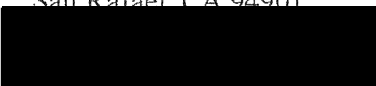
I strongly urge the Design Review Board to:

- Request the applicant reduce the number of hotel rooms to accommodate the 3-story guidelines.
- Step back the upper stories per the guidelines.
- Deny the request for a height exception.
- Direct the applicant to retain the on-site Redwood trees.
- Include more green spaces.
- Add more parking for guests and employees.
- Reduce the carbon footprint and environmental impacts of the building.
- Return with the above and a less intense proposal that would respect the neighborhood character.

Sincerely,



Ulla-Britt Jonsson
1115 B Street, #104
San Rafael, CA 94901



February 26, 2019

Community Development Department Planning Division
City of San Rafael
1400 5th Avenue
San Rafael, CA 94901

Re: Project 1201 Fifth Avenue

Dear Sir or Madam,

I am writing to you today to voice my strong opposition to this project as proposed. I am currently in Arizona so I will be unable to attend the March 5, 2019 meeting. I am a 20+ year Downtown San Rafael resident homeowner and taxpayer and this project, if approved as proposed will eliminate almost 100% of the quiet enjoyment of my residence.

As you are aware, both residential and business areas of Downtown San Rafael are very densely built. We already have significant issues with traffic and parking in the Downtown area. 5th Avenue particularly, is a thoroughfare to the West end and to the San Anselmo and Fairfax communities.

I attended the July 17, 2018 meeting on this project and was particularly disturbed by the Applicants response to Committee Members' questions relating to parking issues, most specifically when asked where Hotel Employees would park. I felt it was extremely offensive and thoughtless when the applicant replied that other than a couple of on-site parking spaces for Management, employees would park in the neighborhood. This is very offensive to Downtown residents. We all know that this City was built in the no vehicle or one vehicle per family era. The majority of us who live in the Downtown area are extremely lucky to have one off street parking space or driveway. Therefore, Downtown residents would be expected to compete with hotel employees for parking in our neighborhoods. It is also very offensive as it is a known fact that the majority of non management hotel workers are low wage food service or housekeeping employees and therefore not likely to utilize or afford paid parking structures within the city.

Currently, I own and occupy a condominium located at 1115 B Street, San Rafael CA. Our complex is a 25 unit 90% owner occupied property located less than 100 feet from the proposed project. The impact of this project if approved as proposed will have a very significant negative impact on our residents and our property values. Our complex is situated at a much higher elevation than the proposed hotel, the current design will completely eliminate privacy in 15 of our 25 units. Given the design of this proposal, all North facing guest rooms will have through & through views of all of our units, both bedrooms, living space, private outdoor decks, and kitchens. Our only remaining areas of privacy will be our bathrooms and a portion of our dining areas. I feel it is thoughtless and unacceptable considering that this building could easily be designed with all guest room windows oriented on the East side facing 1101 5th which is an office building, the South overlooking downtown business and offering spectacular views of the hills and Mt. Tamalpais, or the West overlooking the C Street parking structure and the new Public Safety building and not intrude on the solitude or privacy of even one Downtown resident. Additionally, this behemoth of a building will completely eliminate the views of 10 of our units located on the 1st and second floors of our complex and approximately 70% of the views from 3rd floor residents. Given the reflective nature of the building materials chosen for this project, any possible remaining views will likely be obstructed by glare. All 15 of our units will also have to endure the "full moon effect" caused by spill light from this building. The parking for our units will also suffer as our entire visitor parking and overflow parking is located directly across the street in the lot between the Umpqua Bank and Union Bank buildings. We already have very serious issues with these parking spaces. They are all clearly marked as restricted with legal towing notices but this still does not deter illegal parking. It is certain that this hotel will exacerbate this problem for us. All of these issues stated in this paragraph will also directly impact our neighbors anywhere up the hill in a similar fashion.

RECEIVED
MAR 05 2019
PLANNING

RECEIVED TO
ALICIA GIUDICE @
CITY OF SAN RAFAEL
2/26/2019

Now I would like to address the project in relation to our city and it's "fit" in our Downtown. To begin with, I would completely disagree with the applicant's suggestion of the need for a large hotel property within our city. My research indicates that hotel occupancy has declined since September of 2017 in Napa, Sonoma, Marin, and Solano Counties. I hope the DRB takes a moment to review the existing properties in Marin County, not only occupancy rates, but the appropriateness of the properties in their current locations. This hotel as proposed will be one of the largest properties in the entire County. In the July 2018 meeting the Applicant cited the needs of Bio Marin in particular for short term housing. This being said, the AC design and brand located in an area more adjacent to Bio Marin would in fact be a more appropriate fit. AC Marriott brand is seen in much larger urban areas. We have an AC here in the Phoenix/Tempe area. These are much larger cities and much newer cities. The majority of our downtown areas were built within the past 12 years and therefore this brand is a good fit. It is not a fit in the City of San Rafael. I do feel that a hotel property at 1201 Fifth would be a good addition to our City but I do not think we can benefit from or support more than a 60 room Boutique hotel. The City should consider something like a Kimpton property as they are noted not only for thoughtful design within the city in which they are located; they are also noted for their community friendly approach to business. The Hotel Palomar in Phoenix is a great example. This is a Kimpton property and the use of their rooftop pool, bar, and food service is open to the public with no fee. They even give you a towel, have DJ's on the weekends etc etc., all free to the public.

In closing, our City is densely built. Traffic is at its limit, parking is less than adequate, and this design would be an eyesore in comparison to our existing architecture. I would also be extremely upset to see the removal of the tree lines on B Street and 5th Ave as they are beautiful mature trees and the proposed design eliminates them. I feel that this project if approved will have a significant and increasingly negative impact on our City for years and years to come.

Your consideration is greatly appreciated.

Best Regards


Diane S DeMartini
[REDACTED]

Alicia Giudice

From: Lisa Doering <[REDACTED]>
Sent: Tuesday, March 19, 2019 8:32 AM
To: Alicia Giudice
Subject: Proposed hotel: 1400 Fifth Avenue

Hello Alicia,

I'd like to offer my input on the proposed hotel that the DRB will be discussing tonight. I learned a great deal about this project when the developer presented the plans at a recent CAC meeting, where I asked about whether the building would be powered by electricity or by solar power.

The developer said that it would be wired for solar, but that there were no plans to install it at this time.

This will be a very large building, and with 140 rooms running 24/7, starting out with no commitment to green energy seems foolhardy — this is an opportunity for both a great new offering in downtown San Rafael and a chance to start out on the right, green, foot!

I urge the DRB to ask the developer about this and to make it clear that San Rafael stands for sustainable energy sources for our children's future!

Lisa Doering | Play-Well TEKnologies
Vice President of Human Resources and Business Administration

www.play-well.org



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Sue Spofford

415.457.7656

March 19, 2019

Design Review Board
City of San Rafael
1400 Fifth Avenue
San Rafael, CA 94901

RE: Downtown Hotel Proposal

Honorable Board Members,
Following review of the revised hotel drawings online, we offer these suggestions for improving the surrounding pedestrian environment:

1. Add a welcoming entry to the B Street lower lobby directly from the sidewalk. The current pedestrian path there appears to be impeded by a column and inaccessible. A door directly from the sidewalk would greatly improve the building's presence on B Street, and more importantly the pedestrian and visual connection to 4th Street. This may involve some minor reworking of the lower lobby, to the benefit of both hotel patrons and the general public.

2. Treat the double-width auto entries (from both B and 5th) as driveways over the sidewalk, rather than as curb cuts. Pedestrians in the public right-of-way should not be forced to step down from their relatively safe sidewalk realm into a street-level auto realm serving a private entity. Special paving treatments should also be considered, to alert both pedestrians and drivers to this shared zone.

3. Move the trash area at the 5th Avenue auto entry away from the public sidewalk by flipping it with the 'designated loading zone', placing the trash further inside the building (and right next to the kitchen, a primary generator of the messiest trash).

4. Specify large-scale street trees, preferably deciduous, to soften and humanize the scale of the building in keeping with the rest of the city.

Thank you for your consideration.

Sincerely,

Jerry Belletto,
Sustainable San Rafael Board Secretary

CC: Raffi Boloyan, Community Development
Paul Jensen, Community Development
Danielle O'Leary, Economic Development
Bill Guerin, Public Works

March 4, 2019

o o o

Citizens Advisory Committee
San Rafael, CA 94901

Mayor Gary Phillips and City Council
City of San Rafael
1400 Fifth Avenue
San Rafael, CA 94901

Dear Mayor Phillips and Council Members,

On February 7, the CAC received a presentation of conceptual plans for a 140-room hotel at 1201 Fifth Avenue (at B Street). We wish to express our support for the development, which we believe would bring enhanced vitality and economic development to downtown San Rafael.

The benefits to the city include significant new employment, more pedestrian activity downtown, and replacing a currently vacant building with productive use.

The addition of a major hotel introduces a new land use to the heart of the city, bringing visitors to shop and dine at local businesses and augmenting municipal revenues with additional transit occupancy taxes. The hotel's proposed rooftop garden, bar and other amenities will also serve local residents and businesses, and attract people from elsewhere in Marin.

Please see the enclosed minutes of the February meeting for further points made by the CAC and members of the public in attendance.

Respectfully,

William Carney, CAC Chair

Attachment: CAC draft minutes, February 7, 2019

Citizens Advisory Committee for Economic Development and Affordable Housing (CAC)
City of San Rafael
Third Floor Conference Room, City Hall
February 7, 2019
Meeting Summary Notes

CAC Members Present: Kati Miller, Bill Carney, Roger Smith, Andrew Naja-Riese, Dirck Brinckerhoff, Andrea de la Fuente, Mari Jones

City Staff Present: Simon Vuong

Members of the Public Present:

Guest Presenters: Geoff Forner, Jonathan Parker

1. **Call to order:** Mr. Carney, Chair, called the CAC meeting to order at 7:02 pm.

2. **Approval of November 1st Meeting Notes:** Approved with edit to item 5: corrected spelling of last name Andrea de la Fuente.

3. **Seagate Properties Presentation: Presentation - Downtown Hotel (5th/B St) – Geoff Forner.**

Developers shared an update on their proposal for a new hotel located in downtown San Rafael, featuring 140 rooms and a variety of amenities, including a bar and rooftop garden. The hotel would be under the Marriot AC brand, a “hip”, contemporary urban themed facility. The CAC reacted favorably to the project, although there was considerable discussion about parking and circulation impacts. The developer said that a traffic study has been done, and that the parking provided meets code and could be supplemented by valet parking to spaces in nearby garages. One member pointed out the importance of marking the main corner pedestrian entrance with special architectural treatment, as the drawings indicated, while noting that the glass room windows there would often have their curtains closed. The developer mentioned that an entrance on B Street would provide easy pedestrian access to 4th Street businesses. Several CAC members and a member of the public requested the availability of a meeting room or conference space at the hotel, particularly for use by community-based non-profit groups. The project will go before the Design Review Board in March and Planning Commission in May, with construction expected to begin late this year and with a targeted opening in 2021.

As an action step from the meeting, the CAC will draft a letter to the City Council expressing support for the project to increase economic activity in downtown San Rafael.

4. Project Updates

- a. **East Francisco/Hampton Inn:** The owners had presented their proposed project of an H2/Hilton branded hotel at the East San Rafael Working Group, who responded positively overall. However, there were still some concerns regarding traffic and circulation. Although what’s currently on the site is not ideal and redeveloping the property is much better than leaving it vacant, some members questioned if this is the most suitable location for a hotel, given existing significant traffic congestion in the area. The hotel would have between 160-170 rooms.
- b. **Marin Square:** There is a new property owner for the center after much interest was shown by various developers. The current proposal on file with Planning, unfortunately, is just for a cosmetic upgrade and some landscaping treatment. The property owner is experiencing issues with the day laborers loitering on the property, which is not conducive to attracting tenants. The situation has existed at this site for a while. Several CAC members suggested proactively working

with the owner and other community members to potentially have a day laborer center, a model that has worked in other communities.

- c. **Whistlestop/BioMarin:** Project is still moving forward and cleanup on the remaining portion of the site is under way. The EIR scoping period will end in early March.
- d. **Northgate Walk:** The scaled-back project went before the Design Review Board in January, where the public comments were overwhelmingly opposed to the project's size. The CAC previously sent a letter in support of the project with the original number of units, so CAC members expressed dismay to see so much opposition to a project that still offers the city a significant amount of housing. The project is expected to be before the Planning Commission within the next couple of months, and then to City Council.
- e. **Other:** One CAC member requested a project update regarding 703 3rd St. (Seagate) scheduled to be heard at Planning Commission on 2/26/19. The CAC previously sent a letter supporting the development, while requesting a greater number of units, including a greater proportion of moderate income and affordable units, and exploration of public/private partnerships and other financing mechanisms to increase affordability.

5. Economic Development and Affordable Housing Goals for 2019: Mr. Vuong shared updates on behalf of Director O'Leary. He described the project at 88 Vivian St that was filed with the City, which would include 68 for-sale townhome units at the current Country Club Bowl bowling alley site. Mr. Vuong spoke about the Tivoli lights that were recently installed in the West End, and the On-Street Dining project that will soon (hopefully) happen at TKT (The Kitchen Table) at 1574 Fourth Street. He also mentioned the City's branding and marketing campaign currently in design, and said the City recently collected their first tax revenue from the newly licensed cannabis businesses a week ago.

Mr. Vuong also discussed the Improvement District proposal for East San Rafael business owners, which would allow property owners to assess themselves and then have some control over how the proceeds of the assessment are spent. Owners in that area face issues around security, illegal dumping, flooding, etc., and this Improvement District would provide a way for increased revenues to be directed to improvements in their area.

6. Public Comment on Non-Agenda Items: None

7. Annual Election of Officers: Congratulations to the officers elected for a 1-year term:

Chair: Bill Carney

Vice Chair: Andrea de la Fuente

Secretary: Andrew Naja-Riese

Discussion in connection with the election suggested an enhanced role for the Vice Chair position.

8. Suggestions for future agenda items:

Update on Just Cause Evictions and Mandatory Mediation expected for March.

Discussion of new business recruitment materials and branding campaign.

Reports on the General Plan, Downtown Precise Plan, and CCAP 2030 thereafter.

9. Adjournment: Meeting was adjourned at 9:07 pm.

Respectfully submitted by Andrew Naja-Riese

Alicia Giudice

From: George and Gayle Mills <gegamills@gmail.com>
Sent: Thursday, April 11, 2019 5:08 PM
To: Alicia Giudice
Subject: Hotel on 5th Avenue

Dear Planning Commissioners,

With all due respect to the Design Review Board, in my opinion, the proposed hotel for 5th at B Street is too big. It's the bulk and the height. The 5th Avenue elevation, which rises straight up from the sidewalk, would lead to a very dense shadow at street level creating the heavy feeling of a massive wall. There is a colossal difference between 3-4 stories and 5 stories. 3-4 stories is hometown. 5 stories is city. My first suggestion is to bring this structure down to 4 stories.

However, since the design comes in at the allotted 54', my alternate suggestion is to step back the upper four floors from 5th Street, allowing daylight and view shed to come through. The City would lose a few rooms, but they would gain more of a hometown feeling at street level. I also suggest they add landscaping to each setback, giving a soft, floral ambiance which would greatly enhance the minimal landscaping now present.

Some say this can't be done financially, but I suggest that we residents will have to live with this building for at least 100 years. Let's do it right and beautifully.

Thank you,
Gayle Wittenemeier-Mills
Planning Commissioner 2006-2008



Leonardo Castro <[REDACTED]>

RE: Proposed AC Marriott Hotel San Rafael

Barbara Henricks <wordpress@achotelsanrafael.com>

Tue, Apr 9, 2019 at 2:31 PM

Reply-To: "[REDACTED]" <[REDACTED]>

To: "\"info\"" <[REDACTED]>

Email: [REDACTED]

Text: San Rafael Planning Commission Attn: Alicia Giudice [1400 Fifth Avenue San Rafael, CA 94901](#)

Message: Dear Planning Commissioners, I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I believe the new hotel project will increase the vitality of the downtown area, and I believe both local businesses and residents will benefit from the new hotel. The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to activate the downtown community while also drawing in more companies like BioMarin. Please support the Downtown Community by approving this important project. Yours Sincerely,

Name: Barbara Henricks

Time: April 9, 2019 at 9:31 pm

IP Address: 98.248.166.137

Contact Form URL: <https://achotelsanrafael.com/help-support-the-new-hotel-2/>

[Quoted text hidden]



Leonardo Castro <[REDACTED]>

RE: Proposed AC Marriott Hotel San Rafael

Edith B Dagley <[REDACTED]>
Reply-To: "\"Edith B Dagley\"" <[REDACTED]>
To: "\"info\"" <[REDACTED]>

Wed, Apr 10, 2019 at 6:42 AM

Email: [REDACTED]

Text: San Rafael Planning Commission Attn: Alicia Giudice [1400 Fifth Avenue San Rafael, CA 94901](#)

Message: Dear Planning Commissioners, I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I believe the new hotel project will increase the vitality of the downtown area, and I believe both local businesses and residents will benefit from the new hotel. The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to activate the downtown community while also drawing in more companies like BioMarin. Please support the Downtown Community by approving this important project. Yours Sincerely,

Name: Edith B Dagley

Time: April 10, 2019 at 1:42 pm
IP Address: 162.235.143.207
[Quoted text hidden]



Leonardo Castro <[REDACTED]>

RE: Proposed AC Marriott Hotel San Rafael

Stefan Meholick <[REDACTED]>
Reply-To: "\"Stefan Meholick\"" <[REDACTED]>
To: "\"info\"" <[REDACTED]>

Mon, Apr 8, 2019 at 11:38 PM

Email: [REDACTED]

Text: San Rafael Planning Commission Attn: Alicia Giudice [1400 Fifth Avenue San Rafael, CA 94901](#)

Message: Dear Planning Commissioners, I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I believe the new hotel project will increase the vitality of the downtown area, and I believe both local businesses and residents will benefit from the new hotel. The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to activate the downtown community while also drawing in more companies like BioMarin. Please support the Downtown Community by approving this important project. Yours Sincerely,

Name: Stefan Meholick

Time: April 9, 2019 at 6:38 am
IP Address: 104.55.174.137
Contact Form URL: <https://achotelsanrafael.com/help-support-the-new-hotel-2/>

Sent by a verified "AC Marriott Hotel - San Rafael" user.



Leonardo Castro <[REDACTED]>

RE: Proposed AC Marriott Hotel San Rafael

Anne Warner-Reitz <[REDACTED]>
Reply-To: "\"Anne Warner-Reitz\"" <[REDACTED]>
To: "\"info\"" <[REDACTED]>

Mon, Apr 8, 2019 at 8:44 PM

Name: Anne Warner-Reitz

Email: [REDACTED]

Message: I think San Rafael needs a lovely hotel like this, and I like the fact that the public can enjoy the rooftop bar.

Time: April 9, 2019 at 3:44 am
IP Address: 73.92.190.185
Contact Form URL: <https://achotelsanrafael.com/help-support-the-new-hotel-2/>

Sent by an unverified visitor to your site.



Leonardo Castro <[REDACTED]>

RE: Proposed AC Marriott Hotel San Rafael

1 message

Clarisse Johnson <[REDACTED]> Wed, Apr 17, 2019 at 4:45 PM
Reply-To: "\"Clarisse Johnson\"" <[REDACTED]>
To: "\"Alicia.Giudice\"" <[REDACTED]> "\"info\"" <[REDACTED]>

Email: [REDACTED]

Text: San Rafael Planning Commission Attn: Alicia Giudice [1400 Fifth Avenue San Rafael, CA 94901](#)

Message: Dear Planning Commissioners, I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I believe the new hotel project will increase the vitality of the downtown area, and I believe both local businesses and residents will benefit from the new hotel. The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to activate the downtown community consistent with the General Plan. Please support the Downtown Community by approving this important project. Yours Sincerely,

Name: Clarisse Johnson

Time: April 17, 2019 at 11:45 pm
IP Address: 104.55.174.137
Contact Form URL: <https://achotelsanrafael.com/help-support-the-new-hotel-2/>

Sent by a verified "AC Marriott Hotel - San Rafael" user.

Date: 4-16-19
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901
[REDACTED]
Attn: Alicia Giudice
Senior Planner
Alicia.g[REDACTED]

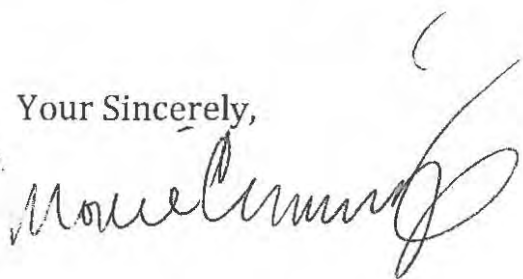
Mollie Cummings
Petite Mollie
Proprietor/Stylist, Contemporary styling, Green environment
[REDACTED]
San Rafael, CA 94901
[REDACTED]
[REDACTED]
[REDACTED]

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,



Local Business owner

Date: 4.16.19
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,

Sedighah Sami 4.16.19

Local Business owner

*SPOTLESS Cleaner owner
w/ SANRAFAEL Resident*

Date: 4-16-19
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,

Local Business owner

SHAYAN SAMI 4/16/19



Date: 4-16-19
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,



Local Business owner

Barry Lazarus

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

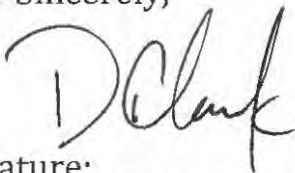
Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,



Signature:

DUSTIN CLARK

Business Name:

THE SHOP

Email:

[REDACTED]

Date: 4-16-19
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901
[REDACTED]
Attn: Alicia Giudice
Senior Planner
Alicia.g[REDACTED]

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,

A handwritten signature in blue ink, appearing to read "D. Lopez", with a long horizontal flourish extending to the right.

Local Business owner

Date: 4/18/19
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901


Attn: Alicia Giudice
Senior Planner
Alicia.giudice@cityofsanrafael.org

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,

 Maly Boiadeirus

Local Business owner

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901


Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,

 RICHARD MORRISON

Signature:

Business Name: Essential Sleep

Email:

[Redacted email address]

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,

Nina Pelfini

Signature:

Nina Pelfini

Business Name:

Bilancio Salon

Email:

[Redacted]

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

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Your Sincerely,

Tou Vo

Signature:

Tou Vo

Business Name:

Polish Nail Spa

Email:

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

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Your Sincerely,

Marian A. Garfalo

Signature:

Business Name:

Stephan Hill

Email:

[Redacted]

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

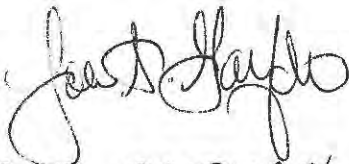
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Your Sincerely,

Signature:



Business Name: STEPHAN-HULL JEWELRY DESIGNERS

Email:



May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

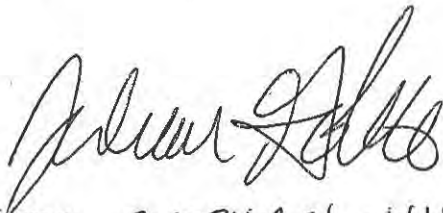
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Your Sincerely,

Signature:



Business Name:

STEPHAN-HILL JEWELRY DESIGNERS

Email:



May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

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Your Sincerely,

Deepie M. Shrestha.

Signature:



Business Name:

Namaste

Email:

[Redacted email address]

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

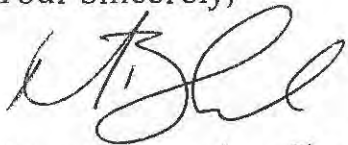
Attn: Alicia Giudice
Senior Planner

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The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,



Signature: *Marc Backovich*

Business Name: *M Nutrition by Max Muscle*

Email: [REDACTED]

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner
Alicia.giudice@cityofsanrafael.org

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

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Your Sincerely,



Signature:

Business Name:

Email:

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

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Your Sincerely,



Signature:

MARCELLI BROS.

Business Name:

Email:

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

██████████
Attn: Alicia Giudice
Senior Planner
████████████████████

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,

Matt

Signature:

Business Name: *past life collection*

Email: ██████████ | ██████████ | ██████████

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. ~~I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area. I believe my business will benefit from the new hotel.~~

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,

judith triehl, Resident

Signature:

~~Business Name:~~

volunteer

Email:

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

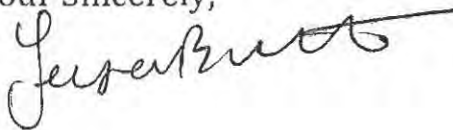
Attn: Alicia Giudice
Senior Planner
Alicia [REDACTED]

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The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,



Signature:

Business Name:

909 Lincoln Ave.

Email:

[REDACTED]

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,

Signature: *Mahmoud Shamsi*

Business Name: *Mini MARKET STORE INC*

Email:

[REDACTED]

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901
[REDACTED]
Attn: Alicia Giudice
Senior Planner
Alicia.gi [REDACTED]

Dear Planning Commissioners,

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The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,

James Cuzzella

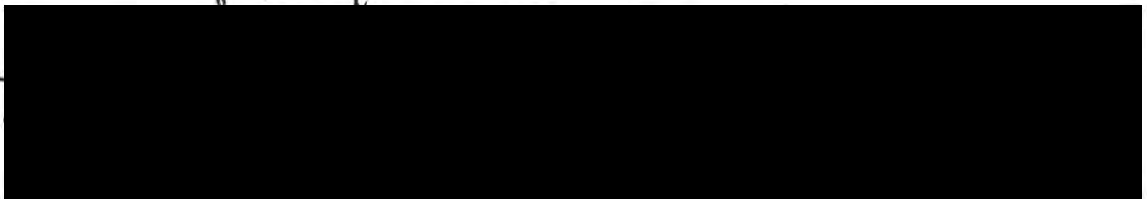
Signature:



Business Name:

Players Guitars

Email:



May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

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Your Sincerely,

Signature:



Business Name: SAIGON VILLAGE Restaurant

Email:

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

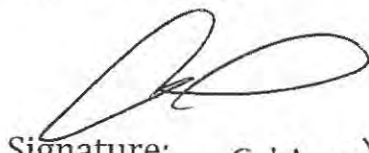
Attn: Alicia Giudice
Senior Planner
Alicia.g[REDACTED]

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Your Sincerely,



Signature:

Chris Pina

Business Name:

TAM Commons

Email:

[REDACTED]

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,



Signature:

Business Name:

searchlight lending

Email:

alicia.giudice@searchlightlending.com

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,

JASON TUTTLE

Signature: 

Business Name: SEARCHLIGHT LENDING



Date: _____
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

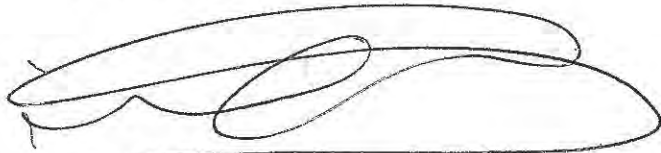
Attn: Alicia Giudice
Senior Planner

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Your Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the left.

Local Business owner Happy Nails

Date: _____
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner
[REDACTED]

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

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Your Sincerely,

Eung Bhumblor

COPY EXPRESS

Local Business owner

Date: _____
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

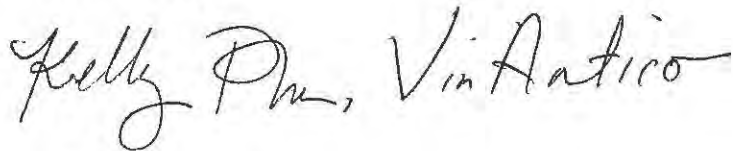
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Senior Planner

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The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,

A handwritten signature in black ink that reads "Kelly Pina, Vin Antico". The signature is written in a cursive, flowing style.

Local Business owner

Date: _____
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

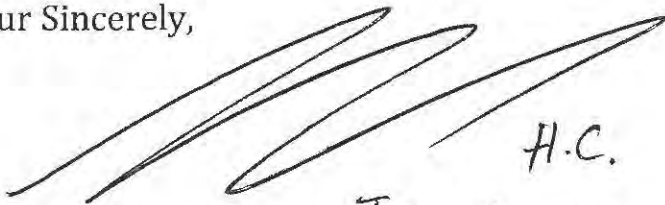
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Senior Planner

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Your Sincerely,



Local Business owner

H.C.
Iron Springs

Date: _____
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

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Your Sincerely,



Taj of Marin

Local Business owner

Date: _____
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

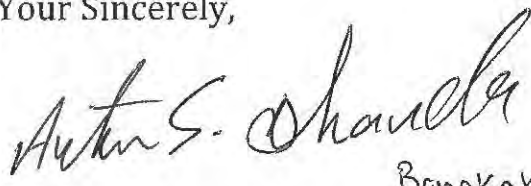
Attn: Alicia Giudice
Senior Planner
Alicia.giudice@cityofsr.com

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Your Sincerely,


Anton S. Chandel
Bangkok Thai
Local Business owner

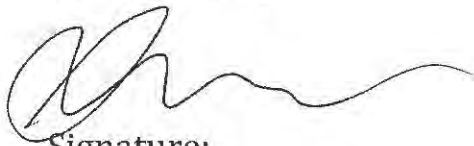
May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901
415- [REDACTED]
Attn: Alicia Giudice
Senior Planner
Alicia.giudi [REDACTED]

Dear Planning Commissioners,

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Your Sincerely,



Signature:

Business Name: *Lundy's Home Cooking*

Email:

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner
Alicia.gi

Dear Planning Commissioners,

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The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,

Asghar Shakeri

Signature:



Business Name:

Shakeri Key gallery

Email:

May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

Dear Planning Commissioners,

I am writing in support of the AC Marriot Hotel proposed for Downtown San Rafael. I am a local business owner in the downtown area. I believe the new hotel project will increase the vitality of the downtown area, I believe my business will benefit from the new hotel.

The hotel is a great project that will have positive influence in the community and will increase the "Alive After Five" goal to active the downtown community. Please support the Downtown Community by approving this important project.

Your Sincerely,

ROBERT TOBIN

Signature:



Business Name:

SAN RAFAEL RARE COIN CO.

Email:



May 17, 2019
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner
Alicia.giudice@cityofsanrafael.org

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Your Sincerely,

Lidia Giudice / GM
Signature:

Business Name:

Bogie's Too

Email:

Date: 4/16/19
San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

Attn: Alicia Giudice
Senior Planner

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Your Sincerely,



Local Business owner

Petite Mollier employee and San
Rafael resident



SAN RAFAEL
THE CITY WITH A MISSION

Community Development Department – Planning Division

Meeting Date: April 23, 2019
Agenda Item: 4
Case Numbers: IS19-001/P17-007
Project Planner: Barry Miller:
(415) 485-3423

REPORT TO PLANNING COMMISSION

SUBJECT: San Rafael General Plan 2040 and San Rafael Downtown Precise Plan Scoping Session – Scoping hearing for the Notice of Preparation of an Environmental Impact Report (EIR) to assess the impacts of adopting an updated San Rafael General Plan for Year 2040, and a Precise Plan for Downtown San Rafael. Case Number(s): IS19-001/P17-007

EXECUTIVE SUMMARY

The California Environmental Quality Act (CEQA) requires that a “scoping session” be convened prior to the start of an Environmental Impact Report (EIR) to give the public a chance to weigh in on the environmental issues that should be addressed as the EIR is prepared. In this instance, the scoping session will provide an opportunity for the public to speak on issues relevant to the adoption of the General Plan and Downtown Precise Plan, both of which are scheduled for completion in early 2020. Although the plans themselves are not yet written, the scoping session provides a chance to identify issues of importance to the community, which may subsequently be analyzed as the project takes shape.

The General Plan is a state-mandated document that includes goals, policies and actions for land use, transportation, housing, safety, noise, open space, conservation, economic development, community design, parks and recreation, environmental justice, and other topics relating to San Rafael’s long-term future. The Downtown Precise Plan is a separate document covering the 265-acre Downtown area. It will provide more focused guidance on many of the topics covered by the General Plan, including regulatory standards. A single EIR will cover both documents.

RECOMMENDATION

It is recommended that the Planning Commission take the following action:

1. Accept public testimony on the Notice of Preparation (NOP) and scope of issues to be addressed in the EIR.
2. Direct staff to prepare a Draft Environmental Impact Report (DEIR), taking into consideration verbal and written comments received during the scoping period.

BACKGROUND

A General Plan Update is considered a “project” under the California Environmental Quality Act (CEQA). Likewise, the Downtown Precise Plan will include specific recommendations that may affect the environment and is also considered a “project.” The City of San Rafael is the Lead Agency for both projects, meaning it has the primary responsibility for approving each Plan and implementing each Plan

after it is adopted. The City has determined that adoption of the plans could result in potentially significant environmental impacts and that an Environmental Impact Report (EIR) is required.

A Notice of Preparation (NOP) was issued on March 29, 2019. The NOP is a legally required document that announces the initiation of an EIR process and solicits comments regarding the scope of issues to be addressed. Copies of the NOP were mailed to the State Clearinghouse, responsible and trustee agencies (e.g., agencies that could potentially be affected by the project's impacts or are responsible for land or services in the project area), and interested parties and groups. In addition, a legal ad was published in the Marin Independent Journal on March 31, 2019 announcing the issuance of the NOP and start of a state-mandated 30-day public comment period.

The April 23 Planning Commission meeting provides an opportunity to solicit comments through oral testimony. This supplements the opportunity to submit written comments, which has been provided through a review period ending April 29, 2019.

PROJECT DESCRIPTION

General Plan 2040

California state law requires every city and county to adopt a general plan to guide land use and development, usually over a 20-year time horizon. The General Plan must be periodically updated in response to new state laws, changing conditions, and emerging issues and opportunities. San Rafael's existing General Plan was prepared in 1999-2003 and was adopted in 2004, with a horizon year of 2020. Since the horizon year is approaching, the City is updating its plan to extend the planning period to 2040. The San Rafael General Plan 2040 will build off the current General Plan 2020 and provide a framework for land use, transportation, and conservation decisions for the next 20 years. The General Plan Update does not include an update of the Housing Element, except as necessary to ensure that the Element is consistent with the rest of the Plan. The Housing Element is scheduled for an update in 2023, in accordance with a schedule established by the State of California.

The new General Plan incorporates regional forecasts for population, households, and employment prepared by the Association of Bay Area Governments / Metropolitan Transportation Commission (ABAG/MTC) as part of long-range regional plans that are mandated by the State under SB 375. These forecasts indicate a net gain of about 2,800 households and 5,600 jobs in San Rafael between 2010 and 2040. This growth can generally be accommodated without significant changes to the existing General Plan Land Use Map. However, changes to the Map may be considered through the Plan update to better achieve local housing and economic development objectives, address natural hazards and climate change issues, and respond to transportation and community service opportunities and constraints.

In addition, policies in the existing (2020) General Plan will be updated to respond to SB 379 and AB 1241 (addressing hazard mitigation, climate resilience, and wildfire hazards), SB 743 (addressing the way in transportation impacts are measured), SB 1000 (requiring an environmental justice element) and other state laws. The Plan will also be reformatted and reorganized, with several elements combined or reconstituted. Each policy in the existing General Plan is currently being "audited" to determine its continued relevance, and the programs that implement each policy are being updated to make the Plan more relevant and effective.

The General Plan covers all land within the City of San Rafael, plus unincorporated areas beyond the city limits that are relevant to its future. The latter areas include unincorporated neighborhoods within the

sphere of influence (Los Ranchitos, Country Club, Santa Venetia, Bayside Acres, the San Rafael Rock Quarry, etc.) and areas outside the sphere but close to the city, including Marinwood and Lucas Valley.

As currently envisioned, the General Plan will include the following Elements:

1. Land Use
2. Community Design and Preservation
3. Neighborhoods
4. Downtown
5. Open Space and Conservation
6. Environmental Hazards
7. Noise
8. Transportation
9. Parks and Recreation
10. Arts and Culture
11. Community Facilities and Infrastructure
12. Housing (not being updated)
13. Economic Vitality
14. Education, Wellness, and Environmental Justice

Downtown Precise Plan

As noted above, the “project” also includes a Precise Plan for Downtown San Rafael. The Precise Plan is a legal tool for planning an area within a jurisdiction at a higher level of detail than is possible or appropriate in the General Plan. While the General Plan is a broad, aspirational policy plan, the Precise Plan includes zoning-level regulations (development and use standards) and site-specific recommendations, as well as a strong focus on placemaking and design, economic development, historic preservation, and localized transportation and parking issues.

The Precise Plan is intended to build on a number of plans that have been prepared for Downtown over the last 26 years, including the Downtown Vision adopted in 1993 and the Station Area Plan adopted in 2012. The Plan will respond to new opportunities created by the presence of SMART rail and market demand for housing, office, hospitality, restaurant, and specialty retail space in the Downtown area. The Plan will also address challenges facing Downtown, including sea level rise and flooding, traffic congestion and parking, homelessness, and the evolving retail market. Preparation of the Precise Plan has been made possible by a grant from the Metropolitan Transportation Commission.

The Downtown Plan Area boundary encompasses 265 acres. It extends from the west end of Fourth Street (at the Miracle Mile) on the west to the Montecito Shopping Center on the east, and from north of Mission Street on the north to Albert Park on the south.

Program Objectives

Both the General Plan and the Downtown Plan are intended to protect sensitive natural resources, minimize environmental impacts, and reduce exposure to hazards. To the extent feasible, General Plan policies will be written to be “self-mitigating” by providing direction that minimizes environmental impacts and conserves natural resources. Nonetheless, the potential for significant impacts may still exist even after such mitigating policies are adopted. The EIR provides a means of disclosing those impacts and addressing them proactively as the Plan is implemented.

Community engagement is essential to both the General Plan and the Downtown Precise Plan. A 24-member Steering Committee (with 22 alternates) has been appointed to guide the planning process and provide feedback on potential goals, policies, and programs. The City is also convening “town hall” and “pop-up” style workshops, attending the regular meetings of established community organizations and neighborhood groups, conducting interviews with stakeholders, and providing outreach to under-represented groups such as youth and non-English speakers (through Spanish language workshops). A robust on-line engagement program also has been created, including a community feedback platform (Neighborland) and a project website. Regular briefings are being provided to City Commissions and the City Council.

ENVIRONMENTAL ANALYSIS AND REVIEW

Pursuant to Section 15082 of the California Environmental Quality Act (CEQA) Guidelines, a Notice of Preparation (NOP) was published on March 29, 2019. The NOP announced the start of the EIR process and solicited comments from responsible and trustee agencies, utility providers, organizations, environmental groups, and homeowners associations in the San Rafael area.

The following environmental factors were listed as potentially affected:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources/ Tribal Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Parks and Recreation
- Transportation
- Utilities and Service Systems
- Wildfire

The City is currently seeking the views of other regulatory agencies, as well as the general public, on how the EIR should address each of these topics. For the regulatory agencies, comments typically relate to topics germane to the agency’s responsibilities (for example, Caltrans typically comments on transportation and the Air District typically comments on air quality). For the general public, a wide variety of environmental issues may be raised.

The EIR for the General Plan and Downtown Precise Plan will be a *Program EIR*. Program EIRs are used to evaluate projects that are implemented through a series of actions over a long time period, rather than the building of a specific project on a specific site. Thus, the EIR will look at the cumulative projected effects of adding a given amount of population, housing, and employment over a 20-year period in a manner consistent with the two proposed plans. It will also evaluate the general effects of implementing the policies and programs in the General Plan and Precise Plan on each of the topic areas listed above. A Program EIR can simplify the process of preparing environmental documents for projects in the future when those projects are consistent with the General Plan and Downtown Plan. Where appropriate, more focused, site-specific environmental studies may be required for such projects as they are proposed.

NEXT STEPS

As noted above, the 30-day public review period for the NOP ends on April 29, 2019. Persons who testify at the April 23 Commission hearing will be encouraged to also submit their comments in writing. Comments should focus on potentially significant environmental effects, ways in which those effects might be minimized, and potential alternatives to the project (alternative growth and development scenarios, etc.). Following the close of the NOP review period, City staff and the EIR consultant (Placeworks) will review comments received and begin preparing the Draft EIR (DEIR).

The DEIR will be completed in phases. The first phase consists of documenting the “setting”—or existing conditions---in each topic area for the city as a whole and for the Downtown area. This will be done throughout Spring and Summer 2019. The second phase consists of evaluating the impacts of project alternatives. This may include alternative distributions of growth and development, different transportation projects and strategies, and different policy approaches to particular issues. Completion of the DEIR, including assessment of impacts and identification of mitigation measures, will take place in early 2020. Public hearings before the Planning Commission will take place at that time, concurrently with the hearings on the General Plan and Downtown Precise Plan. A 45-day public review period will be provided, concluding with a hearing before the Planning Commission.

Once the review period for the DEIR has ended, responses to comments will be prepared and a Final EIR (FEIR) will be assembled. The Planning Commission will hold another hearing to consider a recommendation for the City Council on the General Plan, the Downtown Precise Plan, and the EIR for both projects. One or more hearings before the City Council will then take place.

CORRESPONDENCE

As of Wednesday, April 17, 2019 (the time of printing and releasing the staff report), correspondence in response to the NOP included a letter from the Federated Indians of Graton Rancheria requesting consultation as part of the environmental review process. Correspondence received between April 17 and April 23 (the day of the Commission hearing) will be provided during the scoping session.

EXHIBITS

1. Notice of Preparation for General Plan/ Downtown Precise Plan EIR, including maps



Notice of Preparation Environmental Impact Report City of San Rafael

Date: March 29, 2019

To: State Clearinghouse
State Responsible Agencies
State Trustee Agencies
Other Public Agencies
Interested Organizations

From: Barry Miller, Consulting Project Manager
City of San Rafael
Community Development Department
1400 Fifth Street
San Rafael, CA 94901

Subject: Notice of Preparation (NOP) of the Draft Environmental Impact Report (EIR) for the General Plan 2040 and Downtown Precise Plan

Lead Agency: City of San Rafael Community Development Department

Project Title: General Plan 2040 and Downtown Precise Plan

Project Area: City of San Rafael and unincorporated San Rafael Planning Area

Notice is hereby given that the City of San Rafael (City) will prepare an EIR for the San Rafael General Plan 2040 and Downtown Precise Plan (proposed project) and will hold a public meeting to receive comments on the scope of the EIR, as detailed below. Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15206, the proposed project is considered a project of statewide, regional, or areawide significance. The City, acting as the Lead Agency, determined that the proposed project could result in potentially significant environmental impacts and that an EIR is required.

The City will prepare an EIR to address the potential environmental impacts associated with the project at a programmatic level consistent with CEQA Guidelines Section 15168. The program-level EIR will evaluate the proposed project for potential impacts on the environment and analyze the proposed policies to determine the potential environmental consequences of future change. An evaluation of project alternatives that could reduce significant impacts will be included in the EIR. The proposed project, its location, and potential environmental effects are described below.

The City is requesting comments and guidance on the scope and content of the EIR from interested public agencies, organizations, and individuals. With respect to the views of Responsible and Trustee Agencies as to significant environmental issues, the City needs to know the reasonable alternatives and mitigation measures that are germane to each agency's statutory responsibilities in connection with the proposed project.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but no later than the close of the 30-day NOP review period at **5:00 p.m. on Monday, April 29, 2019**. If you submit comments on the scope of the EIR, you will automatically be added to the City's distribution list for future notices and information about the environmental review process for proposed project. If you do not wish to submit comments on the scope of the EIR, but would like to be added to the City's mailing list, you can submit your contact information, including email address with a request to be added to the mailing list.

Please send your written comments to Barry Miller, at the address shown above or email to Barry.Miller@cityofsanrafael.org with "*General Plan 2040 and Downtown Precise Plan EIR*" as the subject. Public agencies providing comments are asked to include a contact person for the agency.

A Scoping Meeting to accept oral comments will be held before the San Rafael Planning Commission on **Tuesday April 23, 2019 at 7:00 pm.** at City Hall in the Council Chambers (1400 Fifth Street, San Rafael, CA 94901)

PROJECT LOCATION, DESCRIPTION, AND OBJECTIVES

This section describes the location, project description, and overall objective of the proposed project. A copy of this NOP, information about the project, including relevant documents, information on upcoming meetings, and ways you can provide feedback can be viewed: 1) on line at <http://www.sanrafael2040.org>, or 2) City Hall (1400 Fifth Avenue - Planning Division counter, 3rd Floor). The Planning Division counter is open Mondays, Tuesdays and Thursdays from 8:30 a.m. to 4:30 p.m. and, Wednesdays and Fridays from 8:30 a.m. to 1:30 p.m.

Project Location

The project encompasses the San Rafael Planning Area, which includes all land within the city limits, adjacent land in the Sphere of Influence (SOI) boundary, and land beyond the SOI that is commonly perceived as greater San Rafael. Unincorporated areas within the SOI include California Park, Country Club, Bayside Acres, and Los Ranchitos; China Camp State Park; the Santa Venetia area; and the San Rafael Rock Quarry. The Planning Area also includes Marinwood and Lucas Valley (developed and undeveloped portions), although these areas are outside the SOI. The Downtown Precise Plan area encompasses 265 acres located in downtown San Rafael. See Figures 1, 2, and 3 for regional and study area maps.

Project Description and Objectives

Often described as each city's "constitution," general plans are required by State law to guide land use and development, typically within a 20-year horizon. General plans must be periodically updated to respond to new state laws, changing conditions, and emerging issues and opportunities. San Rafael's existing General Plan was prepared in 1999-2003 and was adopted in 2004, with a horizon year of 2020. Since the horizon year is approaching, the City is now updating its plan to extend the planning period to 2040. The San Rafael General Plan 2040 (General Plan 2040) will build off the current General Plan 2020 and provide a framework for land use, transportation, and conservation decisions through the year 2040.

The City is also preparing a Downtown Precise Plan (Precise Plan) concurrently with the General Plan 2040. The Precise Plan is being funded by a grant from the Metropolitan Transportation Commission. The intent of the Precise Plan is to facilitate housing production, placemaking, economic vitality, innovative transportation solutions, and community engagement with an emphasis on sustainable, transit-oriented development.

Both the proposed General Plan 2040 and the Downtown Precise Plan will direct future growth within the study area and address the city's vulnerability to environmental challenges such as sea level rise, wildland fires, and other hazards identified in the City's Local Hazard Mitigation Plan and updated Climate Action Plan. Both plans are intended to respond to local and regional housing needs, foster economic growth and local job creation, enhance civic identity and placemaking, and protect sensitive natural resources.

Environmental Review

The San Rafael General Plan 2040 and Downtown Precise Plan program EIR will determine whether implementation of the proposed project may result in environmental impacts that require mitigation measures to offset potential impacts. By incorporating implementation provisions (goals, policies, and programs) that focus on reducing environmental impacts, the proposed project can be made largely "self-mitigating," which reduces the need for separate EIR mitigation measures, improves the efficiency of implementation, and increases the likelihood that development within the study area will be environmentally sustainable. In accordance with CEQA, the cumulative impacts discussion will be based on review of other plans shaping development outside of the study area. CEQA requires that an EIR evaluate alternatives to a project that could reasonably attain the project objectives while reducing any significant impact of the project, as well as considering the "No Project" Alternative (i.e., what could happen if the project were not approved).

Environmental Factors Potentially Affected

The EIR will address the proposed project's potential impacts to the following environmental topics:

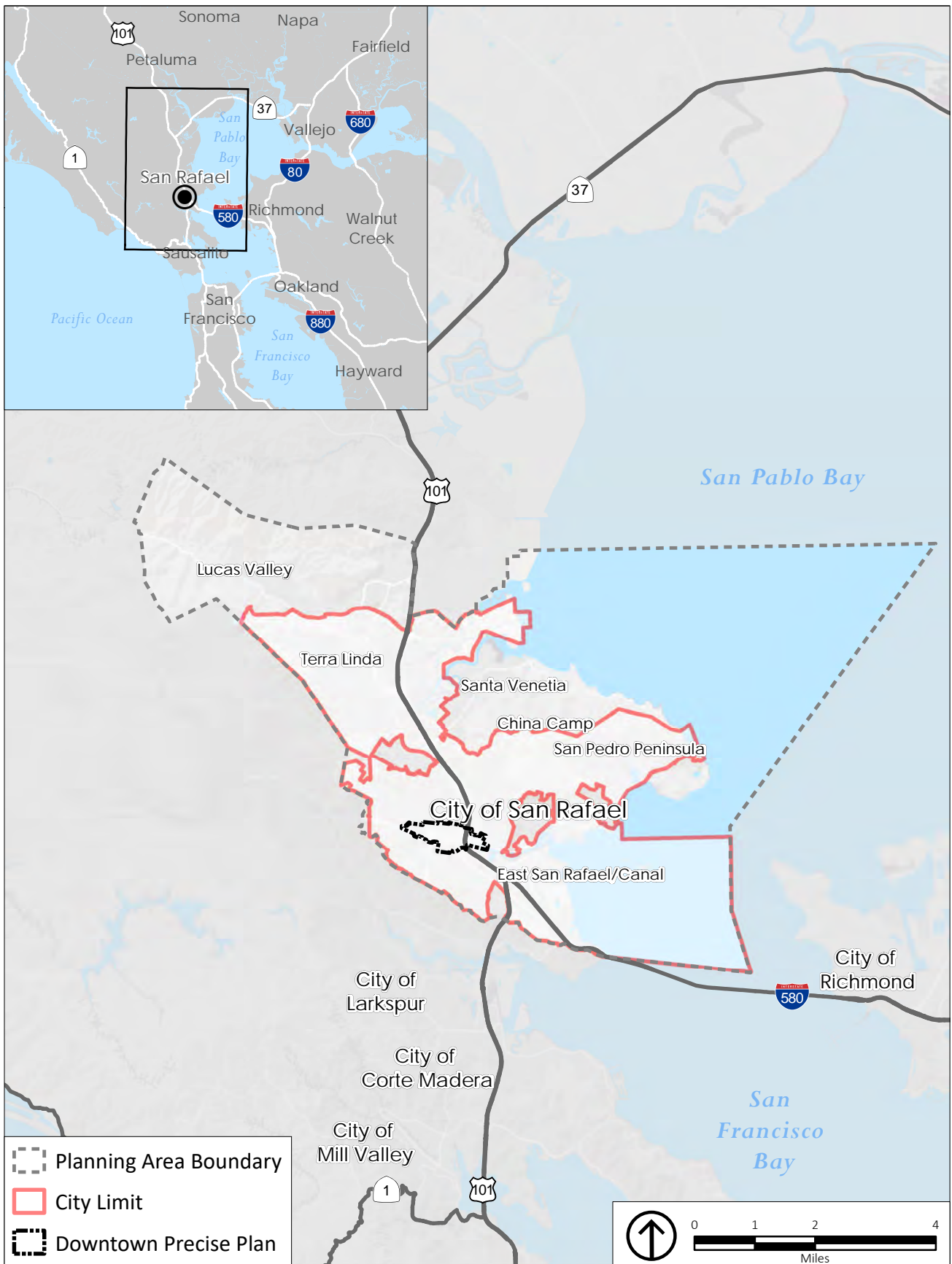
- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
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- Cultural Resources/Tribal Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Parks and Recreation
- Transportation
- Utilities and Service Systems
- Wildfire

Attachments:

Figure 1: Regional and Vicinity Map

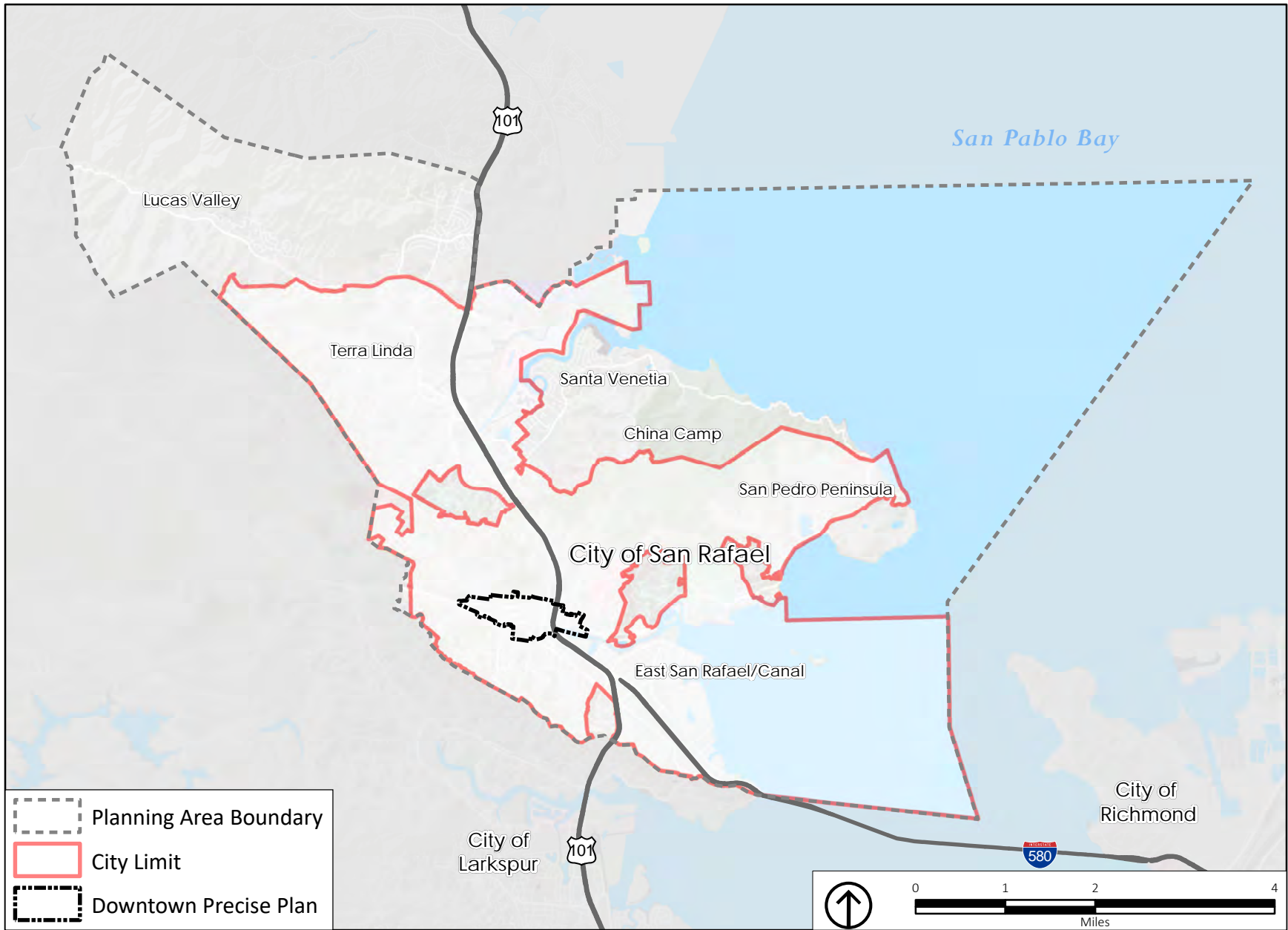
Figure 2: San Rafael Planning Area Map

Figure 3: Downtown Precise Plan Map



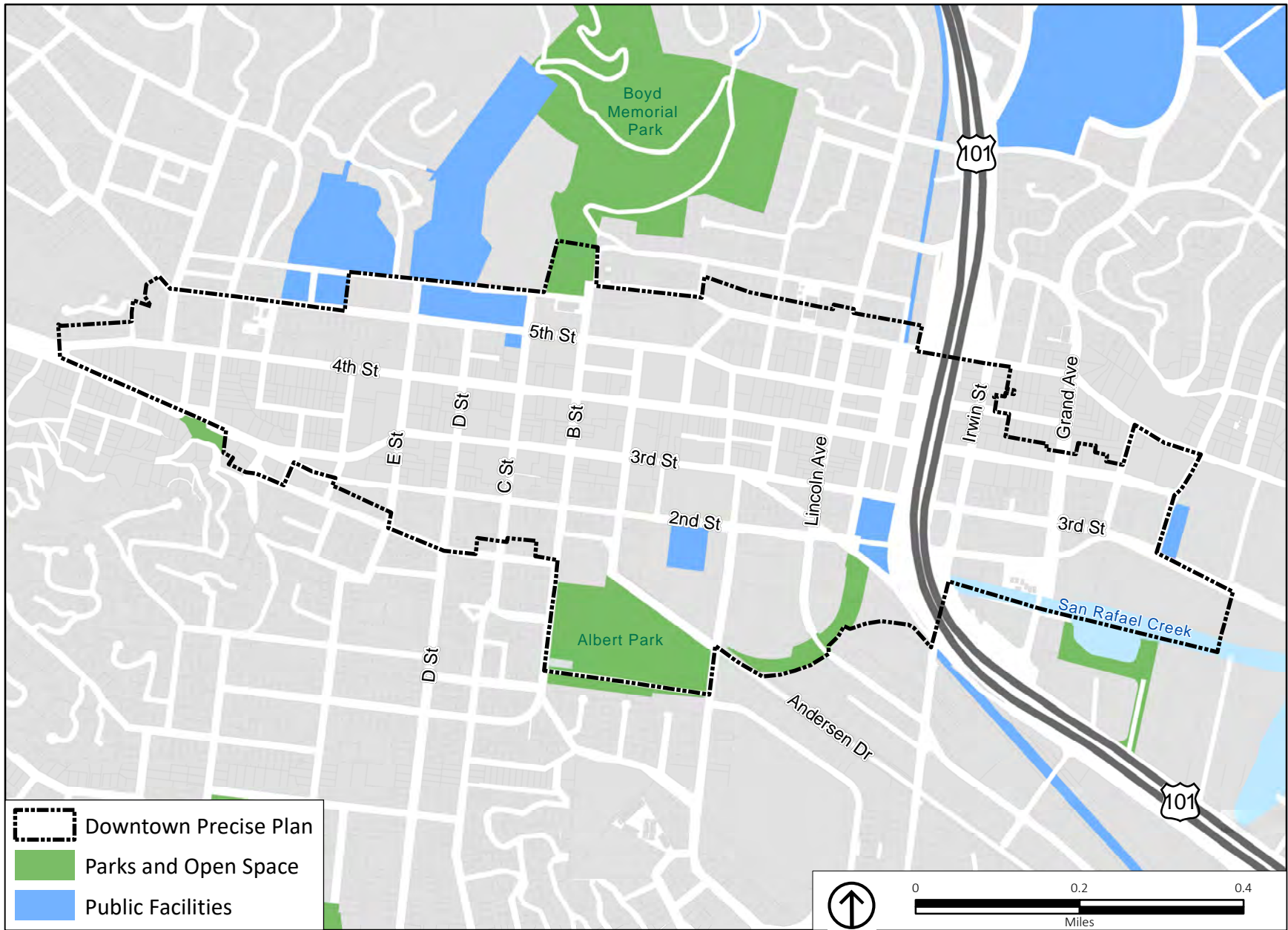
Source: ESRI, 2017; City of San Rafael, 2019; PlaceWorks, 2019.

Figure 1
Regional and Vicinity Map



Source: ESRI, 2017; City of San Rafael, 2019; PlaceWorks, 2019.

Figure 2
San Rafael Planning Area Boundary Map



Source: ESRI, 2017; City of San Rafael, 2019; PlaceWorks, 2019.

Figure 3
Downtown Precise Plan Map