

May 18, 2020

VIA E-MAIL

Mayor Gary Phillips and
City Councilmembers
San Rafael City Council
1400 Fifth Ave., Room 203
San Rafael, CA 94901

Re: Agenda Item 6.b.: Plan Bay Area 2050 - Priority Development Areas

Dear Mayor Phillips and City Councilmembers:

Merlone Geier Partners (Merlone Geier) owns the Northgate Mall property in the City of San Rafael (City). The Northgate Mall is currently developed as a shopping mall of over 700,000 square feet with a mix of retail, restaurant, and entertainment uses. Over the past several years, Merlone Geier and the City have engaged in preliminary discussions regarding the reconfiguration and redevelopment of the Northgate Mall property to optimize retail, restaurant and entertainment options and add needed housing. In the near future, Merlone Geier anticipates submitting entitlement applications to the City for a financially viable project that will further the City's goals to revitalize and expand the Northgate Mall property.

City Council agenda item 6.b for Monday, May 18, 2020 proposes that the City Council should submit a Letter of Interest to the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) nominating Priority Development Areas (PDA) for the City. Nomination of PDAs would help the City to ensure that future regional planning and investment decisions take into account the City's priorities for redevelopment. The Staff Report specifically recommends nomination of a PDA in the North San Rafael/Northgate neighborhood, and specifically calls out the Northgate Mall as the "site of most interest in the community for a deeper planning study" within the envisioned PDA area. As noted in the Staff Report, the designation of PDAs is voluntary and is designed to align local and regional planning and investment decision. Importantly, the City would retain full land use authority to consider and approve project applications within the proposed PDA areas.

Merlone Geier agrees with Staff's conclusion that Northgate Mall represents a significant and immediate opportunity for redevelopment into a robust mixed-use community. Merlone Geier and the City have made significant effort and progress to identify a shared vision for the redevelopment of Northgate Mall. It is critical for the viability of any redevelopment project that Merlone Geier be able to proceed through the entitlement process without processing delays as a consequence of any pending PDA nomination encompassing the site. When Merlone Geier submits its applications in the near future, it expects the City will timely process those applications in the ordinary course. We respectfully request that the City Council confirm it will

process those applications without waiting for any PDA designation of associated broader planning effort. Merlone Geier appreciates the City Council's attention to these comments and looks forward to continuing its productive relationships with the City and the community in regard to these matters.

Very truly yours,

Merlone Geier Partners

A handwritten signature in blue ink, consisting of a stylized, overlapping loop followed by a horizontal line that tapers to a point on the right.

Stephen Logan

VP, Development



May 18, 2020

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San Rafael City Council
1400 Fifth Avenue
San Rafael, CA 94901

RE: Letters of Interest for PDAs in the Canal and North San Rafael/Northgate

Honorable Mayor and Councilmembers,

Sustainable San Rafael enthusiastically endorses submitting letters of interest for future Priority Development Areas (PDAs) in the Canal and North San Rafael/Northgate communities. Both areas have long needed planning attention to enable desirable improvements and investments. It is time to realize the potential for a better future for these two neighborhoods of our city.

We urge the City Council to support community-driven planning processes to meet climate change impacts, housing needs, economic sustainability, and other issues in the Canal and in North San Rafael/Northgate. Submitting a letter of interest is simply a first step towards providing residents a voice in planning their future.

In these hard economic times, a compelling reason for the PDA letters of interest is the accessibility to regional planning funds. Downtown San Rafael has received millions of dollars for improvements and planning because of its PDA status. It is time to ensure that these other two important neighborhoods have their fair share of attention as well. We can expect real and substantial money for traffic and parking improvements, bikeways, walking paths, street landscaping, open space, stream restoration, and sea level rise adaptation.

Every step we take to address today's critical issues moves us closer to needed solutions and minimizing future challenges and impacts. Thank you for showing the leadership needed at this time, and for approving the submittal of letters of interest in submitting the PDA applications.

Sincerely,

Bob Spofford
Vice-President, Sustainable San Rafael

From: Leyla Hill

Sent: Monday, May 18, 2020 12:44 PM

To: Gary Phillips; Maribeth Bushey; Kate Colin; John Gamblin; Andrew McCullough

Cc: Paul Jensen; Ethan Guy

Subject: City of San Rafael's vote on Monday, May 18, regarding a proposal to submit a Letter of Interest to apply for a PDA designation for the area around Northgate Mall

I am writing at this time to express my opposition to a vote of the City Council taking place about the above-referenced topic on Monday, May 18, 2020. Designating such an area of Terra Linda around Northgate to be a Priority Development Area would be one of the most significant decisions for the community in many years, and a decision the community historically strongly opposed. Yet even despite this only a few people in the community were invited to a teleconference about the proposed PDA.

Government by personal invitation to a limited attendance phone call in the middle of a pandemic is, in my opinion, not an appropriate way to consider and implement policies that will affect many homeowners and residents and the long term planning and development of the northern end of the City of San Rafael as well as the adjacent unincorporated neighborhoods. Not enough people know about it or have had enough of an opportunity to study the matter, have discussions among interested parties, and provide thoughtful public comment.

I've heard that a Letter of Interest in designating a PDA will earn funds for planning. What type of planning? A Community Plan? A Specific Plan? A Precise Plan? What are the implications of the Northgate site being in a Transit Priority Area (TPA), and how does this interact with designating it a PDA? All of these are technical terms that need to be defined and the distinctions, desirabilities, and downsides discussed. What else is implied in Priority Development? I see on a new map from the State of California that we are a "High Resource" area regarding affordable housing. What does this mean? What is its relationship, if any, to the designation of a PDA, to Northgate being in a TPA? People in the community need to know there are complex, specific factors involved, and they need answers to the many other questions that arise if they are to make reasonable and informed decisions whether or not to support this proposal. There is no time for this before the meeting and proposed vote on May 18.

There is still time for this to occur before the May 31 deadline to send the Letter of Interest. At the very least a series of FAQ and definitional emails should be sent out to a broader group of those active in these matters in the past and showing interest in the present. And since we can't attend open, public presentations and meetings, there should be an opportunity for the recipients to ask further questions based on the answers supplied.

If the proposal is, nevertheless, voted upon, I advocate for its defeat at this time, until the interested public can more fully participate in discussing and educating themselves about the topic.

As a compromise position, the Staff Report says that an LOI submitted by May 31, 2020, may be "signed by the Planning Director or City Manager. However, Resolutions from a City Council or Board of Supervisors are required for new PDAs, and must be adopted or amended by May 31, 2020, with all amended resolutions adopted by June 30, 2020." This means that the City Council can defer the decision to approve or disapprove of a Resolution to send an LOI tonight, the Planning Director can sign an LOI and submit it before May 31, and the City Council can afford the community additional time to understand this proposal before the Council adopts or rejects such a Resolution by June 30, 2020.

Sincerely,

Leyla Hill

(resent for clarity of typography)

From: Shirley Fischer

Sent: Monday, May 18, 2020 2:23 PM

To: Gary Phillips; Maribeth Bushey; Kate Colin; John Gamblin; Andrew McCullough

Cc: Paul Jensen; Ethan Guy; Shirley Fischer

Subject: Letter of Interest to apply for a PDA designation for Northgate area

Dear Mayor Phillips and Council Members,

I am writing to express some concerns about the proposed letter of interest for creating a Priority Development Area for the Northgate area. I think there are more questions that need answers before a fully educated decision can be made.

My understanding of the timeline for making these decisions is that a resolution from the City Council for a new PDA must be adopted by May 31 and approved by June 30. It appears that this provides sufficient time for additional information and public discussion before a final decision by June 30. I suggest that the Council authorize the Planning Director to sign a Letter of Interest before May 31 and that the broader community be provided with additional information and an opportunity to give feedback before the Council makes a final decision on a Northgate PDA resolution.

There is still a great deal of confusion about the distinctions and interactions among TPAs, TPPs, PDAs, HRAs, CEQA EIRs, streamlined EIRs, exempted EIRs, SCSEAs, RHNAs (and other applicable designations) and how they impact the public's and the City's ability to influence future development. Among specific questions are:

1. There are now two types of PDAs: **Transit Rich PDA** and **Connected Community PDA**. Northgate does not have the transit 15 minute headways to qualify for a Transit Rich PDA. Will the City apply for a Connected Community PDA for Northgate as well as for the Canal neighborhood? What different impacts do the two designations have for the surrounding community?

2. Both types of PDAs require a specific/precise plan or other plan for projected housing and other growth.

a. What are the real differences between a **specific/precise plan** and a **community/neighborhood plan**? The project checklist for CEQA streamlining seems to be different for the two types of plans. If anything, it seems like the Community Plan checklist is more rigorous than the Specific Plan checklist. <https://www.planbayarea.org/resources/ceqa-streamlining-opportunities/ceqa-streamlining-exemptions#Small%20Infill%20Exemption>

3. What are the current projections for housing and growth in this area and how will this change under a specific/precise vs a community plan? What are housing and growth plans if there is no specific/precise or community plan? Northgate Mall is currently zoned General Commercial/Office, which allows up to 15-32 residential units/acre.

4. We have been told that OBAG (PDA) money can be used to develop either a specific or a community plan. Is this correct?

5. The introduction of the staff report states: *Staff recognizes that additional community conversations are needed regarding these PDA boundaries. The PDA designation process is the first step of many community conversations to influence and determine the future of these PDA boundaries.* How will these community conversations be conducted?

6. Regarding the maps for Northgate boundaries:

a. Why is the Guide Dogs for the Blind property included in Options 2 and 3?

b. Option 3 Includes the properties on S. Merrydale, which is what the community, for good reasons, opposed in 2013.

c. None of the options include the vacant Commerce Clearing House building on top of Quail Hill and the office buildings on the south side of Northgate Drive (across from SEARS)--these are much better candidates for redevelopment. The boundary options should be adjusted to include these properties.

Thank you for your attention to these comments.

Best regards,

Shirley Fischer