

**2<sup>ND</sup> AND B STREETS  
HOUSING DEVELOPMENT  
DRAFT ENVIRONMENTAL IMPACT REPORT**

815 B Street, San Rafael, CA

APNs: 001-256-12 (809 B Street), 011-256-32 & 011-256-14 (1212 2nd Street) and 011-256-15 (1214 2nd Street)

Applications: UP12-029; ED12-006; LLA12-003  
State Clearinghouse No.: 201306053

PREPARED FOR THE  
CITY OF SAN RAFAEL BY

NEWMAN PLANNING ASSOCIATES

SEPTEMBER 2015



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# I. INTRODUCTION

## A. PURPOSE OF THE EIR

In compliance with the California Environmental Quality Act (CEQA), this Draft Environmental Impact Report (EIR) is designed to inform City decision-makers, other responsible agencies, and the general public about the proposed 2<sup>nd</sup> and B Street Project that is tentatively addressed 815 B Street (the “project”) and the potential adverse effects of project approval. The EIR also examines various alternatives to the proposed project and recommends a set of mitigation measures to reduce or avoid potentially significant impacts. The City of San Rafael is the lead agency for environmental review of the proposed project. This EIR will be used by City planning staff, the Planning Commission, the City Council and the public, in their review of the proposed project. It may also be used by other agencies whose discretionary approval may also be required to allow the project to be constructed (see Table III-1 in Chapter III, Project Description).

This EIR is prepared pursuant to CEQA section 15080. For projects that are consistent with a general plan and the general plan itself was evaluated in an EIR, an EIR need analyze only the “effects upon the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report or which substantial new information shows will be more significant than described in the prior environmental impact report.” Because the project is consistent with the general plan designation for the project site (Second and Third Mixed Use West or 2/3 MUW, and Cross Street Mixed Use or CSMU) and an EIR was certified for the San Rafael General Plan 2020, the analysis in this EIR is limited to the effects on the environment that are peculiar to the project.

## B. PROPOSED PROJECT

The project site includes four (4) adjacent Downtown parcels totaling approximately 0.5 acres in size, located at the northwest corner of B and 2<sup>nd</sup> Streets. The project proposes to demolish an existing 5,000 sq. ft. one-story commercial building, an adjacent surface parking lot with 45 parking spaces (809 B Street), and two Victorian-era residences (1212 and 1214 2<sup>nd</sup> Street) that date to circa 1890, both of which are cultural resources.<sup>1</sup>

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<sup>1</sup> Charles Hall Page and Associates, Inc., “San Rafael Historical/Architectural Survey, Final Inventory List of Structures and Areas,” September 1986. Note that the residence at 1214 2<sup>nd</sup> Street was also found to be historic through survey evaluation (California Resources Status Code 5S3) in the Historic Resource Report prepared by Painter Preservation & Planning in 2013.

The owner and applicant, Monahan Parker, proposes to construct a new, four-story, 41-unit, mixed-use building (i.e., residential housing units over ground floor commercial with garage parking spaces and associated site and landscape improvements). The project location is shown in Figure I-1.

Figure I-1: Project Location



## C. EIR SCOPE

The City of San Rafael circulated an Initial Study and Notice of Preparation (NOP) that included a list of environmental effects that could result from the proposed project. The purpose of the NOP was to collect comments from responsible agencies and the public about topics that should be evaluated in the EIR. The Initial Study and NOP was circulated for public comment during the 45-day period from June 24, 2013 to July 23, 2013. Agencies, organizations, interested individuals and property owners within a 300-foot radius of the project site received the NOP. The NOP was also distributed by the State Clearinghouse to responsible agencies.

The Initial Study and NOP noted that the project proposal to demolish two Victorian-era structures would be a significant adverse impact under Section 15064.5(b) of the California Environmental Quality Act (CEQA) Guidelines. In addition, based upon analysis of the design and scale of the proposed project within the historic context of surrounding structures along B Street, it was determined that the project would have a significant adverse Aesthetic impact. Therefore, the City identified the need to prepare an EIR.

The Planning Commission conducted a Scoping Session Public Hearing on July 23, 2013 during which members of the public and Planning Commission were invited to comment on the potential environmental impacts of the project that should be examined in the EIR. No new environmental issues were identified at the Scoping Session beyond the previously noted Cultural Resources and Aesthetic impacts.

In response to comments received during the Planning Commission hearing and prior Design Review Board meetings, Monahan Parker elected to redesign the project to reduce identified aesthetic impacts that had been previously identified by City staff and the Design Review Board, including:

- reduce excessive building mass at the corner of 2<sup>nd</sup> and B Street;
- eliminate the eave, deck and bay window projections encroachments over the public right-of-way (note that this was a city public safety concern, not an aesthetic impact);
- provide more building articulation along the 2<sup>nd</sup> Street frontage;
- step back the top (4<sup>th</sup>) floor to reduce the perceived mass of the building;
- provide more of the character-defining elements of the historic neighborhood to connect with the project design;
- provide more meaningful and usable outdoor areas, both common and private;
- provide on-site landscaping along the B Street frontage to improve the pedestrian scale.

A revised set of design plans were submitted to the City in early Summer 2014 and the Design Review Board considered the revised plans at a public hearing held on July 8, 2014, which was continued to a second hearing on August 5, 2014, when further modifications to



the design were considered. The Design Review Board found that the modifications to the project were generally responsive to their concerns and requested, however, the Board recommended approval of the design subject to a number of conditions and modifications, including:

- Eliminate the support column at the corner of B and 2<sup>nd</sup> Street;
- Eliminate the 2-foot bay window encroachment over the sidewalk/Right-of-way along the 2<sup>nd</sup> Street frontage but keep the building articulation by having the entire wall plane set back 2 feet from the property line;
- Extend the frieze detailing above the “tower” element (corner of B and 2<sup>nd</sup> Streets) along both building frontages. The frieze should be less wide but equally detailed;
- Provide a cornice cap on the 4<sup>th</sup> floor penthouses;
- Provide final site landscaping and amenities for “outdoor community spaces” for Board review prior to building permit issuance.

This Draft EIR focuses on the areas of concern identified in the Initial Study and NOP, comments received on the NOP and, as stated above, project modifications as evaluated by City staff and the Design Review Board. Therefore, in accordance with CEQA, this Draft EIR is limited to effects on the environment that are specific to this project. The following environmental topics are addressed in this EIR:

- A. Aesthetic Resources
- B. Cultural Resources - Historical

## **D. REPORT ORGANIZATION**

This EIR is organized into the following chapters:

- *Chapter I – Introduction:* Discusses the overall EIR purpose; provides a summary of the proposed action and environmental review process; identifies potentially significant issues and concerns, and summarizes the organization of the EIR.
- *Chapter II – Summary:* Provides a summary of the impacts that would result from implementation of the proposed project, and describes mitigation measures recommended to reduce or avoid significant impacts.
- *Chapter III – Project Description:* Provides a description of the project objectives, project site, site development history, required approval process, and details of the project itself.
- *Chapter IV – Setting, Impacts and Mitigation Measures:* Describes the following for the environmental topics: existing conditions (setting); potential environmental impacts and their level of significance; and mitigation measures recommended to mitigate identified impacts.
- *Chapter V – Alternatives:* Provides a comparison evaluation of four alternatives to the proposed project.

- *Chapter VI – CEQA-Required Assessment Conclusions:* Provides the required analysis of growth-inducing impacts; significant irreversible changes; effects found not to be significant; unavoidable significant effects; and the relationship between short-term and long-term uses of the environment.
- *Chapter VII – Report Preparation:* Identifies preparers of the EIR, references used, and the persons and organizations contacted.
- *Appendices:* The Appendices contain the applicant’s Alternatives Feasibility Study, the NOP and associated comments, and the Initial Study.

## **II. SUMMARY**

### **A. PROJECT UNDER REVIEW**

This EIR has been prepared to evaluate the environmental impacts of the proposed 2<sup>nd</sup> and B Street San Rafael Housing Project (project). The project involves demolition of an existing one-story 5,000 square foot commercial building (809 B Street), located at the corner of B Street and 2<sup>nd</sup> Street, and two Victorian single-family homes, located at 1212 and 1214 2<sup>nd</sup> Street, that date to circa 1890. The project proposes construction of a new four-story, 41-unit condominium housing development with over 1,939 square feet of retail space, lobby/office space and parking for 48 cars in Downtown San Rafael. A detailed description of the proposed project is provided in Chapter III, Project Description.

The proposed residential density of the project exceeds the maximum permitted density of 30 units allowed by Zoning, however the project includes units that would be priced at certain levels of affordability and therefore would be entitled to a State density bonus of up to 35%, or 11 units, bringing the total number of units to 41.

The project would be consistent with the General Plan land use designation of 2<sup>nd</sup>/3<sup>rd</sup> Mixed Use (2/3MU). The proposed new residential building would also be consistent with the standards of the existing Zoning for the underlying parcels of 2<sup>nd</sup>/3<sup>rd</sup> Street Mixed Use West & Cross Street Mixed Use (2/3 MUW & CSMU) Districts, which is intended to provide for mixed residential and commercial uses in the Downtown.

### **B. SUMMARY OF IMPACTS AND MITIGATION MEASURES**

This summary provides an overview of the analysis contained in Chapter IV, Setting, Impacts and Mitigation Measures. CEQA requires a summary to include discussion of: 1) potential areas of controversy; 2) significant impacts; 3) recommended mitigation measures and 4) alternatives to the proposed project.

#### **1. Potential Areas of Controversy**

The potential areas of controversy surrounding the proposed project that were identified as part of the EIR Notice of Preparation (NOP) and Initial Study process and evaluated in Chapter IV of the EIR are listed below:

- Aesthetics
- Cultural Resources - Historical

## 2. Significant Impacts

Under CEQA, a significant impact on the environment is defined as: a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.<sup>2</sup>

The Initial Study/Notice of Preparation evaluated the full range of potential environmental effects of the project and concluded that the effects upon Aesthetics and Cultural Resources (historical) would be significant and unavoidable, requiring preparation of an EIR. The Initial Study/NOP also found that the project would have potentially significant impacts to:

- Air Quality
- Hazards and Hazardous Materials
- Noise
- Transportation/Traffic

These potentially significant impacts could be reduced to a less than significant level through mitigation measures identified in the Initial Study. These mitigation measures are included in the Draft EIR Table II-1: Summary of Impacts.

The project was found to have no impact or a less than significant impact upon the remaining environmental topics evaluated in the Initial Study, including Biological Resources, Greenhouse Gas Emissions, Land Use/Planning, Population/Housing, Agriculture Resources, Mineral Resources, Public Services, Utilities/Service Systems, Geology/Soils, Hydrology/Water Quality and Recreation.

As discussed further in Chapter IV of this EIR, implementation of the proposed project has the potential to result in adverse environmental impacts. Impacts associated with the following environmental topic would be significant without the implementation of mitigation measures, but would be reduced to a less than significant level if the mitigation measures recommended in this EIR are implemented:

- Aesthetic Resources

## 3. Significant Unavoidable Impacts

As discussed in Chapters IV and VI of this EIR, the proposed project would result in a significant unavoidable impact related to:

- Cultural Resources - Historical

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<sup>2</sup> CEQA Sections 21060.5 and 21068.

#### 4. Alternatives to the Project

An evaluation of four alternatives to the proposed project is provided in Chapter V, Alternatives. The alternatives considered include:

- The No Project/No Development alternative assumes the existing commercial building would remain. The commercial and appurtenant residential uses of the project site would continue, and no new development or improvements would occur on the project site.
- The Preservation Onsite alternative assumes the two existing Victorian buildings would remain on site and be rehabilitated to provide adequate residential space.
- The Preservation Offsite alternative assumes that one or both of the existing Victorian residences would be relocated to a comparably sized and zoned site within Downtown San Rafael and the project site would be redeveloped according to the proposed plans.
- The Adaptive Re-use alternative assumes that substantial elements of the existing Victorian buildings, such as the building facades, would be incorporated into the new building and adapted for new uses, consistent with the project proposal.

#### C. SUMMARY TABLE

Table II-1 identifies the impacts and mitigation measures for the proposed project. The information in the table is organized to correspond with the potentially significant and significant unavoidable environmental issues discussed in Chapter IV and the environmental issues that can be reduced to a less than significant level through mitigation measures identified in the Initial Study/NOP. The tables are arranged in four columns: 1) impacts; 2) level of significance prior to mitigation measures; 3) mitigation measures; and 4) level of significance after mitigation. The table uses the following abbreviations: SU=Significant Unavoidable Impact; S=Significant Impact; PS= Potentially Significant; LTS=Less Than Significant Impact. For a complete description of potential impacts and recommended mitigation measures, please refer to Chapter IV.

**Table II-1: Summary of Impacts and Mitigation Measures**

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
<b>I. AESTHETIC RESOURCES</b>			
Implementation of the proposed project would negatively affect the historic context of the site by proposing a building that does not relate positively to the built environment in terms of design (building proportions and articulation), materials, workmanship, detailing, and/or design of the pedestrian environment.	S	<b>AES-1:</b> Incorporate building elements that relate the new building to its historic context through the use of projecting bays, usable building balconies, deep eave overhangs, a substantial element at the building corner at 2 <sup>nd</sup> and B Street, and canopies at the ground floor that extend over the sidewalk for review and approval by Design Review Board prior to issuance of a Building Permit.	LTS
<b>II. AIR QUALITY</b>			
Expose sensitive receptors to substantial pollutant concentrations.	PS	<b>AIR-1:</b> To mitigate potential air quality impacts associated with construction and grading activities, a Dust Control Plan shall be prepared and submitted to the City of San Rafael Community Development Department for review and approval, prior to issuance of a grading permit.	LTS
<b>III. CULTURAL RESOURCES- Historical</b>			
Implementation of the proposed project would demolish the existing two-story historic Victorian residential buildings at 1212 & 1214 2nd Street, which are listed in the local register of historical resources (1212 2 <sup>nd</sup> Street) and have been determined eligible for listing on the California Register of Historical Resources.	S	<b>CULT-1A:</b> The buildings at the subject property shall be documented. Documentation shall consist of a narrative, which may consist of the Historic Resource Report, and archivally-stable black and white photographs documenting the building exterior and interiors as they exist today, and the building's general setting. It is not necessary to photograph the property to HABS standards, as the integrity of the property does not warrant this level of documentation. This documentation will be produced and submitted to the California Room of the Marin County Free Library, and the Northwest Information Center at Sonoma State University, Rohnert Park, California. Photographic negatives should be retained by the City of San Rafael. Costs associated with CULT-1A are anticipated to be no greater than \$5,000.	SU
		<b>CULT-1B:</b> Update the historic survey of the San Rafael with a focus on the San Rafael Original Townsite area (an approximately 16-block area) and evaluate the area in the immediate vicinity of 2 <sup>nd</sup> and B Street (boundaries to be determined by the survey) for a potential historic district. Costs associated with CULT-1B are anticipated to be approximately \$20,000.	SU

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<p><b>CULT-1C:</b> Develop an interpretive panel, to be installed at one of the corners at 2<sup>nd</sup> and B Street, that depicts historic photos of the area, including historic buildings and the train track, a map of the resources, and provides information about the historic buildings and streetscape in the area. Costs associated with CULT-1C are anticipated to be approximately \$20,000.</p>	SU
		<p><b>CULT-1D:</b> Provide a duplicate of the photographs and information to be used in the on-street interpretation of the 2<sup>nd</sup> and B Street area to be mounted in a prominent location, such as the lobby, of the proposed building. Costs associated with CULT-1D are anticipated to be no greater than \$5,000.</p>	SU
		<p><b>CULT-1E:</b> Working with the Marin History Museum or an equivalent historical society or organization, develop programming that commemorates the history of the 2<sup>nd</sup> and B Street area, including the railroad station, to be presented as a lecture, exhibit, online video, or similar public presentation. Costs associated with CULT-1E are anticipated to be no greater than \$5,000, assuming some volunteer time on the part of the partnering organization.</p>	SU
<p>Ground-disturbing activities associated with demolition, grading and excavation for utility trenches, while very limited, could adversely affect archaeological cultural resources.</p>	PS	<p><b>CULT-2:</b> If archeological or cultural resources are accidentally discovered during excavation/grading activities, all work will stop within 100 feet of the resource and a qualified archaeologist will be notified immediately. The qualified archaeologist will contact Federated Indians of Graton Rancheria (FIGR) and the Planning Division and coordinate the appropriate evaluation of the find and implement any additional treatment or protection, if required. No work shall occur in the vicinity until approved by the qualified archaeologist, FIGR and Planning staff. Prehistoric resources that may be identified include, but shall not be limited to, concentrations of stone tools and manufacturing debris made of obsidian, basalt and other stone materials, milling equipment such as bedrock mortars, portable mortars and pestles and locally darkened soils (midden) that may contains dietary remains such as shell and bone, as well as</p>	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		human remains. Historic archaeological resources that may be identified include, but are not limited to, small cemeteries or burial plots, structural foundations, cabin pads, cans with soldered seams or tops, or bottles or fragments of clear and colored glass.	
Ground-disturbing activities associated with demolition, grading and excavation for utility trenches, while very limited, could disturb human remains, including those interred outside of formal cemeteries.	PS	<b>CULT-3:</b> If human remains are encountered (or suspected) during any project-related activity, all work will halt within 100 feet of the project and the County Coroner will be contacted to evaluate the situation. If the County Coroner determines that the human remains are of Native American origin, the County Coroner shall notify FIGR within 24-hours of such identification who will work with Planning staff to determine the proper treatment of the remains. No work shall occur in the vicinity without approval from Planning staff.	LTS
<b>IV. HAZARDS AND HAZARDOUS MATERIALS</b>			
Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	PS	<b>HAZ-1:</b> To reduce the potential exposure of the public to hazardous materials such as asbestos or lead during proposed demolition activities, a hazardous material remediation plan shall be prepared and submitted to the City of San Rafael Community Development Department for review and approval prior to issuance of a demolition permit.	LTS
<b>V. NOISE</b>			
Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	PS	<b>NOISE-1:</b> To mitigate operational noise, the construction drawings shall provide OITC24 windows along and near the Second Street façade and standard double-paned windows at all other façades. Further, all habitable rooms with exterior noise exposures greater than Ldn 60 will require alternative ventilation per Title 24.	LTS
		<b>NOISE-2:</b> The City of San Rafael Noise Ordinance construction noise requirements shall be met. Construction noise related to demolition and grading work done within 15 feet of the west property line could exceed the Ordinance requirements. To ameliorate the noise effects from this work, the neighbors shall be informed beforehand, any input they have on construction scheduling shall be incorporated to the extent feasible, and the work should be conducted as quickly as possible to minimize exposure time.	LTS
		<b>NOISE-3:</b> To minimize the potential noise impact on adjacent residences when the existing structures on the project site are demolished and when site preparation work is done, the following measures shall be implemented: 1. The contractors shall provide heavy machinery and	



Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		pneumatic tools equipped with mufflers and other sound suppression technologies. 2. The contractors shall shut down equipment expected to idle more than 5 minutes.	
<b>VI. TRANSPORTATION/TRAFFIC</b>			
Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the County Congestion Management Agency for designated roads or highways.	PS	<b>TRANS-1:</b> The applicant shall pay a traffic mitigation fee in the amount of \$131,626 for 31 peak hour trips. Payment shall be required prior to issuance of a building permit.	LTS

Source: Newman Planning Associates and Painter Preservation and Planning, 2015

### **III. PROJECT DESCRIPTION**

This chapter describes the 2nd and B Street San Rafael Housing Project (project) that is evaluated in this Environmental Impact Report (EIR). A description of the project's regional context, planning context, and objectives is included, in addition to a discussion of required project approvals and entitlements.

#### **A. PROJECT SITE**

The following section describes the project site's location, site characteristics, surrounding land uses and existing General Plan and zoning designations.

##### **1. Location**

The project site is located in the City of San Rafael, in Marin County in the Downtown area. The project site is comprised of four lots totaling 23,614 square feet (0.54 acres) located at the northwest corner of the intersection of 2nd Street and B Streets. The main entrance to the building would be on B Street. The project location is shown in Figure I-1.

##### **2. Site Characteristics**

The project site is level and is comprised of four contiguous parcels. The property has an irregular boxy shape measuring approximately 185'10" along the 2nd Street frontage and 118'4" along the B Street frontage.

B Street is a one-way (southbound), two-lane, pedestrian scale commercial street whereas 2nd Street is a one-way (eastbound), three-lane arterial with a mixture of residential (single-family and multi-family developments) and commercial uses along each side. Second Street is a major vehicular route that connects local San Rafael and Ross Valley "Miracle Mile" traffic to Highway 101. An aerial photograph of the project site and setting is shown in Figure III-1.

The site is currently improved with two Victorian-era single-family homes located at 1212 and 1214 2nd Street that date to circa 1890, and a 5,000 square foot one-story commercial building located at 809 B Street (at the corner of 2nd and B Streets) that is presently rented by the Iglesia Bautista Monte Sinai church, and an asphalt surface parking lot.

The buildings at 1212 and 1214 2nd Street represent two of three identical Victoria-era residences constructed by builder and contractor Johannes Petersen for rental properties. Petersen also owned the contiguous 811-813 B Street commercial building (no longer

extant), a two-story wood-frame structure dating from 1887 or earlier. Petersen, a native of Denmark, arrived in San Rafael shortly before the arrival of the railroad spurred an era of growth in the city. He capitalized on this period, building hundreds of structures, according to his obituary. He also invested in other business ventures and served as a San Rafael city councilman and a Marin County supervisor from 1897 to 1901. Petersen's wife continued to rent the properties after his death in 1909 through at least 1929. The third residence at 1210 2nd Street and the two-story commercial building at 811-13 B Street were demolished for surface parking in 1967. The City of San Rafael Historical/Architectural Survey Final Inventory List of Structures and Uses lists the structure at 1212 2nd Street but does not include the structure at 1214 Street.<sup>3</sup>

The existing one-story commercial building at the northwest corner of B and 2nd Streets is an older, stucco-clad building within an overhang rounding the corner at the sidewalk and is currently occupied. The two adjacent two-story Victorian homes have horizontal wood siding and are in different states of repair. The house at 1212 2nd Street, listed on the City of San Rafael's 1986 Historic Resource Survey, caught fire in 2007 and was not repaired. In the intervening years, the fire-damaged structure has deteriorated significantly and is uninhabitable. The house at 1214 2nd Street, which was not included on the City's Historic Resource Survey, is currently an occupied rental unit in good condition. It was modified to include a one-story structure addition to the front of the residence in the 1950s.

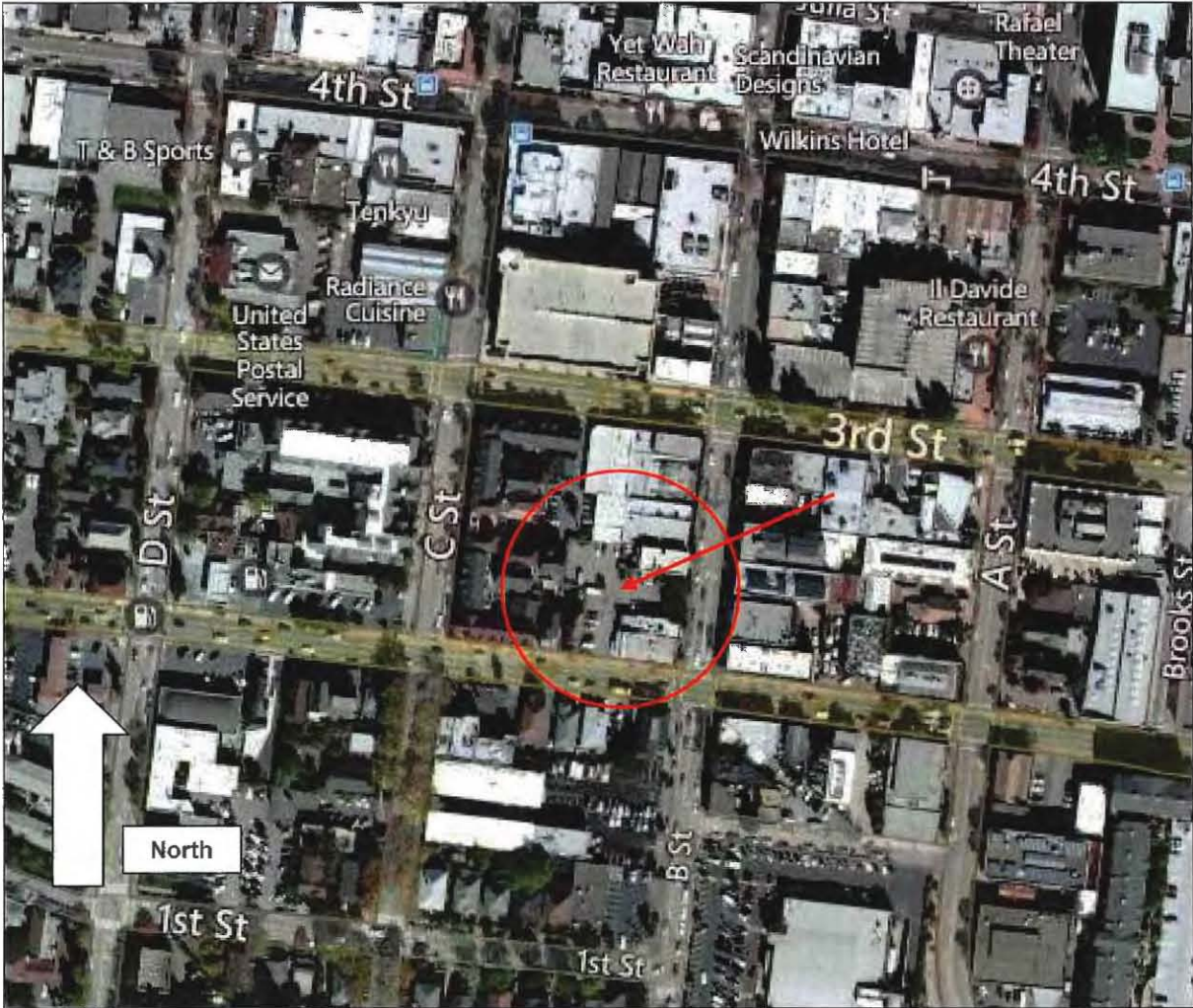
An historical evaluation was prepared for the property in June 2013 by Painter Preservation & Planning and it was determined that the Victorian-era buildings each possess historical significance at the local level under California Register Criteria 1 and 3 and additionally retain sufficient integrity to convey the reasons for their significance and are therefore historic resources for the purposes of CEQA.<sup>4</sup>

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<sup>3</sup> Note that the residence at 1214 2<sup>nd</sup> Street was also found to be historic through survey evaluation (California Resources Status Code 5S3) in the Historic Resource Report prepared by Painter Preservation & Planning in 2013.

<sup>4</sup> Painter Preservation & Planning, 2013. "1212 & 1214 2nd Street, San Rafael, Marin County, California, Historic Resource Report.

Figure III-1: Aerial Photograph



No scale

**Figure III-2: Existing Conditions**



**III-2a. 1214 (left) and 1212 (right) 2nd Street, looking north, 2013**



III-2b. 1212 and 1214 2nd Street, looking west, 2013



III-2c. B Street at 2nd, looking north, (just east of 1212 and 1214 2<sup>nd</sup> Street), 2013



III-2d. 2<sup>nd</sup> and B Streets, looking northwest, (just east of 1212 and 1214 2<sup>nd</sup> Street), 2013



The San Rafael General Plan 2020 designates the project site as 2/3 MU (“2<sup>nd</sup>/3<sup>rd</sup> Street Mixed Use) with up to 1.5 Floor Area Ratio. The existing commercial and residential uses of the four parcels that comprise the project site are consistent with this land use designation.

### **3. Surrounding Land Uses**

The project site is located in Downtown San Rafael. Surrounding uses include retail stores, restaurants and community services along B Street and residential and commercial uses along 2nd Street.

## **B. PROJECT OBJECTIVES**

The key objective of the project applicant is to develop a 41-unit residential development, with six below-market-rate units. The objectives of the proposed project are as follows:

- To redevelop an under-utilized area of downtown consistent with General Plan policies;
- To develop a mixed-use project that is appropriately designed for the immediate neighborhood considering the scale and architectural style of surrounding development;
- To meet the City’s affordable housing requirements;
- To increase the economic vitality of the Downtown area;
- To seek approval of a reasonably proposed density bonus with concessions and incentives as permitted under State law.

## **C. PROPOSED PROJECT**

This EIR evaluates the environmental effects of the mixed-use infill development project proposed by Monahan Parker (project applicant). The proposed project would result in redevelopment of an existing, under-utilized site in Downtown San Rafael. The project plans are illustrated in Figures III-3 through III-5. The applicant has submitted applications requesting approval of the proposed plans that include: an Environmental and Design Review Permit, Use Permit, and Lot Line Adjustment. In 2015, Monahan Parker submitted a Letter of Intent to Map the project as condominiums but has not submitted a Tentative Subdivision Map application. Therefore, the City will continue to process the project as a mixed-use apartment rental development.

### **1. Demolition of Existing Commercial and Residential Buildings**

The existing development pattern on the project site is low-intensity with two, two-story Victorian-era residences located on 2nd Street separated by a parking lot from the 5,000 square foot, one-story commercial building located at the corner of 2nd and B Streets. The project applicant proposes to demolish the commercial building at the corner of 2nd and B Streets as well as the two historic Victorian-era structures located at 1212 and 1214 2nd Street and construct a new mixed-use, 4-story building.

The two residential structures to be demolished were constructed between 1887 and 1894. A 2013 Historical Resource Evaluation prepared by Painter Preservation and Planning determined that both Victorian residential structures are historical resources and the proposed demolition would result in a significant adverse impact under the California Environmental Quality Act (CEQA). In addition, the proposed project would have a potentially significant adverse aesthetic impact upon the historical setting in the vicinity of the project.

## 2. Mixed Use Development Proposal

The 2nd and B Street San Rafael Housing project is a mixed-use development located at the northwest corner of 2nd and B Streets in Downtown San Rafael. Manahan Parker, Inc. of San Rafael proposes a 69,714 square foot building that would occupy the entire four-parcel, 0.54-acre site and consist of a three-story, wood-frame residential condominium complex over a one-story, concrete podium that contains required parking, the building lobby and a retail space. The proposed building would be 42 feet in height, the maximum permitted by the Second/Third Mixed Use West (2/3 MUW) and Cross Street Mixed Use (CSMU) Zoning Districts. The Site Map and Context Photos, shown on Figure III-2 (Sheet A0-1), depicts the footprint of the proposed new building.

Based upon the City's General Plan and Zoning Ordinance, the maximum allowable density for the site is 30 residential units. For projects that propose more than 20 units, the City requires that 20% of the units be provided at "below market rates" (BMR units). The proposal would fulfill the required 20% affordable housing requirement by providing 6 BMR units. The City's requirements provide that 50% of the affordable units be provided at low and very low income levels. In addition, since the project provides certain levels of affordability, it is entitled to a State Density Bonus of 35%, the maximum permitted under State law, providing 11 additional market rate units for a project total of 41 units. In order for the project to be granted a density bonus of 35%, a minimum of four of the six BMR units will need to be affordable to very low income households, while the remaining two units may be at the low income affordability level. The applicants have also requested a concession from City Zoning requirements to allow tandem parking as shown on the plans for 10 parking spaces, which would be permitted under State Density Bonus regulations.

Figure III-4, the Site Plan (Sheet A1-0), indicates that the first floor would contain a 1,939 square foot retail area at the corner of 2nd and B Street. Adjacent to the retail area to the north on B Street is the residential lobby with a seating area and access to the parking garage, elevator and staircase. Adjacent to the lobby is the Manager's office and trash room.

Figure III-5, the Residential Plans and Roof Plan show the layout of the units and amenities. The total of 41 residential units would consist of 24 one-bedroom units (890 square feet), 11 two-bedroom units (973 to 1,263 square feet), and six BMR units (studio 517 square feet and 1-bedroom 817 square feet). The second and third floors have identical floor plans that include 16 units consisting of 3 BMR units, 3 2-bedroom units and 10 1-bedroom units. The third floor proposes the same types and number of units. The fourth floor is smaller, due to

being set back from the 2nd and B Street frontages, and would contain nine market rate units consisting of 5 2-bedroom units and 4 1-bedroom units.

Standards for residential useable outdoor area are provided in the applicable zoning districts. A minimum of 100 square feet of common or private outdoor area is required for each unit. The project provides a total of 6,879 square feet, exceeding the minimum requirement of 4,100 square feet (41 units x 100 square feet). This is accomplished through 4,426 square feet of private open area consisting of balconies and deck areas provided for most (31) units and 2,453 square feet of common area in two locations: 953 square feet provided as a rear second floor patio and a 1,500 square foot patio on the fourth floor along the B Street frontage.

### **3. Circulation and Parking**

Vehicular as well as pedestrian access for the proposed project would be provided along the B Street frontage. Vehicular access would be via a single, 24'-wide, two-way driveway located at the north end of the building. Access to the residential units would be provided through a lobby entrance. The City's parking standards require 47 parking spaces at a ratio of one space per one-bedroom unit, 1.5 spaces per two-bedroom unit, and one space per BMR unit. The parking plan provides 48 spaces, including two handicapped parking spaces (1 van accessible space). Parking spaces are primarily standard size for the Downtown area (8'6"x18'), however ten spaces are shown as tandem parking (8'6"x 36'). The ten (10) tandem garage parking spaces are prohibited by the City's Parking Standards (Section 14.18.120 of the Zoning Ordinance) unless granted as a concession or incentive for meeting the affordable housing requirement. As discussed above, the applicants request a concession for tandem parking, as permitted by State Density Bonus.

Parking for the proposed retail space would not be provided within the proposed parking garage. Instead, patrons for the retail space would have access to metered parking along B Street or within nearby public parking garages. This is permissible because the project site is located within the Downtown Parking District in which City parking garages and surface lots provide off-street parking for up to 1.0 FAR of non-residential development or up to 25,522 square feet of non-residential development on the subject property. As described above, the proposed retail space is small at 1,939 square feet and would fit within these requirements.

### **4. Landscaping**

The landscape design for the project consists of three main areas: the streetscape planting beds, street trees, and the infiltration planters, as depicted on Figure III-4.

The streetscape planting includes the removal of two existing Ash trees in poor health along 2nd Street and replacement with six new Crimson spire oak trees. Along B Street, two existing Flowering pear trees would remain and be augmented by two new Flowering pear trees. All the street trees would be planted in the sidewalk with cast iron tree grates, staked, and watered by the project with City-approved irrigation bubblers. The project would also

result in removal of two existing mature Carob trees onsite, along the B Street frontage and an existing Canary Island Date Palm tree that is located within an existing easement adjacent to the north property line.

The infiltration zones are planting areas located at the street level along the building's 2nd Street frontage and also on the north side of the property on the Second level. The function of the infiltration planters is to treat storm water run off from the building roof, which will be collected by gutters and routed to the planters via down leaders. The landscape filtration area adjacent to the parking garage would be planted with low water use, ornamental grasses to help screen the lower portion of the parking garage. The Second level infiltration planter provides California native plants.

The garage wall along 2nd Street would be covered with a metal lattice "green screen" planted with flowering vines. The retail building edge along the 2nd Street and B Street frontages would have a narrow planter area. Two large potted trees would be placed on the B Street frontage at the residential lobby entry. All other areas of the property are paved or covered by the proposed building.

## **5. Drainage and Grading**

The existing property consists of relatively flat terrain with maximum impervious coverage consisting of an asphalt parking lot and existing buildings. The site slopes approximately four percent from the north to the south. Currently, runoff from the project site is conveyed by the existing curbs and gutters, in a north to south direction on B Street and east to west direction on 2nd Street, toward a catch basin at the corner of 2nd and C Streets, to the west of the site.

The County of Marin and the City of San Rafael require any increased runoff from the proposed project be discharged and filtered onsite. Because the site is presently covered with impervious surfaces, the proposed project would not increase storm drain peak flow and volume discharged from the site. To reduce the impact of storm runoff upon water quality, the project proposes to convey roof gutter drainage to two infiltration planters for onsite treatment before being directed and discharged into the City's storm drainage system at street curbs.

## **6. Utilities**

Utility services are currently provided to the existing commercial building and the one occupied Victorian residence on the project site. The utility/infrastructure improvements that would be provided in association with the proposed project are discussed below.

**a. Water Service.** The Marin Municipal Water District (MMWD) currently supplies water to the project site. MMWD has provided a letter that indicates the parcel is currently being served and that the proposed demolition and reconstruction project to create 41 new units would exceed the existing water entitlement. Upon submittal of the approved

improvement plan, the District will determine the necessary facilities and water entitlement to serve the new use.

**b. Wastewater.** Wastewater services are provided by San Rafael Sanitary District. The District has provided a letter indicating that they will continue to provide services to the proposed development subject to payment of appropriate sewer connection fees.

**c. Stormwater.** The City of San Rafael Public Works Department manages stormwater via a storm drainage network consisting of conveyance pipes and outfalls to local creeks and the Bay. New on-site drainage facilities would be developed as part of the project. These facilities would be subject to the requirements of the San Francisco Bay Regional Water Quality Control Board (RWQCB) and approval by the San Rafael Public Works Department.

**d. Other Utilities.** Other utilities that would be provided to the project site include telephone and cable service, gas and electric service. These utilities are currently provided to the project site. PG&E has notified the City that an above-grade transformer is located within a 100 sq. ft. PGE utility easement, which will need to be removed prior to any demolition/construction activity and re-installed underground along the 2<sup>nd</sup> Street frontage.

Figure III-3: Site Plan (Sheet A1.0)

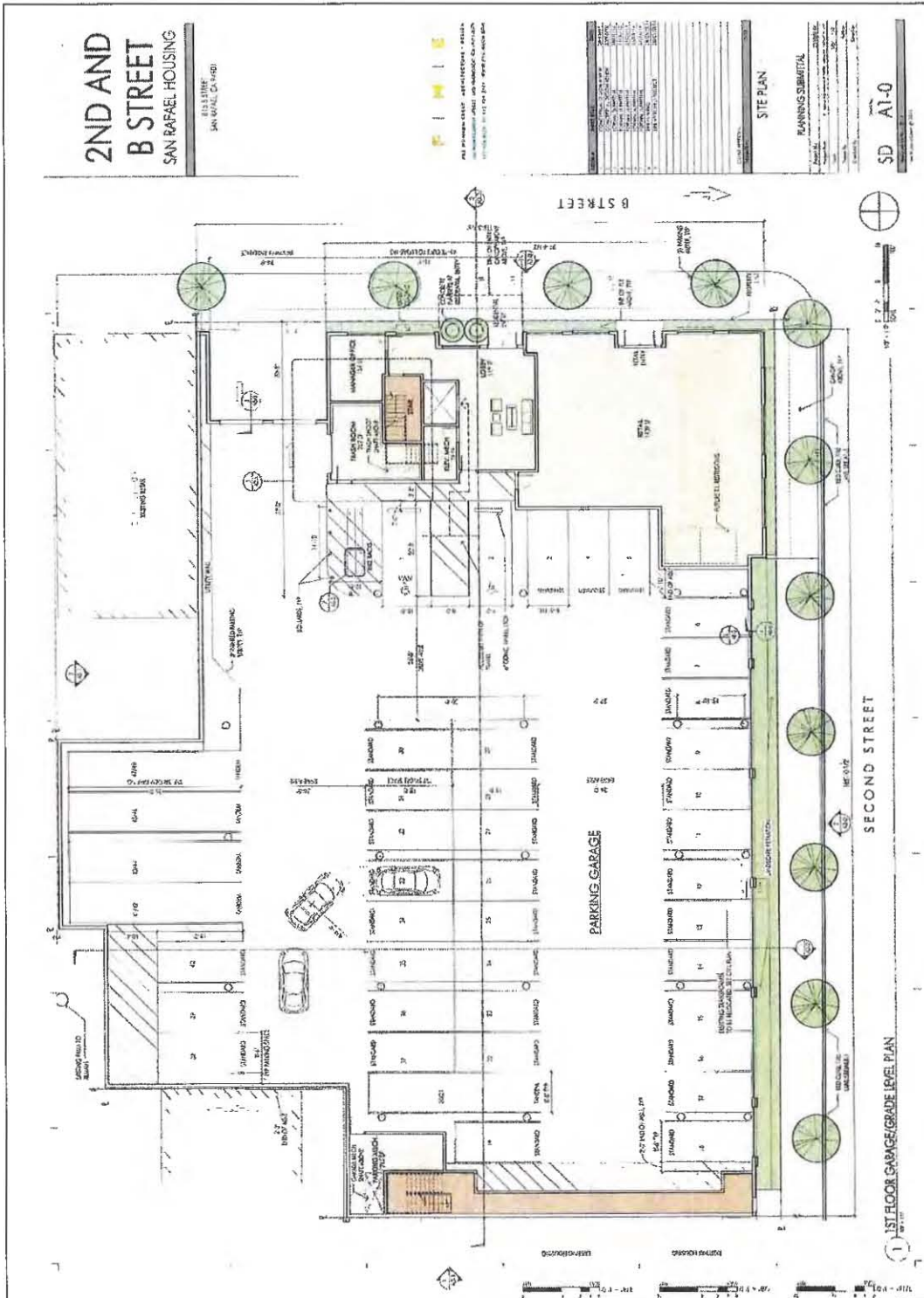
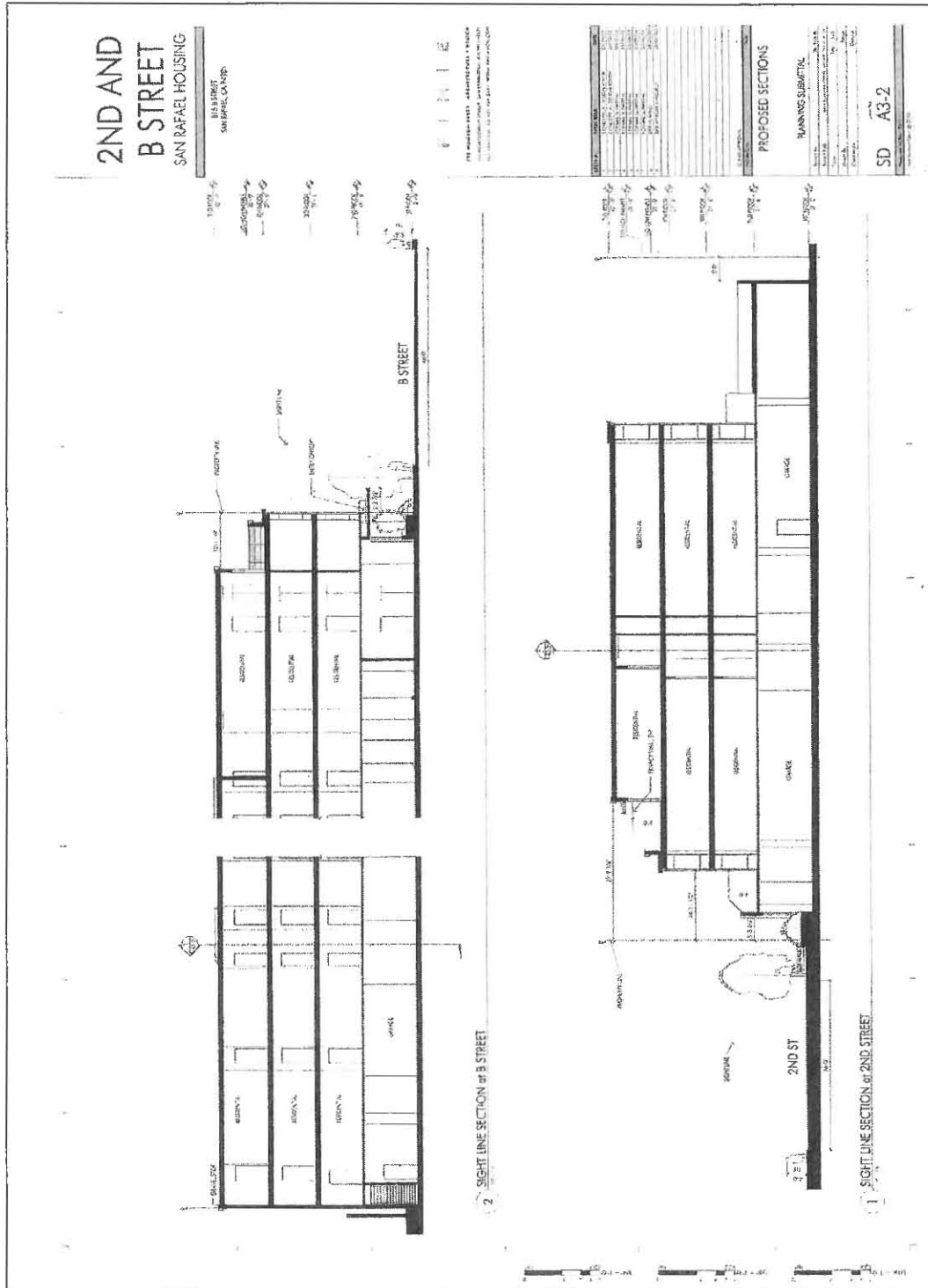


Figure III-4: Elevations (Sheet A3.0)



Figure III-5: Sections (Sheet A3.2)





## **D. DISCRETIONARY ACTIONS**

The project applicant is seeking Planning Commission approval of the following discretionary actions.

1. Use Permit (UP12-029) – The project includes a request for approval of a Use Permit to allow residential uses in commercial districts, pursuant to Section 14.17.100 of the SRMC.
2. Environmental and Design Review Permit (ED12-060) – The project requires an Environmental and Design Review Permit because it is a new multifamily residential development with more than three units. The project is subject to the review criteria for Environmental and Design Review Permits pursuant to Section 14.25.050 of the San Rafael Municipal Code (SRMC), which provide guidelines for all aspects of the project design, including site design, architecture, materials and colors, walls, fences and screening, exterior lighting, signs and landscape areas.
3. Lot Line Adjustment (LLA12-003) – The project requires a Lot Line Adjustment to consolidate the four adjacent parcels that make up the subject property, eliminating construction of the proposed mixed-use building over the parcel boundaries, pursuant to Chapter 15.05 of the City’s Subdivision Ordinance.

## **E. USE OF THIS EIR**

Permits and approvals, including the discretionary actions described above, is required before the development of this project can proceed. As lead agency for the proposed project, the City of San Rafael would be responsible for the majority of approvals required for development. Other agencies may also have some authority related to the project and its approvals. A list of required permits and approvals that may be required by the City and other agencies is provided in Table III-1.

The agencies listed below may use this EIR when deliberating over required permits and approvals.

**Table III-1: Required Permits and Approvals**

<b>Lead Agency</b>	<b>Permit/Approval</b>
City of San Rafael	<ul style="list-style-type: none"> <li>• Conditional Use Permit</li> <li>• Environmental and Design Review Permit</li> <li>• Lot Line Adjustment</li> <li>• Demolition Permit</li> <li>• Grading Permit</li> <li>• Building Permit</li> </ul>
<b>Responsible Agencies</b>	
San Rafael Sanitation District	•Approval a fees paid prior to issuance of building permit
Marin Municipal Water District	•Approval of water lines, water hookups and fees paid prior to issuance of building permit
AT&T	•Approval of communication line improvements and facilities and connection permits
Pacific Gas & Electric (PG&E)	•Relocation of existing transformer and approval of natural gas and electricity improvements and connection permits

## IV. SETTING, IMPACTS AND MITIGATION MEASURES

This chapter contains an analysis of the potentially significant environmental topics that were either identified in the Initial Study prepared for the 2nd and B Street project or raised in comments received in response to the NOP. This Section constitutes the major portion of the Draft EIR. This chapter describes the environmental setting of the project site as it relates to each specific issue. The impacts resulting from implementation of the proposed project and mitigation measures that would reduce impacts of the project, if necessary, are also presented in each of the sections.

### DETERMINATION OF SIGNIFICANCE

Under CEQA, a significant effect is defined as a substantial, or potentially substantial, adverse change in the environment.<sup>5</sup> The *CEQA Guidelines* direct that this determination be based on scientific and factual data. Each impact and mitigation measure section is prefaced by a summary of the criteria of significance. These criteria have been developed using the *CEQA Guidelines* and applicable City policies, such as the *San Rafael General Plan 2020* (General Plan).

#### 1. Initial Study/Notice of Preparation

The Initial Study/Notice of Preparation evaluated the full range of potential environmental effects of the project and concluded that the effects upon Aesthetics and Cultural Resources (historical) would be significant and unavoidable, requiring preparation of an EIR. The Initial Study/NOP also found that the project would have potentially significant impacts to:

- Air Quality
- Hazards and Hazardous Materials
- Noise
- Transportation/Traffic

These potentially significant impacts could be reduced to a less than significant level through mitigation measures identified in the Initial Study. These mitigation measures are included in Table II-1: Summary of Impacts and Mitigation Measures and Appendix A: Mitigation Monitoring and Reporting Program. The project was found to have no impact or a less than significant impact upon the remaining environmental topics evaluated in the Initial Study, including Biological Resources, Greenhouse Gas Emissions, Land Use/Planning,

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<sup>5</sup> Public Resources Code 21068.

Population/Housing, Agriculture Resources, Mineral Resources, Public Services, Utilities/Service Systems, Geology/Soils, Hydrology/Water Quality and Recreation.

## **2. Issues Addressed in the Draft EIR**

The following environmental issues are addressed in this chapter:

- A. Aesthetic Resources
- B. Cultural Resources – Historical

This EIR is prepared pursuant to CEQA § 21083.3 of the CEQA statutes. For projects that are consistent with the general plan and where the general plan itself was evaluated in an EIR, this section permits an EIR to analyze only the “effects upon the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report or which substantial new information shows will be more significant than described in the prior environmental impact report.” The 2nd and B Street project is consistent with the General Plan in the following areas: air quality, agricultural resources, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, and utilities. Consequently, these areas are not examined in this chapter of the EIR.

## **3. Format of Issue Sections**

The environmental topics considered in this chapter are comprised of two sections:

(1) Setting, and (2) Impacts and Mitigation Measures. An overview of the general organization and the information provided in the two sections is below:

- *Setting.* The Setting section for each environmental topic generally provides a description of the applicable physical setting for the project site and its surroundings at the beginning of the environmental review process at the time of issuance of the Notice of Preparation (e.g., existing land uses). An overview of regulatory considerations that are applicable to the specific environmental topic is also provided.
- *Impacts and Mitigation Measures.* The Impacts and Mitigation Measures section for each environmental topic presents a discussion of the impacts that could result from implementation of the proposed 2nd and B Street project. The section begins with the criteria of significance, establishing the thresholds to determine whether an impact is significant. The latter part of this section presents the impacts from the proposed project and mitigation measures, if required. The impacts of the proposed project are organized in separate categories based on their significance according to the criteria listed in each topical section: less than significant impacts, which do not require mitigation measures; and significant impacts, which do require mitigation measures. Impacts are numbered and shown in bold type, and the corresponding mitigation measures are numbered and indented. Impacts and mitigation measures are numbered consecutively within each topic

and begin with an acronymic reference to the impact section. The following symbols are used for individual topics:

AES: Aesthetic Resources  
CULT: Cultural Resources

Impacts are also categorized by type of impact, as follows: Less than significant, Significant, and Significant and Unavoidable. The following notations are provided after each identified significant impact and after identification of mitigation measures:

LTS: Less than Significant  
S: Significant  
SU: Significant and Unavoidable

These notations indicate the significance of the impact before and after mitigation.

## A. AESTHETIC RESOURCES

This section evaluates the proposed project's impacts to aesthetic resources, particularly with regard to the relationship with the historical context of the immediately surrounding historic resources located on B Street and 2nd Street. For the purposes of CEQA, aesthetic resources are the perceived visual qualities of an area characterized by visual elements such as a scenic vista, natural feature, or the built environment. Aesthetically significant features can occur in a wide variety of settings ranging from wild landscapes to urban areas. A project could have a significant adverse impact upon visual resources if the proposed structure is visually discordant in style, form, scale and/or materials with an otherwise cohesive built-environment setting or in this case, with identified historic resources.

The visual setting of the project is Downtown San Rafael generally and the immediate urban blocks of 2nd Street and B Street adjacent to the project site. Surrounding land uses are primarily commercial and residential. As noted in the San Rafael General Plan 2020 Housing Element,

*“San Rafael is a city with a long history and many neighborhoods that are distinctive and representative of that history. There are older neighborhoods, from the days when San Rafael's residences were a mix of large ornate homes for wealthy merchants, summer retreats for San Francisco residents, and smaller simpler homes for workers from other countries.”<sup>6</sup>*

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<sup>6</sup> San Rafael General Plan 2020, Housing Element, p. 39.

The General Plan provides housing and economic development policies to guide growth and change in the Downtown that include height and density bonuses for affordable housing and encouraging mixed use development, among many others. The General Plan recognizes the need to balance demand for new infill housing units in a manner that supports high aesthetic values:

*“Housing policies must be integrated with related issues such as land use, design, traffic capacity, economic development, and adequate infrastructure. For example, design policies for multifamily housing will try to ensure enhancement of neighborhood identity and sense of community by having new housing sensitively address scale and compatibility in design to the surrounding neighborhood.”<sup>7</sup>*

Related to this are the following General Plan Policies:

**H-2. Neighborhood Improvements.**

Recognize that construction of new housing can enhance a community. Encourage investment in housing that adds to the appearance and value of a neighborhood.

**H-3. Design That Fits into the Neighborhood Context.**

Design new housing, remodels and additions to be compatible with the surrounding neighborhood. Incorporate transitions in height and setbacks from adjacent properties to respect adjacent development character and privacy. Respect existing landforms and minimize effects on adjacent properties.

**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.

**NH-22. Housing Downtown.**

Create a popular and attractive residential environment that contributes to the activity and sense of community Downtown. This includes:

- a. Preserving and upgrading existing units,
- b. Providing incentives to encourage new private sector construction of housing, particularly affordable housing, live/work units, and single room occupancy (SRO) units,
- c. Designing units that take advantage of Downtown’s views, proximity to shopping and services, and transit, and
- d. Implementing zoning standards that reflect Downtown’s urban character.

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<sup>7</sup> Ibid., p.44

This section describes the methods used to conduct the aesthetic resources analysis, and is followed by a brief historical overview of the project area. The second part of this section presents the results of the impacts analysis and, where appropriate, provides mitigation measures to reduce such impacts to less than significant levels.

## 1. Aesthetics Impact Analysis

This subsection describes the methods used to identify and evaluate the aesthetic environment in the vicinity of the project site.

### a. Methods/Criteria (CEQA)

Painter Preservation & Planning, Architectural Historians, sought the information required for this section from several sources. Background on the architecture and history of the project area was drawn from the Historic Resource Report by Painter Preservation & Planning dated June 2013 and included in Appendix C.<sup>8</sup> Information about the historic resources in the vicinity of the project was augmented by review of previous historic surveys held by the City of San Rafael. Information about the urban context and urban design qualities in the project area are drawn from the Design Review Report prepared by architecture + history, llc dated November 2012 and this author's own field observations.<sup>9</sup>

Project drawings that were originally reviewed to assess impacts to the built environment and immediate project context were dated March 2013. These findings were documented in the Initial Study for this project, dated June 2013.<sup>10</sup> The first revision drawings, dated May 2014, were also reviewed. Subsequent modifications to the project design, as provided in plans dated July 2014 and formally approved by the Design Review Board in their meeting on August 5, 2014, were also reviewed by Painter Preservation & Planning.<sup>11</sup> Changes incorporated in this final design, and the positive and negative effects upon Aesthetics have been incorporated into this analysis.

The initial plans and subsequent modifications of the project were reviewed for the ways in which they fit into the historic context of the neighborhood, including the massing and scale of the project; the ways in which design features and details related to the historic architectural context; and the materials and craftsmanship of the new building and the ways in which these qualities related to the historic context.

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<sup>8</sup> Painter Preservation & Planning, June 2013. "1212 & 1214 2<sup>nd</sup> Street, San Rafael, Marin County, California, Historic Resource Report."

<sup>9</sup> architecture + history, llc, November 12, 2012. "Design Review Report, 809 B Street, San Rafael, CA."

<sup>10</sup> Newman Planning Associates, June 2013. "Second and B Street: New San Rafael Housing, Initial Study and Notice of Preparation (NOP) of an Environmental Impact Report (EIR)."

<sup>11</sup> Note that these three versions of the project design are included in the August 5, 2014 staff report prepared by City of San Rafael staff and provided to the Design Review Board in advance of their meeting.

The purpose of the reviews documented below is to identify the historic aesthetic and urban design context in the project area, in order to assess aesthetic impacts of the project to the built environment.

**(1) Records Search.** The same literature and historic maps and photos examined for the Historic Resource Report prepared for this section yielded the information necessary to assess and evaluate the aesthetic environment for preparation of this EIR. Because the aesthetic environment and urban design context for the project site is so integral with the historic character of the neighborhood, the records search, combined with field observation, yielded much of the information on the neighborhood necessary to evaluate the proposed project's impact on the immediate aesthetic environment.

**(b) Report Review.** The 2012 Design Review Report prepared by architecture + history, llc was reviewed as part of this Aesthetic assessment to both gain insight into the author's evaluation of the built environment and the project's impact on it, and to review the adequacy of the document to respond to the aesthetic aspects of the historic built environment in the project area. This Design Review Report included a literature review of design review and historic survey documents; described the contemporary context of the project site; and provided a brief listing of applicable City of San Rafael land use and community design policies and design guidelines, both formal and informal. The report provided general urban design recommendations, but did not address the historic built environment in any meaningful way. It concluded that, "The project will not lower the historic and cultural values of the surrounding historic fabric."

**(c) Field Survey.** Diana Painter, Principal Architectural Historian and Urban Designer for Painter Preservation & Planning, also conducted field documentation in January and June 2013 in order to respond to the project design proposal and prepare this section. The surrounding urban context of the subject property was photo-documented and mapped during these field visits.<sup>12</sup>

#### **b. Aesthetic Overview**

The aesthetic experience of the buildings at 1212 and 1214 2<sup>nd</sup> Street, as well as the experience of the surrounding area, is strongly related to the historic character of this neighborhood. The significance of this compact neighborhood, which focuses on the intersection of 2<sup>nd</sup> and B Streets, is that it is remarkably intact dating from the time that the San Rafael & San Quentin Railroad station was established in the southeast quadrant of 2<sup>nd</sup> and B Streets in 1870. The subject residences are related to this era and place because they represent housing purpose-built for rental working- and middle-class tenants, including railroad workers, by the builder and contractor Johannes Petersen (1839-1909).<sup>13</sup> Two additional sites in the immediate vicinity of 1212 and 1214 2<sup>nd</sup> Street were also developed

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<sup>12</sup> Note that field visits were also made in 2007, after the fire that damaged the house at 1212 2<sup>nd</sup> Street.

<sup>13</sup> Note that this housing continued to be held and rented out by Petersen and his family for at least 40 years.



and/or owned and rented out for commercial purposes by Johannes Petersen (1210 2nd Street and 809 B Street), but were demolished in 1967 for surface parking lots. The other historic buildings within the immediate area have direct connections to late 19th century San Rafael, and non-historic buildings are, for the most part, compatible in scale, design and detailing.

Listed below are the previously identified historic structures that remain in the immediate setting of the subject properties and that contribute to the historic character of this neighborhood. This list includes properties that are San Rafael Historic Landmarks and properties that are considered historic by virtue of the fact that they are listed in the San Rafael Historical Architectural Survey Final Inventory List of Structures and Areas. They are: 1115 2<sup>nd</sup> Street; 1212 2<sup>nd</sup> Street [subject property]; 724 B Street – Flatiron Building (local landmark); 747 B Street/1201 2<sup>nd</sup> Street – the Cosmopolitan Hotel; 810 B Street; 819-823 B Street; 822 B Street; 826 B Street; 838-40 B Street; and 844-48 B Street. Note that these are not necessarily all the historic structures in the project vicinity, just those that have been previously recognized by the City of San Rafael.

Historically, after getting off the train at the depot just southeast of 2<sup>nd</sup> and B Streets in the late 19th century, a visitor to San Rafael could walk a few steps to the corner of 2<sup>nd</sup> and B Street and see a sight very similar to the view today. Across the street to the west was and is the two-story Cosmopolitan Hotel. To one's immediate right was and is the two-story Flatiron Building, historically a saloon/restaurant. Looking west down 2<sup>nd</sup> Street, housing to rent for prospective residents and vacationers was visible, including 1210, 1212 and 1214 2<sup>nd</sup> Street. (Note that while some of these houses are no longer extant, the two houses at 1212 and 1214 2<sup>nd</sup> Street are still extant and retain integrity). B Street to the north retains the same commercial character that it had in the late 19<sup>th</sup> century. Two blocks away was and is the busy intersection of 4<sup>th</sup> and C Streets, which was recognized as the heart of San Rafael both in the 19th century and today. To the north was and is a view of the wooded hillside above San Rafael, which still visually terminates B Street. One can still experience 19<sup>th</sup> century San Rafael today by standing at 2<sup>nd</sup> and B Streets, with its accompanying characteristics of low-scale, wood-frame buildings, and traditional storefronts on the commercial buildings. Detail on the Victorian-era buildings is rich, reflecting Italianate and Stick/Queen Anne architectural influences.

Despite the demolition of 802 B Street, 809 B Street, 823 B Street, 1210 2nd Street, and the residences west of 1212 and 1214 2<sup>nd</sup> Street, this area retains its unique historical identity and appears eligible as a Historic District under California Eligibility Criteria 1 and 3. The proposed project affects the setting of existing historic structures and the integrity of a potential historic district by introducing a much larger building with elements that differ from those that historically occurred in the neighborhood. This is in addition to removing two contributing structures, thereby also undermining the integrity of a potential historic district.

The historic character of this important corner will be lost, and the urban design character will be affected by changes in the **scale, design, materials, workmanship, architectural**

**detailing and architectural character** of the proposed new structure. The character of the street will also be affected by the proposed garage entrance on B Street, which will also add auto traffic to this already busy street, affecting the pedestrian environment. Additionally, the use of the building will change, removing street-front entrances along 2<sup>nd</sup> Street, as the proposed project is to be constructed on a concrete plinth, with no openings along this street. What a traditional historic neighborhood, whether commercial or residential, offers to the street and to a city is a sense of how people used the buildings and how they related to the street, through such features as pedestrian entries, windows and porches. What will be lost with the new structure, which focuses on automobile access and a centralized building lobby, is a similar interaction between people and the buildings they use.

**c. Initial Study CEQA Findings**

The following discussion of Initial Study findings are based on project drawings dated January 2013. The project proposed for the intersection of 2<sup>nd</sup> and B Streets, in addition to demolishing the historic resources at 1212 and 1214 2<sup>nd</sup> Street, will also have an effect on the historic properties on B Street between 745 and 848 B Street and 1201 and 1115 2<sup>nd</sup> Street. The historic character of this important corner will be lost, and the urban design character will be affected by changes in the **scale, design, materials, workmanship, architectural detailing, and architectural character** of the proposed new structure. The character of the street will also be affected by the proposed garage entrance on B Street, which will impact the pedestrian environment.

Additionally the use of the building will change, removing street-front entrances along 2<sup>nd</sup>, as the proposed project is to be constructed on a concrete plinth, with no openings along this street. What will be lost here is a sense of what the buildings in a traditional historic neighborhood offer to the street and hence to the neighborhood, and a sense of how people interact with the built environment in a traditional neighborhood

The proposed new structure has a negative effect on the present historic character of the neighborhood in the vicinity of the intersection of 2<sup>nd</sup> and B Streets. It has a particularly negative effect on 2<sup>nd</sup> Street, due to the loss of residential scale and amenities along this street, including front porches, architectural features such as bay windows, small scale architectural detailing, and the opportunity for interaction between people and the built environment in this location. The proposed design features at the corner of 2<sup>nd</sup> and B Street, and the retail frontages along B Street do not relate to the traditional historic character of this street and late 19th century commercial streets in general, which are typically more conducive to pedestrian activity. In addition, the historic character of the neighborhood, the late 19th century setting for the project, is significantly impacted with this proposal, due in part to the cumulative effect of prior demolitions in what was a highly intact neighborhood centered around the railroad station and early commercial development in this area. Preparation of an Environmental Impact Report is required.

**d. Project as Approved by Design Review Board**

The most recent “2nd and B Street: New San Rafael Housing” project proposal was submitted to the City of San Rafael in July 2014 and recommended for and approved by the Design Review Board with conditions on August 5, 2014, the same day as the hearing on the proposal.<sup>14</sup> This proposal differed from previous proposals and addressed Aesthetics issues expressed in the Initial Study in the following ways.

The four-story, 41-unit, mixed-use building, which includes 48 parking stalls on the ground floor, proposes to demolish the two historic structures and the one-story commercial building at 2<sup>nd</sup> and B Streets. Changes from the August 2013 submittal that affect Aesthetics are:<sup>15</sup>

1. Reduction of building height at corner of 2<sup>nd</sup> and B Street from four stories to three stories, accomplished with a reduction of units on this floor, and a setback from 2<sup>nd</sup> Street of about 10’-0”.
2. Elimination of most upper-story bay windows, balcony and eave projections that previously extended into the right-of-way or setback, with the exception of the entry awning on B Street.
3. Greater building articulation on 2<sup>nd</sup> Street and a setback on the top floor.
4. Increased relationship of building to neighborhood through reference to character-defining features.
5. Canopy projection on B Street and new, 2’-0” landscaped setback.
6. Paving treatment at the ingress/egress driveway at B Street to improve the pedestrian environment.

**e. Discussion of Design Changes As They Affect Aesthetic Scale.** The height of the existing buildings in the neighborhood, which is a strong determinate of the aesthetic and pedestrian environment, is predominantly two stories. The new apartment buildings west of the proposed project are three stories in height. Almost all the historic buildings on 2<sup>nd</sup> and B Streets are two stories. The scale of the new building, at an apparent three stories rather than four stories along the public building frontages (the fourth story is pulled back by about 12’ on B Street and by about 14’ on 2<sup>nd</sup> Street), creates an improved scale relationship with the existing two-story building stock in the neighborhood – particularly at the corner of 2<sup>nd</sup> and B Street - and more complex massing. The deep eave overhangs expressed on the January 2013 scheme, however, ‘terminated’ the height of the building, which also had a visual effect on scale. The lack of - or very narrow - overhangs on the building in the July 2014 plan, leads the eye to continue upwards and lends a somewhat commercial appearance to the building that is not in keeping with its intended residential use. While the corner treatment is improved – specifically as it relates to the prevalent building heights at the important intersection of 2<sup>nd</sup> and B Streets – the setbacks seen on the rest of the building along the public building frontages create their own issues (see below).

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<sup>14</sup> Note that this meeting was continued from the August 20, 2013 Design Review Board meeting. Letter from Steve Stafford, City of San Rafael, to Tom Monahan, Monahan Parker, Inc., August 6, 2014.

<sup>15</sup> Letter from Richard Strauss, FME, to Steve Stafford, City of San Rafael, March 28, 2014.

**Design.** This subject primarily addresses building proportions, the rhythm of vertical bays, and the three-dimensional composition of vertical and horizontal planes on the building, including setbacks and articulation of building features. The removal or reduction of all right-of-way encroachments along 2<sup>nd</sup> and B Streets, including eave overhangs, bay windows, upper story balconies, and storefront canopies, is detrimental to the appearance of the building and its relationship to the historic neighborhood. Setbacks between floors negatively affects the visual appearance of the building by emphasizing the horizontal at the expense of the balance of vertical and horizontal features present in the January 13, 2014 design scheme. Character-defining features of Victorian-era buildings include bay windows, ornate cornices, and in the case of commercial buildings, awnings or canopies at the first floor level. These are such a strong characteristics from the era, extending from the 1870s through the early 20<sup>th</sup> century, that they define entire neighborhoods in San Francisco and the Bay Area, including the 2<sup>nd</sup> and B Street neighborhood. Canopies over pedestrian walkways are required in many urban areas throughout the west, as a pedestrian amenity and to visually reduce building scale. The present August 2014 scheme has lost the design features and building articulation that helped the proposed project relate to the historic context of a Victorian-era neighborhood.

The January 2013 design scheme successfully combined vertical projecting bays, balconies within recessed areas, deep eaves terminating the building, and canopies at the street level. It is challenging to combine ‘new’ and ‘historic’ features on a building façade, and this scheme appeared to do so, echoing the traditional projecting bay while adding residential amenities for all units such as balconies that are set back from busy 2<sup>nd</sup> Street. The 2<sup>nd</sup> and B Street frontages have lost their vertical emphasis, through the building setbacks and removal of vertical bays, such that it no longer relates to the vertical orientation of traditional Victorian buildings and now has a long, low, boxy appearance without the articulation present in the former scheme. Balconets provide no real amenity for residents, and lend a flat look to the facades. What articulation remains in the scheme is not highly visible, because the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors along 2<sup>nd</sup> Street are pulled back, leaving the one-story garage podium as the main view for pedestrians and the residences and businesses across the street.

**Materials.** Material samples and detailed drawings, including profiles of window and door frames, were not available for review for the preparation of this document. In general, it is desirable to provide as much depth on window and door frames as possible, to avoid the overriding ‘flat’ look of many modern buildings. The stacked brick design of the brick veneer typically has a very flat appearance, although the project proponent says that color variation will provide some visual texture. Stacked brick is a design that is characteristic of mid-20<sup>th</sup> century commercial buildings. Mid-20<sup>th</sup> century commercial buildings emphasized two-dimensional composition on building facades, whereas buildings from the Victorian era emphasized three-dimensional modeling, with building projections and recesses extending and receding from the main plane of the building, in the form of porches, stairs, storefronts, cornices, added architectural detailing, and the like. Building materials on the main body of

the building were often relatively plain, consisting of horizontal board and today, stucco. The proposed veneer-clad concrete, metal sheet, Hardie board (synthetic) siding and painted sheet metal will contribute to the flat, slick, manufactured appearance of this building, without corresponding detail that would enrich its appearance.

**Workmanship.** The pre-fabricated and manufactured workmanship of modern building materials is somewhat unavoidable and contrasts sharply with traditional workmanship seen on Victorian-era buildings. Even though architectural detailing was provided by stock items available from mills in the Victorian era, and were in essence prefabricated, the buildings presented the appearance and feeling of hand craftsmanship. The lack of craftsmanship seen in many modern buildings can be overcome with careful design and the addition of special touches, such as custom design details and public art. Examples are the use of custom-designed and hand fabricated screens covering a parking level façade, or amenities incorporated into the design of storefronts in the form of canopies, door pulls, lighting, bulkheads materials, etc.

**Architectural detailing.** Architectural detailing, particularly detailing that would enhance the pedestrian environment and public views of the building, is notably lacking on this proposal. In the earlier January 2013 project, lack of detailing was overcome, to a degree, by the articulation of the building form and design features such as the vertical bays, contrasting with recessed balcony bays, and deep eaves. The narrow eaves on this proposal are disproportionate to the building size and height and the articulation present in the frieze band, in the form of regularly spaced vertical elements, echo but do not convincingly correspond to the deep brackets under cornices on Victorian-era buildings. Additionally, the varying proportions of the 'frieze band' detract from the appearance of the building. Very few additional architectural details are provided on the building.

**Architectural character.** Architectural character, in the sense of relating to the historic character of the neighborhood, is not apparent in this design scheme. The building displays retail storefronts at the ground level, and regularly spaced bays above ground level, which is a typical characteristic of any mixed-use, urban building. The retail storefronts are generic, with very few traditional features other than large storefront windows and doors with transoms. Reducing the building height at the corner of 2<sup>nd</sup> and B Streets has improved the relationship of the building to this corner. The January 2013 proposal however, more successfully addressed the underlying historic design characteristics of the neighborhood, with its greater articulation and vertical emphasis. As noted above, materials, workmanship and detailing on the building also does not relate the building to its setting.

**Pedestrian environment and landscape.** In addition to consideration of the paving pattern at the auto ingress/egress point for the project, lighting should also be reviewed, as well as other safety considerations. Lighting is important for safety, but also to ensure that this entry does not appear as a dark void in the streetscape. A landscape plan was not available for review for preparation of this document. However, plans for concrete planters at the building

entry and a 2' landscaped strip on B Street, which can healthily accommodate very limited landscaping, do not appear to greatly enhance the pedestrian environment. As noted earlier, the lack of openings along 2<sup>nd</sup> Street and what appears to be a monotonous treatment of this façade also does not significantly enhance the pedestrian environment.

**Finding.** The proposed project, dated July 2014, presents a more positive scale relationship to 2<sup>nd</sup> and B Street at this important intersection. Corresponding changes in building articulation and form, however, present a negative appearance and therefore less positive relationship to the historic neighborhood than the design scheme presented in January 2013. The loss of such features as vertical bays, 'real' balconies, deep eave overhangs and sidewalk canopies has affected the design of the building, as have significant setbacks at the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floor levels. The materials, workmanship and architectural detailing of the building do not mitigate for this change in architectural design. The pedestrian environment, also an important positive feature of the built environment in this neighborhood, is not adequately addressed in this design scheme. This analysis corresponds with comments made by City of San Rafael staff in a report to the Design Review Board dated July 8, 2014.

## **2. Proposed Mitigation Measures For Impacts To Aesthetic Resources**

**a. Adverse Change in Significance of Aesthetic Resources.** The proposed building at 815 B Street does not enhance the aesthetic setting of the historic built environment of the 2<sup>nd</sup> and B Street neighborhood, in addition to causing the loss of historic resources.

**Impact AES-1:** Implementation of the proposed project would negatively affect the historic context of the project site by proposing a building that does not relate positively to the built environment in terms of design (building proportions and articulation), materials, workmanship, detailing, or design of the pedestrian environment. (S)

The proposed project, dated July 2014, presents a more positive scale relationship to 2<sup>nd</sup> and B Street at this important intersection. Corresponding changes in building articulation and form, however, present a negative appearance and therefore less positive relationship to the historic neighborhood than the design scheme presented in January 2013. The loss of such features as vertical bays, 'real' balconies, deep eave overhangs and sidewalk canopies has affected the design of the building, as have significant setbacks at the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floor levels. The materials, workmanship and architectural detailing of the building do not mitigate for this change in architectural design. The pedestrian environment, also an important positive feature of the built environment in this neighborhood, is not adequately addressed in this design scheme. Reinstatement of the architectural detailing and features lost in the recent re-design would improve the relationship of the proposed building to its existing aesthetic and historic setting, reducing the impact of the new building to less than significant (LTS). However, if the City cannot support these architectural modifications due to concerns over such features encroaching into the public right-of-way, the impact would be significant and unavoidable (SU).

**Mitigation Measure AES-1:** Incorporate building elements that relate the new building to its historic context through the use of projecting bays, usable building balconies, deep eave overhangs, a substantial element at the building corner at 2<sup>nd</sup> and B Streets, and canopies at the ground floor that extend over the sidewalk. (LTS).

## **B. CULTURAL RESOURCES**

This section evaluates the proposed project's impacts to cultural resources, including historical and archaeological resources. Cultural resources are sites, buildings, structures, objects, and districts that have traditional or cultural value for the historical significance they possess. Archaeological resources are considered a subset of cultural resources. CEQA requires that effects to cultural resources by discretionary projects be considered in the planning process.

CEQA details appropriate measures for the evaluation and protection of cultural resources (*CEQA Guidelines* Section 15064.5). The general CEQA term used for cultural resources is "historical resource," which is defined as any resource which is: (1) eligible for listing on the California Register of Historical Resources (California Register); (2) listed in a local register of historical resources (as defined at PRC 5020.1(k)); (3) identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code; or (4) determined to be an historical resource by a project's lead agency.<sup>16</sup> The subsection further states, "A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment."<sup>17</sup>

CEQA also applies to archaeological sites.<sup>18</sup> CEQA requires a lead agency to determine whether an archaeological resource fits into one of three legal categories.<sup>19</sup> A lead agency applies a two-step screening process to determine if an archaeological cultural resource meets the definition of a historical resource or a unique archaeological resource. Prior to considering potential impacts, the lead agency must determine whether an archaeological resource meets the definition of a historical resource in *CEQA Guidelines* Section 15064.5(c) (1). If the archaeological resource meets the definition of a historical resource, then it is treated like any other type of historical resource in accordance with *CEQA Guidelines* Section 15126.4. If the archaeological cultural resource does not meet the definition of a historical resource, then the lead agency applies a second criterion to determine whether the resource meets the definition of a unique archaeological resource as defined in CEQA Section 21083.2(g). If the archaeological resource meets the definition of a unique archaeological resource, then it must be treated in accordance with *CEQA* Section 21083.2. If the archaeological resource does not

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<sup>16</sup> *CEQA Guidelines* Section 15064.5(a).

<sup>17</sup> *CEQA Guidelines* Section 15064.5(b).

<sup>18</sup> *CEQA Guidelines* Section 15064.5(c).

<sup>19</sup> *CEQA Guidelines* Section 15064.5(c) (1-3).

meet the definition of an historical resource or an archaeological resource, then effects to the site are not considered significant effects on the environment.<sup>20</sup>

The first part of this section describes the methods used to conduct the cultural resources analysis, and is followed by a brief historical overview of the project area. The second part of this section describes the methods used for the archaeological resources analysis, and is followed by a brief archaeological setting. The third part of this section presents the results of the impacts analysis and, where appropriate, provides mitigation measures to reduce such impacts to less than significant levels.

## 1. Cultural Resources

This subsection describes the methods used to evaluate historical resources at the project site. Following this, a brief overview describes the historical setting of the property.

### a. Methods/Criteria (CEQA)

Painter Preservation & Planning sought the information required for this document from several sources. The architectural descriptions and historic background are drawn from the Historic Resource Report by Painter Preservation & Planning dated June 2013 and included in Appendix C.<sup>21</sup>

Research for this document included a historic records search, including review of past peer review documents and a determination of eligibility after the 2007 fire, literature review, and field survey, to: (1) identify historical resources or historic resource studies within or adjacent to the project area; and (2) compile the historical information necessary to address the historic resource setting.

**(1) Records Search.** A historic records search for the subject property and for the immediate surrounding area was conducted by Painter Preservation & Planning in 2007, prior to preparing a Determination of Significance for 1212 2nd Street on August 14, 2007. Records included all previous surveys (Charles Hall Page & Associates, Inc., 1977, 1986) and subsequent surveys and peer reviews on the subject properties (Urbana Preservation and Planning, 2005; Corbett, 2005). Records searches were conducted in 2013 at the Marin County Historical Society archives; the California Room of the Marin County Free Library; the Marin County Assessor's Office; and the City of San Rafael Department of Community Development in January 2013, in preparation for completing the Historic Resource Report (Painter Preservation & Planning, June 2013).

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<sup>20</sup> CEQA Guidelines Section 15064.5 (c) (4).

<sup>21</sup> Painter Preservation & Planning, June 2013. "1212 & 1214 2<sup>nd</sup> Street, San Rafael, Marin County, California, Historic Resource Report."



**(2) Literature Review.** Painter Preservation & Planning examined historic data for information about the subject property and project area. Local history and genealogical sources at the Marin County Free Library California Room, and Marin County Historical Society were consulted. Newspaper archives and online sources were also consulted. Primary source materials on the builder Johannes Petersen included newspapers, census data, directory data, and historic maps. Secondary resources included numerous local histories and writings on Victorian-era architecture in the Bay Area. Materials reviewed are listed in the historical resources technical report included in Appendix C.

**(2) Field Survey.** Diana J. Painter, Principal Architectural Historian for Painter Preservation & Planning, conducted field surveys of the subject property in 2007, January 2013 and June 2013. The property was photo-documented during these field visits.

**(3) Consultation.** In the course of conducting research for the project, staff of the following organizations were consulted: the Marin County Historical Society; the California Room of the Marin County Free Library; the Marin County Assessor's Office; and the City of San Rafael Department of Community Development.

#### **b. Historical Overview**

The following historical overview briefly describes (1) the general historical development of the project area; (2) the history of the project site; (3) a profile of builder Johannes Petersen; and (4) the design of the buildings themselves.

**(1) Project Vicinity History.** The area that was later to become the City of San Rafael was established in 1817 as an *asistencia*, a hospital for ailing Indian neophytes from the Mission San Francisco de Dolores in San Francisco. By the time that California became part of the United States in 1848, the burgeoning town had become an agricultural center and *alcalde* Timoteo Murphy's 1845, two-story adobe at 4<sup>th</sup> and C Streets was the center of town life. The subject property is within the original townsite, but was also adjacent to the early salt marsh and tidelands, which allowed boats to access to A Street and make a direct connection to the Mission San Rafael. The main commercial street was 4<sup>th</sup> Street between the Mission and about D Street, to the west. After the coming of the railroad in 1870, however, the commercial corridor along B Street became the main point of arrival in town, leading from the train station at 2<sup>nd</sup> and B Street to the commercial heart of the city at 4<sup>th</sup> and C Streets. This advantageous location led Johannes Petersen to construct the three rental units at what is today 1210 (no longer extant), 1212 and 1214 2<sup>nd</sup> Street. Although this area became slightly less desirable in the 1950s, the units remain at the heart of the city today, still in a mixed use district, and commercial B Street serves much the same purpose that it did historically. Fourth and C Street remains the heart of San Rafael and 2nd and B Street remains visibly an important historic crossroads with several notable historic structures.

**(2) Project Site Historical Background.** The site on which the 815 B Street project is proposed was partially developed as early as 1872, according to a birds-eye map of that date,

and the historic Cosmopolitan Hotel and Flatiron Building (both still extant) were in place by that time. Because of the optimal location of this block bounded by 2<sup>nd</sup> and 3<sup>rd</sup> Streets and B and C Streets, half a block from the train station, the entire area was attractive for destination hotels and vacation cottages for San Francisco residents wanting to summer in San Rafael. By the date of the 1887 Sanborn Fire Insurance map, cottages associated with the New England Villa (formerly the Sheppard House) and commercial buildings and two dwellings along B Street were located within the future building footprint of 815 B Street, and the track for North Pacific Coast Railroad ran adjacent to the site on the south side.

By the date of the 1894 Sanborn map, the circa 1890 Petersen rental units were in place, as well as three commercial buildings on B Street within the footprint of the proposed building. The pattern of commercial buildings lining B Street behind the sidewalk and slightly-set-back residences along 2<sup>nd</sup> Street was established, a land use and urban design pattern that continues to this day. Petersen's two-story building on B Street housed a fraternal hall on the second floor and a commercial business (in 1907 it was a bakery and restaurant) on the first floor, a common arrangement for fraternal halls. A historical photograph from ca 1900 shows that this building compared favorably with its counterparts on B Street, with tall, two-over-two-light windows with peaked window hoods on the second story, a heavy, ornate cornice, and a fanciful parapet.

Remarkably, the block on which Petersen's units were located had changed very little by the 1950s, again evidenced by Sanborn maps, and the buildings on which the proposed project is to be located were still extant. Petersen's three rental units were still in place, with garages and sheds on the back of the three lots. The only substantial change that had taken place within the block was that a gas station had been constructed on the northwest corner of the block. Land uses across the street from Petersen's former holdings remained the same as well, with residences on the south side of 2<sup>nd</sup> Street and commercial buildings on the east side of B Street. The railroad tracks, however, had been moved to the alley between 1<sup>st</sup> and 2<sup>nd</sup> Street. The character of uses along B Street reflected a mix of varied commercial businesses.

The third residence built by Petersen at 1210 2<sup>nd</sup> Street and his two-story commercial building at 811-813 B Street were demolished for surface parking in 1967. The west side of the subject block began redeveloping in the late 1990s. In 2002, Monahan Parker purchased what were Petersen's original holdings, but made few changes to the properties. For additional detail on the history of this area, see the Historic Resource Report in Appendix D.

Second and B Streets Today. The third residence built by Petersen at 1210 2<sup>nd</sup> Street and two-story commercial building at 811-813 B Street were demolished for surface parking in 1967. The lots remain vacant to this day. The west side of the block bounded by 2<sup>nd</sup> and 3<sup>rd</sup> Streets and B and C Streets has been redeveloped into housing over the last 15-to-20 years. The east half of the block, as well as the south side of 2<sup>nd</sup> Street and the east side of B Street in this vicinity, however, looks remarkably like it has for the last 90 years and longer.

Recognized historic resources<sup>22</sup> associated with the earliest days of San Rafael's development in the project vicinity (within a half block or less) include:

- 1115 2<sup>nd</sup> Street
- 1212 2<sup>nd</sup> Street [subject property]
- 724 B Street – Flatiron Building (*local landmark*)
- 747 B Street/1201 2<sup>nd</sup> Street – the Cosmopolitan Hotel
- 810 B Street (*816 B Street in Figure IV-1*)
- 819-823 B Street (*821 B Street in Figure IV-1*)
- 822 B Street (*820 B Street in Figure IV-1*)
- 826 B Street (*828 B Street in Figure IV-1*)
- 838-40 B Street
- 844-48 B Street.<sup>23</sup>

Both residences on this site (1212 and 1214 2<sup>nd</sup> Street) have been owned by Monahan Parker Inc. since 2002. The house at 1212 2<sup>nd</sup> Street is vacant and boarded up, and the residence at 1214 2<sup>nd</sup> Street is used as a multi-family rental.

Builder Johannes Petersen. The residences at 1212 and 1214 2<sup>nd</sup> Street were built by Johannes Petersen, a Danish immigrant who arrived in San Rafael in 1868 at the age of 29, and lived in the city until his death in 1909. Johannes Petersen was born on February 28, 1839 in Denmark and immigrated to the United States in 1865. His future wife Maren, also from Denmark, was born on August 12, 1839, and also immigrated in 1865. Petersen was a carpenter by trade. According to his obituary, he was established within three years of arriving in San Rafael, “engaged in the contracting and building line and soon built up a good business.” He was fortunate in that Elias Lund, a relative who was in business with a Mr. Hanson, owned a lumberyard east of the rail station. In Petersen’s early years in San Rafael he was engaged in business as Petersen, Hanson & Lund, contractors and builders.

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<sup>22</sup> Recognized historic resources are those that are listed in or formally determined eligible for listing in the California Register and/or in the National Register of Historic Places. Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources inventory may be eligible for listing in the California Register and are presumed to be significant resources for purposes of CEQA unless a preponderance of evidence indicates otherwise (PRC § 5024.1, 14 CCR § 4850). The residence at 1212 2<sup>nd</sup> Street is listed in a local inventory, and the residence at 1214 2<sup>nd</sup> Street was found to be a historical resource through survey evaluation in the Historic Resource Report prepared for this EIR.

<sup>23</sup> The addresses from these properties are, for the most part, taken from the 2009 “Structures on the San Rafael Historical/Architectural Survey and/or the California Register of Historical Resources.” There are some discrepancies between addresses in this report and current addresses. Note that this document lists the Cosmopolitan Hotel at a different address (901 B Street) as ineligible for listing on any register; yet it is evaluated as “Needs evaluation.” This is inconsistent. The Cosmopolitan Hotel at 1201 2<sup>nd</sup> Street, which is a historic resource, has been known by that name since at least the 1880s, lending further confusion to this note.

Figure IV-1: Previously Identified Historic Properties at 2<sup>nd</sup> and B Streets



Petersen arrived in San Rafael at a propitious time. Two years after his arrival the railroad to San Rafael was established. Previously, the young town was accessible from San Francisco by boat or overland from the north or east by horseback. Ten years after the arrival of the first railroad, the city, which was incorporated in 1874, had grown from a town of 841 people to 2,276 people, a 170 percent jump in population. By the 1880s, San Rafael was an established town, with all the major institutions needed to serve the growing city, which was also the county seat. It remained a popular resort town as well, with numerous hotels of all types, cottages, boarding houses, and summer homes for the elite. For more about the era in which Petersen built his buildings at 1210-1212-1214 2<sup>nd</sup> Street, see the Historic Resource Report in Appendix D.

According to the elder Petersen's obituary, Johannes built hundreds of buildings in San Rafael and had a very good reputation as a honest and trustworthy business person. His obituary notes that "his work was considered excellent and his rough work was as finished as most of the finished work of today." In the course of his career Petersen was involved in buying and selling many properties, although the three houses at 1210-1212-1214 2<sup>nd</sup> Street appear to be the only properties that he developed himself as rental properties. Petersen's wife continued to rent the properties after his death in 1909 at the age of 73, through at least 1929.

Architectural context. The two houses at 1212 and 1214 2<sup>nd</sup> Street exemplify the wood-frame, speculative housing developed by small scale builders and contractors in San Francisco in the post-Gold Rush era, as well as the housing built in the outlying cities of the Bay Area, such as San Rafael, once the railroad was constructed. Builders of this era made use of pattern books and catalogues of stock milled parts to construct the housing and develop the neighborhoods of the late 19<sup>th</sup> century in the Bay Area and beyond. Construction was much expedited by the introduction of light-weight, balloon-framing techniques, the use of standard dimensioned lumber, and wire nails.

The houses at 1210-1212-1214 2<sup>nd</sup> Street were more urban in form than the Victorian cottages seen, for example, in the Gerstle Park neighborhood to the south. At two stories, they more closely resembled a San Francisco row house than the Victorian-era suburban homes or cottages seen elsewhere in San Rafael. In form and detailing they are most closely aligned with the Eastlake-Queen Anne row house.

The houses follow a typical Victorian-era row house layout and form. The house is raised above the ground and accessed by a set of five or more stairs. A relatively small porch leads to a side hall that traverses the house from front to back, terminating at the kitchen at the rear of the house. The front and most formal public room is the parlor, which always displays a bay window overlooking the street. In addition to being accessed off the hall, this room is often connected to the next interior room with sliding doors, allowing it to be separate from or connected to the next room. The next room is a sitting room or back parlor, followed by the dining room. In a more modest house, such as these houses in San Rafael, the dining

room might follow directly on the parlor, with no second parlor. The kitchen is located at the rear of the house (in a house with servants the kitchen may have a greater separation from the dining room). Following the kitchen is a small, rear porch and stair to the back yard. A larger, more elaborate house may have additional small rooms within the rear of the house such as a pantry, a water closet, and servant's quarters, as well as a rear servant's stair.

The exterior of the Victorian row house also followed a prescribed pattern that collectively made up the orderly neighborhoods of San Francisco and were exported to outlying cities, although less so in San Rafael. The front façade is dominated by the bay window. The canted bay of the Italianate style was followed by the square bay of the Stick/Eastlake style, as seen on these houses, popular from about 1880 to 1890. Originally conceived to add light and space to the Victorian row house, the bay window became a mandatory design feature of the era, characterizing both homes and streetscapes. The porch was relatively small, but articulated with turned or chamfered posts, a decorative balustrade, brackets, and other embellishments. Detailing was often eclectic, as seen in these residences, but nonetheless served to signal the importance of the entry. For more information about residential design in the Victorian era, see the Historic Resource Report in Appendix D.

Building descriptions. The building addressed as 1212 2<sup>nd</sup> Street occupies Assessor Parcel Number 110-256-014 and the building addressed as 1214 2<sup>nd</sup> Street occupies Assessor Parcel Number 110-256-015 within the original townsite of San Rafael, in downtown San Rafael. They are located about mid-block between B and C Streets and face south, overlooking 2<sup>nd</sup> Street. The area in which the properties are located is a mixed-use area, both historically and at present. B Street in this location (north and south of 2<sup>nd</sup> Street) is a commercial street of small-scale, one-to-two story commercial structures, many of which are historic. Second Street in this location (between B and C Streets) is mixed use. Historic residences remaining on the street include three Craftsman-era bungalows on the south side of the street and the two Victorian-era residences on the north side that are the subject of this EIR.

The residence at **1212 2<sup>nd</sup> Street** is a two-story building with a slightly L-shaped footprint and a steeply pitched, hip roof with a front-facing gable, with narrow eaves supported by brackets. It is adjacent to the residence at 1214 2nd Street, which was built at the same time and reflects the same architectural design and detailing. It is a balloon-frame building clad in channel rustic, drop siding, with a brick foundation and composition shingle roof. It is a Victorian-era building, displaying elements of the Italianate and Stick Style, constructed between 1887 and 1894. For a full description of the building exterior, see the Historic Resource Report in Appendix D.

The interior of the residence at 1212 2<sup>nd</sup> Street displays the classic layout and details of a small, two-story Victorian-era house (see above description of a model interior). A door in the northwest corner of the house that once opened onto an open utility porch now leads to the rear yard. The building retains its character-defining historic doors and windows, except where the windows have been removed and boarded up. The building, which is framed in old

growth redwood and has a lath and plaster finish on the interior, appeared to be structurally sound in 2013, although the plaster has been damaged by a fire and exposure to the elements. The building was not secured after the fire of 2007, and the open roof has allowed birds to nest in the building and exposure to further damage the interiors. It is filled with guano on the second level.

*Changes over time – exterior.* The major change to the property at 1212 2<sup>nd</sup> Street was the result of a fire in 2007 that charred the front façade. Some of the historic fabric is missing as a result. However, a report by this author at the time concluded that sufficient historic fabric – including the overall form and structure of the building, its cladding, and architectural detailing – remained to convey the reasons for the building’s significance. Prior to this change, the rear entry porch was removed and a small, shed roof addition constructed, possibly to hold the hot water heater. The roof was never secured after the fire, which has allowed water to infiltrate the building. No other known changes have taken place to the building.

*Changes over time – interior.* The house retains good integrity on the interior but is in poor condition due to fire damage and the demolition by neglect it has experienced over the last eight years.

The residence at **1214 2<sup>nd</sup> Street** is a two-story building with a slightly L-shaped footprint and a steeply pitched, hip roof with a front-facing gable, with narrow eaves supported by brackets. It is located on the north side of 2nd Street, near the center of the block, and faces south. The house is adjacent to the residence at 1212 2nd Street, which was built at the same time and reflects the same architectural design and detailing. The balloon-frame building is clad in channel rustic, drop siding, with a brick foundation and composition shingle roof. The Victorian-era building, displaying elements of the Italianate and Stick Style, was constructed some time between 1887 and 1894.

The residence at 1214 2<sup>nd</sup> Street was converted to a duplex in about the 1950s, with the lower level being one unit and the upper level being the second unit. About this time a studio, later a commercial space, was added at the ground level on the front of the building. It has a door and storefront window on the street; today it is used as a residential unit. The interior of the residence at 1214 2<sup>nd</sup> Street displays the classic layout of a small, two-story Victorian-era house, with minor modifications to accommodate the separate units. The building retains its character-defining historic doors, windows and other detailing, however. For a full description of the building exterior, see the Historic Resource Report in Appendix C.

*Changes over time – exterior.* The major changes to the property at 1214 2<sup>nd</sup> Street include the one-story addition to the front of the house; the enclosure of the utility porch, which may also have occurred some time ago, judging by the six-light window in the room; and the addition of the rear stair. This addition involved adding a door where a window opening existed, and a second window. The enclosure of the front two rooms for a second unit and

use of the second floor for another unit has not involved removing any character-defining features of the building, with the exception of the square bay on the first floor. The building retains good integrity, particularly considering that some of these changes are reversible, and appears to be in very good condition.

*Changes over time - Interior.* The major change to the building is the removal of the square bay, which affects the interior as well as the exterior. The enclosure of the front two rooms for a second unit and use of the second floor for another unit has not involved removing any character-defining features of the building, with the exception of the square bay on the first floor. The building interior retains good integrity.

**(3) Historical Evaluation.** Section 15064.5(a)(1) of the California Environmental Quality Act (CEQA) established the California Register of Historical Resources Eligibility Criteria as the standards to be used in the historical and architectural evaluation of properties. According to the guidelines for the California Register Eligibility Criteria, a building, structure, or object is considered to be an historically significant resource if it meets one or more of the following criteria and retains integrity.

- 1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or*
- 2. It is associated with the lives of persons important to local, California, or national history;*
- 3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; or*
- 4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.*

Integrity is defined as a function of a resource's location, design, setting, materials, workmanship, feeling and association. To retain historic integrity, a resource will always possess several, and usually most, of the aspects. A historic property must retain enough of its historic character or appearance to be recognizable as a historical resource and to convey the reasons for its significance. The following provides a definition of the aspects.

- *Location is the place where the historic property was constructed or the place where the historic event occurred.*
- *Design is the combination of elements that create the form, plan, space, structure, and style of a property.*



- *Setting is the physical environment of a historic property.*
- *Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.*
- *Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.*
- *Feeling is a property's expression of the aesthetic or historic sense of a particular period of time.*
- *Association is the direct link between an important historic event or person and a historic property.*

Property status. The City of San Rafael maintains a list of historic resources, developed in 1976 and updated in 1986, that is documented in their *San Rafael Historical/Architectural Survey Final Inventory List of Structures and Areas*. A list of historic resources, if developed according to approved methods and supported through a local ordinance or resolution, is recognized by the State of California as having potential historic significance and is therefore subject to CEQA. Recognized methods are as follows:

*A resource identified as significant in an historical resource survey may be listed in the California Register if the survey meets all of the following criteria:*

- (1) The survey has been or will be included in the State Historic Resources Inventory.*
- (2) The survey and the survey documentation were prepared in accordance with office procedures and requirements.*
- (3) The resource is evaluated and determined by the office [of Historic Preservation] to have a significance rating of Category 1 to 5 on DPR Form 523.*

San Rafael's own policies state the following:

*According to state law, any structure on a local historic building inventory (such as the City's Historical/Architectural Survey), regardless of the City's ranking of such a structure, must be considered a significant historic resource unless evidence to the contrary is provided, usually involving evaluation by a qualified architectural historian. Also, any structure which meets the criteria for listing on the State's Register of Historical Resources must also be considered a potentially significant historic resource. To either demolish or modify the exterior of a potential historic resource in a way that reduces its historic value usually requires the preparation of a full Environmental Impact Report (EIR) for consideration as part of the City's development review process.*

The City of San Rafael's implementing regulations are contained in Chapter 2.18 of the San Rafael Municipal Code. It has been previously noted that the structure at 1212 2<sup>nd</sup> Street is a historic resource by virtue of its listing in the *San Rafael Historical/Architectural Survey Final Inventory List of Structures and Areas* and that the structure at 1214 2<sup>nd</sup> Street has potential to meet the criteria for a "Structure of Merit" as outlined in the City's Historic Preservation Ordinance. The Historic Resource Report (2013) finds that the structure at 1214 2<sup>nd</sup> Street is also a historic resource for purposes of CEQA through survey evaluation. Both properties are rated "5S2" per the California Historical Resource Status Codes in the Historic Resource Report prepared in June 2013. See Appendix C for more information.

Evaluation. The following is an evaluation of the residences at 1212 and 1214 2<sup>nd</sup> Street with respect to the California Eligibility Criteria, along with an assessment of their integrity.

### 1212 2<sup>nd</sup> Street

**Criterion 1: Association with significant events or patterns of location history. YES**

The residence at 1212 2<sup>nd</sup> Street is significant under this criteria for its association with the rapid development of the San Rafael townsite after the coming of the railroad, and as housing developed in proximity to the railroad station for railroad employees and similar workers.

**Criterion 2: Association with the productive life of an important person. NO**

The residence at 1212 2<sup>nd</sup> Street is associated with builder Johannes Petersen. While Petersen was a prolific and respected builder, and served on the San Rafael City Council and as a Marin County Supervisor, he is just one of many persons in the post-railroad era that contributed to development of this young city. The property is not significant for its association with Petersen.

**Criterion 3: Association with a distinctive architectural style or type. YES**

The residence at 1212 2<sup>nd</sup> Street is a good and particularly urban example of the housing that was being developed in this era in San Rafael and throughout the Bay Area. It is a particularly urban example, in that it is a two-story Eastlake-Queen Anne house modeled closely on the San Francisco row house, rather than the small Victorian cottage or large suburban estate more typical in San Rafael at this time. Its construction techniques, materials and design are typical of the housing being developed at the time, which took advantage of new construction methods and materials, pattern and plan books for ideas, and inexpensive and readily available mill work to add style to the structures. The residences also represent an increasingly rare example of historic housing within the original San Rafael town site, recalling an era when housing was mixed with other uses in proximity to transportation and commercial businesses in the downtown core. The property embodies the distinctive characteristics of a type, period, region, and method of construction.

**Criterion 4: May be likely to yield information important to prehistory or history. NO**  
This criterion is typically associated with archaeological resources. The property is unlikely to yield additional information important to the history of the area.

The following is a detailed analysis of 1212 2<sup>nd</sup> Street with respect to the aspects of integrity.

- ***Location is the place where the historic property was constructed or the place where the historic event occurred.***

The residence retains integrity of location; it has not been moved since its construction.

- ***Design is the combination of elements that create the form, plan, space, structure, and style of a property.***

The residence retains integrity of design. It retains its overall form, features and detailing.

- ***Setting is the physical environment of a historic property.***

The setting of the residence is remarkably intact, given the number of changes that have taken place to the block. Historically, the block and immediate area was one of mixed use, with commercial and residential uses side-by-side, and in proximity to the railroad tracks. Today a new multi-family development has replaced what was a resort and later a multi-family development to the north. The B Street corridor is still a commercial corridor, with many of its two-story historic commercial buildings intact, with the exception of the two-story commercial building that was contiguous to this property. Several historic single family residences remain in the neighborhood, although the single family residences west of 1212 and 1214 2<sup>nd</sup> Street, and the third building in this historic grouping, are no longer extant. In addition, several historic structures from the late 19<sup>th</sup> century and in the immediate vicinity of this complex remain, including the Flatiron Building and Cosmopolitan Hotel. With the development of the proposed multifamily development, however, the setting of these historic structures will be irrevocably altered.

- ***Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.***

The materials of this residence are intact, with the exception of the historic fabric lost in the fire.

- ***Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.***  
The workmanship displayed in this structure is intact.
- ***Feeling is a property's expression of the aesthetic or historic sense of a particular period of time.***

The feeling of this residence has been somewhat impacted by some loss of detail on the building façade and the fact that the windows and doors are boarded up, which is reversible. Nonetheless, the aesthetic and historic sense of the building is largely intact.

- ***Association is the direct link between an important historic event or person and a historic property.***

The association of this property has been somewhat compromised by the fact that the third house in the complex has been demolished, and the house is vacant and no longer used as a residence.

**Summary.** The residence at 1212 2<sup>nd</sup> Street retains meets two of the four Eligibility Criteria and all of the aspects of integrity, including location, design, setting, materials, workmanship, feeling and association, and is therefore considered a historic resource for purposes of CEQA.

### **1214 2<sup>ND</sup> Street**

**Criterion 1: Association with significant events or patterns of location history. YES**

The residence at 1214 2<sup>nd</sup> Street is significant under this criteria for its association with the rapid development of the San Rafael townsite after the coming of the railroad, and as housing developed in proximity to the railroad station for railroad employees and similar workers. It is associated with events that have made a significant contribution to the patterns of local history.

**Criterion 2: Association with the productive life of an important person. NO**

The residence at 1214 2<sup>nd</sup> Street is associated with builder Johannes Petersen. While Petersen was a prolific and respected builder, and served on the San Rafael City Council and as a Marin County Supervisor, he is just one of many persons in the post-railroad era that contributed to development of this young city. The property is not significant for its association with Petersen.

**Criterion 3: Association with a distinctive architectural style or type. YES**

The residence at 1214 2<sup>nd</sup> Street is a good and particularly urban example of the housing that was being developed in this era in San Rafael and throughout the Bay Area. It is a

particularly urban example, in that it is a two-story Eastlake-Queen Anne house modeled closely on the San Francisco row house, rather than the small Victorian cottage or large suburban estate more typical in San Rafael at this time. Its construction techniques, materials and design are typical of the housing being developed at this time, which took advantage of new construction methods and materials, pattern and plan books for ideas, and inexpensive and readily available mill work to add style to the structures. The residences also represent an increasingly rare example of historic housing within the original San Rafael town site, recalling an era when housing was mixed with other uses in proximity to transportation and commercial businesses in the downtown core. The property embodies the distinctive characteristics of a type, period, region, and method of construction.

**Criterion 4: May be likely to yield information important to prehistory or history. NO**  
This criterion is typically associated with archaeological resources. The property is unlikely to yield additional information important to the history of the area.

The following is a detailed analysis of 1214 2<sup>nd</sup> Street with respect to the aspects of integrity.

- ***Location is the place where the historic property was constructed or the place where the historic event occurred.***

The residence retains integrity of location; it has not been moved since its construction.

- ***Design is the combination of elements that create the form, plan, space, structure, and style of a property.***

The design of the structure has been somewhat compromised by its conversion to a duplex, for which a stairway was added to the rear of the building ca 1956, as well as some window alterations, and the addition of a one-story commercial space on the front façade. It is possible that the front addition may be considered historic in itself at this point.

- ***Setting is the physical environment of a historic property.***

The setting of the residence is remarkably intact, given the number of changes that have taken place to the block. Historically the block and immediate area was one of mixed use, with commercial and residential uses side-by-side, and in proximity to the railroad tracks. Today a new multi-family development has replaced what was a resort and later a multi-family development to the north. The B Street corridor is still a commercial corridor, with many of its two-story historic commercial buildings intact, with the exception of the two-story commercial building that was contiguous to 1212 2<sup>nd</sup> Street. Several historic single family residences remain in the neighborhood, although the single family residences west of 1212 and 1214 2<sup>nd</sup>

Street, and the third building in this historic grouping, are no longer extant. In addition, several historic structures from the late 19<sup>th</sup> century and in the immediate vicinity of this complex remain, including the Flatiron Building and Cosmopolitan Hotel. With the development of the proposed multifamily development, however, the setting of these historic structures will be irrevocably altered.

- ***Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.***

The materials in this residence are intact. The one-story addition has a stucco finish and an aluminum frame window, but the materials on the historic portion of the building are intact.

- ***Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.***

The workmanship displayed in this structure is intact. The addition to the front of the building has added some new workmanship in the form of mass produced windows, but the workmanship seen on the historic portion of the building is intact.

- ***Feeling is a property's expression of the aesthetic or historic sense of a particular period of time.***

The feeling of this residence has been impacted by the addition of a one-story commercial space on the front; however, it is possible that this addition may be considered historic in itself and part of the evolution of the building and neighborhood.

- ***Association is the direct link between an important historic event or person and a historic property.***

The association of this property has been somewhat compromised by the fact that the third house in the complex has been demolished. The house is still used as rental housing, and in this sense this association is intact.

**Summary.** The residence at 1214 2<sup>nd</sup> Street retains meets two of the four Eligibility Criteria and most of the aspects of integrity, including location, setting, materials, workmanship, and association, and is therefore retains sufficient integrity to be considered a historic resource for purposes of CEQA.

### 3. Impacts and Mitigation Measures

**(1) Adverse Change in Significance of a Historic Resource.** The buildings at 1212 and 1214 2<sup>nd</sup> Street are proposed for demolition as a part of this project.

**Impact CULT-1:** Implementation of the proposed project would demolish the two existing two-story residential buildings at 1212 and 1214 2<sup>nd</sup> Street, which are listed in the local register of historical resources (1212 2<sup>nd</sup> Street) and has been determined eligible for listing on the California Register of Historical Resources by survey evaluation (1214 2<sup>nd</sup> Street). (SU)

The residences at 1212 and 1214 2<sup>nd</sup> Street are historically significant for their association with patterns of local history under Criterion 1 of the California Register Eligibility Criteria, and for their architecture, meeting Criterion 3 of the California Register Eligibility Criteria. Demolition of the buildings is proposed as part of the redevelopment of the site into a four-story, mixed-use building. Demolition of the buildings will constitute a significant adverse impact based on the criteria outlined above. Demolition of a historic resource cannot be mitigated to a less than significant level.

Preservation in place is the preferred method of treating historic resources. Preservation is not an option here, as reduction of the project area required to save the two structures renders the project financially unfeasible, according to a financial analysis prepared by Monahan Parker. Saving just one of the buildings in this location would not retain sufficient historic context to make the preservation effort meaningful, as the historic residence would, as a result, be the only historic structure in an otherwise completely redeveloped block face. This block face, with its historic residences, is what was historically meaningful – providing as it did worker housing in the vicinity of the railroad station and B Street commercial district.

Relocating the buildings can reduce impacts to the buildings to a less than significant level. A property removed from its original or historically significant location can be eligible under California guidelines if it is moved to prevent its demolition at its former location and if the new location is compatible with the original character and use of the historical resource. A moved historical resource should retain its historic features and compatibility in orientation, setting, and general environment.

Four alternative sites were identified in the process of preparing this EIR, all four of which are considered feasible in terms of the City's policies and Code requirements. Alternative Site A is considered the most practical and is also the only site that represents an appropriate historic setting for the structures. While not preserving the same orientation as the existing buildings, the site is within proximity of 2<sup>nd</sup> and B Street; is visible from this corner; and is adjacent to two historic structures that are also associated with 19<sup>th</sup> century San Rafael at this location. Moving the structures to this site would allow them to retain sufficient integrity of location and setting to maintain their historic status. Moving the two buildings would mitigate impacts to historic resources under CEQA to a less than significant level. Moving

the buildings to any of the three other identified sites would not mitigate impacts to historic resources under CEQA, as the locations and settings are not as appropriate to the historic buildings. Moving the buildings is, however, a lesser impact than their demolition and may require less mitigation than other alternatives.

The following mitigation measures are recommended as reasonable and feasible, and appropriate for the resources, given their significance and integrity.

**Mitigation Measure CULT-1A:** The building at the subject property shall be documented. Documentation shall consist of a narrative, which may consist of the Historic Resource Report, and archivally-stable black and white photographs documenting the building exterior and interiors as they exist today, and the building's general setting. It is not necessary to photograph the property to HABS standards, as the integrity of the property does not warrant this level of documentation. This documentation will be produced and submitted to the California Room of the Marin County Free Library, and the Northwest Information Center at Sonoma State University, Rohnert Park, California. Photographic negatives shall be retained by the City of San Rafael. Costs associated with CULT-1A are anticipated to be no greater than \$5,000.

**Mitigation Measure CULT-1B:** Update the historic survey of the San Rafael with a focus on the San Rafael Original Townsite area (an approximately 16-block area) and evaluate the area in the immediate vicinity of 2<sup>nd</sup> and B Street (boundaries to be determined by the survey) for a potential historic district. Costs associated with CULT-1B are anticipated to be approximately \$20,000.

**Mitigation Measure CULT-1C:** Develop an interpretive panel, to be installed at one of the corners at 2<sup>nd</sup> and B Street, that depicts historic photographs of the area, including historic buildings and the train track, a map of the resources, and provides information about the historic buildings and streetscape in the area. Costs associated with CULT-1C are anticipated to be approximately \$20,000.

**Mitigation Measure CULT-1D:** Provide a duplicate of the photographs and information that is used for Mitigation Measure CULT-1C, the on-street interpretation of the 2nd and B Street area, and mount them in a prominent location, such as the lobby of the proposed building. Costs associated with CULT-1D are anticipated to be no greater than \$5,000.

**Mitigation Measure CULT-1E:** Working with the Marin Historic Museum or an equivalent historical society or organization, develop programming that commemorates the history of the 2nd and B Street area, including the railroad station, to be presented as a lecture, exhibit, online video, or similar public presentation. Costs associated with CULT-1E are anticipated to be no greater than \$5,000, assuming some volunteer time on the part of the partnering organization.



## V. ALTERNATIVES

This chapter provides a comparative evaluation of four alternatives to the proposed project. The chapter begins with a discussion of the scope of the alternatives considered, followed by a description and evaluation of the alternatives. The chapter concludes with a discussion of the Environmentally Superior alternative.

### A. SCOPE OF THIS ALTERNATIVES ANALYSIS

The *CEQA Guidelines* require the analysis of a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the project's basic objectives and avoid or substantially lessen any of the significant negative effects of the project. The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice.<sup>24</sup> An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. Section 21083.3(b) of the CEQA statutes further states that when a proposed project is consistent with the General Plan, and an EIR was prepared for said plan, the review of the proposed project "need only to analyze the impacts peculiar to the proposed project and which were not addressed as significant effects in the prior EIR, or which substantial new information shows will be more significant than described in the prior EIR."

#### 1. Summary of Significant Impacts of Proposed Project

The proposed project and the project objectives are described in detail in Chapter III, Project Description, and the potential environmental effects of implementing the proposed project are analyzed in Chapter IV, Settings, Impacts and Mitigation Measures. Impacts associated with the following environmental topics would be significant for the proposed project without the implementation of mitigation measures, but would be reduced to a less than significant level if the mitigation measures recommended in this EIR are implemented:

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<sup>24</sup> *CEQA Guidelines*, 1998, Section 15126.6.

- Aesthetic Resources

The following impacts are significant and unavoidable, and cannot be reduced to a less than significant level with implementation of mitigation measures. After mitigation, the revised project would result in the following significant unavoidable impacts:

- Cultural Resources – Historical: The proposed project would result in demolition of the Victorian-era residences located at 1212 and 1214 2<sup>nd</sup> Street, which are eligible for listing on the California Register of Historic Places.<sup>25</sup>

## 2. Project Specific Alternatives

The significant unavoidable Cultural impact resulting from demolition of the historically significant Victorian-era residences located at 1212 and 1214 2<sup>nd</sup> Street was not studied or assessed in the General Plan EIR. Because the proposed project includes peculiar effects that were not specifically addressed in the General Plan EIR, this EIR considers four alternatives specific to the proposed project. The intent of these alternatives is to provide additional information beyond what was provided in the General Plan EIR and to identify an Environmentally Superior Alternative from among those analyzed. The project-specific alternatives include:

- The **No Project/No Development alternative**, which assumes the existing commercial building and two residential buildings at 1212 and 1214 2<sup>nd</sup> Street would remain as is. The commercial/residential/parking lot uses of the project site would continue, and no new development would occur on the project site.
- The **Preservation Onsite alternative**, which assumes that the existing Victorian-era residences would remain on site and be rehabilitated to provide adequate living conditions for future tenants. The remainder of the site would be developed around the two preserved structures for a reduced-size, mixed-use development.
- The **Preservation Offsite alternative**, which assumes that one or both of the Victorian-era residences would be relocated to a similar size property in the Downtown and be rehabilitated to provide adequate living conditions. The project site would be developed as proposed.
- The **Adaptive Re-use alternative**, which assumes that substantial elements of the existing Victorian buildings, such as the building facades, would be incorporated into the new building and adapted for new uses, consistent with the project proposal.

The evaluation of these four alternatives addresses the significant impacts specific to the proposed project.

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<sup>25</sup> The residence at 1212 2<sup>nd</sup> Street is a historical resource by virtue of its listing in San Rafael's official inventory of historic resources, and the residence at 1214 2<sup>nd</sup> Street was determined a historical resource through survey evaluation in the 2013 Historic Resource Report prepared for this EIR.

### **3. Alternatives Initially Considered but Rejected**

Additional alternatives were also considered but rejected from further evaluation as discussed below. The intent of an alternatives analysis is to discuss a reasonable range of alternatives that would attain most of the basic objectives of the project and would avoid or substantially lessen any of the significant effects of the project.

A project alternative that reflects an “office-only development plan” was initially considered at the request of the applicant. However, an office-only use would not be consistent with the project objectives, which include developing a mixed-use project, meeting the City’s affordable housing requirements, and receiving approval for a reasonably proposed housing density bonus. Further, like the proposed project, an office-only alternative would require removal of the existing Victorian-era residences, which are cultural resources, and would result in the same impacts as the proposed project (see summary above). For this reason, an office-only plan alternative is not evaluated in this alternative analysis.

## **B. NO PROJECT ALTERNATIVE**

### **1. Principle Characteristics**

The No Project alternative assumes that the project site would generally remain in its existing condition and would not be subject to redevelopment. Under this alternative, the existing commercial building would continue to be occupied by a church tenant, the Victorian residence at 1214 2<sup>nd</sup> would continue to provide two rental units and the residence at 1212 2<sup>nd</sup> Street would remain vacant because public health and safety code violations prohibit the structure from being occupied. There would be no new mixed-use structure constructed on the project site.

### **2. Relationship with Project Objectives**

The No Project alternative would not achieve any of the project objectives. This alternative would maintain the current uses on site, which would not allow for improvement or expansion of the City’s Downtown development. No improvements would be included in this alternative. Additionally, this alternative would allow the existing residential building at 1212 2<sup>nd</sup> Street, which has been determined to be uninhabitable due to safety and building code violations, to continue to exist and potentially become a greater public nuisance.

### **3. Analysis of the No Project Alternative**

The No Project alternative would maintain the existing commercial and residential buildings on the subject site. The one dilapidated Victorian structure would continue to deteriorate and potentially become a greater public nuisance, potentially endangering surrounding land uses and the general public. Under this alternative, there would be no demolition of the existing

structures, which are eligible for the California Register, so unlike the proposed project, there would be no impact to cultural resources.

#### **4. Financial Feasibility**

The applicant, Monahan Parker, prepared a financial feasibility analysis of the four identified project alternatives under consideration in this EIR in March 2015 that was reviewed by City staff and subsequently revised in May 2015 in response to City comments (see Appendix A). With regard to the No Project alternative, the study concludes that without development of the proposed project, redevelopment of the project site would be postponed indefinitely, new residential and commercial development would not be created, new tax revenues would not be realized nor new commercial activity introduced into the Downtown through the proposed 41 residential units and ground floor commercial space.

### **C. PRESERVATION ONSITE ALTERNATIVE**

#### **1. Principal Characteristics**

The Preservation Onsite alternative assumes that the Victorian-era residential structures would be maintained and rehabilitated to provide a safe and healthy living environment in accordance with the applicable health and safety codes. The remainder of the site would be redeveloped to provide a reduced scale, mixed-use residential/commercial development focused on the corner of 2<sup>nd</sup> and B Streets.

#### **2. Relationship with Project Objectives**

The Preservation Onsite alternative would largely achieve all five of the project objectives: renovating the Victorian-era residences and constructing a reduced scale, mixed-use project that would revitalize an under-utilized area of Downtown, enhance the relationship of the project to the surrounding neighborhood in terms of scale, meet the City's housing needs requirements, although at a reduced level due to a reduction in the size of the proposed project (Monahan Parker's financial feasibility study assumes a loss of 14 units for this alternative), and provide for a greater diversity of housing types in the Downtown. Twenty percent (20%) of the remaining reduced project units would be affordable housing units and the overall project would be eligible for a reasonably proposed Density Bonus under State law, thereby achieving some of the City's affordable housing goals. The reduced project plus the revitalized two Victorian homes would increase the vitality of the Downtown area, although to a lesser degree than the proposed project. The retention and rehabilitation of the existing two Victorian residences and reduced project would enhance the relationship of the project to the surrounding neighborhood in terms of architectural style, provide an adequate setting for the historic structures, and would eliminate the loss of historic resources.

### 3. Analysis of the Preservation Onsite Alternative

The Preservation Onsite alternative would maintain the existing Victorian-era residential buildings on the subject site and take advantage of their presence to enhance the design of the proposed project and its relationship to the scale and design of the surrounding neighborhood. The Victorian residence at 1214 2<sup>nd</sup> Street would undergo relatively minor improvements as this is currently a rental property that is in habitable condition. The damaged residence at 1212 2<sup>nd</sup> Street would require significant work to attain habitable condition and become a rental property again. The project design would be significantly modified and reduced in scope in order to retain these structures. A scenario prepared by the applicant indicates 27 rental apartment units could be built, a reduction of 14 units or 34% of the proposed 41-unit project.

Unlike the proposed project, this alternative would not result in significant impacts to cultural resources, as preservation in place is the preferred method of treating historic resources. The setting of the structures would be affected, particularly for 1212 2<sup>nd</sup> Street, as the proposed 4-story project would immediately abut the 2-story house and overshadow it, as indicated in the scenario prepared by the applicant. However, this could be mitigated with improved design modifications to the proposed project that could step the proposed building mass further from the Victorians.

With regard to other potential environmental impacts, the Preservation Onsite Alternative would result in the following impact levels:

- **Aesthetics: LTS.** This alternative would reduce the project's significant Aesthetic impact to a less than significant level by retaining and restoring the two existing Victorians onsite and developing a smaller project adjacent to them that would be more compatible to the historic context on B and 2<sup>nd</sup> Streets.
- **Air Quality: LTS.** This alternative would have a lower air quality impact than the proposed project due to the reduction in overall residential units compared by approximately 34%.
- **Cultural Resources: LTS.** This alternative would reduce the project's significant unavoidable Historical impact to a less than significant level by retaining and restoring the two existing Victorians onsite, thereby eliminating the loss of Cultural Resources proposed by the project.
- **Hazards/Hazardous Materials: LTS.** This alternative would reduce the project's potentially significant impact by retaining the existing Victorian buildings with the remaining demolition activities limited to the commercial building at the corner of B and 2<sup>nd</sup> Streets. Identified mitigation measures would still be recommended to provide less than significant impacts.
- **Noise: LTS.** Construction and operation noise impacts identified for the project would still occur, although to a lesser degree due to the reduced scope of the project.

Identified mitigation measures would still be recommended to provide less than significant impacts.

- **Transportation/Traffic: LTS.** Potentially significant impacts to transportation facilities in the Downtown area identified for the project would be reduced due to the reduced scope of the project. Identified mitigation measures would still be recommended to provide less than significant impacts.

#### **4. Financial Feasibility**

The applicant's financial feasibility analysis of the Preservation Onsite alternative concludes that it is not feasible from an economic perspective. One key assumption is that the two Victorians would be fully repaired to market standards and sold at market rate rather than rented as they have been in recent years (the fire damage to the 1212 2<sup>nd</sup> Street property in 2007 was not repaired and it has deteriorated to an uninhabitable state and therefore has not been a rental property since the fire). Monahan Parker's Financial Feasibility study found that the cost to renovate the Victorians (\$1.2 million) would be more than their market value estimate to sell them for \$1.13 million. The study further concludes that in addition to this minor loss in revenue for renovation and sale of the Victorians, the 34% reduction of the project would create a loss of \$4.27 million for the project sponsors and that it would not be financially feasible.

### **D. PRESERVATION OFFSITE ALTERNATIVE**

#### **1. Principal Characteristics**

The Preservation Offsite alternative assumes that the existing Victorian-era residences would be relocated to another suitable location off-site within Downtown San Rafael. The structures would then be rehabilitated to provide a safe and healthy living environment in accordance with the applicable health and safety codes. This alternative may require significant work to prepare the new site prior to relocating the structures, including but not limited to, purchasing the property, grading and drainage improvements, utilities connections, construction of new foundations for the structures, and moving the structures to the new site. Once the existing structures are relocated to the new site, this alternative would require significant repairs to the exterior and interior of the structures to comply with Historic as well as California Building Code requirements, compliance with the Secretary of Interior's Standards, plus the installation of access and landscaping improvements.

After the existing Victorian structures were relocated, the project site would be developed in accordance with the proposed plans. This alternative would allow for the existing historically significant structures to be maintained off-site in a location and manner that protects their historic significance and reduces the project's significant unavoidable impact upon Historic resources to a less than significant level.

City staff analyzed a number of potential sites within and proximate to the project site and Downtown area that could be suitable for relocation of one or both Victorian residences. An initial list of eight undeveloped or underdeveloped sites were carefully evaluated and reduced to the four sites evaluated below that satisfy several criteria including: appropriate zoning, appropriate site area, reasonable proximity to the original site, and beneficial residential and historical context.

## **2. Relationship with Project Objectives**

The Relocate and Rehabilitate alternative would largely achieve all five of the project objectives: by relocating the existing Victorian residential structures to a carefully screened off-site new location, the proposed project would be constructed on site, meeting the objectives to redevelop the site, develop a mixed-use project, meet the City's affordable housing requirements, increase the vitality of the Downtown, and seek a reasonably proposed Density Bonus.

## **3. Analysis of the Preservation Offsite Alternative**

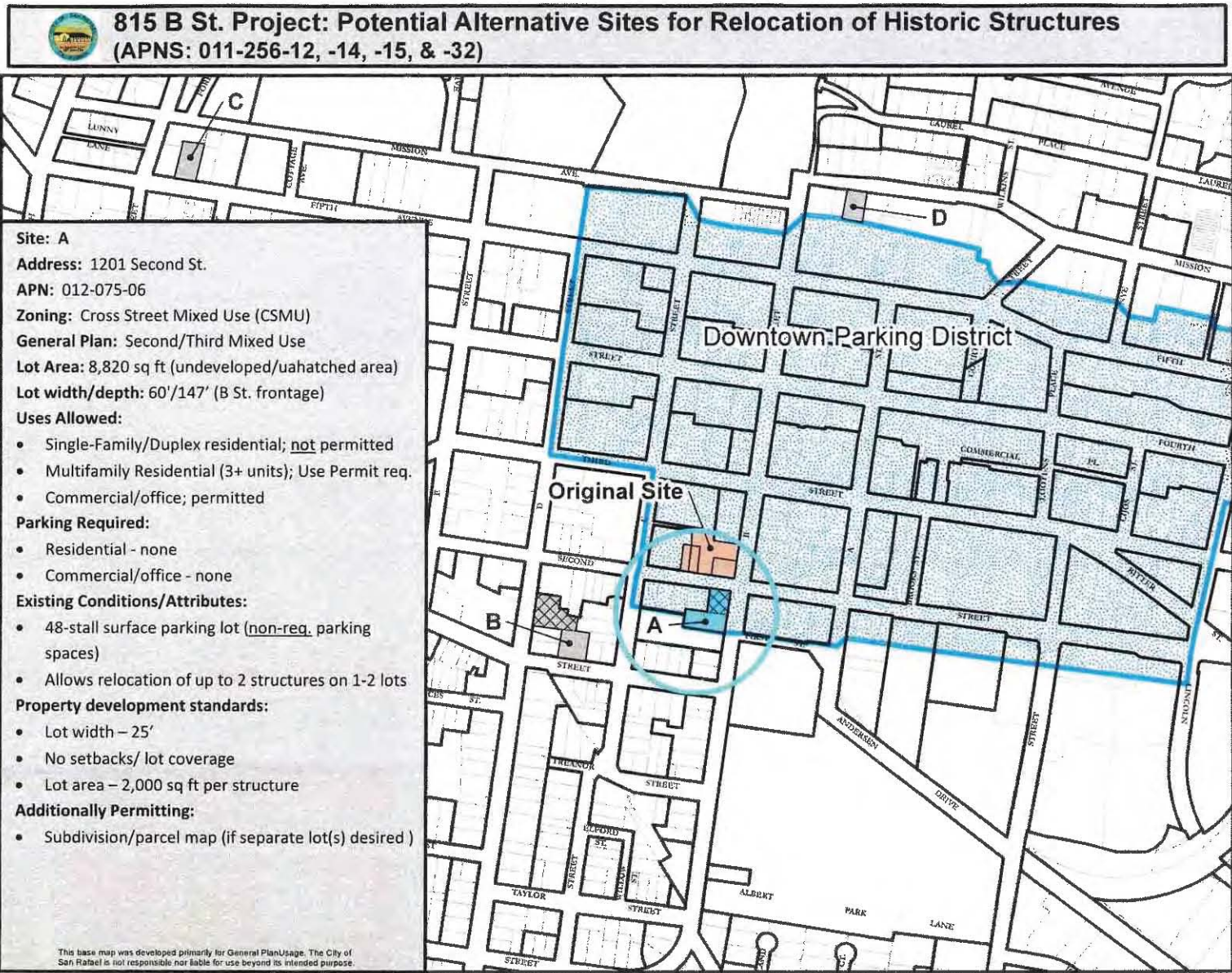
The Preservation Offsite alternative would move the existing Victorian-era residential buildings to a new location in order to reduce identified significant unavoidable Cultural Resource impacts of the project (due to proposed demolition of the Victorian structures) to a less than significant level. Relocation of the Victorians would allow the proposed project to be completed on the subject site. With regard to the potentially significant Aesthetic impacts of the proposed project upon the 2<sup>nd</sup> and B Street neighborhood, this impact could be mitigated through design modifications, as provided in Mitigation Measures in this Draft EIR, thereby reducing the Aesthetic impacts of the project to a less than significant level.

The four potential sites for relocation of the Victorians structures respond to the CEQA requirements for historic resources to varying degrees, which require that a moved historical resource retain its historic features and that the new setting be consistent with the historic one in orientation, setting, and general environment. The four potential sites for relocation of the historic structures include:

- Site "A" 1201 2nd Street
- Site "B" 712 D Street
- Site "C" 1628 Fifth Avenue
- Site "D" Between 1135 and 1145 Mission Avenue

Relocating the Victorian residential buildings could reduce cultural resource impacts to a less than significant level. A property removed from its original or historically significant location can be eligible under California guidelines if it is moved to prevent its demolition at its former location and if the new location is compatible with the original character and use of the historical resource. A moved historical resource should retain its historic features and

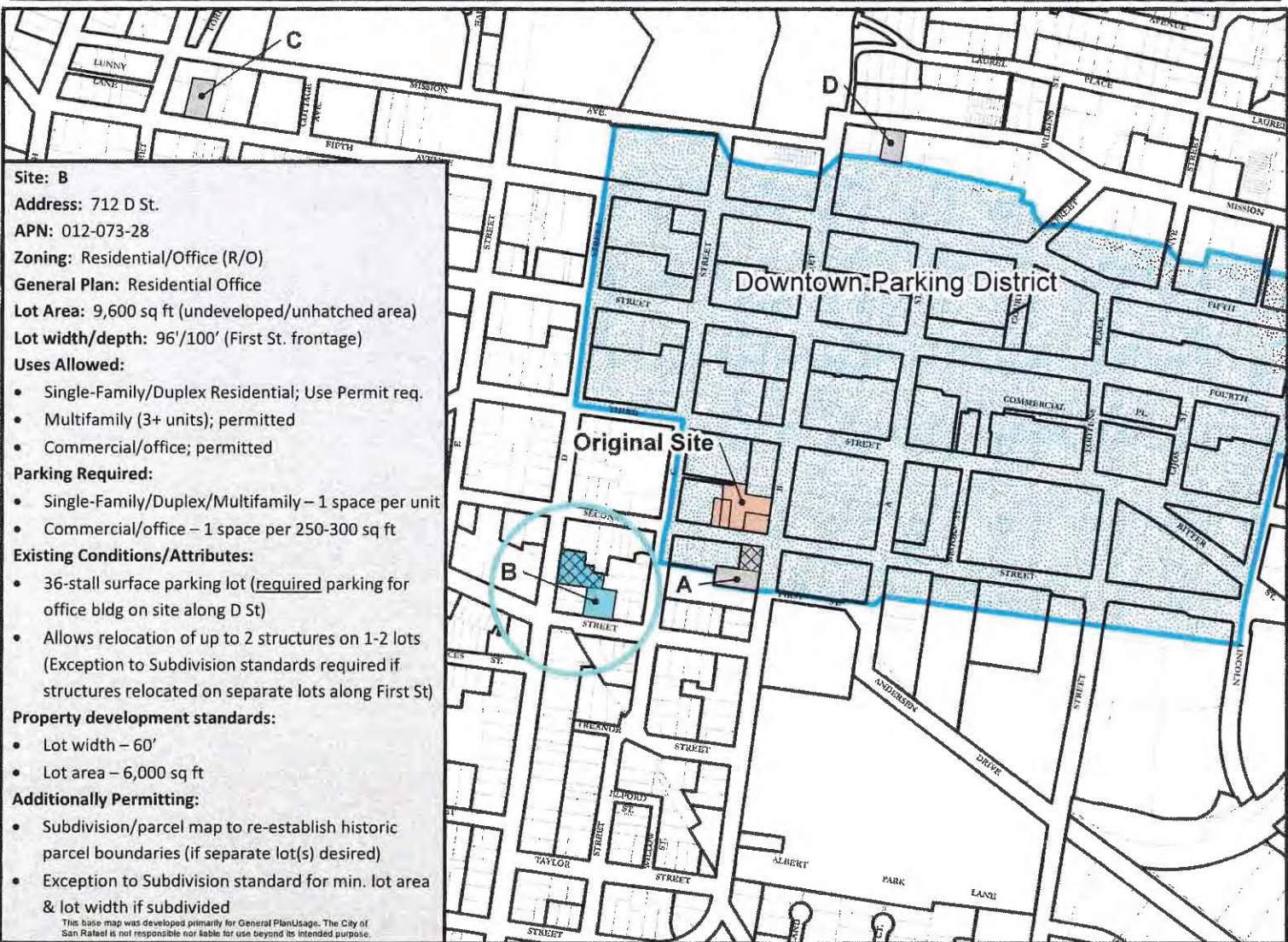
Figure VI-1: Alternative Sites







**815 B St. Project: Potential Alternative Sites for Relocation of Historic Structures**  
 (APNS: 011-256-12, -14, -15, & -32)



**Site: B**  
**Address:** 712 D St.  
**APN:** 012-073-28  
**Zoning:** Residential/Office (R/O)  
**General Plan:** Residential Office  
**Lot Area:** 9,600 sq ft (undeveloped/unhatched area)  
**Lot width/depth:** 96'/100' (First St. frontage)  
**Uses Allowed:**

- Single-Family/Duplex Residential; Use Permit req.
- Multifamily (3+ units); permitted
- Commercial/office; permitted

**Parking Required:**

- Single-Family/Duplex/Multifamily – 1 space per unit
- Commercial/office – 1 space per 250-300 sq ft

**Existing Conditions/Attributes:**

- 36-stall surface parking lot (required parking for office bldg on site along D St)
- Allows relocation of up to 2 structures on 1-2 lots (Exception to Subdivision standards required if structures relocated on separate lots along First St)

**Property development standards:**

- Lot width – 60'
- Lot area – 6,000 sq ft

**Additionally Permitting:**

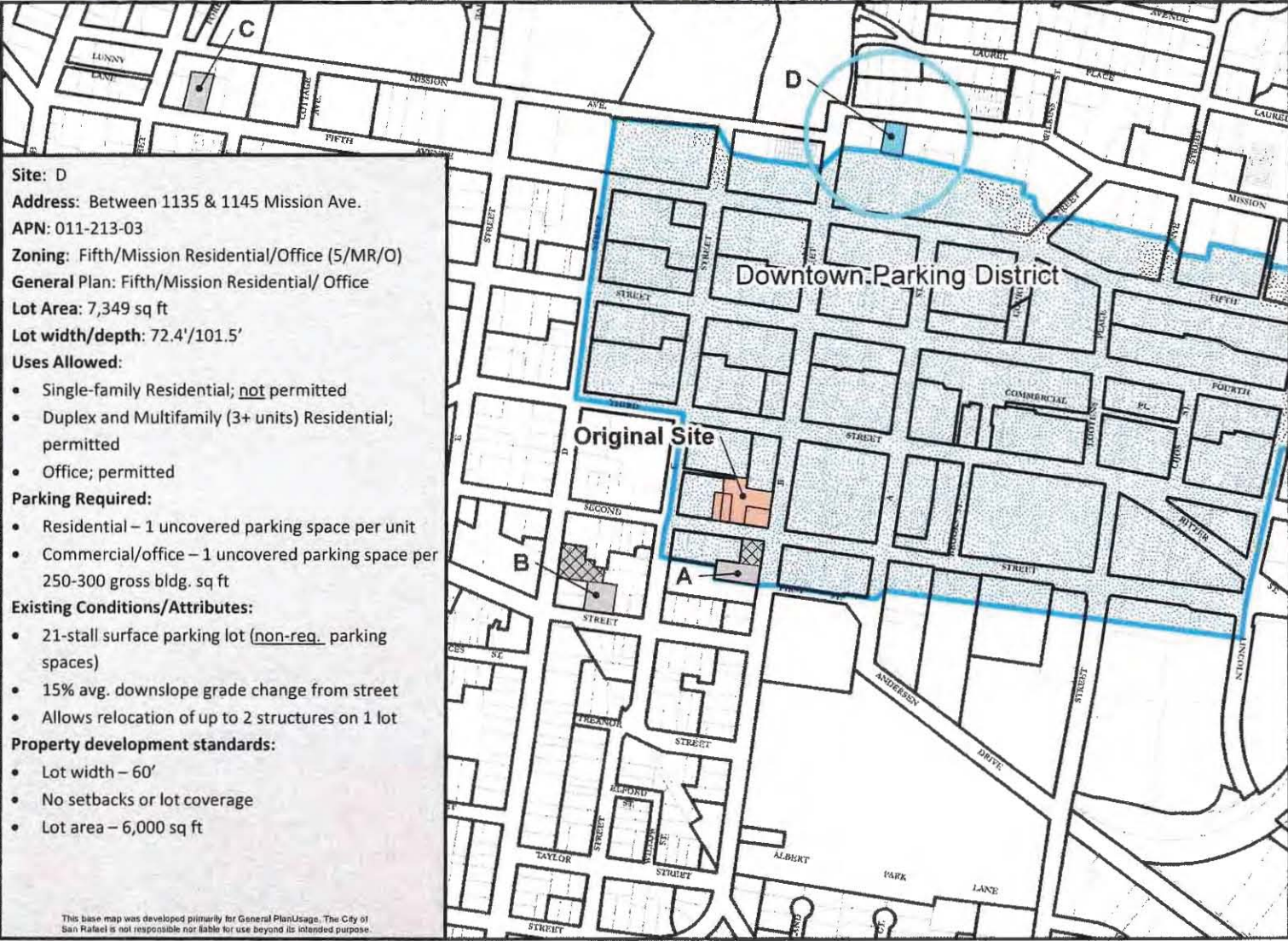
- Subdivision/parcel map to re-establish historic parcel boundaries (if separate lot(s) desired)
- Exception to Subdivision standard for min. lot area & lot width if subdivided

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 Date: 9/15/2015 10:06:00 AM  
 User: jgarcia



**815 B St. Project: Potential Alternative Sites for Relocation of Historic Structures**  
 (APNS: 011-256-12, -14, -15, & -32)



**Site: D**  
**Address:** Between 1135 & 1145 Mission Ave.  
**APN:** 011-213-03  
**Zoning:** Fifth/Mission Residential/Office (5/MR/O)  
**General Plan:** Fifth/Mission Residential/ Office  
**Lot Area:** 7,349 sq ft  
**Lot width/depth:** 72.4'/101.5'  
**Uses Allowed:**

- Single-family Residential; not permitted
- Duplex and Multifamily (3+ units) Residential; permitted
- Office; permitted

**Parking Required:**

- Residential – 1 uncovered parking space per unit
- Commercial/office – 1 uncovered parking space per 250-300 gross bldg. sq ft

**Existing Conditions/Attributes:**

- 21-stall surface parking lot (non-req. parking spaces)
- 15% avg. downslope grade change from street
- Allows relocation of up to 2 structures on 1 lot

**Property development standards:**

- Lot width – 60'
- No setbacks or lot coverage
- Lot area – 6,000 sq ft

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compatibility in orientation, setting, and general environment. The following describes the four sites and their potential to meet these guidelines. Of the four sites evaluated, 1201 2nd Street ranks highest in terms of achieving the CEQA goals for moving historical resources. Relocation of both the historic structures to Site B would be ranked second among the four sites evaluated, because of its fairly proximate location to the project site and the character of the existing Victorian residential neighborhood along First Street. However, relocation of the Victorians to this site, although technically feasible, has the significant constraint that the existing parking use would need to be relocated. Relocation of both the historic structures to Site C would be ranked third among the four sites evaluated. It is located furthest from their current location in a multifamily residential neighborhood. It is a vacant site and also has the fewest obstacles to relocating the two structures from a Planning and Building Code perspective. But it would not retain the potential historic district, as Site A would, and the historic character of the B and 2nd Street neighborhood. The costs of moving the structures to this site would also be more expensive than for Sites A and B. Relocation of both of the historic structures to Site D is ranked fourth among the four sites evaluated due to its distance from their existing location and site slope, which presents a significant added cost for site development. It would also not retain the potential historic district, as Site A would, and the historic character of the B and 2nd Street neighborhood.

City Planning Department staff contacted the owners of each of the four identified sites to inform them of the 2nd and B Street development project and the Draft EIR Alternatives analysis. In one case, the owners indicated that although they did not want to sell their property, they expressed interest in knowing more about the potential for relocating the Victorian structures to their property.

**A. 1201 2nd Street.** Of the four sites evaluated, 1201 2nd Street ranks highest in terms of achieving the CEQA goals for moving historical resources. The site is adjacent to the historic Cosmopolitan Hotel at the southwest corner of 2<sup>nd</sup> and B Streets. Relocation of the Victorian structures to this site would allow development of the project proposal and thereby achieve the applicant's objectives.

#### Physical Characteristics

Site A is an existing parking lot accessed from B Street that has a General Plan Designation of Second/Third Mixed Use and commercial zoning of CSMU: Cross Street Mixed Use; similar to the project site. As shown in Appendix B, the 8,820 square foot site has a 60-foot width and 147-foot depth, sufficient to locate both Victorians accessed by a common driveway or two separate driveways. Although this zoning district does not permit single-family or duplex residential uses, multi-family uses are conditionally permitted uses. Therefore, the two Victorians could be relocated to Site "A", provided that a second unit or condominium unit was created resulting in 3 living spaces. No setbacks or lot coverage minimums are required nor are there parking requirements for residential uses within this zoning category.

The existing parking lot currently provides 48 leased parking spaces that are not required parking for the office use on site.

Impact Analysis:

Of the four sites evaluated, Site A is ranked first because it provides a setting where the structure(s) would be located closest to a potential historic district (as proposed in Mitigation CULT-1B), has the closest proximity to the Victorian residence's current location and, if rehabilitated in accordance with the Secretary of Interior's Standards, would be contributing to the same district to which they would contribute in their existing setting. This would result in a less than significant impact to Cultural Resources and would retain and enhance the historic character of the B and 2nd Street neighborhood.

Potentially significant Aesthetic impacts of the proposed project discussed in Section IV, above, could be reduced to a less than significant level through implementation of design modifications, as recommended by Mitigation Measure AES-1.

**B. 712 D Street (1<sup>st</sup> Street east of E Street).** Relocation of both the historic structures to Site B would be ranked second among the four sites evaluated. This site is located one block west and one block south of their current location. Relocation of the Victorian structures to this site would allow development of the project proposal and thereby achieve the applicant's objectives.

Physical Characteristics:

Site B is an existing parking lot accessed from First Street that currently provides 36 parking spaces that are required parking for the office use located onsite. Therefore, the difficulty with using this site would be to obtain an alternate location for the required office parking.

The site is designated in the General Plan for Residential/Office (R/O) use and is zoned Residential/Office (R/O). The lot measures 96 feet by 100 feet. Development standards for the site require no setbacks or lot coverage maximums. Both Victorian structures could be accommodated on the site and accessed by a common or two separate driveways. The existing parking lot could be subdivided from the office building as a separate lot (or two lots) for placement of the Victorian structures.

Impact Analysis:

Of the four sites evaluated, Site B is ranked second because of its fairly proximate location to the project site and the character of the existing Victorian residential neighborhood along First Street. However, relocation of the Victorians to this site, although technically feasible, has the significant constraint that the existing parking use would need to be relocated elsewhere in reasonable proximity to the medical office building located on the adjacent lot. This alternative would result in a less than significant impact to Cultural Resources.

Potentially significant Aesthetic impacts of the proposed project discussed in Section IV,

above, could be reduced to a less than significant level through implementation of design modifications, as recommended by Mitigation Measure AES-1.

**C. 1628 Fifth Avenue.** Relocation of both the historic structures to Site C would be ranked third among the four sites evaluated. This site is located three long blocks west and three blocks north of their current location. Relocation of the Victorian structures to this site would allow development of the project proposal and thereby achieve the applicant's objectives.

Physical Characteristics:

Site C is a vacant lot that is designated in the General Plan High Density Residential and zoned Multifamily High Density Residential (HR1.5). All residential uses are permitted within this district. The 9,639 square foot lot has a width of 76.5 feet and depth of 126 feet. Parking required for Multi-family residential uses would be one uncovered space per unit. Setback requirements of 15 feet for the front yard and 5 feet for side/rear yards could be met given the narrow but deep footprint of the Victorian structures. Lot coverage is limited to 60% of the site area, which would allow the structures and required access and onsite parking to be provided.

Impact Analysis:

Of the four sites evaluated, Site C is located furthest from their current location in a multifamily residential neighborhood. However, given that it is a vacant, residentially zoned lot, this site also has the fewest obstacles to relocating the two structures from a Planning and Building Code perspective. Relocation of the two Victorian structures to Site C would result in a less than significant impact to Cultural Resources.

Potentially significant Aesthetic impacts of the proposed project discussed in Section IV, above, could be reduced to a less than significant level through implementation of design modifications, as recommended by Mitigation Measure AES-1.

**D. Between 1135 and 1145 Mission Avenue.** Relocation of both the historic structures to Site D would be ranked fourth among the four sites evaluated. This site is located three blocks north and one-half block east of their current location. Relocation of the Victorian structures to this site would allow development of the project proposal and thereby achieve the applicant's objectives.

Physical Characteristics:

Site D is an existing parking lot accessed from Fifth Avenue that currently provides 21 parking spaces that are not required parking for any use on-site or off-site. This parcel is designated Fifth/Mission Residential/Office in the General Plan and is zoned Fifth/Mission Residential/Office (5/MR/O). The site is 7,349 square feet in area and has a lot width of 72.4 feet and depth of 101.5 feet. Although single-family residential uses are not allowed in this zone, duplex and multifamily uses are permitted. Parking for residential uses is one

uncovered parking space per unit. No yard setback or lot coverage limitations are required in this zone. The site has a 15% downslope from the street, which would require significant grading and retaining wall construction to provide a suitable setting for the Victorian structures.

Impact Analysis: Of the four sites evaluated, Site D is ranked fourth due to its distance from the buildings' existing location and site slope, which presents a significant added cost for site development. Nevertheless, the site has value given the proximity to existing Victorian structures in the neighborhood, including the adjacent (recently discontinued) Marin History Museum and Boyd Park. Relocation of the two Victorian structures to Site D would result in a less than significant impact to Cultural Resources.

Potentially significant Aesthetic impacts of the proposed project discussed in Section IV, above, could be reduced to a less than significant level through implementation of design modifications, as recommended by Mitigation Measure AES-1.

With regard to other potential environmental impacts, the four sites evaluated within the Preservation Offsite Alternative would result in the following impact levels:

- **Aesthetics: LTS.** Each of the four identified sites for the Offsite Alternatives would reduce the project's significant Aesthetic impact to a less than significant level in the same way that the Aesthetics impact is reduced by the other alternatives, if recommended mitigation measures are implemented to improve the project design relationship to the historic context of the 2<sup>nd</sup> and B Streets neighborhood.
- **Air Quality: LTS.** Each of the four identified sites for the Offsite Alternative would have an equivalent air quality impact as the proposed project with implementation of recommended mitigation measure AIR-1. The air quality impacts associated with moving the Victorian structures to an off-site location would consist of construction activities to shore and lift the structures at the project site for transport as well as the grading and construction activities at the receiving site to prepare it for the new residential units. These impacts would be temporary in nature.
- **Cultural Resources: LTS.** Each of the four identified sites for the Offsite Alternatives would reduce the project's significant unavoidable Historic impact to a less than significant level by retaining and restoring the two existing Victorians in a location that meets the criteria outlined in "Analysis of the Preservation Offsite Alternative," thereby eliminating the loss of Cultural Resources proposed by the project.
- **Hazards/Hazardous Materials: LTS.** Each of the four identified Offsite Alternatives would reduce the project's potentially significant impact to Hazards/Hazardous Materials by relocating, rather than demolishing the existing Victorian buildings with the remaining project demolition activities limited to the commercial building at the corner of B and 2<sup>nd</sup> Streets. Identified mitigation measure

HAZ-1 would still be recommended in order to achieve a less than significant impact level.

- **Noise: LTS.** Construction noise impacts identified for the project would still occur and be slightly extended during the relocation process for the two Victorian structures, although this would be expected to be limited to a 2-4 week time frame. Identified mitigation measures NOISE-1 through 3 would provide less than significant noise impacts upon the surrounding neighborhood during the relocation process and construction phase at the receiving site.
- **Transportation/Traffic: LTS.** Potentially significant impacts to transportation facilities in the Downtown area identified for the project would be slightly elevated due to the relocation process for the two Victorian structures that would require brief street closures during their transport to an off-site location. Identified mitigation measure TRANS-1 would provide less than significant impacts resulting from the relocation process and construction phase at the receiving site.

#### 4. Financial Feasibility

The applicant's financial feasibility analysis of the four sites evaluated within the Preservation Offsite Alternative concludes that they are not feasible from an economic perspective.

Monahan Parker prepared a detailed financial feasibility study for each of four potential relocation sites studied (see Appendix A). The study assumes a uniform purchase price of \$750,000 for each of the four sites. Soft costs and construction costs were estimated for each site as follows:

Site A: \$1,905,629

Site B: \$1,904,629

Site C: \$2,122,101 (substantial cost for PG&E power line and higher house moving cost)

Site D: \$2,260,491 (additional engineering, grading, new foundation, retaining walls, and waterproofing increased costs for this site)

Aside from the cost increases noted above for Sites "C" and "D", all other costs were assumed to be essentially the same for relocating the houses and preparing the sites to receive them. The analysis concludes that the cost to relocate the buildings results in a financial loss, as the estimated building cost to complete the Project plus Offsite Preservation Alternative of \$22,430,000 is higher than the projected project building value of \$21,820,010, as calculated in the Residential Rent Roll.

One key assumption of the Financial Feasibility Study for the Offsite Preservation Alternative analysis is that the project sponsor would purchase the property for relocation,



adding a substantial \$750,000 financial burden to the cost analysis. It is possible that land purchase may not be required, as was indicated to City Planning Department staff by the owner of one of the four sites. In this case, the owners expressed interest in receiving the structures at their site, while retaining ownership of the land. Based upon the cost estimates in the Financial Feasibility Study, removing the land purchase cost estimate of \$750,000 and including an appropriate remuneration for the restored Victorian structures themselves would likely restore the overall Project plus Offsite Alternative to a profitable state, making the Off-Site Alternative financially feasible.

## **E. ADAPTIVE REUSE ALTERNATIVE**

### **1. Principal Characteristics**

The Adaptive Reuse alternative assumes that substantial elements of the existing Victorian buildings, such as the building facades, would be incorporated into the new building and become part of the new uses, consistent with the project proposal. This alternative would allow for greater flexibility than the Preservation Onsite alternative, but would not fully preserve the buildings to the same degree as the Preservation Onsite alternative. It would not reduce the impacts to Cultural Resources to a less than significant level. In addition, the potential of this alternative to mitigate potentially significant Aesthetic impacts resulting from the project proposal to a less than significant level have not been addressed in a design proposal, and so cannot be analyzed here.

### **2. Relationship with Project Objectives**

This alternative would largely meet project objectives to revitalize this area of Downtown; meet the City's affordable housing objectives; increase economic vitality in this area; and achieve a reasonable density bonus. However, it is not a preservation alternative that would achieve Cultural Resources objectives by preserving the historic buildings. Aesthetic impacts have not been addressed as part of this alternative given that no design concept for an Adaptive Reuse mixed-use project that is appropriately scaled to the historical context of the neighborhood has not been developed and can therefore not be fully analyzed with respect to Project Objectives.

### **3. Analysis of the Adaptive Reuse Alternative**

This alternative may address Aesthetic issues by better integrating the proposed project with the neighborhood through addressing scale and architectural design, but does not mitigate for the loss of historic resources. The alternative does not preserve the historic resources in that it does not preserve the buildings. Aesthetic impacts cannot be addressed at this time due to the lack of a specific proposal that illustrates the Adaptive Reuse of the existing historic resources.

#### **4. Financial Feasibility**

The applicant's financial feasibility analysis of the Adaptive Reuse Alternative did not draw a financial impact conclusion about this alternative but rather stated that incorporating architectural elements from the existing Victorian structures into the mixed-use project design that was reviewed by the Design Review Board and found acceptable would not benefit the aesthetics of the building nor pay homage to the Victorian structures themselves. Therefore, while the Adaptive Reuse concept may be financially feasible, it would not be a desirable solution to the significant Cultural Resources and Aesthetic impacts.

#### **F. ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

The Environmentally Superior Alternative is Alternative C: Preservation Onsite, which preserves the two Victorian structures in place and rehabilitates them according to the Secretary of Interior's Standards for Rehabilitation, restoring them to a safe and habitable condition through a renovation that meets the Historic Building Code.

Alternative C provides a mixed-use project that better addresses the architectural scale of the neighborhood and, although reduced in scope and therefore the ability to maximize project objectives, would still reasonably achieve the project objectives. Consistent with the recommended Mitigation Measures to reduce potentially significant Aesthetic impacts to a less than significant level, re-design of the project to achieve architectural compatibility with the 2<sup>nd</sup> and B Street neighborhood is feasible, and was in fact proposed as part of the 2013 project design submittal, and would result in a design that achieves all project objectives, although at a smaller scale. Alternative C would also preserve the historic character of the neighborhood and enhance the integrity of a potential historic district in this area.

## VI. CEQA REQUIRED ASSESSMENT CONCLUSIONS

As required by CEQA, this chapter discusses the following types of impacts that could result from implementation of the proposed project: growth-inducing impacts; significant irreversible changes; cumulative impacts; effects found not to be significant; unavoidable significant effects; and the relationship between short-term and long-term uses of the environment.

### A. GROWTH-INDUCING IMPACTS

A project is considered growth-inducing if it would directly or indirectly foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.<sup>26</sup> Examples of projects likely to have significant growth-inducing impacts include extensions or expansions of infrastructure systems beyond what is needed to serve project-specific demand, and development of new residential subdivisions or industrial parks in areas that are currently only sparsely developed or are undeveloped. Typically, redevelopment projects on infill sites that are surrounded by existing urban uses are not considered growth-inducing because redevelopment by itself usually does not facilitate development intensification on adjacent sites.

The 2<sup>nd</sup> and B Street San Rafael Housing project would significantly intensify development on the site. However, the types of uses are consistent with the existing pattern of residential and commercial uses there and in the surrounding Downtown area. The intensification of the residential uses at the site from two single-family residences to 41 residential units would be consistent with General Plan land use densities augmented with a 35% Density Bonus that is permissible under State law. Therefore, the range of potential environmental impacts, including growth-inducing impacts, considered in the San Rafael General Plan 2020 EIR for development in the Downtown have been evaluated, with the exception of the unique significant impacts related to loss of historic resources and related aesthetic impacts at this site.

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<sup>26</sup> *CEQA Guidelines* § 15126.2(d).

## **B. SIGNIFICANT IRREVERSIBLE CHANGES**

CEQA requires that EIRs assess whether the proposed project would result in significant irreversible changes to the physical environment. The *CEQA Guidelines* discuss three categories of significant irreversible changes that should be considered. Each is discussed below.

### **1. Significant Environmental Effects Which Cannot be Avoided if the Proposed Project is Implemented.**

The 2<sup>nd</sup> and B Street project proposes the redevelopment of an existing commercial building and the demolition of two Victorian-era, single-family homes in Downtown San Rafael. As discussed above, the range of potential environmental impacts related to intensification of the development at the site have been considered in the San Rafael General Plan 2020 EIR. However, a unique aspect of the proposed development plan would be the demolition and loss of historic resources as well as the potentially significant aesthetic impact of the project design upon the historical context of the Downtown neighborhood. As discussed in Section IV. Setting, Impacts and Mitigation Measures, the Aesthetic impacts of the proposed design can be mitigated to a less than significant level through recommended mitigation measures; however, the demolition of these historic resources cannot be mitigated to a less than significant level and would remain a significant unavoidable impact of the proposed development, requiring that the City Council adopt a Statement of Overriding Considerations prior to any action to approve the proposed project.

### **2. Significant Irreversible Environmental Changes Which Would be Caused by the Proposed Project Should it be Implemented.**

Implementation of the proposed project would result in the demolition of existing structures within the project site, including structures that are eligible for the California Register of Historic Places and considered significant historic resources pursuant to CEQA. Therefore, the demolition of these buildings would be considered a significant irreversible environmental change. No significant irreversible environmental damage, such as what would occur as a result of an accidental spill or explosion of hazardous materials, is anticipated due to implementation of the proposed project.

## **C. CUMULATIVE IMPACTS**

In Section 15065(a)(3), CEQA defines cumulative impacts as occurring when “the project has possible environmental effects that are individually limited but cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” Section 15130 of the CEQA Guidelines requires that an EIR evaluate potential environmental

impacts that are individually limited, but cumulatively significant. Section 21083.3(b) of the CEQA statutes states that when relying on a general plan EIR that was certified for that general plan, the subsequent analysis needs to consider, “potentially significant off-site impacts and cumulative impacts of the project not discussed in the prior EIR.”

The EIR for *San Rafael General Plan 2020* analyzed cumulative impacts in the topical areas of land use, transportation and circulation, air quality, noise, hydrology, water quality, flood hazards, biological resources, geology, seismic hazards, soils, public services, recreation, utilities, cultural resources, visual quality, and hazardous materials. With the exception of the topical area of cultural resources, which is discussed extensively in this EIR, the *San Rafael General Plan 2020* EIR adequately discussed cumulative impacts and no further analysis is required. The project’s contribution to cumulative impacts would not be cumulatively considerable given that the proposed land uses and intensity of development are consistent with *San Rafael General Plan 2020*. The project would not result in any significant cumulative impacts. The significant unavoidable impact related to demolition of historic resources is an impact unique to this site and development project and therefore is not a cumulative impact.

#### **D. EFFECTS FOUND NOT TO BE SIGNIFICANT**

The City of San Rafael prepared an Initial Study in June 2013 that determined an Environmental Impact Report should be prepared due to the project’s significant impact upon cultural resources and aesthetics and circulated a Notice of Preparation (NOP) to solicit public comments about the scope of the EIR on June 24, 2013 and held a public Scoping Hearing on July 23, 2013. Written comments received on the NOP and public comments received during the public scoping hearing were considered in the preparation of the final scope for this document and evaluation of the proposed project.

The environmental topics analyzed in Chapter IV. Setting, Impacts, and Mitigation Measures, represent those topics which are peculiar to the project and which are not addressed as significant effects in the General Plan EIR, or which substantial new information shows will be more significant than described in the General Plan EIR. These topics pose the greatest potential controversy and expectation of adverse impacts as determined by City staff, consultants, the Design Review Board, the Planning Commission and members of the public. Topics that were not considered in this EIR because they were determined to have been adequately addressed in the General Plan EIR or were considered to be less than significant in the Initial Study include: Agricultural Resources, Air Quality, Biological Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, and Utilities. Standard City regulations and conditions of

approval already reduced impacts in certain topical areas to a less than significant level, such as noise and air quality.

## **E. UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL IMPACTS**

After mitigation, the proposed project would result in the following significant unavoidable impacts:

- The proposed project would result in the demolition of the existing Victorian-era single-family residential homes located at 1212 and 1214 2nd Street, which are eligible for the California Register of Historic Places and are considered a cultural resource for purposes of CEQA.

## **F. RELATIONSHIP BETWEEN SHORT-TERM AND LONG-TERM USES OF THE ENVIRONMENT**

As outlined in Chapter IV of this EIR, implementation of the proposed project would result in significant impacts related to the following topical areas.

- Cultural Resources - Historical

All other identified potentially significant adverse environmental impacts can be mitigated to less than significant levels with the measures outlined in this EIR. The proposed project, which is a mixed-use development in Downtown San Rafael, would provide an infill development consistent with General Plan policies and Zoning requirements that would be an efficient use of land and infrastructure. As such, the proposed project would result in a physical improvement to San Rafael and represents a sustainable long-term use of environmental resources.

## VII. REPORT PREPARATION

### A. REPORT PREPARERS

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### B. REFERENCES

California Environmental Quality Act, 2015, California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387.

*2nd and B Street: New San Rafael Housing Initial Study and Notice of Preparation (NOP) of an Environmental Impact Report (EIR)*, prepared by Newman Planning Associates, June 2013.

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### **C. CONTACTS**

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