



AGENDA

SAN RAFAEL PLANNING COMMISSION REGULAR MEETING TUESDAY, May 12, 2020, 7:00 P.M.

Virtual Meeting

CORONAVIRUS (COVID-19) ADVISORY NOTICE

In response to Executive Order N-29-20, the City of San Rafael will no longer offer an in-person meeting location for the public to attend. This meeting will be streamed live through YouTube. Comments submitted via YouTube must be submitted according to the directions located on the YouTube video description. The City is not responsible for any interrupted service. To ensure the Planning Commission receives your comments, submit written comments to the Alicia Giudice, Principal Planner (alicia.giudice@cityofsanrafael.org), prior to the meeting. For more information regarding real-time public comments, please visit our Live Commenting Pilot page at <https://www.cityofsanrafael.org/live-commenting-pilot/>.

Want to listen to the meeting and comment in real-time over the phone? Contact the City Clerk's office at 415-485-3066 or by email to lindsay.lara@cityofsanrafael.org to learn more about participation by telephone.

Any member of the public who needs accommodations should contact the City Clerk (email lindsay.lara@cityofsanrafael.org or phone at 415-485-3066) who will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Members of the public may speak on Agenda items.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

RECORDING OF MEMBERS PRESENT AND ABSENT

APPROVAL OR REVISION OF ORDER OF AGENDA ITEMS

PUBLIC NOTIFICATION OF MEETING PROCEDURES

URGENT COMMUNICATION

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

CONSENT CALENDAR

1. Minutes, April 14, 2020

PUBLIC HEARING

2. **1499 Lucas Valley Rd.** – Request for an Environmental and Design Review Permit to allow the construction of a new 901 square foot bathroom/closet addition to an existing 6,500 square foot single-family residence on a 8.9-acre site; APN: 165-010-89; Planned Development – Hillside Overlay (PD 1701-H) District; Mike and Sharon Stone, owners; Maureen Jochum of Jochum Architects, applicant; File No.: ED19-099. Project Planner: Sean Kennings
3. **1011 Andersen Drive (Marin Airporter Transfer Station)** – Request for a Use Permit Extension and Environmental and Design Review Permit Extension to a previously approved project for the Marin Airporter Transfer Terminal (5-year lease) located at 1011 Anderson (previously a portion of 1081 Anderson). The proposed Use Permit Extension and Environmental and Design Review Permit Extension would include the installation of 31 trees on the northern half of the site where long term parking is currently located and additional landscaping improvements to be located within 2 bioswales at the northern most end of the 2.8 acre site.; APN 0018-142-74 and 018-180-53; Light Industrial/Office (LI/O) District; Golden Gate Bridge Highway and Transportation District, owner; Larry Leporte of Marin Airporter, applicant; File No(s): UP19-021, ED19-051. Project Planner: Alicia Giudice
4. **1075 Francisco Boulevard East (Home2 Suites and Hampton Inn & Suites Hotel)** – Request for an Environmental and Design Review, Use Permit, and Major Subdivision (Lot Merger) for a project proposing to develop a 2.79-acre portion of a vacant property with a new 54-foot high, 106,000 gross square foot hotel containing 185 rooms and development of a smaller 0.66-acre portion of the property with a vehicle storage lot. Other improvements include landscaping, flood mitigation, and establishment of easements.; APNs: 009-191-02, -03, -04, -09, -10; General Commercial (GC) Zoning District; Marin Hospitality INC., owner; Stephan Allen, applicant; File No.: ED19-038/19-098; UP19-016/19046;TS19-003. Project Planner: Alicia Giudice

DIRECTOR'S REPORT

COMMISSION COMMUNICATION

ADJOURNMENT

- I. Next Meeting: May 26, 2020.
- II. I, Anne Derrick, hereby certify that on Friday, May 8 2020, I posted a notice of the May 12, 2020 Planning Commission meeting on the City of San Rafael Agenda Board.

- | |
|---|
| <ul style="list-style-type: none">• Any records relating to an Agenda Item, received by a majority or more of the board or commission less than 72 hours before the meeting, shall be available for inspection in the CDD Dept, at 1400 Fifth Ave, Third Floor, San Rafael, CA• Sign Language and interpretation and assistive listening devices may be requested by calling (415) 485-3066 (voice), emailing Lindsay.lara@cityofsanrafael.org, or using the California Telecommunications Relay Service by dialing "711" at least 72 hours in advance. Copies of documents are available in accessible formats upon request.• Public transportation to City Hall is available through Golden Gate Transit, Line 22 or 23. Para-transit is available by calling Whistlestop Wheels at (415) 454-0964.• To allow individuals with environmental illness or multiple chemical sensitivity to attend the meeting/hearing, individuals are requested to refrain from wearing scented products. To allow individuals with environmental illness or multiple chemical sensitivity to attend the meeting/hearing, individuals are requested to refrain from wearing scented products. |
|---|

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

In the Council Chambers of the City of San Rafael, April 14, 2020



**Regular Meeting
San Rafael Planning Commission Minutes**

CALL TO ORDER

Present: Barrett Schaefer
Aldo Mercado
Sarah Loughran
Berenice Davidson
Samudzi Shingai
Mark Lubamersky

Absent: None

Also Present: Alicia Giudice, Principal Planner
Raffi Boloyan, Planning Manager
Steve Stafford, Senior Planner

PLEDGE OF ALLEGIANCE

RECORDING OF MEMBERS PRESENT AND ABSENT

APPROVAL OR REVISION OF ORDER OF AGENDA ITEMS

PUBLIC NOTIFICATION OF MEETING PROCEDURES

URGENT COMMUNICATION

CONSENT CALENDAR

1. Minutes, February 25, 2020

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

AYES: Barrett Schaefer, Aldo Mercado, Sarah Loughran, Berenice Davidson, Samudzi Shingai, Mark Lubamersky
NOES: None
ABSTAIN: None
ABSENT: None

PUBLIC HEARING

2. **104 Shaver Street – Request for a Use Permit, an Environmental and Design Review Permit and a Variance to allow the construction of a new, 7-unit, multifamily residential apartment building with associated site improvements (drainage and landscaping) on a 6,264 sq. ft. site. The proposed Variance would reduce the front (Shaver St.) setback, from 20’ to 15’, and the interior side setback, from 5’ to zero. The project also requests a Parking Modification to reduce the required on-site parking, from 8 to 7 parking spaces, and to increase compact parking, from 2 to 4 spaces. The project further requests 2 concessions, under the State Density Bonus law, to increase the maximum allowable lot coverage, from 60% to 65%, and to decrease the required street side setback, from 10’ to 8’; APN: 011-245-40; Multifamily Residential (HR1) District; Stevan Fontana for Vantana LLC, owner; Mike Larkin for Larkin Architecture, applicant; Downtown Neighborhood. (Project Planner: Steve Stafford)**

[Staff Report](#)

Sarah Loughran moved and Berenice Davidson seconded to adopt resolution approving project with the requirement that the applicant install all seven parking spaces with Level Two wiring for charging electric cars. The vote is as follows:

AYES: Barrett Schaefer, Aldo Mercado, Sarah Loughran, Berenice Davidson, Samudzi Shingai, Mark Lubamersky
NOES: None
ABSTAIN: None
ABSENT: None

3. **Election of a new Chair and Vice Chair for 2020 - Due to the resignation of the Commissioner formerly serving as Chair for 2020, a new Chair, and potentially a new Vice Chair, shall be elected for the remainder of this year’s term. (Project Planner: Alicia Giudice)**

[Staff Report](#)

Mark Lubamersky moved and Sarah Loughran seconded to appoint Commissioner Mercado as the Planning Commission Chair and Samudzi as Planning Commission Vice Chair. The vote is as follows:

AYES: Barrett Schaefer, Aldo Mercado, Sarah Loughran, Berenice Davidson, Samudzi Shingai, Mark Lubamersky
NOES: None
ABSTAIN: None
ABSENT: None

DIRECTOR’S REPORT
COMMISSION COMMUNICATION
ADJOURNMENT

ANNE DERRICK, Administrative Assistant III

APPROVED THIS ____ DAY OF _____, 2020

Aldo Mercado, Vice-Chair



SAN RAFAEL

THE CITY WITH A MISSION

Community Development Department – Planning
Division

Meeting Date: May 12, 2020

Agenda Item: 2

Case Numbers: ED19-099; EX20-001

Project Planner: Sean Kennings (415) 533-2111

REPORT TO PLANNING COMMISSION

SUBJECT: **1499 Lucas Valley Road** – Environmental and Design Review Permit and Exception to allow the construction of a new 901 square foot bathroom/closet addition to an existing 8,592 square foot single-family residence (including 562 sq ft garage). The property is currently developed with a single-family residence and several accessory structures. Approval of an Exception is required to allow the single-family residence to exceed the maximum allowed 6,500 sq. ft. (9,493 sq. ft. proposed) on an approximately 8.9-acre lot with an average 9.4% slope; APN: 165-010-89; Planned Development District (PD-H); Michael Stone, owner; Maureen Jochum, applicant; File No: ED19-099, EX20-001; Terra Linda Neighborhood.

EXECUTIVE SUMMARY

The proposed project is a request to approve an Environmental and Design Review Permit and an Exception to add site and design improvements for a 901 sq. ft. addition to an existing single-family residence located on an 8.9-acre hillside lot. The project also requires an Exception to the Planned Development Ordinance (PD1701-H) for the existing single-family residence to exceed 6,500 sq. ft. as allowed in the development plan for the project. The Commission's recommendation will be forwarded to the City Council for final approval. Based on review of the applicable design criteria, which is discussed in detail below, staff has concluded that the project adequately addresses the applicable criteria. Staff requests that the Board review this report and provide a recommendation on compliance with all pertinent design criteria and whether an Exception to the maximum allowed size of 6,500 sq. ft. single family residence is warranted for this large, hillside designated property. The current proposal would increase the residence size to 9,493 sq. ft. Under the Hillside property's current Planned Development (PD1701-H) zoning, an Exception to the PD1701 is required for any addition that would result in the single-family home exceeding 6,500 sq. ft.

In order to grant an Exception, findings would need to be made that the design meets the objectives of the hillside design guidelines, minimizes grading, retains more of the project site in its natural state, minimizes visual impacts, protects significant trees, or protects natural resources and results in a demonstrably superior project with greater sensitivity to the natural setting and compatibility with and sensitivity to nearby structures. The above findings can be made by the City Council, upon the recommendation of the Design Review Board and the Planning Commission. Staff believes based on the project design, the above findings can be made since the proposal would add only minimal visibility and mass to the already developed area on the property. Due to the Hillside zoning of the property the proposed addition also

requires an Environmental and Design Review Permit. The proposal complies with these standards. Public Works Department, Building and Fire Prevention and Marin County Parks Department have reviewed the project, did not express any concern and recommended approval of the project without any special conditions or requirements. Due to the COVID-19 Shelter-in-Place restrictions, a convening of a Design Review Board subcommittee reviewed the project on March 25, 2020 and unanimously recommended approval of the project.

RECOMMENDATION

It is recommended that the Planning Commission adopt the attached resolution recommending conditional approval of the project application to the City Council.

PROPERTY FACTS

Address/Location:	1499 Lucas Valley Road	Parcel Number(s):	165-010-89
Property Size:	8.9 acres (387,684 sq. ft.)	Neighborhood:	Lucas Valley

Site Characteristics			
	General Plan Designation	Zoning Designation	Existing Land-Use
Project Site:	Hillside Residential	PD(1701)-H (Planned District)	Single Family Residential Estate
North:	Unincorporated area	Unincorporated area	Single Family Residence
South:	OS (Open Space)	P/OS (Parks/Open Space District)	Open Space
East:	OS	P/OS	Open Space
West:	OS	P/OS	Open Space

Site Description & Setting:

The subject parcel is located on Lucas Valley Road, south of the Lucas Valley Road and Mount Muir Court intersection (Exhibit 1: Vicinity Map). Lucas Valley Road is a County road with a 48-ft. right-of-way in this area and is improved with one lane and a bicycle lane in each direction. Of all the properties located on Lucas Valley Road, the site is the only property within the City of San Rafael jurisdiction. There are two adjoining properties which are large lots. The one to the north of the property contains a single family residence. The other is a County open space lot which wraps around the property along north (partial length), south and east property lines.

The project site is an upsloping property with an average slope of 9.4%. Although the property does not have an average slope of 25% or over, it is considered as Hillside property since the property is designated Hillside Residential by General Plan 2020. The front 400 feet of the property is gently upsloping. From that point on, the property has a steeper upslope with the eastern portion of the property sloping more than the driveway (western) side. A long driveway is located along the western side of the property. The driveway provides access to an open equestrian arena and 3,700 sq. ft. barn located towards the front of the property, and to the existing single family residence with a pool, two-car attached garage, and a two-car detached garage with second story exercise room located towards the rear of the property. The front of the property does not contain a lot of trees whereas the steeper area in middle of the property contains a large number of trees which screen the existing development at the rear of the property.

BACKGROUND

The existing development on the property was approved by the City Council in accord with a Planned Development Ordinance (PD1701-H) adopted for the development on August 5, 1996 (Exhibit 3). Under the Hillside Resource Residential General Plan designation, the property could have been divided into four

(4) separate single family lots. However the applicant at that time proposed to maintain the site as a single family estate. Therefore, in consideration of the size of the site and the fact that subdivision into 4 lots was not proposed, the PD was ultimately adopted to allow more development on one single family than is typically allowed for hillside properties. This allowance was based on the fact that the property was large (8.9 acres), only had a 9.4% average slope, located in a rural area where the proposed development would be either far removed from any public right of way or screened behind existing landscape and the project did not propose to subdivide the property. The PD1701-H Zoning established the following standards for development on this property:

Minimum Site Area	8.9 acre parcel
Front Setback	100 ft.
Side Setback	20 ft.
Rear Setback	25 ft.
Lot Coverage	20%
Natural State	34.4%
Single Family Residence with 2-car garage	6,500 sq. ft.
Detached 2-car garage with upper story second residential unit/exercise room	1,100 sq. ft.
Pool and Cabana with bathrooms, equipment room and patio	500 sq. ft.
Barn with caretakers quarters	3,700 sq. ft.
Covered riding arena	7,000 sq. ft.
Total	18,800 sq. ft.

The adopted PD limited the single-family residence size at 6,500 sq. ft., however, allowing its expansion with an exception to be granted by the City Council consistent with the Hillside Design Guidelines and without amendment to the PD. The existing single-family residence received an exception to the original PD development standards in 2012 with amendments/extensions in 2014. The last Environmental and Design Review Permit and Exception added a 268 sq. ft. crafts room, 1,214 sq. ft. theater room, 535 sq. ft. attached covered courtyard and a 622 sq. ft. detached garage. The proposal in 2012 also included new construction accessory to the residence and two structures that were approved in 1996 but were never constructed: covering of an existing 7,000 sq. ft. arena and a 500 sq. ft. cabana with bathrooms and equipment room.

PROJECT DESCRIPTION

Use: The applicant is proposing to add single story addition of 901 sq. ft. bathroom and closet space to the existing 8,592 sq. ft. single-family residence.

Site Plan: The property is accessed with a long driveway off Lucas Valley Road. The proposed project would not modify the existing driveway. The arena structure and barn have a front setback of 250 ft. All other accessory structures along with the existing residence are screened from public view from Lucas Valley Road.

Architecture: The proposed additions would have hip roofs and materials and colors would match the existing residence as follows:

- Concrete tile roofing
- Fascia and gutter painted to match existing
- Cement plaster siding to match existing
- Dual pane, Low E windows, prefinished aluminum clad window frames, frames to match existing

Landscaping: None proposed (although native drought tolerant plantings are indicated for retaining walls adjacent to the new addition). Three new terraced retaining walls, with a maximum height of 4-feet in the middle of the upper wall are proposed opposite the southeast corner of the new addition.

Lighting: No external lighting is proposed at this time.

Grading/Drainage: Approximately 275 cu yds of cut is required to prepare the building addition. Material removed for grading requirements will be placed on a low slope hill adjacent and east of the existing residence per recommendations in the geotechnical report. Increase in drainage due to new additions would be added to the existing drainage pattern.

ANALYSIS

San Rafael General Plan 2020 Consistency:

The property is designated Hillside Residential under the General Plan 2020. A single-family residence is a permitted use under the Hillside Residential designation. The General Plan 2020 contains a number of design related policies. These policies are implemented through various provisions of the Zoning Ordinance, Planned Development Ordinance (PD1701-H) and *Hillside Design Guidelines*, which are established to ensure proper hillside design of homes on lots with an average slope greater than 25%. Compliance with the Zoning standards and *Hillside Design Guidelines* would assure development that is consistent with the property's hillside designation and related policies. The proposed project is consistent with the applicable San Rafael General Plan policies as follows:

LU-10 (*Planned Development Zoning*) in that the subject property is already zoned Planned Development (PD1701-H). The PD1701-H Section II.J. Additions/Modifications allows additions to the existing 6,500 sq. ft. Single Family Residence through an Exception. The proposed project is requesting approval of an Exception to the existing PD District to allow for an increase in the square footage of the single family residence from 6,500 sq. ft. to 8,517 sq. ft.

LU-12 (Building Heights) in that the existing and proposed 19¾-ft. building height is well within the 30-ft. allowed maximum height.

LU-23 (*Land Use Map and Categories*), in that residential uses (among other uses) are allowed uses under the Hillside Residential designation of the property.

CD-15 (*Participation in Project Review*) in that notice for the project hearings were mailed to all property owners, residents, neighborhood groups and interested parties within 300 feet of the project site.

S-26 (*Fire and Police Services*) in that the existing and proposed development complies with Fire Codes.

S-31 (*New Development in Fire Hazard Areas*) in that the proposed additions would be required to comply with the applicable standards for fire protection.

Zoning Ordinance Consistency:

Planned District (1701-H)

As stated in the Background section above, the PD1701-H was adopted in 1996 to allow more development on this single family lot than is typically allowed for hillside properties, due to the large size

(8.9 acres) of the project site and the fact that could have otherwise been divided into four (4) lots. A typical hillside property is allowed a maximum of 6,500 sq. ft. floor area, regardless of the size of the lot, which would result in total development of approximately 26,000 sq. ft.. The PD1701-H Zoning established the single-family residence size at 6,500 sq. ft., allowed two second dwelling units (but did not restrict the size or number of accessory structures) and set the overall development footprint at 18,000 sq. ft.. Further, the PD1701-H zoning also established large setbacks and reduced lot coverage of 20%.

According to the PD1701-H subsection J. Additions/Modifications of Section II. Development Standards, an Exception would be required for the single family home to exceed 6,500 sq ft (currently proposed to be 8,517 sq. ft.). Pursuant to SRMC 14.12.040 Exceptions to Property Development Standards, approval of an Exception to the maximum 6,500 sq. ft. allowed for the single-family residence would require the following findings:

- A. *The project design alternative meets the stated objectives of the hillside design guidelines to preserve the inherent characteristics of hillside sites, display sensitivity to the natural hillside setting and compatibility with nearby hillside neighborhoods, and maintain a strong relationship to the natural setting; and*
- B. *Alternative design solutions which minimize grading, retain more of the project site in its natural state, minimize visual impacts, protect significant trees, or protect natural resources result in a demonstrably superior project with greater sensitivity to the natural setting and compatibility with and sensitivity to nearby structures.*

The above findings can be made by the City Council, upon the recommendation of the Design Review Board and the Planning Commission, when the applicant has demonstrated that the proposed design carries out the objectives of this chapter. Staff believes the proposed project carries out the objectives of hillside development in that the proposed project would provide a lot coverage of 5.618% where 20% is allowed, maintain the existing natural state of 84.8% where 34.4% is required, protect significant trees and the project would not be visible from public right of way; the project would not need any grading or tree removal; the addition would mainly infill the area around the existing residence and would minimally change the developed footprint. Furthermore, the proposed addition and maximum floor area would be significantly less floor area than would be possible with a four-lot subdivision. Finally, the Design Review Board supported the project.

Chapter 12 - Hillside Development Overlay District

The PD1701-H zoning district for the property establishes all other development standards of Chapter 12, except gross building square footage, stepback height and Ridgeline Development. The project is consistent with Chapter 12 of the Zoning Ordinance in terms of stepback height and Ridgeline Development. Consistency with gross building square footage criteria is discussed above. The PD1701-H zoning establishes the single family residence size to be a maximum of 6,500 sq. ft. unless an Exception is granted by the City Council consistent with Hillside Design Guidelines.

Chapter 25 Environmental and Design Review Permits

The project is consistent with design criteria of Chapter 25 of the Zoning Ordinance in that the project design, including its building scale, materials and colors, is consistent with the existing residence. Due to the rural nature of the area, there is no neighborhood development to compare the proposed project with. The Design Review Board subcommittee reviewed the project for consistency with Hillside Design Standards as discussed below and recommended approval of the design as presented.

San Rafael Design Guidelines:

As discussed above, the project is generally consistent with the San Rafael Residential Design Guidelines criteria regarding building design, building scale, building height, front landscaping, roof shapes, windows, driveways and parking areas, and lighting.

Hillside Design Guidelines:

The Hillside Design Guidelines Checklist prepared for this project is attached (Exhibit 4). The project complies with maximum building height, required natural state, stepback height, preservation of significant trees, hillside grading and drainage, driveway and parking design, reduction of building bulk, hillside architectural character and site lighting. However, as stated earlier the project does not comply with the maximum allowed 6,500 sq. ft. for a single family residence, for which an Exception request is being processed and discussed previously.

DESIGN REVIEW BOARD RECOMMENDATION

Due to the COVID-19 Shelter-in-Place restrictions, the project was reviewed by the Design Review Board (DRB) subcommittee on March 25, 2020. No one addressed the DRB regarding this project. There are no written minutes from the DRB meeting and no recorded video due to the emergency status.

In summary, by a unanimous vote of 2-0, the DRB recommended approval of the addition, including the Exception to the gross building square footage limit, to the Planning Commission and City Council. The Board supported the project as presented, finding that due to the large size of the property and the screened location of the proposed additions, the project would not impact any other surrounding private property or the public vantage points and the proposed additions would not be visible from Lucas Valley Road.

ENVIRONMENTAL DETERMINATION

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301(e).1) of the CEQA Guidelines which exempts additions to existing structures less than 10,000 square feet.

NEIGHBORHOOD MEETING / CORRESPONDENCE

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

No phone calls or written public correspondence was received regarding the proposed project during the DRB stage of the project processing and during the current Planning Commission process by April 19, 2012.

OPTIONS

The Planning Commission has the following options:

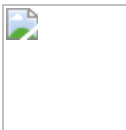
1. Approve the application as presented. (*staff recommendation*)
2. Approve the application with certain modifications, changes or additional conditions of approval.
3. Continue the applications to allow the applicant to address any of the Commission's comments or concerns.
4. Recommend denial of the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

EXHIBITS

1. Vicinity/Location Map

2. Draft Resolution
3. Planned Development (PD1701-H)
4. Hillside Design Guidelines Checklist

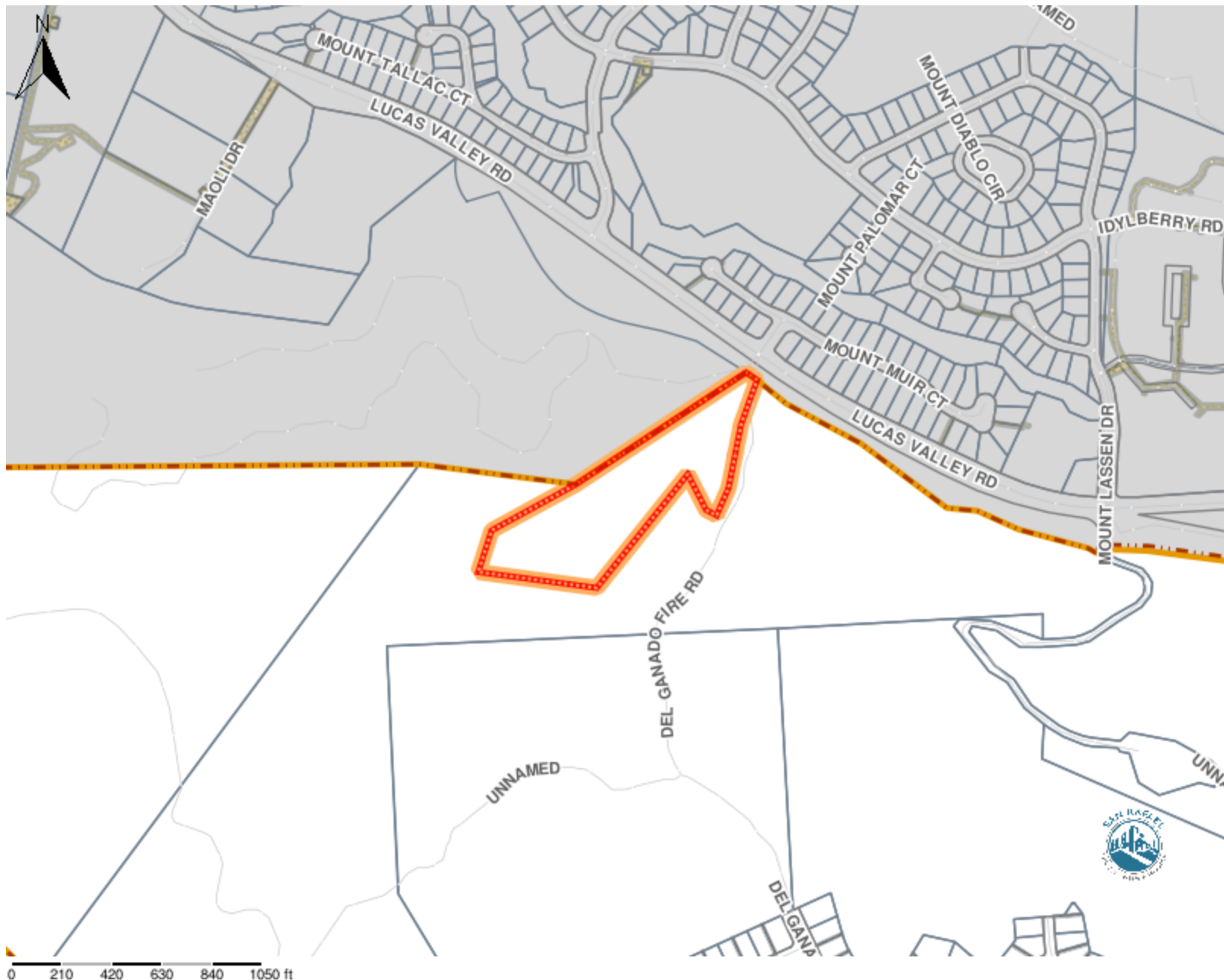
Plans – 11x17 sets have been distributed to the Planning Commission only but can be viewed on the City's Major Projects Website: <https://www.cityofsanrafael.org/major-planning-projects/>



City of San Rafael

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

Legend	
Marin Cities	
Marin Cities	
Bay Waters	
Bay Waters	
Parcels	
Parcels	
ROW	
ROW	
Other Easements	
EASEMENTS	
MMWD Easements	
EASEMENTS	
Boat Docks	
Boat Docks	
Street Centerline	
Street Centerline	
Street Names	
Street Names	
San Rafael Sphere of Influence	
San Rafael Sphere of Influence	
San Rafael City Limit	
City Limit Line	
Query Results	
Results	



RESOLUTION NO. 20-XX

RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION RECOMMENDING TO THE SAN RAFAEL CITY COUNCIL APPROVAL OF AN ENVIRONMENTAL AND DESIGN REVIEW PERMIT (ED19-099), INCLUDING AN EXCEPTION (EX20-001) TO THE GROSS BUILDING SQUARE FOOTAGE STANDARDS FOR HILLSIDE PROPERTIES, TO ALLOW A 901 SQ. FT. BATHROOM ADDITION TO AN EXISTING 8,592 SQ. FT. SINGLE FAMILY RESIDENCE ON AN APPROXIMATELY 8.9-ACRE HILLSIDE-DESIGNATED PLANNED DEVELOPMENT LOT (PD1701-H) AT 1499 LUCAS VALLEY ROAD (APN: 165-010-89)

WHEREAS, on August 5, 1996, the City Council adopted Ordinance 1701 to reclassify (ZC96-04) the subject property from Planned Development – Hillside Overlay District (PD-H) to a revised PD (PD1701-H), adopted a Resolution certifying a Mitigated Negative Declaration for the project and adopted a Resolution approving a Master Use Permit (UP96-29) and an Environmental Design Review Permit (ED96-48). These approvals approved the development of a single-family residential estate proposed at 1499 Lucas Valley Road; and

WHEREAS, in 2011, the Community Development Department determined that the PD zoning (PD1701-H) for the property allows deviations to the gross building square footage limit for the single-family home and thus a PD Rezoning would not be required for new application. The adopted PD for this site (PD1701-H) states “The single-family residence shall be limited to a maximum 6,500 sq. ft. unless an Exception is granted by the City Council consistent with the Hillside Guidelines. New applications require an Environmental and Design Review Permit, including and an Exception to Hillside Standards, but a PD Rezoning would not be required for proposed additions; and

WHEREAS, on December 17, 2019, an application for an Environmental and Design Review Permit, including an Exception to the Hillside Standards (ED19-099), was filed with the Community Development Department, requesting approval for a 901 sq. ft. bathroom addition to the existing 8,592 sq. ft. residence; and

WHEREAS, on February 6, 2020, the project application was deemed complete for processing; and

WHEREAS, on March 25, 2020, a special subcommittee of the San Rafael Design Review Board (DRB), formed due to the COVID-19 pandemic, reviewed the proposed project. The DRB subcommittee unanimously recommended approval of the project design (by a vote of 2-0) as proposed; and

WHEREAS, upon review of the application, the project has been determined to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301.e.2 which exempts additions to existing structures provided the expansion will not result in an increase of more than 10,000 sq. ft. if the project is in an area where all public services and facilities are available and the area in which the project is located is not environmentally sensitive; and

WHEREAS, on May 12, 2020, the Planning Commission held a duly-noticed public hearing on the project, Environmental and Design Review Permit (ED19-099) and Exception (EX20-001), and accepting all oral and written public testimony and the written report of the Community Development Department Planning staff and closed said hearing on that date; and

WHEREAS, the Planning Commission of the City of San Rafael does hereby make the following findings related to the applications for the Environmental and Design Review Permit (ED19-099) and Exception (EX20-001);

**Environmental and Design Review Permit (ED19-099)
Findings of Fact**

1. The proposed project to allow an Environmental and Design Review Permit and Exception to the Hillside Overlay District's property development standards for a 901 sq. ft. addition to existing 8,592 sq. ft. (the maximum allowed 6,500 sq. ft. for an existing single-family residence) is in accord with the following General Plan Policies:
 - a. Land Use Policy **LU-10** (*Planned Development Zoning*) in that the subject property is already zoned Planned Development (PD1701-H);
 - b. Land Use Policy **LU-12** (*Building Heights*) in that the existing and proposed 16³/₄-ft. building height is well within the 30-ft. allowed maximum height;
 - c. Land Use Policy **LU-23** (*Land Use Map and Categories*) in that residential uses (among other uses) are allowed uses under the Hillside Residential designation of the property;
 - d. Community Design Policy **CD-15** (*Participation in Project Review*) in that notice for the project hearings were mailed to all property owners, residents, neighborhood groups and interested parties within 300 feet of the project site;
 - e. Safety Policy **S-26** (*Fire and Police Services*) in that the existing and proposed development complies with Fire Codes;
 - f. Safety Policy **S-31** (*New Development in Fire Hazard Areas*) in that the proposed additions would be required to comply with the applicable standards for fire protection.

2. The proposed project meets the objectives of the Zoning Ordinance, and the purposes of Chapter 12 *Hillside Development Overlay District* and Chapter 25 *Design Review* given that the project has been reviewed by the Design Review Board and Planning Commission for compliance with the Hillside Property Development Standards and design criteria in Chapter 25 to ensure that the design is compatible with the neighborhood and hillside design criteria, as required by the General Plan. The proposed 901 sq. ft. addition to the maximum allowed 6,500 sq. ft. single-family residence is not consistent with the gross building square footage limitation of the Hillside Property Development Standards and PD Zoning. In accordance with the PD Zoning, a deviation to the gross square footage limit is allowed subject to the review and approval of an Exception. The application included a request for an Exception and findings to approve the Exception are provided below. The project is consistent with the remaining PD standards regarding setbacks (front 100 ft., sides 20 ft., rear 25 ft.), 20% lot coverage (5.38% proposed), 34.4% natural state (84.8% proposed) and maximum building height 30 ft. (16 ³/₄ ft. proposed).

3. The project design is consistent with applicable site, architecture and landscaping design criteria and guidelines for the district in which the site is located given that the proposed addition complies with Planned Development District (PD1701-H) requirements and has been reviewed by the City's Design Review Board and recommended for approval. Separate findings have been made below to grant Exception to the single-family residence size. The project is consistent with the remaining PD standards regarding setbacks (front 100 ft., sides 20 ft., rear 25 ft.), 20% lot coverage (5.38% proposed), 34.4% natural state (84.8% proposed) and maximum building height 30 ft. (16³/₄ ft. proposed).

4. The project design is not detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity, given that the project has been reviewed by the appropriate agencies. The approval of the requested Environmental and Design Review Permit will

not in any way increase visibility of the house and consists of addition directly around the existing home and would not increase mass or bulk and has minimal visibility from off site vantage points and surrounding properties.

Exception (E20-001) Findings of Fact

Exceptions to the property development standards of this chapter may be approved by the City Council, upon the recommendation of the Design Review Board and the Planning Commission, when the applicant has demonstrated that alternative design concepts carry out the objectives of this chapter and are consistent with the general plan based on the following criteria:

- A. The project design is in keeping with the surrounding development because the adjoining properties are large undeveloped open space or sparsely developed agricultural properties. The proposed additions would not have any visual impacts on the adjoining properties, would not be visible from any public right of way and would result only in minimal addition to the footprint of the existing development. The project would minimally change the currently existing natural state of 84.8% compared with the required natural state of 34.4% due to the property being an 8.9-acre single family residential estate; and
- B. The proposed exterior color and materials are not visible from any public right of way due to the proposed additions being very well screened by existing vegetation. The project does not require removal of any other existing native trees. The project's design meets the stated objectives of the Hillside Guidelines to preserve the inherent characteristics of the hillside site, displays sensitivity to the natural hillside setting and compatibility with nearby hillside neighborhoods, and maintains a strong relationship to the natural setting by minimizing grading and retaining existing on-site trees. The project's design minimizes grading, retains a majority of the project site in its natural state, minimizes visual impacts, protects significant trees and natural resources, and the DRB has recommended that the project is a demonstrably superior project with greater sensitivity to the natural setting and compatibility with and sensitivity to, nearby structures..

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission does hereby recommend that the City Council **approve** an Environmental and Design Review Permit and Exception for the project, subject to the following conditions of approval:

Environmental and Design Review Permit (ED19-099), including Exception Conditions of Approval

General and ongoing

Community Development Department, Planning Division

1. This Environmental and Design Review Permit and Exception to the Hillside Overlay District's property development standards is approved to exceed the maximum allowed 8,592 sq. ft. size for a single-family residence size by 901 sq. ft. for an existing residence. The building techniques, materials, elevations and appearance of the project, as presented for approval on plans prepared by Yochum Architects, Approved on May 12, 2020, shall be the same as required for the issuance of a building permit. Minor modifications or revisions to the project shall be subject to review and approval of the Planning Division. Modifications deemed not minor by the Community Development Director shall require review and approval by the original decision-making body.
2. This Environmental and Design Review Permit (ED19-099) shall be valid for a period of **two (2) year** from the date of final approval, or May 12, 2022, and shall become null and void if a building permit is not issued or a time extension not granted by that date.

3. Contractor Contact Information Posting: Prior to the issuance of building permits, the project site shall be posted with the name and contact number of the lead contractor in a location visible from the public street.
4. Construction Hours: Construction hours shall be limited to 7 a.m. to 5 p.m., Monday through Friday and Saturday from 9:00 a.m to 5:00 p.m. Construction shall not be permitted on Sundays or City-observed holidays. Construction activities shall include delivery of materials, arrival of construction workers, start up of construction equipment engines, playing of radios and other noises caused by equipment and/or construction workers arriving at or on the site.
5. On-Site Lighting: On-site lighting shall be shielded away from adjacent properties and directed on site. The design and type of lighting fixtures and lighting intensity of any proposed exterior lighting for the project shall be reviewed and approved by the Community Development Director prior to installation of the lighting for compliance with all applicable Conditions of Approval, ordinances, laws and regulations. Lighting fixtures shall be of a decorative design to be compatible with the residential development and shall incorporate energy saving features.
6. Archeological Features: In the event that archaeological features, such as concentrations of artifacts or culturally modified soil deposits including trash pits older than fifty years of age, are discovered at any time during grading, scraping, or excavation within the property, all work shall be halted in the vicinity of the find, the Planning Division shall be notified, and a qualified archaeologist shall be contacted immediately to make an evaluation. If warranted by the concentration of artifacts or soils deposits, an archaeologist shall monitor further work in the discovery area.

If human remains are encountered during grading and construction, all work shall stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist shall be notified immediately so that an evaluation can be performed. The Coroner shall contact the Native American Heritage Commission, if the remains are deemed to be Native American and prehistoric, so the “most likely descendant” can be designated.

Prior to issuance of a Building Permit

Community Development Department, Planning Division

9. Plans submitted for a Building Permit shall include a plan sheet, which incorporates these conditions of approval.
10. All mechanical equipment (i.e., air conditioning units, meters and transformers) and appurtenances not entirely enclosed within the structure (on side of building or roof) shall be screened from public view. The method used to accomplish the screening shall be indicated on the building plans and approved by the Planning Division.

Community Development Department, Building Division

11. The design and construction of all site alterations shall comply with the 2016 California Residential Code (CRC), 2016 California Building Code (CBC), 2016 California Plumbing Code (CPC), 2016 California Electrical Code (CEC), 2016 California Mechanical Code CCMC), 2016 California Fire Code (CFC), 2016 California Energy Code, 2016 California Green Building Standards Code and City of San Rafael Ordinances and Amendments.
11. A building permit is required for the proposed work. Applications shall be accompanied by four (4) complete sets of construction drawings to include:
 - a. Architectural plans

- b. Structural plans
 - c. Electrical plans
 - d. Plumbing plans
 - e. Mechanical plans
 - f. Site/civil plans (clearly identifying grade plane and height of the building)
 - g. Structural Calculations
 - h. Truss Calculations
 - i. Soils reports
 - j. Green Building documentation
 - k. Title-24 energy documentation
12. School fees will be required for the project. Calculations are done by the San Rafael City Schools, and those fees are paid directly to them prior to issuance of the building permit.

Fire Department

13. The design and construction of all site alterations shall comply with the 2019 California Fire Code, current NFPA Standards, and all applicable City of San Rafael Ordinances and Amendments.
14. If the project remodel and addition exceeds 50% of the existing square footage of the residence, it will be defined as a “substantial remodel” as defined in Municipal Code Chapter 4.08.120 Section 202. Therefore, fire sprinklers may be required throughout the building. Determination for fire sprinklers will be conducted during the Building Permit review, so indicate which room are to be altered, and/or added, this will include areas within the home where sheet rock is removed to access for electrical or structural changes. A Separate deferred application by a fire protection engineer or C-16 contractor would be required. Refer to our web site for the definition of a substantial remodel.
15. If a fire sprinkler system is required, deferred Submittals for the following fire protection systems shall be submitted to the Fire Prevention Bureau for approval and permitting prior to installation of the systems:
- a. Fire Sprinkler plans (Deferred Submittal to the Fire Prevention Bureau)
16. A Knox key switch is required for driveway or access road automatic gates.
<https://www.knoxbox.com/gate-keys-and-padlocks/>

Public Works Department

17. A grading permit shall be required from the Department of Public Works, located at 111 Morphew St.
18. An encroachment permit is required for any work within the Right-of-Way, from the Department of Public Works located at 111 Morphew St. More information and a copy of the application is available at: <https://www.cityofsanrafael.org/grading-permits/>
19. A construction vehicle impact fee shall be required at the time of building permit issuance; which is calculated at 1% of the valuation, with the first \$10,000 of valuation exempt.

Marin Municipal Water District

20. The proposed 901-square-foot bathroom and closet addition will not impair the District's ability to continue service to the property. However, our records indicate that although water service is provided to the property it is outside of the District's current boundaries. The property owner shall take the appropriate steps with the Marin Local Agency Formation Commission to complete annexation into the Marin Municipal Water District.

21. Compliance with all indoor and outdoor requirements of District Code Title 13 -Water Conservation is a condition of water service. Indoor plumbing fixtures must meet specific efficiency requirements.
22. Should backflow protection be required, said protection shall be installed as a condition of water service. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at 415-945-1558.

Las Gallinas Valley Sanitary District

23. The proposed project is within the Sphere of Influence and District facilities boundary.
24. The proposed project has received an allocation of sewer capacity; however, the proposed building alteration/addition needs District staff review for possible additional load on sewer system. Please download the application form at: http://www.lgvsd.org/docs/application_allocation.pdf
25. The proposed project must make satisfactory arrangements with this District for the construction of any off-site or on-site sewers which may be required.
26. If sewer lateral work is included in this project, please submit utility plan showing location of backwater prevention devices, sanitary sewer, cleanouts, manholes, and other relevant sanitary sewer details or information that may be applicable. Sewer design must comply with LGVSD standard specifications.
27. Complete and submit Application for Allocation of Capacity to LGVSD along with application fee of \$250. Application is available at <http://www.lgvsd.org/wp-content/uploads/APPL-ALLOCATION-fillable.pdf>.
28. Provide a plumbing fixture unit (PFU) table for the project showing both existing and proposed plumbing fixture unit counts per current edition of the California Plumbing Code. The table will be used for determination of the connection fee. Applicant may use the Plumbing Fixture Count Worksheet available at <http://www.lgvsd.org/wp-content/uploads/PFU-Worksheet-R1.pdf>. PFU count shall be subjected to field verification before and after construction. The connection fee may be adjusted for actual number of additional plumbing fixture units.
29. Note: Applicant is required to obtain a sewer permit from LGVSD for any sewer lateral and/or main work. The permit application is available at <http://www.lgvsd.org/wp-content/uploads/NEW-LATERAL-PERMIT-FORM-2018-updatedFillable.pdf>. Submit the permit application to the District office and call 24 hours in advance of backfill for lateral inspections.
30. Based on District Ordinance adopted on June 20, 2019 preliminary cost estimates are:
 - a. For new buildings, structures, and developments:
 - i. \$6,224 per Equivalent Sewer Unit
 - ii. Actual fees may be adjusted according to specific conditions outlined in the Ordinance.
 - b. For existing buildings, structures, and developments:
 - i. \$311 per Plumbing Fixture Unit (PFU)
 - ii. Credit may be given to existing plumbing fixtures.
 - c. Applicant shall reimburse the District for all plan review, field verification before and after construction, and inspection fees accrued associated with this project. The estimate cost is \$7,500. Actual fees may be adjusted according to project specific conditions.

- d. For more information about District Ordinance and permitting process, please visit <http://www.lgvsd.org/>.
- e. District Standard Details/Specifications are available upon request.
- f. Applicant shall submit plans electronically to LGVSD for review.

Prior to Occupancy

Community Development Department, Planning Division

- 24. Prior to occupancy, the applicants shall contact the Community Development Department, Planning Division, to request a final inspection. This inspection shall require a minimum of 48-hour advance notice.
- 25. All exterior lighting shall be shielded down. Following the issuance of a certificate of occupancy, all exterior lighting shall be subject to a 30-day lighting level review by the Police Department and Planning Division to ensure compatibility with the surrounding area.

The foregoing Resolution was adopted at the regular meeting of the City of San Rafael Planning Commission held on the 12th day of May 2020.

Moved by Commissioner _____ and seconded by Commissioner _____ as follows:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

SAN RAFAEL PLANNING COMMISSION

ATTEST: _____
Paul A. Jensen, Secretary

BY: _____
Aldo Mercado, Chair

Ord 1701
1499 Lucas Valley Road

ORDINANCE NO. 1701

AN ORDINANCE OF THE CITY OF SAN RAFAEL AMENDING THE ZONING MAP OF THE CITY OF SAN RAFAEL, CALIFORNIA, ADOPTED BY REFERENCE BY SECTION 14.01.020 OF THE MUNICIPAL CODE OF SAN RAFAEL, CALIFORNIA, SO AS TO RECLASSIFY CERTAIN REAL PROPERTY FROM PD (PLANNED DEVELOPMENT) DISTRICT TO THE PD (PLANNED DEVELOPMENT) DISTRICT
(RE: ZC96-4, 1499 Lucas Valley Road, AP NO. 165-010-89)
(Single-Family Estate)

THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES ORDAIN AS FOLLOWS:

WHEREAS, the existing Planned Development District does not contain development standards and the property owner has requested a zone change to a Planned Development District that would permit a single family residential estate; and,

WHEREAS, on July 23, 1996 the San Rafael Planning Commission has held a duly noticed public hearing on the proposed amendment to the zoning map as required by State law and has considered all written correspondence, verbal testimony and the staff report relevant to the proposed amendment, and recommended to the City Council approval of the proposed zone amendment; and,

WHEREAS, the San Rafael City Council has held a duly noticed hearing on the proposed amendment to the zoning map as required by State law and has considered written correspondence, verbal testimony and the staff reports relevant to the proposed amendment; and,

WHEREAS, the San Rafael City Council finds that the Development Plan is consistent with the General Plan, adopted neighborhood plans and other applicable City plans or policies because the project is consistent with the following General Plan Policies: LU-9a, Hillside Resource Residential, LU-19, Design Approach, LU-21, Building Height, LU-22, Bay and Hillside Views, LU-29, Tree Preservation, LU34, Residential Site Design, LU-35, Project Design Considerations, LU-36, Additional Community Design Map Considerations, C-1, Level of Service, Circulation Policy C-4, Trip Allocation, C-18 Area Transportation Improvement Programs, S-3, Use of Hazard Maps in Development Review, S-4, Geologic Review, S-5, Soils and Geologic Review, S-11, Seismic Safety of New Buildings, S-21, Fire Safety of New Development, and S-23, Safety Review of Development Projects; and,

WHEREAS, the San Rafael City Council finds that the residential development will constitute a residential environment of sustained desirability and stability in harmony with the character of the surrounding neighborhood, and where applicable, adequate open space shall be provided

because development standards are incorporated in the planned district and the proposed nine residential units have been reviewed by the City's Design Review Board and through project revisions, the development is a design compatible with the surrounding neighborhood; and,

WHEREAS, the San Rafael City Council finds that the applicant demonstrates that public facilities are provided to serve the anticipated population because the site is located in an area that is developed and public facilities are available and will be installed as part of the project; and,

WHEREAS, the San Rafael City Council finds that the development is improved by deviations from typical Zoning Ordinance property development standards because the development has been reviewed by the City's Design Review Board and through revisions the project has developed standards and designs that are compatible with the neighborhood; and,

WHEREAS, the San Rafael City Council finds that the auto, bicycle and pedestrian traffic system is adequately designed for circulation needs and public safety. Emergency vehicle access is provided to serve the proposed development because the project has been reviewed and conditioned by the appropriate agencies and the auto, bicycle and pedestrian traffic system has met circulation needs and public safety and emergency vehicle access is provided.

THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES FURTHER ORDAIN AS FOLLOWS:

DIVISION 1. The Zoning Map of the City of San Rafael, California, adopted by reference by Section 14.01.020 of the Municipal Code is amended by reclassifying the following real property from PD (Planned Development) District to PD (Planned Development) District. Said property so reclassified is located at 1499 Lucas Valley Road, San Rafael, as shown on County Assessor's Parcel Number 165-010-89, per legal description attached as Exhibit "B".

DIVISION 2. Any development of this property shall be subject to the conditions outlined in Exhibit "A", Single Family Residential Estate Planned District, which is attached hereto and made a part hereof.

DIVISION 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared invalid.

DIVISION 4. This ordinance shall be published once in full before its final passage in a newspaper of general circulation, published and circulated in the City of San Rafael, and shall be in full force and effect thirty (30) days after its final passage.


ALBERT J. BORO, Mayor

Attest:


JEANNE M. LEONCINI, City Clerk

The foregoing Ordinance Number 1701 was read and introduced at a regular meeting of the City Council of the City of San Rafael on the 5th day of August, 1996, and ordered passed to print by the following vote, to wit:

AYES: COUNCILMEMBERS: Heller, Miller, Phillips and Mayor Boro

NOES: COUNCILMEMBERS None

ABSENT: COUNCILMEMBERS: Cohen

and will come up for adoption as an ordinance of the City of San Rafael at a regular meeting of the Council to be held on the 19th day of August, 1996.


JEANNE M. LEONCINI, City Clerk

**SINGLE-FAMILY RESIDENTIAL ESTATE
PLANNED DEVELOPMENT DISTRICT
PROPERTY DEVELOPMENT STANDARDS**

I. Purpose of the Planned District

The purpose of establishing this Planned District (PD-H) Hillside Development Overlay District for a Single-Family Residential Estate is to regulate the development of an approximately 8.9 acre parcel located at 1499 Lucas Valley Road. The intent of this PD-H District accomplishes the following:

- A. To promote clustered development within appropriate areas, avoiding the most sensitive areas.
- B. To encourage innovative design and site planning for the estate and to establish flexible property development standards that will provide an integrated approach to a functional and aesthetically pleasing development plan.
- C. To establish open space areas within the property as identified within the development plan.
- D. To accommodate a variety of uses and structures within the site that may be phased over time.

The PD-H District zoning classification will ensure the development of the site in accordance with the provisions of these property development regulations. The project development plan and property development regulations may be modified by the City Council and project sponsor in the future to reflect changes in uses and additions of structures within the site.

II. Development Standards

The Single-Family Residential Estate Planned District shall be developed in conformance with the Hillside Design Guidelines and the development plans, associated drawings submitted with the PD as listed in the Exhibits section, and the development standards set forth below. Minor modifications to the development plan, residence and accessory structure location and design, and landscape plans shall be allowed subject to approval by the Planning Director.

- A. Minimum Site Area - The single-family residential estate is to be retained as one 8.9 acre parcel.
- B. Residential Density - Maximum density is 0.5 du/acre for a maximum of 4 units which may consist of the following uses and structures with a corresponding approximate area.

Single-family residence with two car garage	6,500 sq. ft.
Detached two car garage with upper story second residential unit/exercise room	1,100 sq. ft.
Pool and cabana with bathrooms, equipment room and patio	500 sq. ft.
Barn with caretakers quarters	3,700 sq. ft.
Covered riding arena	7,000 sq. ft.
 Total	 18,800 sq. ft.

One additional second residential unit may be permitted as needed in the future subject to a Conditional Use Permit approved by the Planning Commission.

- C. Maximum Lot Coverage - 20% for the Planned District
- D. Maximum Building Height - 30 feet or as per approved plans listed in the Exhibit section

E. Setbacks

All development shall provide the following minimum setbacks from the property line as shown by the Planned District Development Plan. Front, rear and side setbacks exclude minor plane extensions such as chimneys, bay windows etc.

Front - 100 feet
Side - 20 feet
Rear - 25 feet

Entrance monuments, gates, and associated structures have no minimum setback requirement. Padlock enclosures have a five (5) foot minimum setback.

F. Natural State - The natural state requirement shall be the same as required by the Hillside Design Guidelines.

G. Off-street Parking - Off-street parking shall be the same as required by the Hillside Design Guidelines and Zoning Ordinance

H. Trip Allocations

The Planned District site is allocated four (4) trips as per General Plan 2000, Appendix B. Trip generation shall be calculated based on the following rates:

Single-Family Residence	1.00 trips/unit
Dwelling units <1,000 sq. ft.	0.85 trips/unit
Dwelling units >1,000 sq. ft.	1.00 trips/unit

I. Fencing - Fencing shall be installed in accordance with the development plan and elevation drawings attached to this PD.

J. Additions/Modifications

All additions or modifications shall be subject to design review by the City and shall conform to the Hillside Design Guidelines. The single-family residence shall be limited to a maximum of 6,500 sq. ft. unless an exception is granted by the City Council consistent with the Hillside Design Guidelines.

III. Permitted Uses

Permitted uses consist of the following primary uses and accessory uses. Uses not specified below shall be subject to determination by the City of San Rafael.

A. Primary Uses

1. One single-family estate home

B. Accessory uses

1. Detached two car garage with upper story second unit/exercise room
2. Pool and cabana with bathrooms, equipment room and patio
3. Barn with caretakers quarters, office, horse stalls, tack room, hay storage area, grooming area, pasture area and other accessory uses and facilities customarily appurtenant to private equestrian structures and operations
4. Covered riding arena with other accessory uses and facilities customarily appurtenant to private equestrian structures and operations.
5. Patio, deck and balcony covers.
6. Other accessory uses and accessory buildings customarily appurtenant to a permitted use, in accordance with the provisions of the Zoning Ordinance.

7. Temporary construction offices in a construction trailer or building on the site until the completion of construction. There may also be a temporary workshop and storage facility onsite.

C. Conditional Uses

1. Any additional second residential units beyond the above permitted accessory uses.

IV. Exhibits

Exhibits on file with the Planning Department include the following:

- A. House and Accessory Structure elevations, floor plans and sections prepared by Farrell•Faber & Associates, as shown on Sheets 1 through 4, dated April 1996.
- B. Barn floor plan and elevations and covered riding arena elevations and section plans prepared by Jeffrey H. Waterman, as shown on Sheets A1 and A3, dated May 1996.
- C. Landscape plans prepared by Lufkin Landscape Architects, as shown on Sheets L1 and L2, dated May 1996.
- D. Site, grading and driveway plans and driveway profile prepared by I. L. Schwartz Associates, Inc., as shown on Sheets 1 and 2, dated May 1996.

LEGAL DESCRIPTION

All that certain property situate in the City of San Rafael, County of Marin, State of California, described below as follows:

Beginning at the Westerly terminus of that certain course described in the deed from Thomas A. Nunes et ux, to the County of Marin, recorded on January 5, 1981, as Instrument No. 8100259 Marin County Records, having bearing of North 48° 59' 32" West and a length of 116.12 feet being the Southerly boundary line of the Old Lucas Valley Road and the Easterly boundary line of that certain parcel of land conveyed to Horatio R. Molone, et ux, by deed dated July 24, 1959 and recorded July 28, 1959 in Book 1298 of Official Records at Page 208, Marin County Records; and running thence along the said Easterly line of Horatio R. Molone parcel South 56° 20' 21" West (called South 54° 36' West in said deed dated July 24, 1959), 842.98 feet to the Southeasterly corner of said Molone parcel; thence leaving said Molone boundary line South 61° 09' 22" West 396.09 feet; thence South 19° 08' 22" West 182.53 feet; thence South 81° 52' 36" East 494.31 feet; thence North 39° 48' 22" East 634.22 feet; thence South 23° 31' 01" East 149.30 feet; thence South 55° 56' 12" East 48.83 feet; thence North 36° 58' 33" East 27.70 feet; thence North 22° 06' 17" East 75.95 feet; thence 10° 18' 47" East 279.64 feet; thence North 20° 28' 10" East 181.68 feet to the said Southerly boundary line of the Old Lucas Valley Road; thence along said Southerly line North 48° 59' 32" West 60.68 feet to the point of beginning.

ORDINANCE NO. 1701
AN ORDINANCE OF THE CITY OF SAN RAFAEL AMENDING
THE ZONING MAP OF THE CITY OF SAN RAFAEL,
CALIFORNIA, ADOPTED BY REFERENCE BY SECTION
14.01.020 OF THE MUNICIPAL CODE OF SAN RAFAEL,
CALIFORNIA, SO AS TO RECLASSIFY CERTAIN REAL
PROPERTY FROM PD (PLANNED DEVELOPMENT)
DISTRICT TO THE PD (PLANNED DEVELOPMENT)
DISTRICT
(RE: ZC96-4, 1499 Lucas Valley Road, AP NO. 165-010-89)
(Single-Family Estate)

THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES ORDAIN AS FOLLOWS:

WHEREAS, the existing Planned Development District does not contain development standards and the property owner has requested a zone change to a Planned Development District that would permit a single family residential estate; and,

WHEREAS, on July 23, 1996 the San Rafael Planning Commission has held a duly noticed public hearing on the proposed amendment to the zoning map as required by State law and has considered all written correspondence, verbal testimony and the staff report relevant to the proposed amendment, and recommended to the City Council approval of the proposed zone amendment; and,

WHEREAS, the San Rafael City Council has held a duly noticed hearing on the proposed amendment to the zoning map as required by State law and has considered written correspondence, verbal testimony and the staff reports relevant to the proposed amendment; and,

WHEREAS, the San Rafael City Council finds that the Development Plan is consistent with the General Plan, adopted neighborhood plans and other applicable City plans or policies because the project is consistent with the following General Plan Policies: LU-9a, Hillside Resource Residential, LU-19, Design Approach, LU-21, Building Height, LU-22, Bay and Hillside Views, LU-29, Tree Preservation, LU34, Residential Site Design, LU-35, Project Design Considerations, LU-36, Additional Community Design Map Considerations, C-1, Level of Service, Circulation Policy C-4, Trip Allocation, C-18 Area Transportation Improvement Programs, S-3, Use of Hazard Maps in Development Review, S-4, Geologic Review, S-5, Soils and Geologic Review, S-11, Seismic Safety of New Buildings, S-21, Fire Safety of New Development, and S-23, Safety Review of Development Projects; and,

WHEREAS, the San Rafael City Council finds that the residential development will constitute a residential environment of sustained desirability and stability in harmony with the character of the surrounding neighborhood, and where applicable, adequate open space shall be provided because development standards are incorporated in the planned district and the proposed nine residential units have been reviewed by the City's Design Review Board and through project revisions, the development is a design compatible with the surrounding neighborhood; and,

WHEREAS, the San Rafael City Council finds that the applicant demonstrates that public facilities are provided to serve the anticipated population because the site is located in an area that is developed and public facilities are available and will be installed as part of the project; and,

WHEREAS, the San Rafael City Council finds that the development is improved by deviations from typical Zoning Ordinance property development standards because the development has been reviewed by the City's Design Review Board and through revisions the project has developed standards and designs that are compatible with the neighborhood; and,

WHEREAS, the San Rafael City Council finds that the auto, bicycle and pedestrian traffic system is adequately designed for circulation needs and public safety. Emergency vehicle access is provided to serve the proposed development because the project has been reviewed and conditioned by the appropriate agencies and the auto, bicycle and pedestrian traffic system has met circulation needs and public safety and emergency vehicle access is provided.

THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES FURTHER ORDAIN AS FOLLOWS:

DIVISION 1. The Zoning Map of the City of San Rafael, California, adopted by reference by Section 14.01.020 of the Municipal Code is amended by reclassifying the following real property from PD (Planned Development) District to PD (Planned Development) District. Said property so reclassified is located at 1499 Lucas Valley Road, San Rafael, as shown on County Assessor's Parcel Number 165-010-89, per legal description attached as Exhibit "B".

DIVISION 2. Any development of this property shall be subject to the conditions outlined in Exhibit "A", Single Family Residential Estate Planned District, which is attached hereto and made a part hereof.

DIVISION 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared invalid.

DIVISION 4. This Ordinance shall be published once in full before its final passage in a newspaper of general circulation, published and circulated in the City of San Rafael, and shall be in full force and effect thirty (30) days after its final passage.

/s/ ALBERT J. BORO
Mayor

Attest:
(SEAL)

/s/ JEANNE M. LEONCINI
City Clerk

The foregoing Ordinance Number 1701 was read and introduced at a regular meeting of the City Council of the City of San Rafael on the 5th day of August, 1996, and ordered passed to print by the following vote, to wit:

AYES: COUNCILMEMBERS: Heller, Miller, Phillips and Mayor Boro

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Cohen
and will come up for adoption as an ordinance of the City of San Rafael at a regular meeting of the Council to be held on the 19th day of August, 1996.

(SEAL)
/s/ JEANNE M. LEONCINI
City Clerk

**UNCODIFIED
COPY**

**COMPLIANCE CHECKLIST
HILLSIDE RESIDENTIAL DESIGN GUIDELINES MANUAL**

The following checklist summarizes development guidelines and standards. See the appropriate section for a complete explanation of the item.

A "yes" indicates the project complies with the recommendation, a "no" indicates it does not. N/A is the abbreviation for "not applicable."

This checklist is intended to measure overall design quality. The manual incorporates standards and suggested guidelines to insure high quality projects. Standards are indicated with an asterisk and are mandatory. They are indicated in the text by the term "shall". Exceptions to standards can only be granted by the City Council (indicated by a *) or the specific hearing body designated in the Manual (indicated by a ●). Guidelines are recommendations and are indicated in the text by the term "should." Staff and Design Review Board will be guided by compliance with these guidelines in making their recommendations on the project design. The project architect or engineer must justify any variations. Only projects with high quality designs will be approved.

Zoning Standards (Chapter III, Hillside Residential Development Standards)

<u>Y</u>	<u>N</u>	<u>NA</u>	
✓			Natural State Requirement (25% + 9.4% of average slope) ____ Required 34.4% Proposed 84.8%
	✓		* Gross Building Square Footage (2500 sq. ft. + 10% of lot size, maximum of 6,500 sq. ft.) RESIDENCE: Approved and existing: <u>8,592</u> max. gross sq. ft., Proposed: <u>9,417</u> gross sq. ft.; TOTAL GROSS BUILDING SQ. FT.: Approved 18,800 sq. ft., Existing: 11,300 sq. ft., Proposed: 21,439 sq. ft.
✓			* Building Height (24 feet measured from natural grade).
✓			* Building setback (20-foot height limitation on walls within 15 feet of the building envelope limit, encroachment allowed along 25% of building length).
		✓	• Setback Waiver proposed (permitted for a distance of not more than ½ of the required setback with DRB approval and special findings, requires compensating increase in setback on opposing setback).
✓			* Ridgeline prohibition of development within 100 vertical feet of a visually significant ridgeline.
		✓	• Parking requirement of two additional spaces on substandard streets.
		✓	* Lot standards of minimum sizes and widths established in Subdivision Ordinance.

IV.A. Design Guidelines Applicable to All Hillside Residential Development Projects

IVA1. Preservation of Existing Natural Features:

<u>Y</u>	<u>N</u>	<u>NA</u>	
✓			Maintains mature trees and preserves significant vegetation.
✓			Minimizes grading and alterations of natural land forms with balanced cuts and fills.
✓			Drainage minimizes off-site impacts and preserves natural drainage courses.
		✓	Roads and streets located and landscaped to minimize visual impacts.

		✓	Access provided to open space areas.
--	--	---	--------------------------------------

IV.A2. Preservation of Significant trees

<u>Y</u>	<u>N</u>	<u>NA</u>	
		✓	Existing trees are preserved by avoiding grading in the dripline, or change in grade or compaction.
		✓	Existing trees are preserved by avoiding grading in the dripline, or change in grade or compaction.

IVA3. Hillside Grading and Drainage

<u>Y</u>	<u>N</u>	<u>NA</u>	
✓			Grading is minimized and all grading maintains a natural appearance with slopes of 2:1 to 5:1. Grading within 20 feet of property lines is minimized or similar to existing adjacent slopes.
✓			Terracing uses incremental steps and visible retaining walls are of a minimum height and use stone or earth colored materials.
✓			Pads are of a minimum size for structures and open space (pads for tennis courts and swimming pools are discouraged).
		✓	Off-site drainage impacts are minimized and drainage plans avoid erosion and damage to on-site and adjacent properties. Impervious surfaces are minimized and storm water from roofs is conveyed to a comprehensive site drainage system. Storm drainage improvements and drainage devices create a natural appearance.
		✓	* Debris Collection and overflow routes are provided where needed and located to minimize visual impacts.
✓		✓	Erosion control plans and revegetation plan provided.
✓			Geotechnical review has been done and mitigation measures will not substantially modify the character of the existing landform, expose slopes that cannot be re-vegetated or remove large areas or existing mature vegetation. Existing geologic hazards have been corrected.

IVA4. Lot Configuration, Building Setbacks and Location (Complete for Subdivisions)

<u>Y</u>	<u>N</u>	<u>NA</u>	
		✓	Lot configurations provide a variety of shapes based on topography and natural features and lot lines are placed on the top, not the toe, of the slope.
		✓	Flag lots with a common drive are encouraged.
		✓	Building setbacks are varied or staggered.
✓			Building locations are not located near visually prominent ridgelines and existing view of residences are respected.
		✓	* Front yard setbacks are minimized on downhill lots.

IVA5. Street Layout, Driveway and Parking Design

<u>Y</u>	<u>N</u>	<u>NA</u>	
		✓	Streets use narrower street widths if it reduces grading, visual impacts are minimized by terracing any retaining walls, and split roadways are encouraged.
		✓	* Street layout follows the natural grade and long stretches of straight road are avoided. Proper sight distances are maintained.

<u>Y</u>	<u>N</u>	<u>NA</u>	
		✓	• Street grades do not exceed 18 % or have received an exception.
		✓	• Driveway grades do not exceed 18% or an exception has been granted. Parking has been designed so that vehicles will not back out into substandard streets. Driveways over 18% have grooves and asphalt driveways are not proposed on slopes over 15%.
		✓	Parking bays are established or if parallel parking is permitted it is located on one side only and limited to 8 feet in width.

IVA6. Reduction of Building Bulk on Hillside

<u>Y</u>	<u>N</u>	<u>NA</u>	
✓			The building steps up the slope and/or has been cut into the hillside.
✓			Roof forms and rooflines are broken up and parallel the slope. The slope of the roof does not exceed the natural contour by 20%.
✓			Overhanging or elevated decks and excessive cantilevers are avoided.
✓			Large expanses of a wall in a single plane are avoided on downhill elevations.
✓			Building materials blend with the setting.

IVA7. Hillside Architectural Character

<u>Y</u>	<u>N</u>	<u>NA</u>	
✓			Rooflines are oriented in consideration of views from adjacent areas and properties.
✓			Gabled, hip and shed roof forms with a moderated pitch are encouraged. Changes in roof form accompanied with offsets in elevations are encouraged. Flat roofs with membranes or built up roofing materials are discouraged when visible.
✓			<u>Multi-Building Projects</u> have different floor elevations to achieve height variation and avoid long continuous building masses. Articulated facades and variations in roof forms are required. Buildings near hillside rims have a staggered arrangement and are screened with planting.
✓			<u>Building Materials, texture and color</u> meet criteria and color coordinate with the predominant colors and values of the surrounding landscape. Building walls and roofs are of recommended materials.
✓			<u>Walls, fences and accessory structures</u> are compatible with adjacent buildings and are designed to respect views. Front yard fences are of an open design and provide a landscaped buffer. Walls and materials are of appropriate materials.
✓			• <u>Retaining walls</u> meet height restrictions of 4 feet on upslopes and 3 feet on downslopes. Terraced retaining walls are separated by a minimum of three feet and landscaped. Retaining walls holding back grade to accommodate a patio or terrace conform to the natural contours as much as possible and excessively high retaining walls are prohibited.
		✓	* Decks do not create excessively high distances between the structure and grade.
		✓	* Mechanical equipment is screened from view.

IV.A8. Planting Design for Hillside Residential Development

<u>Y</u>	<u>N</u>	<u>NA</u>	
✓			Major rock outcroppings and planting patterns of native plants and trees are respected and retained. Replacement trees are planted with irregularly grouped trees which

			retain a similar appearance from a distance.
--	--	--	--

<u>Y</u>	<u>N</u>	<u>NA</u>	
		✓	New plantings have been selected for their effectiveness of erosion control, fire resistance and drought tolerance and consider neighbors' views. Native plants are used.
		✓	* Irrigation systems and mulching are provided.
		✓	Existing scarred or graded areas with high visibility are revegetated.
		✓	Special planting guidelines for 2:1 slopes are followed.
		✓	Graded slopes have trees planted along contour lines in undulating groups and trees are located in swale areas.
		✓	Public rights-of-way are landscaped.
		✓	Transition zones are planted in high fire hazard areas and building envelopes are located to minimize risk to structures. Planting materials are fire retardant. Subdivisions have provided an arborist's report to analyze site fire hazards.

IV.A9. Site Lighting

<u>Y</u>	<u>N</u>	<u>NA</u>	
		✓	Site lighting which is visible is indirect or incorporates full shield cut-offs. Adjacent properties are not illuminated and light sources are not seen from adjacent properties or public rights-of-way.
		✓	Overhead lighting in parking areas is mounted at a maximum height of 15 feet and does not interfere with bedroom windows.
		✓	Overhead lighting in pedestrian areas does not exceed 8 feet in height and low-level lighting is used along walkways.
		✓	* Exterior floor lighting is located and shielded so that it does not shine on adjacent properties. Decorative lighting to highlight a structure is prohibited and not shown.

IV.BI. Subdivisions and Planned Development Projects

<u>Y</u>	<u>N</u>	<u>NA</u>	
		✓	Requirements for preservation of existing natural features, street layout and design, hillside grading and drainage, and lot configuration, building setback and locations have been met and building envelopes established on all lots.
		✓	Cluster developments meet the following criteria: Flexible front and side setbacks are provided; large expanses of flat areas, such as parking lots, are avoided; buildings are sited with units having different floor elevations to achieve height variation; buildings near hillside rims are sited in a staggered arrangement and screened with planting; existing vegetation is retained; and flag lots which encourage terracing of buildings and minimize cuts and fills are allowed.
		✓	Long continuous building masses are avoided and groups of building are designed with visible differences through materials, colors, forms and façade variation. Facades are articulated and rooflines avoid extended horizontal lines. Building facades have a mixture of vertical and horizontal elements, but emphasize verticality. Alignments of units are staggered horizontally and vertically to create unit identity, privacy at entryways and in private outdoor spaces and to shape open space. Buildings may be terraced and building clusters are separated with expanses of open space.

IV.B2 Single Family Residences on Individual Lots

<u>Y</u>	<u>N</u>	<u>NA</u>	
✓			Requirements for preservation of existing natural features, hillside grading and drainage, reduction of building bulk, architectural character, and planting design are met.
		✓	* An exception is necessary to allow tandem parking on lots served by an access drive if it minimizes the impact of hillside development.
		✓	Common driveways are encouraged.
		✓	* The driveway grade does not exceed 18% or an exception is required. Drainage from the driveway is directed in a controlled manner. The finished grade of the driveway conforms to the finished grade of the lot.

IV.B3 Multi-family Residential Development

<u>Y</u>	<u>N</u>	<u>NA</u>	
		✓	Requirements for preservation of existing natural features, hillside grading and drainage, reduction of building bulk, architectural character, site lighting and planting design are met.
		✓	Yard setbacks and group common and private open space meet zoning ordinance requirements. A children's play area is provided on developments with over 25 units.
		✓	The site design utilizes opportunities such as outdoor decks, roof gardens, terraces, bay windows, framing of views, pergolas, view lookouts, and sculptured stairs and walkways.
		✓	Large expanses of flat areas, such as parking lots, are avoided; buildings are sited with units having different floor elevations to achieve height variation; buildings near hillside rims are sited in a staggered arrangement and screened with planting; existing vegetation is retained; and flag lots which encourage terracing of buildings and minimize cuts and fills are allowed.
		✓	Long continuous building masses are avoided and groups of building are designed with visible differences through materials, colors, forms, and façade variation. Building facades do not create a ground level wall of repetitive garage doors. Facades are articulated and rooflines avoid extended horizontal lines. Building facades have a mixture of vertical and horizontal elements, but emphasize verticality. Alignments of units are staggered horizontally and vertically to create unit identity, privacy at entryways and in private outdoor spaces and to shape open-space. Buildings may be terraced and building clusters are separated with expanses of open space.
		✓	Tuck under parking is encouraged. 10% of the parking lot area is landscaped or trees planted as required by the zoning ordinance.

IV.C1 Highly Visible Ridgeline Areas

<u>Y</u>	<u>N</u>	<u>NA</u>	
		✓	* Development is located within 100 feet of a significant ridgeline.
		✓	Designs minimize grading and building pads. Structures and fences do not project above the ridgeline and views of the natural ridge silhouettes is retained. Roads near ridges and on slopes are designed to accommodate grade and cut slopes are rounded off.

IV.C2 Hillside Drainage Swales and Drainage Ravines

<u>Y</u>	<u>N</u>	<u>NA</u>	
		✓	* A hydrologic analysis has been prepared and inadequate on and off-site existing hillside storm drainage facilities will be replaced. Appropriate setbacks from drainages have been established to preserve natural drainage patterns and public safety. Slope stability hazards in watersheds have been studied and measures proposed to protect downslope properties (Subdivisions)
		✓	General plan setbacks from drainageways, creeks, and wetlands are met. (General Plan standard, exceptions cannot be granted) Subdivisions and other major projects have provided a biotic report to establish the appropriate setback.
		✓	* Debris basins, rip-rap, and energy dissipation devices are provided when necessary to reduce erosion when grading is undertaken. Significant natural drainage courses are protected from grading activity and are integrated into project design. When crossing is required, a natural crossing and bank protection is provided. Any brow ditches are naturalized with plant materials and native rocks.
		✓	Stream bank stabilization is done through stream rehabilitation and not through concrete channels or other mechanical means. Stream planting utilizes indigenous riparian vegetation.

IV.C3 Hillslope Habitat Areas

<u>Y</u>	<u>N</u>	<u>NA</u>	
		✓	Cluster housing is encouraged and provisions regarding reduction of building bulk on hillsides, architectural character, and site lighting are followed.
		✓	Existing vegetation is incorporated into the project design and used to screen development from offsite views.

Indicate any special requirements

<u>Y</u>	<u>N</u>	<u>NA</u>	
	✓		Geotechnical Review
	✓		Drainage Report
	✓		Biological Survey
	✓		Arborist's Report
	✓		Photo Montage and/or model
	✓		Site Staking

Comments on overall project compliance and design quality

The proposed development complies with all other Hillside Development standards except for total building square footage.



SAN RAFAEL

THE CITY WITH A MISSION

Community Development Department – Planning Division
P. O. Box 151560, San Rafael, CA 94915-1560
PHONE: (415) 485-3085/FAX: (415) 485-3184

Meeting Date: May 12, 2020
Agenda Item: 3
Case Numbers: UP19-021, ED19-051
Project Planner: Justin Klaparda–(415) 492-0300

REPORT TO PLANNING COMMISSION

SUBJECT: 1011 Andersen Drive (Marin AirPorter Transfer Station) – Request for a Use Permit Extension and Environmental and Design Review Permit Extension to extend the use of a previously approved project for the Marin AirPorter Transfer Terminal located at 1011 Andersen (previously a portion of 1081 Andersen). The proposed Use Permit Extension and Environmental and Design Review Permit Extension would allow landscape improvements to the long term parking area of the Marin AirPorter Transfer Terminal; APN 018-142-74 and 018-180-53; Light Industrial/Office (LI/O) District; Golden Gate Bridge Highway and Transportation District, owner; Larry Leporte of Marin AirPorter, applicant; File No(s): UP19-021, ED19-051.

EXECUTIVE SUMMARY

Marin AirPorter requests approval of an Environmental and Design Review Permit Extension and Use Permit Extension to extend the use of a previously-approved project for the Marin AirPorter Transfer Terminal located at 1011 Andersen (previously a portion of 1081 Andersen) and owned by the Golden Gate Bridge Highway and Transportation District (GGBH&TD). With the proposed Use Permit Extension and Environmental and Design Review Permit Extension the applicants propose to include the installation of 31 trees within the northern half and outer edges of the site where long-term parking is currently located and installation of additional landscaping improvements within two bioswales at the northernmost end of the 2.8-acre site.

The proposed project would extend the Use Permit approved by the Planning Commission per Resolution 15-04 (see Exhibit 3) on April 28, 2015 for an additional five-year term. The Planning Commission's approval allowed the 1,440-square foot Marin AirPorter Transfer Terminal building and a bus transportation operation on property owned by Golden Gate Bridge Highway and Transportation District (GGBH&TD) for a 5-year period while Marin AirPorter searched for a more permanent facility location. The Use Permit and Environmental and Design Review that was approved for this site recognized the temporary nature of the agreement. As such, much



1081 Andersen Drive

of the rear parking area was allowed to remain unpaved and major permanent improvements to that portion of the site were not required. The use permit approval was limited to a five-year term and required the Zoning Administrator to consider an extension unless the Planning Commission requested that the extension request be elevated to them for consideration. On July 17, 2019, Staff reached out to individual Planning Commission members and received at least one request that the project be brought before the full Commission. For this reason, the requested Use Permit extension request has been elevated to the Planning Commission for consideration.

Project plans were routed to the Department of Public Works for feedback and comments on project design, merits, and compliance with Conditions of Approval. These comments and recommendations include comments about access improvements relating to safety and continued maintenance of the landscaping to the stormwater treatment areas at the northernmost end of the site. Due to the short duration of the 5-year lease term provided to Marin Airpporter by GGBH&TD continues to limit both parties' desire to invest in significant site improvements such as additional pavement in the unpaved portions of the parking area. Additionally, the department of public works expressed an interest in keeping the unpaved area unpaved at this time. If an extension of the Use Permit is requested prior to the 5 year term, the applicants will be required to install a more permanent permeable pavement solution. This requirement has been added a condition of approval.

RECOMMENDATION

It is recommended that the Planning Commission adopt a Resolution (**Exhibit 2**), conditionally approving the Environmental and Design Review Permit Extension and Use Permit Extension to allow the Marin Airpporter Transfer Terminal use of the site and the subsequent installation of landscaping improvements subject to the findings and conditions of approval.

PROPERTY FACTS

Address/Location:	1011 Andersen Drive	Parcel Number(s):	018-142-74 & 018-180-53
--------------------------	---------------------	--------------------------	----------------------------

Property Size:	2.8 acres	Neighborhood:	Canal
-----------------------	-----------	----------------------	-------

Site Characteristics			
	General Plan Designation	Zoning Designation	Existing Land-Use
Project Site:	LI/O Light Industry/Office	LI/O	Marin Airpporter Transfer Terminal
North:	N/A: I-580	N/A: I-580	City of San Rafael right-of-way; I-580
South:	I Industrial	I Industrial	Marin Resource Recovery Facility
East:	LI/O Light Industry/Office	LI/O	1111Andersen Commercial Office
West:	LI/O Light Industry/Office	LI/O	Golden Gate Bridge Highway & Transportation District

Site Description/Setting:

The property is an “L”- shaped, nearly flat lot that is currently utilized as the Marin AirPorter Transfer Terminal and long-term guest parking. Access to the Terminal building is provided through a 2-lane, one-way semi-circular driveway with an entrance from the east and exit at the west side of the property. A bus loading zone is provided in front of the building and parking for 3 buses located on the west side of the Terminal building. Parking for 5 cars (including 2 ADA spaces) is provided at the front of the site. At the rear of the Terminal building, 5 short-term ADA parking spaces are provided.



Across the drive aisle are 7 additional short-term parking spaces. The remaining extensive parking area accommodates 276 long-term parking spaces, regulated by a gated entry/exit control for a paid parking ticket system. The parking area at the rear of the site also accommodates drivers who are picking up passengers. The site is partially paved with asphalt, and the remainder of the site contains a compacted gravel surface. In total, the site accommodates 296 car parking spaces (including 7 ADA spaces) and 3 bus parking spaces.

The driveways at the front and rear provide 20-foot wide one-way aisles and 26-foot two-way aisles that meet emergency vehicle access requirements. Parking bays perpendicular to the rear property line have 24-foot wide drive aisles that allow acceptable emergency vehicle access to those areas because the parking bays are short. In the rear of the lot, the outer aisle is paved to accommodate fire vehicle access.

Along the rear (north) property line, there is a fence beyond which the site is grassy and slopes down toward a drainage swale that runs alongside I-580. A portion of this grassy area, between the existing gravel parking lot and the City's property (right-of-way) has been filled and paved for additional parking. The drainage patterns in the rear of the site drains to two existing swales. These swales total 4,600 square feet in area. Drainage along the existing driveway on the north side flows into the GGBH&TD parking lot.

The site is adjacent to the GGBH&TD's San Rafael Bus Maintenance Facility and related parking lots to the west and a commercial/office building located at 1111 Andersen Drive to the east; the I-580 connector freeway abuts the property to the north, and Marin Sanitary District facilities are located across Andersen Drive to the south.

BACKGROUND

GGB&HTD, owners of the Marin AirPorter Larkspur Landing Transfer Terminal site, offered to extend Marin AirPorter's 5-year lease agreement to allow continued operations at the terminal facility in San Rafael. The subject property is adjacent to GGB&HTD's main office building and bus repair facility and was formerly leased to two companies, Golden Gate RV & Boat Storage and Toyota Marin, for vehicle storage and auto sales parking uses. Those uses vacated the site to accommodate the Marin AirPorter project.

On March 17, 2015, the project was reviewed by the Design Review Board, who recommended a number of modifications to the site and landscape plan. The Board generally supported the relocation of the Marin

Airporter Transfer Terminal to this site for a temporary 5-year lease term. After public comments and discussion, the Board requested the following additional information and plan modifications be provided and voted to recommend approval to the Planning Commission:

1. Provide a 4-foot deep landscape planter along Andersen Drive to screen the parking stalls;
2. Increase short term parking at the rear of the Terminal building by adding an aisle of 90-degree parking spaces;
3. Include a condition of approval that lighting levels at the rear parking lot shall come up to minimum parking lot lighting standards;
4. Attempt to lower the Terminal building to grade to give it a more permanent look.

The applicant revised the plans to respond to the Board's comments and resubmitted them for consideration by the Planning Commission. The revised plans were circulated for City Department review and were found satisfactory with recommended conditions of approval. The applicant did not change the placement of the temporary transfer terminal building on a permanent foundation at grade because of FEMA flood zone requirements.

On April 28, 2015, the Planning Commission approved a 5-year Use Permit and Environmental and Design Review Permit (access to video of the hearing [here](#)) to allow the Marin Airporter's facilities to be located at the project site. The Planning Commission's action largely followed the Design Review Board's March 17, 2015 recommendations to modify the Marin Airporter project site and landscape plan. One key condition of approval that was part of the Planning Commission's Action was a requirement that the project expire after a 5-year term unless the applicant received an extension for the approved entitlements. The extension request was to be evaluated by the Zoning Administrator unless individual Planning Commissioner requested that the project be elevated to the full Commission for consideration. On July 17, 2019, staff reached out to individual Planning Commissioners. At least one Commissioner expressed an interest in having the project elevated to the Planning Commission for considerations. As such, the Planning Commission is now being asked to weigh-in on the requested extension.

As noted above, an additional condition of approval required installation of more permanent features in the event that Marin Airporter requested an extension of the Use Permit, including but not limited to landscaping, paving, and striping to the rear portions of the property. A few Commissioners also expressed an interest in seeing a more permanent structure installed if the lease became a long-term lease. However, this was not part of the motion of the Planning Commission's action.

The Applicant has since established the Marin Airporter facility at this location by installing the 1,440-square foot Marin Airporter Transfer Terminal building, installed access, parking, and landscape improvements at the front portion of the site along Andersen Drive and implemented lighting and parking improvements at portions of the rear of the site

As the lease term is set to expire in August 2020, the Marin Airporter requests approval of an Environmental and Design Review Permit Extension and Use Permit Extension to a previously approved project for the Marin Airporter Transfer Terminal located at 1011 Andersen (previously a portion of 1081 Andersen) and owned by the Golden Gate Bridge Highway and Transportation District (GGBH&TD). It should be noted that because the applicant is entering into another short-term lease, the applicant has not proposed permanent structure at this time.

PROJECT DESCRIPTION

Marin Airporter has applied for an Environmental and Design Review Permit Extension and Use Permit Extension to continue operation of the transfer terminal at the subject site. The Andersen Drive transfer terminal is on an established Marin Airporter bus route connecting Marin County with the San Francisco International Airport (SFO), between the San Rafael Transit Center and Larkspur Landing. Buses operate

seven days per week, arrive on the hour, and operate 4:00 am each day and end at midnight. The site owner, GGBH&TD, proposes to extend the lease the site for Marin Airporter’s use for a term of 5 years.

The site is currently used as an active Marin Airporter stop and for long term traveler parking. Andersen Dr. is a wide commercial street with adequate access for buses as well as passenger vehicles. Interior site circulation has been designed to provide adequate access for cars, buses as well as emergency vehicles.

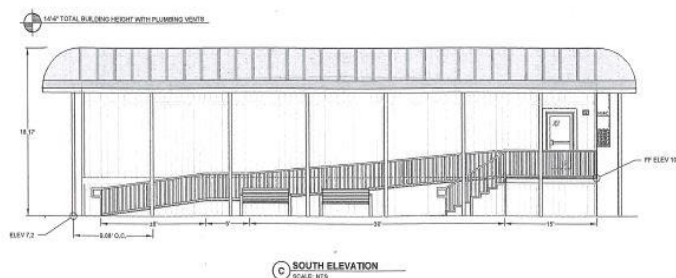
Use: The project, as proposed, would consist of the following elements:

- Temporary structure- The applicant proposes continued use of the existing 1,440- square foot Marin Airporter Transfer Terminal building. It should be noted that because the applicant is entering into another short-term lease, the applicant has not proposed permanent structure at this time.
- A total of 296 car parking spaces (including 7 ADA spaces) and 3 bus parking spaces;
- Hours of operation would be 24 hours per day, 7 days per week.

Landscaping: The proposed landscaping and planting plan for the Marin Airporter transfer terminal facility consists of 3,876 sf of landscape area located throughout the long-term parking lot that occupies the rear of the site and additional landscaping improvements within the two bioswales located at the northern end of the site adjacent to I-580. The Landscape plan provides 31 trees, 258 units of shrubs, and 6 units of groundcover type plantings to screen views into the parking lot and provide a more attractive entry and exit from the rear parking lot area of the site. As proposed by the applicant and required in the 2015 conditions of approval, the drainage swales will be enhanced with additional landscaping material to filter the run off from the rear of the parking lot. At this time, staff is not requiring the installation of additional pavement in the gravel surface at the rear of the property. Therefore, the site would remain substantially in its current condition, paved at the front and gravel surface at the rear. Landscape planting areas are provided within the large parking lot at the rear of the Terminal building and within the two bioswales located at the northern most end of the site.

Landscape materials consist of a total of 31 trees with foundation plantings, 258 shrubs, and 6 groundcover type landscaping. Twenty (20) Arbutus Standard trees are shown throughout the center portion of the large parking area, five (5) Fruitless Oak line the outer edges of the parking area, and six (6) Coast Live Oak would be planted within the existing bioswales located at the northern edge of the site along with 250 units of Deer Grass. The groundcover and shrub material would be located adjacent to the access gate at the rear of the terminal building. The total proposed area of landscaping is 3,876 sf (a 17% decrease from the 4,723 sq. ft. landscaped area from the 2015 Use Permit approval).

Architecture: Similar to the Larkspur Landing Terminal, a bright blue domed awning supported by metal poles runs the length of the one-story modular building. The modular building measures 24’ x 60’ and stands at 10’7” tall. Access to the Terminal building is provided by 4 stairs on the west elevation and a handicapped access ramp that runs the length of the south elevation. A 3’ skirt is required to meet the required finished floor flood elevation, making the overall height of the structure 14’1” tall.



Terminal Building Elevation

Exterior materials and colors consist of vertical wood siding that is painted grey with white wood trim. The front elevation shows a double glass storefront door, two rectangular clerestory windows and one square office window.

Project landscape and planting plans were routed to the Department of Public Works Engineers for feedback and comments on project design, merits, and compliance with Conditions of Approval. These comments and recommendations include maintaining safe ingress and egress to the rear of the site. The Department of Public Works also recognizes the temporary nature of the Use Permit and that if the Use Permit were to be extended, additional permanent improvements would be needed. Lastly, the Department of Public Works also recognized that the project design is sufficient in meeting parking lot landscaping requirements. The revised plans were circulated for Department review and have been found satisfactory with recommended conditions of approval.

ANALYSIS

San Rafael General Plan 2020 Consistency:

The proposed project would be consistent with the following relevant policies of the San Rafael General Plan 2020:

Land Use: The project site has a Light Industrial/Office General Plan land use designation. Policy **LU-23** (*Commercial and Industrial Land Use Categories*), describes Light Industrial/Office uses as motor vehicle services, contractor uses, light manufacturing, distribution, warehouse and storage, incidental employee serving retail/service, office and specialty retail.

The proposed Use Permit Extension and Environmental and Design Review Extension maintains use of the site as an active bus transportation terminal with short and long-term parking. The use of the Marin Airporter Transfer Terminal site commenced in 2015. The proposed use permit extension would continue this use and site improvements (as modified with this extension) and is consistent with the General Plan Use Designation of Light Industrial/Office use for the site.

Design Policies: **CD-18** (Landscaping) and **CD-21** (*Parking Lot Landscaping*) require that landscaping be made a significant component of all site design and ensures that landscaping is included in parking lots to control heat build-up from pavement, reduce air pollution, provide shade cover for vehicles and soften the appearance of the parking lot. The proposed project would meet the above policies in that the project: 1) landscaping improvements are proposed as part of this Use Permit Extension and Environmental Design Review Permit Extension, including adding trees, 2) the Department of Public Works reviewed the project design and landscaping compliance and recommended conditional approval of the proposed Transfer Terminal Landscaping Improvements project, finding that the scale of the landscaping improvements are adequate given the temporary nature of the Use Permit, and existing development, and 3) the proposed parking lot landscaping would work to control heat build-up from pavement, reduce air pollution, provide shade cover for vehicles and soften the appearance of the parking lot .

Neighborhood Policy: **NH-109** (*Andersen Drive Access*) states “Continue to minimize vehicular access points to Andersen Drive to maintain maximum traffic flow.” **NH-102** (*Industrial Area and Design Improvement*) states that “As redevelopment and design improvement occurs on Andersen Drive, design of projects should give particular attention to screening of mechanical equipment.” The project would maintain two existing curb cuts and continue to provide the one-way semi-circular access driveway to the site, consistent with Policy NH-109. The project would add landscaping to the rear parking lot that would soften the visual impacts of vehicle parking and the adjacent industrial lot, consistent with Policy NH-102.

Zoning Ordinance Consistency:

As noted above, the project requires Use Permit Extension approval to extend the use of the current transportation operation and an Environmental and Design Review Permit Extension for landscaping and

site design. In general, the project satisfies the pertinent Zoning Standards, as identified in the Property Facts summary.

Chapter 6 - Use and Development Standards

The current bus transportation terminal use is consistent with the Light Industrial/Office Zoning designation for the site and continues the current use of the site for long-term vehicle parking as provided in Section 14.06.020. Bus transportation terminals are allowed in this zoning district, subject to a Use Permit and subsequent Use Permit Extension, which has been applied for and is part of this review. However, as part of the 2015 use permit approval some Commissioners expressed concerns about the proposed structure and requested that the Planning Commission be given an opportunity to provide comments on the project. The applicant is now requesting a use permit extension but is not proposing a more permanent structure but rather is seeking approval for continued use of the temporary structure given the difficulty in receiving a long-term lease on the property.

Chapter 18 – Parking Lot Landscaping

Pursuant to Section 14.18.160, parking lot screening and landscaping standards apply to new or substantially renovated parking lots with more than five (5) spaces. A minimum of one (1) canopy tree is required for every four (4) parking spaces. The Code defines “substantially renovated parking lots” as those for which paving material and curbing is removed and the resulting lot is reconfigured. In this case, the Marin Airporter parking lot would be minimally upgraded, with additional landscaping in the northern central portion of the site, along the outer edges of the rear of the site, and within the bioswales at the rear of the site. Given this limited change and the limited lease term of 5 years, staff believes that the additional paving requirement for the unpaved portions of the site would not strictly apply. However, the Planning Commission has discretion to require more landscaping than has been shown. Furthermore, conditions would limit the term of this Use Permit to five years (Condition #2) and require more permanent features if an additional extension is requested, such as landscaping and paving throughout the site (Condition #3).

The Code also requires that parking areas visible from the public right-of-way be screened to headlight height through the use of landscaped earth berms, low walls, fences, hedges, or combination thereof, with trees and plantings, or similar means. The proposed landscape areas and improvements within the bioswales would soften the visible rear portion of the site with 31 new trees and shrubs and create a more pleasant appearance than the current condition.

Chapter 22 - Use Permit Extensions

Pursuant to the Zoning Ordinance Section 14.22.140, in order to grant a Use Permit Extension, a Use Permit may be extended if the findings required by Zoning Ordinance Section 14.22.080 remain valid and the application is made prior to expiration. As outlined in the Draft Resolution (**Exhibit 2**), findings for approval of a use permit extension can be made with implementation of conditions of approval.

Staff has determined that the findings to conditionally approve the Use Permit can be made based on the discussion above. Specific Use Permit conditions of approval are provided in the Draft Resolution (**Exhibit 2**).

Chapter 25 – Environmental and Design Review Permit Extensions

Pursuant to the Zoning Ordinance Section 14.25.150, an Environmental and Design Review Permit may be extended if the findings required by Zoning Ordinance Section 14.25.090 remain valid, there have been no substantial changes in the factual circumstances surrounding the originally approved design, and application is made prior to expiration. However, because the Planning Commission previously requested an opportunity to provide additional input as part of a future use permit extension, staff is seeking guidance on the existing development. Given the short-term nature of the lease and the request

for a short-term extension, staff has not asked the applicant to provide additional permanent improvements other than a request for the additional trees that are proposed.

Design review is required to assure high quality design of new buildings, landscaping, and substantial remodels is achieved. This includes review of development for compatibility with existing buildings and features, and any prevailing neighborhood character.

The site is currently developed with a modular building and associated parking lot and landscaping. The surrounding area contains medium scale industrial/office buildings, including the adjacent GGBH&TD and Marin Sanitary, which have landscape and architectural features that meet modern standards. The applicant does not propose any changes to the previous design review approval other than a proposal to install 31 trees, 258 shrubs, and 6 groundcover type landscaping units within the rear portion of the lot.

Project plans demonstrate compliance with the design criteria of Section 14.25.050 of the Zoning Ordinance and the San Rafael Non-residential Design Guidelines in that:

- 1) The Marin Airpporter landscaping and landscape improvements would be an aesthetic improvement to the long-term parking area by creating an improved sense of entry;
- 2) Sufficient landscape trees, shrubs and groundcover planting would be provided along the central northern half of the site and along the outer edges of the long-term parking area, and additional landscaping improvements would be located within 2 bioswales at the northern most end of the site.

ENVIRONMENTAL DETERMINATION

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the CEQA Guidelines which exempts improvements to existing facilities.

NEIGHBORHOOD MEETING / CORRESPONDENCE

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

No neighborhood meeting was held. No public correspondence was received prior to the PC meeting. In addition, no public comments have been received as of the time of the reproduction of this staff report. Any comments received after the staff report is distributed to the Commission will be forwarded under separate cover.

OPTIONS

The Planning Commission has the following options:

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

EXHIBITS

1. Vicinity/Location Map
2. Draft Resolution
3. Resolution 15-04

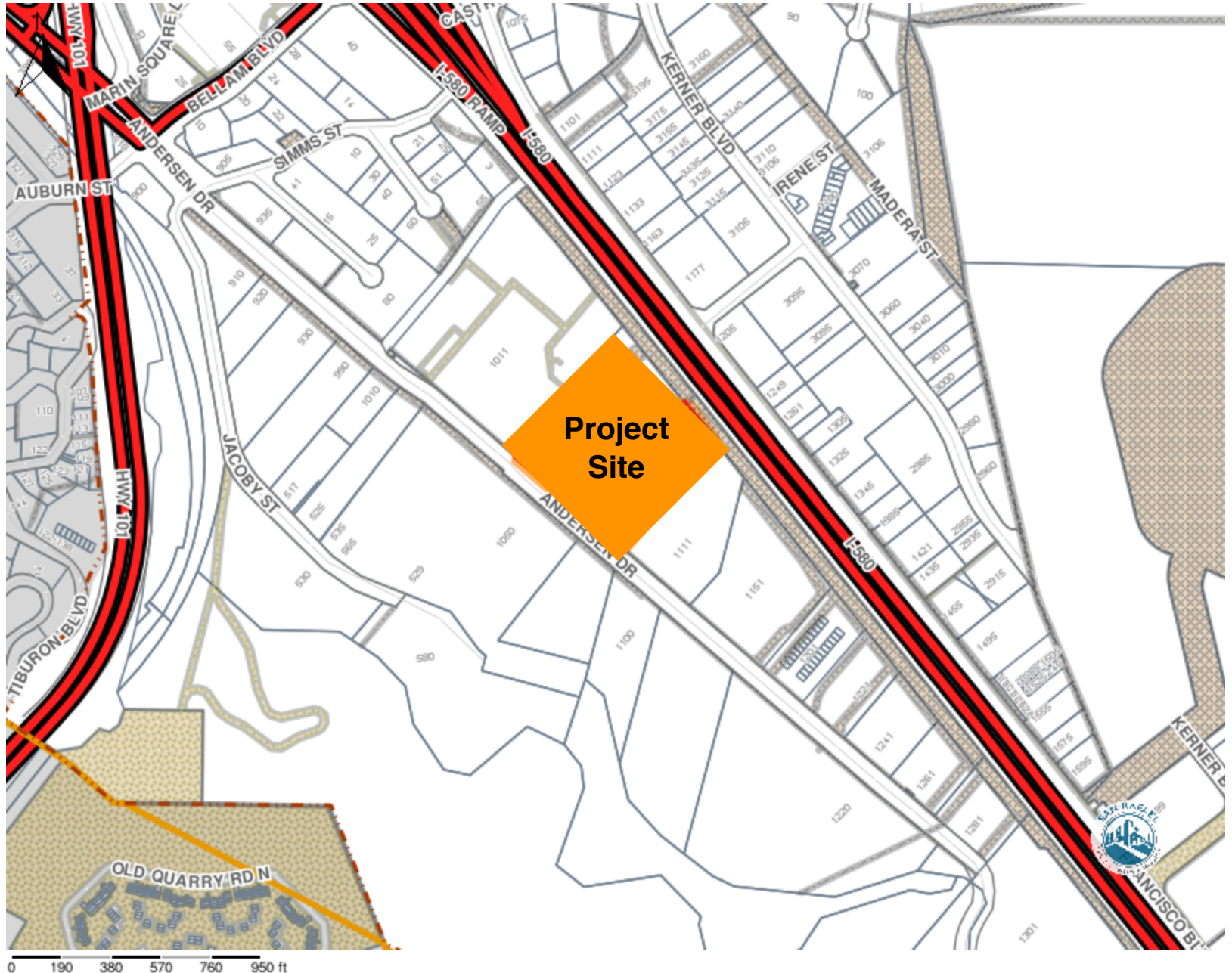
Plans – 11x17 sets have been distributed to the Planning Commission only but can be viewed on the City's Major Projects Website: <https://www.cityofsanrafael.org/major-planning-projects/>



City of San Rafael

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

Legend	
Marin Cities	Marin Cities
Bay Waters	Bay Waters
Parcels	Parcels
ROW	ROW
Other Easements	EASEMENTS
MMWD Easements	EASEMENTS
Boat Docks	Boat Docks
Street Centerline	Street Centerline
Street Names	Street Names
Label	SITUS
San Rafael Sphere of Influence	San Rafael Sphere of Influence
San Rafael City Limit	City Limit Line
Query Results	Results



RESOLUTION NO. 20-__

**RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION APPROVING AN ENVIRONMENTAL AND DESIGN REVIEW PERMIT EXTENSION (ED19-051) AND USE PERMIT EXTENSION (UP19-021) FOR THE CONTINUED OPERATION OF MARIN AIRPORTER'S BUS TRANSFER TERMINAL FACILITY LOCATED AT 1011 ANDERSEN DRIVE
(APNS: 018-142-74 & 018-180-53)**

WHEREAS, on June 24, 2019, applications for an Environmental and Design Review Permit Extension and Use Permit Extension were submitted to the Community Development Department to allow the continued operation of Marin Airporter's Bus Transfer Terminal Facility and landscape improvements parking lot owned by the GGBH&TD at 1011 Andersen Drive for use as the Marin Airporter Bus Transfer Terminal; and

WHEREAS, on January 29, 2020, the applicant submitted landscaping plans in response to 2015 Conditions of Approval and Public Works recommendations and

WHEREAS, on May 12, 2020, the City of San Rafael Planning Commission held a duly-noticed public hearing on the proposed Environmental and Design Review Permit Extension and Use Permit Extension requests, accepting all oral and written public testimony and the written report of the Community Development Department staff and

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission approves the Environmental and Design Review Permit Extension and Use Permit Extension for the Marin Airporter Bus Transfer Terminal at 1011 Anderson Dr. based on the following findings:

**California Environmental Quality Act (CEQA)
Finding**

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), since it qualifies as an Existing Facility pursuant to Section 15301(a) of the CEQA Guidelines which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

**Use Permit Extension (UP19-021)
Findings**

1. The proposed project would be in accord with Land Use Element Policies **LU-23** (*Light Industrial/Office Land Use Category*), Community Design Policies **CD-18** (*Landscaping*) and **CD-21** (*Parking Lot Landscaping*), Neighborhood Element Policies **NH-102** (*Industrial Area and Design Improvement*) and **NH-109** (*Andersen Drive Access*), the objectives of the Zoning Ordinance and the purposes of the Light Industrial/Office Zoning District in that: a) the continued operation of the bus transfer terminal facility is consistent with the land use designation; b) the existing bus transfer facility is a conditionally permitted use in the LI/O District; and c) landscaping improvements are the only proposed design interventions for this Use Permit Extension and Environmental Design Review Permit Extension d) landscape plans have been reviewed by the Department of Public Works Engineer for project design considerations and landscaping compliance, in which the Department of Public Works recommended conditional approval of the proposed Transfer Terminal Landscaping Improvements, finding that the scale of the landscaping improvements are adequate given the temporary nature of the Use Permit, and existing development e) landscaping measures would provide parking lot landscaping that would work to control heat build-up from pavement, reduce air pollution, provide shade cover for vehicles and soften the appearance of the parking lot.; f) a condition of approval has been included to require that if Marin Airporter wishes to extend the 5-year term of the Use Permit, they will need to install more permanent features, such as landscaping and additional paving throughout the site, as determined by Staff.
2. The proposed Marin Airporter Transfer Terminal Use Permit Extension, with conditions, will not be detrimental to public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the City because: a) the proposed use has been reviewed by appropriate City departments and conditions have been applied to minimize adverse impacts; b) landscape planting and design has been determined to be adequate by the City's Public Works Engineer; c) landscape improvements would be built in accordance with all local, state and federal regulations for construction; d) no potential health effects are expected from the existing bus transfer and parking lot use operating in conformance within city standards; and e) the use of the bus facility would minimize individual vehicles driving to Airports within the Bay Area, thus reducing vehicular trips.
3. The proposed Marin Airporter Transfer Terminal complies with each of the applicable provisions of the Zoning Ordinance (Light Industrial/Office 14.06.020, Parking Lot Landscaping 14.18.160, and Use Permits 14.22.020) because: a) the bus transfer terminal use is identified as a conditionally permitted use in the Light Industrial/Office District; b) the Marin Airporter Transfer Terminal would be a continuation to a 5-year use of an existing active bus transportation site; c) the continued relocation of the Marin Airporter terminal from Larkspur to San Rafael would continue to enhance

the public welfare by providing continuation of an important transit service in Marin County; d) the proposed plans provide landscape improvements that will enhance the soften the visible rear portion of the site, provide adequate site circulation and parking; and improve site drainage; e) the proposed plans have been reviewed by the City's Public Works Department. Department comments are included as conditions of approval in the attached Draft Resolution; f) if Marin Airporter wishes to extend the 5-year term of the Use Permit, they would be required to submit a request in writing for City staff to evaluate and determine whether the terms of the Use Permit would need to be amended.

Environmental and Design Review Permit Extension (ED19-051) Findings

1. The project design would be in accord with the General Plan and the objectives of the Zoning Ordinance in that the project is consistent with the General Plan Policies as identified above in Use Permit Finding #1 and Zoning Ordinance Section 14.25.050 (Review Criteria). On May 12, 2020, the project was determined to be appropriate for the site and the surroundings, and the proposed design was recommended to the Planning Commission for approval.
2. The design of the proposed storage facility is consistent with all applicable site and requirements and guidelines for the Light Industrial/Office District and well as Sections 14.06.020 (Light Industrial/Office District Use and Development Standards) and 14.18.160 (Parking Lot Landscaping) of the Zoning Ordinance. The proposed transfer terminal landscaping improvements complies with the applicable setbacks, height limits and landscaping requirement of the Light Industrial/Office District. Furthermore, as conditioned, the proposal would comply with the requirement that landscaping and paving be extended throughout the site if the use is requested to extend beyond the 5-year limit of the Use Permit.
3. The proposed project design minimizes adverse environmental impacts because: a) minimal grading is required; b) no significant trees will be removed; and c) the project would be built in accordance with applicable local and state regulations for development.
4. The project design will not be detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity because the proposed project has been reviewed by the appropriate City departments and conditions have been applied to minimize possible environmental and safety impacts.

BE IT FURTHER RESOLVED, that the Planning Commission hereby approves the Environmental and Design Review Permit and Use Permit for the construction of a 3.1-acre Marin Airporter Transfer Terminal and related landscaping, paving, parking and lighting improvements at 1011 Andersen Drive subject to the following conditions of approval:

Use Permit Extension (UP19-021) Conditions of Approval

Planning Division

1. This Use Permit Extension (UP19-021) approves the extended use of the Marin Airporter Transfer Terminal at 1081 Andersen Drive (formerly 1011 Andersen Drive) for a 5-year period. The proposed Use Permit Extension and Environmental and Design Review Permit Extension would allow landscape improvements to the long-term parking area of the Marin Airporter Transfer Terminal. Hours of operation shall be generally consistent with that of the current

operation at Andersen Drive which Marin Airporter has been using since 2016, 24 hours/day, 7 days/week. Minor adjustments to the use, including the hours of operation, shall be permitted subject to approval of the Community Development Director. No other uses shall be allowed without an amendment to the Use Permit.

2. This Use Permit Extension (UP19-021) shall be valid for (5) years, or until May 12, 2025 unless an extension is granted. In the event that Marin Airporter requests an extension of this Environmental and Design Review Permit to continue a bus transfer facility on this site past the 5 years. If an extension of time is not requested before the expiration date, this use permit shall expire. Any application for an extension of time shall be submitted three (3) months prior to the expiration date and shall be considered by the Zoning Administrator
3. All bus turnaround and maneuvering, particularly the backing up of buses into the stalls, shall be conducted on the private property, not on the public right of way (sidewalk or street).
4. This Use Permit does not authorize any vehicle repair or maintenance to be conducted within the parking lot for the Marin Airporter bus terminal.
5. All vehicles which are visually damaged or disabled shall not be stored or kept on-site.
6. There shall be no outside storage of materials or equipment unless screened from view in a manner approved by the planning director.

Environmental and Design Review Permit (ED19-051)
Conditions of Approval

Community Development Department – Planning Division

7. This Environmental and Design Review Permit Extension (ED19-051) shall be valid for (5) years, or until May 12, 2025, unless an extension is granted. In the event that Marin Airporter requests an extension of this Environmental and Design Review Permit to continue a bus transfer facility on this site past the 5 years, more permanent features will be required to be installed including but not limited to:
 - a. Replanting of any trees that have not successfully thrived.
 - b. Installation of additional landscaping consisting of additional trees within the rear portion of the parking lot if deemed necessary by staff.
 - c. Installation of permeable surface within the unpaved portions of the rear parking lot.
8. Any application for an extension of time shall be submitted three (3) months prior to the expiration date and shall be considered by the Zoning Administrator.
9. A fully automated irrigation system shall be installed to serve all existing and proposed trees, shrubs, and groundcover that are illustrated on the approved landscape plan.
10. All landscaping shall be maintained in a healthy and thriving condition, free of weeds and debris throughout the life of the Design Review Permit.

Prior to Final Occupancy

11. All landscaping and irrigation shall be installed prior to the final sign-off of the construction or the property owner shall post a bond in the amount of the estimated landscaping/ irrigation cost with the City of San Rafael. In the event that a bond is posted, all areas proposed for landscaping must be covered with bark or a substitute material approved by the Planning Division prior to occupancy and the approved landscaping must be installed within three months. Deferred landscaping through a bond shall not exceed 3 months past occupancy.

12. The landscape architect for the project shall certify in writing and submit to the Planning Division, and call for inspection, that the landscaping has been installed in accordance with all aspects of the approved landscape plans, that the irrigation has been installed and been tested for timing and function, and all plants including street trees are healthy. Any dying or dead landscaping shall be replaced.

Public Works Department

13. Based on aerial photographs, the parking spaces near the center (angled) aisle closer to the paved parking are frequently crowded into the drive aisle or mis-aligned. The applicant shall provide additional measures to limit parking to designated spaces. For example, this may include signage to designate the end of the row or fencing/landscaping as a physical barrier. The aisle north of the angled spaces often appear to be parked angled. The wheel stops may be adjusted to designate this as angled instead of 90. Alternatively, signage or physical improvements may be used to indicate the intended parking configuration.
14. The enhancements to the stormwater treatment areas are encouraged and are a necessary incremental improvement to reduce the potential for sediment runoff from the site. Regular maintenance of these areas shall be required. Irrigation to be included as necessary.
15. A construction vehicle impact fee shall be required at the time of building permit issuance; which is calculated at 1% of the valuation, with the first \$10,000 of valuation exempt.

The foregoing Resolution was adopted at a special meeting of the City of San Rafael Planning Commission held on the 12th day of May 2020.

Moved by _____ and seconded by _____.

AYES: COMMISSIONERS Chair

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

SAN RAFAEL PLANNING COMMISSION

ATTEST: _____
Paul A Jensen, Secretary

BY: _____
Aldo Mercado, Chair

RESOLUTION NO. 15-04

RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION APPROVING AN ENVIRONMENTAL AND DESIGN REVIEW PERMIT (ED15-002) AND USE PERMIT (UP15-002) TO ALLOW THE USE OF 3.1 ACRES OF A 7.5-ACRE SITE OWNED BY THE GOLDEN GATE BRIDGE HIGHWAY & TRANSPORTATION DISTRICT (GGBH&TD) FOR MARIN AIRPORTER'S BUS TRANSFER TERMINAL FACILITY LOCATED AT 1011 ANDERSEN DRIVE (APNS: 018-142-74 & 018-180-53)

WHEREAS, on February 9, 2015; applications for an Environmental and Design Review Permit and Use Permit were submitted to the Community Development Department to allow the establishment of a 3.1-acre portion of a 7.5-acre parking lot owned by the GGBH&TD at 1011 Andersen Drive for use as the Marin Airporter Bus Transfer Terminal; and

WHEREAS, on March 17, 2015, the Design Review Board held a duly-noticed public meeting on the proposed Environmental and Design Review Permit and Use Permit requests, accepting all oral and written testimony and the written report of the Community Development Department staff and voted 4-0 with one member absent to recommend approval to the Planning Commission with the following site plan modifications: 1) a continuous 4-foot-deep landscape planter be added along Andersen Dr.; 2) increase the number short-term parking spaces at the rear of the transfer terminal building; 3) place the proposed modular terminal building on a permanent foundation or lower it to create a more permanent appearance; and 4) conduct a parking lot lighting study to ensure that proposed pole-mounted lights at the rear of the site are consistent with City requirements; and

WHEREAS, on April 7, 2015, the applicant submitted revised plans in response to the Design Review Board recommendations; and

WHEREAS, on April 28, 2015, the City of San Rafael Planning Commission held a duly-noticed public hearing on the proposed Environmental and Design Review Permit and Use Permit requests, accepting all oral and written public testimony and the written report of the Community Development Department staff and

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission approves the Environmental and Design Review Permit and Use Permit for the new Marin Airporter Bus Transfer Terminal at 1011 Andreson Dr. based on the following findings:

**California Environmental Quality Act (CEQA)
Finding**

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), since it qualifies as an New Construction or Conversation of Small Structures pursuant to Section 15303(c) of the CEQA Guidelines which exempts new construction of an office not exceeding 10,000 sq ft on site zoned for the proposed use if not involving significant amounts of hazardous materials, where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. In addition, the project was evaluated in relation to the Sustainability Element policies addressing greenhouse gas and climate change impacts. Compliance with GHG strategy under these policies has been confirmed by the analysis of project specific air quality impacts in the BAAQMD Tabel 3-1 screening thresholds prepared and considered in the Planning Commission staff report.

**Use Permit (UP15-002)
Findings**

1. The proposed project would be in accord with Land Use Element Polices **LU-23** (*Light Industrial/Office Land Use Category*), **LU-19** (*Design Approach*), **LU-35** (*Project Design Considerations*), and **LU-37** (*Local Employment*), and Neighborhood Element Policy **NH-109** (*Andersen Drive Access*), the objectives of the Zoning Ordinance and the purposes of the Light Industrial/Office Zoning District in that: a) the proposed bus transfer terminal facility is consistent with the land use designation; b) the design of the storage facility was reviewed by the Design Review Board for consistency with the design policies of the General Plan and Zoning Ordinance and recommended for approval on March 17, 20015, with recommended modifications, since the proposed design was appropriate for the site and the surroundings; c) the Marin Airporter Terminal is an important transportation facility in Marin County and its relocation to San Rafael will generate additional tax revenue for the City; d) the proposed bus transfer facility is a conditionally permitted use in the LI/O District; and e) a condition of approval has been included to require that if Marin Airporter wishes to extend the 5-year term of the Use Permit, they will need to install more permanent features, such as landscaping and paving throughout the site.

2. The proposed Marin Airporter Transfer Terminal, with conditions, will not be detrimental to public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the City because: a) the proposed use has been reviewed by appropriate City departments and conditions have been applied to minimize adverse impacts; b) traffic circulation and proposed parking design has been determined to be adequate by the City's Traffic Engineer; c) the transfer terminal facility would be built in accordance with all local, state and federal regulations for construction; d) no potential health effects are expected from the bus transfer and parking lot use operating in conformance within city standards; and e) the use of the bus facility would minimize individual vehicles driving to Airports within the Bay Area, thus reducing vehicular trips.

3. The proposed Marin Airporter Transfer Terminal complies with each of the applicable provisions of the Zoning Ordinance (Light Industrial/Office 14.06.020, Parking 14.18.040, and Use Permits 14.22.020) because: a) the bus transfer terminal use is identified as a conditionally permitted use in the Light Industrial/Office District; b) the Marin Airporter Transfer Terminal would be a comparable and temporary 5-year use of an existing vehicle parking and storage site; c) the proposed project would have no impact on peak hour traffic on Andersen Dr. as provided in the applicant's analysis of traffic counts; d) the relocation of the Marin Airporter terminal from Larkspur to San Rafael would enhance the public welfare by providing continuation of an important transit service in Marin County; e) the proposed plans provide landscape, lighting and other physical improvements that will enhance the Andersen Dr. streetscape, provide adequate site circulation and parking; and improve site drainage; f) the proposed plans have been reviewed by the City's Building Division/Fire Prevention Bureau, Public Works Department, San Rafael Sanitation District. Department comments are included as conditions of approval in the attached Draft Resolution; g) if Marin Airporter wishes to extend the 5-year term of the Use Permit, they would be required to submit a request in writing for City staff to evaluate and determine whether the terms of the Use Permit would need to be amended.

Environmental and Design Review Permit (ED15-002)
Findings

1. The project design would be in accord with the General Plan and the objectives of the Zoning Ordinance in that the project is consistent with the General Plan Policies as identified above in Use Permit Finding #1 and Zoning Ordinance Section 14.25.050 (Review Criteria). The proposed design of the Marin Airporter Transfer Facility was reviewed by the Design Review Board for consistency with the design policies of the General Plan, Zoning Ordinance, and Planned Development District. On March 17, 2015, the project was determined to be appropriate for the site and the surroundings, with recommended modifications, and the proposed design was recommended to the Planning Commission for approval.
2. The design of the proposed storage facility is consistent with all applicable site and architectural requirements and guidelines for the Light Industrial/Office District and well as Sections 14.0.020 (Light Industrial/Office District), 14.16 (Site and Use Regulations) and 14.18.040 (Parking) of the Zoning Ordinance. The proposed transfer terminal facility complies with the applicable setbacks, height limits and landscaping requirement of the Light Industrial/Office District. Furthermore, as conditioned, the proposal would comply with the requirement that landscaping and paving be extended throughout the site if the use is requested to extend beyond the 5-year limit of the Use Permit.
3. The proposed project design minimizes adverse environmental impacts because: a) minimal grading is required; b) no significant trees will be removed; and c) the project would be built in accordance with applicable local and state regulations for development.
4. The project design will not be detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity because the proposed

project has been reviewed by the appropriate City departments and conditions have been applied to minimize possible environmental and safety impacts.

BE IT FURTHER RESOLVED, that the Planning Commission hereby approves the Environmental and Design Review Permit and Use Permit for the construction of a 3.1-acre Marin Airporter Transfer Terminal and related landscaping, paving, parking and lighting improvements at 1011 Andersen Drive subject to the following conditions of approval:

**Use Permit (UP15-002)
Conditions of Approval**

Planning Division

1. This Use Permit (UP15-002) approves the establishment of the Marin Airporter Transfer Terminal for a 5-year period on a 3.1-acre site at 1011 Andersen Drive. The bus transfer facility will consist of short-term and long-term parking for bus patrons, bus parking, a transfer terminal building that provides ticketing, office space and public restrooms, landscaping and lighting. Hours of operation shall be generally consistent with that of the Larkspur Landing Marin Airporter facility, 24 hours/day, 7 days/week. Minor adjustments to the use, including the hours of operation, shall be permitted subject to approval of the Community Development Director. **No other uses shall be allowed without an amendment to the Use Permit.**
2. This Use Permit (UP15-002) shall be valid for **(5) years, or until April 28, 2020** provided that a building permit is obtained from the City's Community Development Department for the proposed improvements within **one (1) year** of this approval, or **April 28, 2016**. Failure to obtain a building permit and initiate the modifications to the site, or apply for a time extension by the specified date, will result in expiration of this Use Permit.
3. Once a building permit is issued and the use is initiated, the Use Permit shall be valid for 5 years. In the event that Marin Airporter requests an **extension of this Use Permit** to continue a bus transfer facility on this site, **more permanent features** will be required to be installed including but not limited to landscaping and paving, striping, etc., throughout the site. Any application for an extension of time shall be submitted three (3) months prior to the expiration date. Further, the Planning Commission shall be given notification that the extension request has been made and may ask that the application be forwarded to the Planning Commission for a decision.
4. All bus turnaround and maneuvering, particularly the backing up of buses into the stalls, shall be conducted on the private property, not on the public right of way (sidewalk or street).
5. This Use Permit does not authorize any vehicle repair or maintenance to be conducted within the parking lot for the Marin Airporter bus terminal.
6. All vehicles which are visually damaged or disabled shall not be stored or kept on-site.

7. There shall be no outside storage of materials or equipment unless screened from view in a manner approved by the planning director.

**Environmental and Design Review Permit (ED15-002)
Conditions of Approval**

General Project Conditions

Community Development Department – Planning Division

- 1) The building techniques, materials, elevations and appearance of this project, as presented for approval, shall be the same as required for the issuance of a building permit (except as modified by these conditions of approval). The approved plans are labeled *Marin Airporter Transfer Terminal*, dated *Approved April 28, 2015*, prepared by *CSW/ST2*, consisting of *Sheets C1, C2, C3, C4, C5, L-1, L-2*, as are on file at the Planning Division. Any future additions, expansions, or remodeling shall be subject to prior review and approval of the Planning Division. Minor modifications or revisions to the project shall be subject to review and approval of the Planning Division. Modifications deemed not minor by the Community Development Director shall require review and approval by the original decision making body.
- 2) This Environmental and Design Review Permit (ED15-002) shall be valid for **(5) years, or until April 28, 2020** provided that a building permit is obtained from the City's Community Development Department for the proposed improvements within **one (1) year** of this approval, or **April 28, 2016**. Failure to obtain a building permit and initiate the modifications to the site, or apply for a time extension by the specified date, will result in expiration of this Environmental and Design Review Permit.
- 3) Once a building permit is issued and the use is initiated, the Environmental and Design Review Permit shall be valid for **5 years, or until April 28, 2020**. In the event that Marin Airporter requests an **extension of this Environmental and Design Review Permit** to continue a bus transfer facility on this site past the 5 years, **more permanent features** will be required to be installed including but not limited to landscaping and paving, striping, etc., throughout the site. Any application for an extension of time shall be submitted three (3) months prior to the expiration date. Further, the Planning Commission shall be given notification that the extension request has been made and may ask that the application be forwarded to the Planning Commission for a decision.
- 4) A fully automated irrigation system shall be installed to serve all existing and proposed trees, shrubs, and groundcover that are illustrated on the approved landscape plan.

- 5) All landscaping shall be maintained in a healthy and thriving condition, free of weeds and debris throughout the life of the Design Review Permit.
- 6) Following the issuance of a certificate of occupancy, all exterior lighting shall be subject to a 30-day lighting level review by Planning Division staff to insure compatibility with the surrounding area.

Prior to the Issuance of a Building Permit

Community Development Department – Planning Division

- 7) Prior to the issuance of a building permit, the applicant shall submit the final photometric lighting plan to the Planning Division for review and approval of the lighting fixtures and to ensure that there will not be any hotspots in the proposed lighting.

Community Development Department - Building Division

- 8) A building permit is required for the proposed work. Applications shall be accompanied by four (4) complete sets of construction drawings to include:
 - a. Architectural plans
 - b. Structural plans
 - c. Plumbing plans (site work)
 - d. Site/civil plans (clearly identifying grad plane and height of building)
 - e. Structural calculations
 - f. Soils reports
 - g. Green Building documentation
 - h. Title-24 energy documentation
- 9) The occupancy classification (in mixed occupancies-each portion of the building shall be individually classified), construction type and square footage of each building shall be specified on the plans.
- 10) The occupancy classification, construction type and square footage of each building shall be specified on the plans in addition to justification calculations for the allowable area of each building. Site/civil prepared by a California licensed surveyor or engineer clearly showing topography, identifying grade plane and height of the building.
- 11) This structure appears to be a “coach” as opposed to a modular building as stated on the application. The listing and label for the coach must be appropriate for the occupancy. If the structure is to be in place for more than one year, the chassis must be removed and the coach installed on a permanent foundation.
- 12) Each building must have address identification placed in a position that is plainly legible and visible from the street or road fronting the property. Numbers painted on the curb do not satisfy this requirement. In new construction and substantial remodels, the address must be internally or externally illuminated at all hours of darkness. Numbers must be a minimum 4 inches in height with ½ inch stroke for residential occupancies and a minimum 6 inches in

height with ½ inch stroke for commercial applications. The address must be contrasting in color to their background SMC 12.12.20.

- 13) The address for structures is determined by the Chief Building Official. The Tentative address for the proposed building is 1081 Andersen Drive. Each page of the plan's title block and all permit application documents must show the proposed building's address identification information.
- 14) The proposed fencing exceeds 7' in height, a building permit is required and shall be included in the plans submitted for a building permit.
- 15) Any demolition of existing structures will require a permit. Submittal shall include three (3) copies of the site plan, asbestos certification and PG&E disconnect notices. Also, application must be made to the Bay Area Air Quality Management District prior to obtaining the permit and beginning work.
- 16) A portion of the subject property appears to be located in an AO flood zone, which is identified as an area of special flood hazard. All new construction and in some cases, existing improvements, are to be designed to ensure that the potential for flooding is minimized. This may involve grading to elevate the building pad or raising of existing building components to a level above the highest flood level.

No new construction, or substantial improvements of a structure, which would require a building permit, pursuant to the applicable provisions of the California Building Code as adopted, shall take place in an area of special flood hazard without full compliance with the applicable flood control requirements.

Prior to submittal of plans to the Building Division for plan review, the applicant shall determine where the actual flood fringe boundary lines occur on the property. The lines shall be incorporated onto a site/topographical plan, which shall be included as part of the required plan information noted above.
- 17) Prior to building permit issuance for the construction of each new building, geotechnical and civil pad certifications are to be submitted.
- 18) There appear to be no public utilities provided to this site. Authority to connect to water and sewer must be obtained prior to application for a building permit.
- 19) All site signage as well as wall signs require a separate permit and application (excluding address numbering).
- 20) As this is a new structure on this site, a new address must be assigned for the new building. The applicant shall submit a letter to the Building Division with a site plan requesting a new address.

- 21) Monument sign(s) located at the driveway entrance(s) shall have address numbers posted prominently on the monument sign.
- 22) The proposed facility shall be designed to provide access to the physically disabled in accordance with the requirements of Title-24, California Code of Regulations. For existing buildings and facilities when alterations, structural repairs or additions are made, accessibility improvements for persons with disabilities may be required. Improvements shall be made, but are not limited to, the following accessible features:
- a. Path of travel from public transportation point of arrival
 - b. Routes of travel between buildings
 - c. Accessible parking
 - d. Ramps
 - e. Primary entrances
 - f. Sanitary facilities (restrooms)
 - g. Drinking fountains & public telephones (when provided)
 - h. Accessible features per specific occupancy requirements
 - i. Accessible special features, i.e., ATMs point of sale machines, etc.
- 23) The site development of items such as common sidewalks, parking areas, stairs, ramps, common facilities, etc., are subject to compliance with the accessibility standards contained in Title-24, California Code of Regulations. Pedestrian access provisions should provide a minimum 48" wide unobstructed paved surface to and along all accessible routes. Items such as signs, meter pedestals, light standards, trash receptacles, etc., shall not exceed published minimums per California Title 24, Part 2. The civil, grading and landscape plans shall address these requirements to the extent possible.
- 24) Public accommodation disabled parking spaces must be provided. Minimum required number of H/C spaces: 301-400 parking spaces = 8 disabled parking spaces.
- 25) At least one disabled parking space must be van accessible; 9 feet wide parking space and 8 feet wide off-load area. Additionally, one in every eight required handicap spaces must be van accessible.
- 26) This project is subject to the City of San Rafael Green Building Ordinance. All new commercial buildings are required to meet CalGreen Tier 1 requirements (coaches may be exempt). EV charging stations may be required.

Public Works Department

- 27) Aisle widths shown on the plan generally follow Municipal Code requirements with the exception of the aisles nearest to the northwest property line. This may be allowed based on the preservation of existing bioswales. Consider improvements in this area such as enhanced parking space width and signage to prevent extra-large vehicles.

The parking spaces along the northeast property line may not have the necessary space to back out, which is typically provided by a 2' end stall treatment. Additionally, the angle of the property line further limits movement in this area. Please see Condition 33 for vegetated buffer modifications in this area.

- 28) On the plans submitted for building permit, add the following to the plans:
- a) Designate the bicycle parking area and proposed facilities.
 - b) Designate special parking spaces such as short term, electric vehicle, compact or other.
 - c) Provide a lighting study for the site, including the parking lights.
 - d) Provide a drainage plan and calculations for the site. Include details on the bioswale improvements and fencing or other proposed method of bioswale protection. Improvements for the site shall not adversely affect the drainage characteristics of the site. Also see comments regarding stormwater pollution prevention.
 - e) Quantities of cut and fill must be clearly stated on the grading plan. It is anticipated that grading will be greater than 50 cubic yards of earthwork; therefore a grading permit from the Department of Public Works shall be required.
 - f) A significant portion of the site is shown as new or existing gravel. Provide final details on how the parking lot will be striped, signed or otherwise marked to maintain the required parking space and aisle dimensions when vehicles are parked.
 - g) The design should accommodate a slight angle to the bus parking spaces toward the exit driveway in order to allow for simplified turning movements entering and exiting the spaces. A plan modification should be submitted to the Public Works Department for review and approval prior to submittal of building permit plans.
- 29) If work extends into the Right-of-Way, then an encroachment permit from the Department of Public Works shall be required.
- 30) This property is within Special Flood Hazard Zone AE, with a minimum base flood elevation of 9 feet NAVD. FEMA will be raising the Base Flood Elevation in this area in 2015 a minimum of one foot. We recommend that the Terminal building be designed with a first floor of at least 10 NAVD. Additional consideration for flood proofing may be necessary,

Public Works Department – Storm Water Pollution Prevention

- 31) Confirm the area of soil disturbance. If this project disturbs more than one acre of soil, it must comply with a Construction General Permit and a Stormwater Pollution Prevention Plan (SWPPP) will be required through the Regional Water Board. Approval of a SWPPP for the Regional Water Board must be obtained, if required, prior to issuance of a grading permit.

- 32) Due to the anticipated changes in the NPDES Phase II Permit requirements coming this year, provide full trash capture for stormwater management. Full trash capture may be defined as trapping all particles greater or equal to 5mm. Show details of the proposed devices and/or methods on the plans. Include calculations on particle capture with the drainage calculation as necessary to show compliance with full capture.
- 33) A strip of vegetation shall be provided along the northeast property line in order to filter sheet flow as it exits on the site. This vegetated buffer may also be sloped to direct flow to the bioswales depending on the actual site drainage conditions. A benefit of this would be to control the outlets for the site for ease of maintenance and litter removal.
- 34) Based on information provided by Marin Airporter to the Department of Public Works regarding the proposed operations and use of the site, the AM and PM peak trip generation is negligible. Marin Airporter previously collected existing peak hour traffic data at their current location. The trips generated by the Marin Airporter use are less than the already approved trips for the proposed site. Although the plan originally included (up to) 326 parking spaces, a large majority of the spaces are for long-term parking. In addition, a large majority of the trip generation for this use occurs during off peak hours. For all the reasons stated above, no traffic mitigation fee is required.

San Rafael Sanitation District

- 35) The applicant shall submit civil plans showing sewer details (lateral size, pipe material, point of connection to the main) that will service the proposed modular terminal building.
- 36) The new sewer lateral shall be per the San Rafael Sanitation District Standards.
- 37) The appropriate sewer connection fees for the project shall be submitted with final plans. Sewer connection fees are based upon the number of fixtures required. An estimate of fixture units is 16 and SRSD Connection fees and CMSA Connection fees is \$10,402.83. The sewer connection fees are due to the San Rafael Sanitation District. The fees are effective July 1, 2014 to June 30, 2015.

Marin Municipal Water District

- 38) Complete High Pressure Water Service Applications.
- 39) Submit a copy of the building permit.
- 40) Pay appropriate fees and charges.
- 41) Complete the structure's foundation within 120 days of the date of application.
- 42) Comply with the District's rules and regulations in effect at the time service is requested.

43) Comply with all indoor and outdoor requirements of District Code Title 13 – Water Conservation. Plans shall be submitted and reviewed to confirm compliance. The following are required:

- Verification of indoor fixtures compliance
- Landscape plan
- Irrigation plan
- Grading plan

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

50. Comply with the backflow prevention requirements, if upon the District's review backflow protection is warranted, including installation, testing and maintenance. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at (415) 945-1558.

Fire Department

51. The design and construction of all site alterations shall comply with the 2013 California Fire Code and City of San Rafael Ordinances and Amendments.

52. A Fire apparatus access plan shall be prepared for this project. Fire apparatus plan shall show the location of the following:

- a. Designated fire apparatus access roads.
- b. Red curbs and no parking fire lane signs.
- c. Onsite fire hydrants.
- d. Street address sign.
- e. Note the designated fire apparatus access roads and fire hydrant shall be installed and approved by the Fire Prevention Bureau prior to construction of the building.
Complete and submit the attached Fire Prevention Bureau Fire Apparatus Access Road and Fire Hydrant Worksheet.

53. Please add the following information to the plans: "Deferred submittals for the following fire protection systems shall be submitted to the Fire Prevention Bureau for approval and permitting prior to installation of the systems. - Private Fire Service Main"

54. Show the location of address numbers on the building elevation. Each building must have address identification placed in a position that is plainly legible and visible from the street or road fronting the property. Refer to the attached Fire Prevention Bureau Premises Identification Standard 09-1001, Table 1.

Prior to Final Occupancy

Community Development Department - Planning Division

55. Following the issuance of a certificate of occupancy, all exterior lighting shall be subject to a 30-day lighting level review by Planning Division staff to insure compatibility with the surrounding area.

56. All landscaping and irrigation shall be installed prior to the final sign-off of the construction or the property owner shall post a bond in the amount of the estimated landscaping/ irrigation cost with the City of San Rafael. In the event that a bond is posted, all areas proposed for landscaping must be covered with bark or a substitute material approved by the Planning Division prior to occupancy and the approved landscaping must be installed within three months. Deferred landscaping through a bond shall not exceed 3 months past occupancy.

57. The landscape architect for the project shall certify in writing and submit to the Planning Division, and call for inspection, that the landscaping has been installed in accordance with all aspects of the approved landscape plans, that the irrigation has been installed and been tested for timing and function, and all plants including street trees are healthy. Any dying or dead landscaping shall be replaced.

The foregoing Resolution was adopted at a special meeting of the City of San Rafael Planning Commission held on the 28th day of April 2015.

Moved by Commissioner Robertson and seconded by Commissioner Wise. The vote is as follows

AYES: COMMISSIONERS Chair Schaefer, Belletto, Lubamersky, Robertson, Wise

NOES: COMMISSIONERS: Paul

ABSENT: COMMISSIONERS: Pick

SAN RAFAEL PLANNING COMMISSION

ATTEST: Paul a. Jensen
Paul Jensen, Secretary

BY: Barrett Schaefer
Barrett Schaefer, Chair



SAN RAFAEL

THE CITY WITH A MISSION

Community Development Department – Planning Division

Meeting Date: May 12, 2020
Agenda Item: 4
Case Numbers: ED19-038; ED19-098
UP19-016; UP19-046
TS19-003
Project Planner: Ali Giudice
415-485-3092

REPORT TO PLANNING COMMISSION

SUBJECT: 1075 Francisco Boulevard East (Home2 Suites and Hampton Inn & Suites Hotel) – Environmental and Design Review, Lot Merger and Use Permit for a project proposing to develop a 2.79-acre portion of a vacant property with a new 54-foot high, 106,000 sq. ft. hotel containing 185 rooms and development of a smaller 0.66-acre portion of the property with a vehicle storage lot; APNs: 009-191-02, -03, -04, -09, -10; General Commercial (GC) Zoning District; Marin Hospitality INC., owner; Stephan Allen, applicant; File No.: ED19-038/19-098; UP19-016/19046; TS19-003.

EXECUTIVE SUMMARY

The City has received an application for an Environmental and Design Review Permit, Use Permit, and Lot Merger to accommodate construction of a new hotel and the continued use of a portion of the lot for vehicle storage. The project site is currently used for storage of up to 400 vehicles associated with sales by Toyota, Jaguar, Land Rover, and Volvo through a Temporary Use Permit (UP19-045), which was approved on January 13, 2019 and will expire on January 14, 2022 unless an extension is granted. The project involves construction of a 185-room hotel operating as Home2 Suites and Hampton Inn & Suites Hotel. The hotel will be approximately 106,000 square feet and 61-feet 8-inches in height.

The project site has a General Plan Land Use and Zoning Designation of General Commercial (GC). The General Commercial Land Use Designation allows for a variety of general retail and service uses including hotels and motels. Furthermore, hotels are conditionally permitted subject to review and approval by the Planning Commission in the General Commercial Zoning District. The General Plan sites economic benefits of hotels and supports their development through General Plan Policies LU-20a, LU-12, and EV-3.

The General Plan identifies visitor accommodating uses as having community and economic benefits as they are characteristically low traffic and high tax generators. HVS Consulting and Evaluation prepared an economic impact analysis to evaluate the economic and community benefits of the proposed hotel. The report concludes that the hotel is anticipated to generate additional jobs, including full-time positions, significant increased annual revenues, and additional tax contributions including transient oriented tax (TOT) and property tax. The full report is included as Exhibit 3.

The project was reviewed by a subcommittee of the Design Review Board (DRB) on March 26, 2020. The subcommittee evaluated the design of the project and voted unanimously (2-0), recommending approval of the project design to the Planning Commission subject to conditions.

Staff has evaluated the proposed project and supporting documents to determine consistency with the California Environmental Quality Act (CEQA), City of San Rafael General Plan, Zoning Ordinance, and applicable design guidelines. Based on staff's review and recommendations provided by the Design Review Board, it is recommended that the Planning Commission approve the project, subject to conditions provided herein.

RECOMMENDATION

1. It is recommended that the Planning Commission take the following action:
 - a. Adopt the attached Draft Resolution (Exhibit 2) approving a Use Permit, Environmental and Design Review Permit, and Tentative Subdivision Map for a new 185-room hotel located on a 2.79 acre parcel (Parcel 1) operating as Home2 Suites and Hampton Inn and Suites within the GC zoning district and approving a Use Permit and Environmental and Design Review Permit for use of a 0.66 acre parcel (Parcel 2) as a car storage lot.

PROPERTY FACTS

Address:	1075 Francisco Blvd East	Parcel Number(s):	009-191-02, -03, -04, -09, -10
Property Size:	150,276 square feet	Neighborhood:	Canal

Site Characteristics

	General Plan Designation	Zoning Designation	Existing Land-Use
Project Site:	General Commercial	General Commercial	Vacant/Temporary overflow parking
North:	Light Industrial/Office	Light Industrial/Office	Auto repair uses, offices
South:	General Commercial; Light Industrial/Office	General Commercial; Light Industrial/Office	Retail, offices, auto repair uses
East:	Light Industrial/Office	Light Industrial/Office	Offices
West:	NA	NA	Interstate-580

Site Description/Setting:

The project site is located at 1075 Francisco Boulevard East in the Canal neighborhood which is characterized by both residential and non-residential uses. The neighborhood houses a greater number of people as compared with other defined neighborhoods within the City. Residential units include large apartment buildings, condominium complexes, townhomes, duplexes, and single-family homes along the Canalfront. Non-residential uses within the neighborhood include light industrial, commercial, office, and auto dealerships.

The site is relatively flat, with an average slope ranging from 0-5 percent and is comprised of five individual parcels totaling approximately 150,276 square feet (3.4 acres). Gravel surfaces, ruderal vegetation, and chain link fencing dominate the project site. A Temporary Use permit (UP19-045) has been approved for the site authorizing overflow parking associated with automobile sales for various car dealerships including Toyota, Jaguar, Land Rover, and Volvo. The property has frontage on Castro Avenue to the north, Kerner Boulevard to the east, and Francisco Boulevard to the west. Two driveways currently exist on Francisco Boulevard as well as one on Castro Avenue, providing vehicular access into and out of the site. Sidewalks exist along all project frontages, providing pedestrian access to the site. Additionally, an unsignalized crosswalk is located at the corner of Francisco Blvd E/Castro Ave.

BACKGROUND

As previously stated, the project site is void of physical improvements and is used as overflow parking for nearby auto dealerships. The site was previously developed with an auto dealership which was demolished in 2005. Following demolition, planning entitlements, including Environmental and Design Review, Conditional Use Permit, and a Sign Program were issued for the site to re-develop it as a new Dodge dealership. Though building permits were pulled, construction never commenced resulting in expiration of all entitlements. No further permits to develop the site as an auto dealership were applied for, however, the site is currently entitled as temporary vehicle storage through a temporary use permit approved January 14, 2019.

PROJECT DESCRIPTION

The applicant is seeking approval from the Planning Commission for an Environmental and Design Review Permit, Use Permit, and Major Subdivision for a Lot Merger to develop a new 185-room hotel project on a 2.79-acre portion of the vacant site. Additionally, the applicant is seeking approval of an Environmental and Design Review Permit and Use Permit to establish the remaining 0.66-acres of the vacant site as a vehicle storage lot.

Required Entitlements (Hotel)

Environmental and Design Review. Pursuant to Section 14.25.040, major physical improvements require approval by the Planning Commission. The proposed development is considered a major physical development as it proposes new construction on a vacant lot and will result in more than 2,000 cubic yards of fill.

Conditional Use Permit. As prescribed in Table 14.05.020, hotels/motels are permissible in the GC Zoning District, subject to approval of a Conditional Use Permit by the Planning Commission.

Major Subdivision. Chapter 15 of the San Rafael Municipal code provides regulations for the subdivision of lots within the City. Chapter 15.05 identifies regulations specific to the consolidation of lots, stating that requests to adjust lot lines between or among five or more adjacent lots shall require a tentative map application for a major subdivision. The proposed project will reconfigure the existing five lots to establish two lots, as shown on Sheet 3 of the Tentative Parcel Map submittal. As such, the proposed lot consolidation is subject to review and approval by the Planning Commission.

Required Entitlements (Vehicle Storage)

Environmental and Design Review. Pursuant to Section 14.25.040, landscaping, circulation, and parking as part of a development subject to major environmental and design review requires review and approval by the Planning Commission.

Conditional Use Permit. The SRMC defines outdoor storage as the keeping in an unroofed area of any goods, junk, material, merchandise or vehicles in the same place for more than twenty-four (24) hours. Table 14.05.020 of the SRMC states that outdoor storage requires a conditional use permit in the GC Zoning District.

Site and Use Description

Use. The project proposes to construct a 185-room, 5-story hotel operating as Home2 Suites and Hampton Inn & Suites. The hotel includes guest rooms and guest amenities including a breakfast dining area, meeting rooms, swimming pool, fitness room, guest laundry area, and market.

Site Plan (Parcel 1). The hotel will be situated on Parcel 1, a 2.79-acre parcel with frontage on Francisco Blvd E (see Tentative Parcel Map). The structure will be 61-feet 8-inches in height with a gross floor area of 106,000 square feet. A breakdown of the gross floor area is shown in the table below. The building will be located approximately 57 feet from Francisco Blvd E.

	Back of House (BOH)	Circulation	Common Space	Guest Space	Rooms	TOTAL GFA
Level 1	3,944 s.f.	1,726 s.f.	11,993 s.f.	9,143 s.f.	23	26,806 s.f.
Level 2	552 s.f.	2,874 s.f.	-	17,191 s.f.	42	20,617 s.f.
Level 3	372 s.f.	3,380 s.f.	-	18,520 s.f.	46	22,272 s.f.
Level 4	372 s.f.	3,380 s.f.	-	18,520 s.f.	46	22,272 s.f.
Level 5	526 s.f.	2,341 s.f.	-	11,166 s.f.	28	14,033 s.f.

Site Plan (Parcel 2). Parcel 2 is located adjacent to Castro Avenue and will be approximately 0.66 acres. Parcel 2 is proposed to be used for vehicle storage. Other improvements on this parcel include landscaping and grading.

Parking and Circulation. Off-street parking will be provided throughout the site consistent with Chapter 14.18 of the San Rafael Municipal Code. The total automobile parking obligation is 195 spaces. Of the total parking spaces provided, 132 will be standard, 57 will be compact, and 6 will be accessible. 16 of the 195 spaces will be reserved for electric vehicle charging. In addition to automobile parking spaces, bicycle parking will also be provided onsite.

Architecture. The structure is a contemporary architectural style comprised primarily of aluminum, wood panels, and white plaster. The building is articulated by using a combination of wall variations as well as changes in material with those variations.

Landscaping. Landscaping will be provided throughout the site including along all property lines and within paved parking areas. Landscaping is composed of 25,271 square feet (16.8%) on both the hotel (Parcel 1) and corner parking lot site (Parcel 2). The landscape palette is comprised of a variety of trees (Eastern Redbuds, Coast Live Oaks, Drake Elms, Autumn Blaze Maples), shrubs and grasses (Aloe, Dwarf Kangaroo Paw, Fortnight Lily, Coral Bells, Sea Lavender, Fringe Flower, Jellybean Red Monkeyflower, Deer Grass, Heavenly Bamboo, Flax, Shrubby Yew Pine, Sword Fern, Coffeeberry, Pink-Flowering Currant, Angelina Stonecrop), groundcovers (Yarrow, Manzanita, California Lilac, Creeping Lily Turf), and Stormwater plantings (Berkeley Sedge, Cape Rush, Douglas Iris, California Gray Rush, and Blue-eyed Grass). All plantings have low to moderate water usage needs. As noted on the landscape plan, all plantings within easements shall only be groundcovers, grasses, flowers, and low-growing plants that reach a maximum height of four feet at maturity.

Lighting. Lighting consists of a mix of wall sconces, LED up-lighting, LED accent lighting, bollard lighting and single and double pole parking lot lights. As discussed below, the Design Review Board has requested that the photometric study be recalculated to confirm that illuminated exterior wall sections are included.

Grading/Drainage. Approximately 23,000 cubic yards of fill are estimated to be imported to the site. Dill within the building footprint will be approximately 6,000 cubic yards and will be used to raise the finished floor of the proposed structure out of the base flood elevation. The remaining 17,000 cubic yards of fill will be used outside of the building footprint.

ANALYSIS

San Rafael General Plan 2020 Consistency:

The site has a General Plan designation of General Commercial (GC) which allows for the establishment of general retail and service uses, including hotels. The site is identified in the Housing Element of the General Plan as an opportunity site for approximately 63 units. Though the project does not propose any new residential development, the recent approval of the Northgate Walk Project located at 1005, 1010, 1025, and 1025 Northgate Drive compensates for the loss of the project site as a housing opportunity site. Northgate Walk is particularly applicable in compensating for the loss of this potential housing site as it includes the demolition of portions of an existing hotel, commercial building, and gas station and construction of 136 residential units, including 30 units affordable to seniors. The General Plan includes policies and programs that are relevant to the site and the project. As proposed, the project is consistent with the General Plan 2020, including policies and programs identified in the following elements: Land Use, Housing, Neighborhoods, Community Design, Economic Vitality, Circulation, Infrastructure, Safety, Noise, and Conservation. An analysis of key policies is discussed in further detail below. A complete analysis of all applicable policies and programs is included in the attached General Plan Consistency Table (Exhibit 4).

Land Use Policies

The proposed hotel use is consistent with the allowable land uses of the GC land use category.

Neighborhood Policies

As stated in the General Plan, the Canal Neighborhood has a major impact on the local economy, comprising approximately 15 percent of the City's jobs. General Plan policy NH-51 (Existing Business Areas) encourages redevelopment and upgrading of existing business areas and sites. The proposed project is located just south of Bellam Blvd/Francisco Blvd E, which is a prominent intersection within the neighborhood and consists of a newer light industrial/office area. The addition of a hotel to this area will enhance the existing business area and upgrade the overall site. Furthermore, Policy NH-52 (New Business Development) encourages development of businesses that will benefit the neighborhood, including uses that have low traffic impacts. Hotels are identified as a desired land use as they are low traffic-generators and high tax-generators.

Community Design Policies

General Plan policies CD-1c (Landscape Improvement), CD-18 (Landscaping), and CD-21 (Parking Lot Landscaping) recognize the importance of landscaping in site design siting multiple benefits including creating visual interest that fosters a sense of the natural environment in new development, as well as the ability of landscaping to control heat build-up from pavement, reduce air pollution, provide shade, and soften the appearance of large parking lots. Landscaping is proposed throughout the project site and has been designed to enhance the overall design of the site and reduce the visual impact of the proposed parking areas. The project has been reviewed by the Design Review Board for consistency with all design related policies including CD-3 (Neighborhoods), CD-10 (Nonresidential Design Guidelines), and CD-19 (Lighting). Furthermore, consistent with policy CD-15 (Participation in Project Review) multiple opportunities for public involvement in the review of the development of the project have been provided, and public comments and concerns have been addressed to the extent feasible.

Economic Vitality Policies

General Plan policy EV-3 (Tourism) identifies tourism as a significant contributor to the City's economy. Policy EV-8 (Diversity of our Economic Base) seeks to keep San Rafael as a full-service City by retaining and supporting a broad and healthy range of businesses. As a hotel use, the project will contribute to the economy by generating taxes, and also expands upon the tourist economy within the City, consistent with policies contained in the Economic Vitality Element of the General Plan

Zoning Ordinance Consistency:

The project has been reviewed for consistency with the San Rafael Zoning Ordinance including site development standards, parking, and applicable use permit and design review findings. An analysis of the project's consistency with applicable regulations is included below.

Development Standards

The project meets all applicable development standards for the GC Zoning District as provided in Section 14.05.030 of the SRMC including minimum lot area, lot width, floor area ratio, setbacks, building height, lot coverage, minimum landscaping, and parking. Specific development standards are discussed further below.

Lot Requirements

The minimum lot area required by the district is 6,000 square feet. The proposed major subdivision includes consolidating the existing five individual lots into two. The size of Parcel 1, which will contain the proposed hotel and associated improvements will be 2.79 acres (121,710 square feet). Parcel 2, which is proposed to be used for parking will be 0.66 acres (28,566 square feet). Both proposed parcels exceed the minimum width requirement of 60 feet.

Floor Area Ratio

Exhibit 4 of the General Plan 2020 identifies floor area ratios in Central San Rafael. However, as prescribed by General Plan Land Use Policy LU-20 and Section 14.16.150(A)(1), hotels are excluded from the FAR requirements.

Setbacks

The General Commercial Zoning District does not have a requirement for setbacks. However, the project proposes an approximately 30-foot setback from Francisco Blvd E, 57-foot setback from the southern property line, 50-foot setback from the eastern property line, and 50-foot setback from the northern property line. The smaller of the two parcels proposed as part of the major subdivision does not propose the construction of any structures.

Building height

Section 14.05.030 of the SRMC establish a 54-foot height limit for hotels. In addition to the base height of 54-feet, Section 14.16.120 provides features that are excluded from the maximum building height including mechanical equipment. The proposed building is 54-feet to the height of the roof with an additional 7-feet 8-inches to accommodate rooftop mechanical equipment, for an overall height of of 61' 8". This additional height is permissible through approval of an Environmental and Design Review Permit.

Parking

As described above, the project proposes to provide parking consistent with Chapter 14.18 of the SRMC. Parking requirements for the project are shown in the table below. Furthermore, the project has been reviewed by the Department of Public Works to determine compliance with parking facility dimensions, and adequacy of access to the public right-of-way.

Vehicle Parking Ratio	Number of Vehicle Spaces Provided	Clean Air Vehicle Parking Required/Provided	Bicycle Parking Ratio	Number of Bicycle Spaces Provided
1 space per sleeping room <i>(185 rooms proposed)</i>	185	16	Percentage of required automobile space: 5% short-term 5% long-term	10 short-term 10 long-term
1 space for manager <i>(1 manager)</i>	1			
1 space per 2 employees <i>(18 employees)</i>	9			
<p><i>Note:</i></p> <ul style="list-style-type: none"> <i>If a fractional number is obtained, one (1) parking space shall be required for a fraction of one-half (½) or more, and no space shall be required for a fraction of less than one-half (½)</i> <i>In accordance with Section 14.18.110, 57 of the required parking spaces will be compact.</i> 				

Landscaping

The SRMC requires a minimum of 15 percent landscaping for sites zoned GC. The project proposes to meet the minimum requirement providing 25,271 square feet of landscaping (16.8%) on both the hotel (Parcel 1) and corner parking lot site (Parcel 2). Additionally, Section 14.18.160 of the SRMC requires a minimum of one canopy tree for every four parking spaces. The project site includes 195 parking spaces, and therefore requires a minimum of 49 canopy trees. The landscaping plan indicates that 57 trees will be planted in accordance with this requirement.

Site and Use Regulations

The project meets all applicable site and use regulations as provided in Chapter 14.16 of the SRMC as discussed in detail below.

Refuse Enclosure

The refuse enclosure will be located in the southeast corner of the project site and will be adequately screened from view. The enclosure has been reviewed by the local refuse collection agency to ensure minimum dimensional standards are met.

Affordable Housing Requirement

Section 14.16.030(l)(2) states that hotel development projects shall provide housing for project employees in very low, low, and moderate income households at a ratio of 0.0075 per 1,000 square feet of gross floor area. Required affordable units may be provided on the same site as the project, at an off-site location within the City, through the dedication of suitable real property, or through payment on an in-lieu fee subject to approval by the Planning Commission. Based on the gross floor area, the project is required to provide one affordable housing unit or pay the applicable in-lieu fee.

Light and Glare

As specified in Section 14.16.227 colors, materials, and lighting shall be designed to avoid light and glare impacts on surrounding development. Changes in lighting intensity on non-residential properties is subject to review under the criteria of the Environmental and Design Review Permit. As such, the project has been reviewed for consistency with the applicable design criteria, as further discussed below.

Lot Consolidation when Development Occurs

Section 14.16.230 states that new development proposing construction on more than one adjoining lot where the building is proposed to cross the shared property lines requires consolidation of those lots. The project proposes consolidation of the five existing lots into two new lots. The project is consistent with this requirement and is consistent with the requirements of the City's Subdivision Ordinance, as further analyzed below.

Mechanical Equipment Screening

All mechanical equipment is adequately screened from public view as required.

Noise Standards

An acoustical study was prepared by Coffman Engineers on September 5, 2019 to determine the consistency of the project with standards identified in the General Plan. The acoustical analysis concluded that construction noise levels for the project would meet applicable regulations of the SRMC. The analysis determined that at operation the project's interior noise levels are expected to comply with the City's land use compatibility standards for hotels. Furthermore, additional traffic expected to be generated by the project will not result in noise impacts at off-site noise sensitive land uses. As such, the project is consistent with the City's noise standards.

Sight Distance

The SRMC requires that fencing, vegetation and improvements be established and maintained in a manner that does not reduce visibility for the safe ingress and egress of vehicles or pedestrians within a required vision triangle, which is 15 feet from the curb return at any intersection or driveway. Any improvements or vegetation located within the established vision triangle must not exceed a height of three feet. As conditioned, the project will meet the sight distance requirements.

Water Efficient Landscaping

The landscape plan submitted by the applicant indicates proposed species including trees, shrubs, and groundcover will require low and moderate water usage. As specified in Section 14.16.370(C)(1) of the SRMC, project approval is subject to conditions which require the applicant to provide written verification of plan approval from the Marin Municipal Water District (MMWD) prior to the issuance of a building permit or grading permit.

Use Permit and Environmental Design Review Permit

The project has been reviewed for consistency with findings applicable to the requested entitlements including Use Permit findings as prescribed in Section 14.22.080 as well as Environmental and Design Review Permit review criteria identified and findings as prescribed in Section 14.25.090. Consistency with these findings are detailed in the draft resolutions included as Exhibit 2.

Subdivision Ordinance

The project has been reviewed for consistency with the San Rafael Subdivision Ordinance. As previously discussed, all requests to adjust lot lines between or among five or more adjacent parcels

requires a tentative map application for a major subdivision and is subject to provisions of Chapter 15.02 (Major Subdivisions) of the Subdivision Ordinance. The project is consistent with all required findings for approval, as further detailed in the draft resolution included as Exhibit 2.

DESIGN REVIEW BOARD RECOMMENDATION

The project received Conceptual Design Review on January 8, 2019 and Formal Design Review on March 25, 2020. It should be noted that due to shelter in place orders issued by the State of California and Marin County, the City adopted a policy statement delegating Design Review Board recommendations to a sub-committee comprised of two members. The policy statement is intended to avoid the need for physical in-person hearings while still allowing entitlement applications to move forward with the review process. The Design Review Board Subcommittee approved the design as submitted with the following comments. These comments have been incorporated as conditions of approval, contained in Exhibit 2.

- Photometric study shall be recalculated to confirm illuminated exterior wall sections are included;
- Illuminated exterior wall sections shall be dimmable and shall be limited to a single shade of white (i.e., non-changeable to other colors);
- Exterior colors may be too bright. The applicant shall create mock-ups of both the exterior colors and illuminated exterior walls for field inspection and confirmation by the DRB prior to installation

ENVIRONMENTAL DETERMINATION

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

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

NEIGHBORHOOD MEETING / CORRESPONDENCE

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

Copies of all written public correspondence on the proposed project received to date are attached to this report as Exhibit 5.

OPTIONS














The Planning Commission has the following options:

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

EXHIBITS

1. Vicinity/Location Map
2. Draft Resolution recommending approval of the Use Permit, Environmental and Design Review Permit, and Tentative Subdivision Map for a new hotel
3. Economic Impact Study prepared December 2019
4. General Plan 2020 Consistency Table

Plans – 11x17 sets have been distributed to the Planning Commission only but can be viewed on the City's Major Projects website: <https://www.cityofsanrafael.org/hamptoninnandsuites/>

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



RESOLUTION NO. 20-XX

RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION APPROVING USE PERMIT(S), ENVIRONMENTAL AND DESIGN REVIEW PERMIT(S), AND TENTATIVE SUBDIVISION MAP FOR A NEW 54-FOOT HIGH, 106,000 SQUARE FOOT HOTEL CONTAINING 185 ROOMS ON 2.79 ACRES AND A VEHICLE STORAGE USE ON 0.66 ACRES LOCATED AT 1075 FRANCISCO BLVD EAST
APN'S: 009-191-02, 009-191-03, 009-191-04, 009-191-09, 009-191-10

WHEREAS, the City of San Rafael has received an application for a Use Permit, Environmental and Design Review Permit, and Tentative Subdivision map for a 54-foot high, 185-room hotel at 1075 Francisco Blvd E in the General Commercial (GC) Zoning District; and

WHEREAS, The City of San Rafael has received an application for a Use Permit, and Environmental and Design Review Permit, for a vehicle storage lot at 1075 Francisco Blvd E in the General Commercial (GC) Zoning District; and

WHEREAS, on January 8, 2019 the project received Conceptual Design Review by the City of San Rafael Design Review Board pursuant to Section 14.25.030(B) of the San Rafael Municipal Code; and

WHEREAS, in response to Shelter in Place Orders issued by the State of California and Marin County associated with COVID-19, the City Manager authorized an interim review process for projects subject to review by the City of San Rafael Design Review Board through issuance of a Policy Statement, signed on April 1, 2020; and

WHEREAS, on March 25, 2020 the project received Formal Design Review by a subcommittee of the City of San Rafael Design Review Board consistent with the Policy Statement described above and the subcommittee recommended approval of the design to the Planning Commission; and

WHEREAS, on May 12, 2020, the San Rafael Planning Commission held a duly noticed public hearing on the proposed Use Permits (UP19-016; UP19-046), Environmental and Design Review Permits (ED19-038; ED19-098), and Tentative Subdivision Map (TS19-003), accepting all oral and written public testimony and the written report of the Community Development Department staff; and

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

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

NOW THEREFORE BE IT RESOLVED, the Planning Commission makes the following findings relating to the Use Permit (UP19-016), Environmental and Design Review (ED19-038), and Major Subdivision (TS19-003) for the proposed 185-room hotel.

**USE PERMIT FINDINGS
(HOTEL - UP19-016)**

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

The site is designated as General Commercial (GC) on the General Plan 2020 Land Use Map which allows which allows for the establishment of general retail and service uses, including hotels. In addition, the project is consistent with the General Plan and specifically with the following key General Plan Policies:

Land Use Policies LU-9a (Nonresidential Zoning), LU-12 (Building Heights), LU-13 (Height Bonuses), LU-20a (Hotel Zoning), and LU-23 (Land Use Map) establish FAR, height, and other development standards for hotel uses. The proposed use is within a non-residential zoning district. As a development that proposes a new hotel, no FAR limits apply for the development, and therefore the project is consistent with General Plan policies LU-9a, LU-20a, and LU-23. Hotels are permitted a maximum height of 54 feet. Section 14.16.120 of the SRMC excludes mechanical equipment from the maximum height limits through approval of an Environmental and Design Review Permit. The project proposes a 54-foot height to the rooftop with a maximum overall height of 61-feet 8-inches. The additional height includes rooftop mechanical equipment and is therefore excluded from the maximum height limits. Furthermore, the design has been recommended for approval by the Design Review Board, subject to conditions contained herein. As such, the project is consistent with General Plan policies LU-12, LU-13, and LU-20a. The project meets all applicable development standards of the General Commercial Zoning District, consistent with General Plan policy LU-23.

Housing Policy H-6a (In-Lieu Fees) requires compliance with Zoning Code Section 14.16.030 which establishes affordable housing requirements for non-residential projects. The project's share of affordable housing is 0.0075 affordable units per 1,000 square feet of gross floor area. The gross floor area is 106,000 square feet. Therefore, the project is required to provide 1 affordable unit or pay the applicable in-lieu fee. Additionally, though the project does not propose any new residential development, the recent approval of the Northgate Walk Project located at 1005, 1010, 1025, and 1025 Northgate Drive compensates for the loss of the project site as a housing opportunity site. Northgate Walk is particularly applicable in compensating for the loss of this potential housing site as it includes the demolition of an existing hotel, commercial building, and gas station and construction of 136 residential units, including 30 units affordable to seniors. As conditioned, the project is required to meet affordable housing requirements and is therefore consistent with General Plan policy H-6a.

Neighborhood Policy NH-52 (New Business Development) encourages new development that benefits the neighborhood through low traffic impacts. Hotels are identified as a desired land use as they are low traffic-generators and high tax-generators. As such, the proposed project will benefit the neighborhood and is therefore consistent with this policy

Economic Vitality Policy EV-2 (Businesses that Enhance San Rafael) seeks to recruit and retain businesses that contribute to the economic vitality of the City and enhance the City's physical environment. The project will contribute to the economic vitality of the City through increased revenues. Additionally, the project will provide new employment opportunities and enhance the

physical environment by improving an existing vacant lot located near a highly visible intersection. As such, the proposed project is consistent with this General Plan policy.

Economic Vitality Policy EV-3 (Tourism) recognizes and supports tourism as a significant contributor to the City's economy. As a visitor service use that supports tourism in the City, the proposed hotel is consistent with this General Plan policy.

Economic Vitality Policy EV-8 (Diversity of our Economic Base) and EV-14 (Support for Business Areas) seek to expand the range of businesses within the City and support upgrading existing underdeveloped commercial properties. The proposed project will introduce a new hotel within the City, and the Canal Neighborhood specifically, expanding upon the range of visitor accommodating uses currently available within the City. Further, the proposed project will upgrade the existing underdeveloped lot in an established light industrial/office area of the neighborhood. As such, the proposed use is consistent with General Plan policies EV-8 and EV-14.

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

The project has been reviewed by appropriate city departments, including the Building Division, Fire Department, Department of Public Works, and Marin Sanitary Service. As conditioned, the project will require application of a building permit that complies with all applicable Building and Fire Code requirements prior to construction. In addition, the applicant will be required to comply with conditions of approval imposed by the Department of Public Works and Marin Sanitary Service as contained herein.

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

The project, as proposed and conditioned, complies with the Chapter 14 (Zoning) of the San Rafael Municipal Code (SRMC).

14.05.030 - Property development standards. The project is consistent with applicable development standards for the GC Zoning District including the following:

- **Lot Requirements:** The minimum lot area required by the district is 6,000 square feet. The proposed major subdivision includes consolidating the existing five individual lots into two. The size of Parcel 1, which will contain the proposed hotel and associated improvements will be 2.79 acres (121,710 square feet). Parcel 2, which is proposed to be used for parking will be 0.66 acres (28,566 square feet). Both proposed parcels exceed the minimum width requirement of 60 feet.
- **Floor Area Ratio:** Exhibit 4 of the General Plan 2020 identifies floor area ratios in Central San Rafael. However, as prescribed by General Plan Land Use Policy LU-20 and Section 14.16.150(A)(1), hotels are excluded from the FAR requirements.
- **Setbacks:** The General Commercial Zoning District does not have a requirement for setbacks. However, the project proposes an approximately 30-foot setback from Francisco Blvd E, 57-foot setback from the southern property line, 50-foot setback from the eastern property line, and 50-foot setback from the northern property line. The smaller of the two parcels proposed as part of the major subdivision does not propose the construction of any structures.
- **Building height:** Section 14.05.030 of the SRMC establish a 54-foot height limit for hotels. In addition to the base height of 54-feet, Section 14.16.120 provides features that are excluded from the maximum building height including mechanical equipment. The proposed building is

54-feet to the height of the roof with an additional 7-feet 8-inches to accommodate rooftop mechanical equipment, for an overall height of 61' 8". This additional height is permissible through approval of an Environmental and Design Review Permit.

Chapter 14.16 (Site and Use Regulations). The project is consistent with the following applicable site and use regulations.

- 14.16.025 - Refuse enclosure requirement. The refuse enclosure will be located in the southeast corner of the project site and will be adequately screened from view. The enclosure has been reviewed by the local refuse collection agency to ensure minimum dimensional standards are met.
- 14.16.030 - Affordable housing requirement. Section 14.16.030(I)(2) states that hotel development projects shall provide housing for project employees in very low, low, and moderate income households at a ratio of 0.0075 per 1,000 square feet of gross floor area. Required affordable units may be provided on the same site as the project, at an off-site location within the City, through the dedication of suitable real property, or through payment on an in-lieu fee subject to approval by the Planning Commission. Based on the gross floor area, the project is required to provide one affordable housing unit or pay the applicable in-lieu fee.
- 14.16.227 - Light and glare. As specified in Section 14.16.227 colors, materials, and lighting shall be designed to avoid light and glare impacts on surrounding development. Changes in lighting intensity on non-residential properties is subject to review under the criteria of the Environmental and Design Review Permit. As such, the project has been reviewed for consistency with the applicable design criteria, as further discussed below.
- 14.16.230 - Lot consolidation when development occurs. Section 14.16.230 states that new development proposing construction on more than one adjoining lot where the building is proposed to cross the shared property lines requires consolidation of those lots. The project proposes consolidation of the five existing lots into two new lots. The project is consistent with this requirement and is consistent with the requirements of the City's Subdivision Ordinance, as further analyzed below.
- 14.16.243 - Mechanical equipment screening. All mechanical equipment is adequately screened from public view as required.
- 14.16.260 - Noise standards. An acoustical study was prepared by Coffman Engineers on September 5, 2019 to determine the consistency of the project with standards identified in the General Plan. The acoustical analysis concluded that construction noise levels for the project would meet applicable regulations of the SRMC. The analysis determined that at operation the project's interior noise levels are expected to comply with the City's land use compatibility standards for hotels. Furthermore, additional traffic expected to be generated by the project will not result in noise impacts at off-site noise sensitive land uses. As such, the project is consistent with the City's noise standards. The exemption memo, included as Exhibit X, includes a thorough analysis of the project's noise impacts as it relates to applicable City standards and the California Environmental Quality Act.
- 14.16.295 - Sight distance. The SRMC requires that fencing, vegetation and improvements be established and maintained in a manner that does not reduce visibility for the safe ingress and egress of vehicles or pedestrians within a required vision triangle, which is 15 feet from the curb return at any intersection or driveway. Any improvements or vegetation located within the established vision triangle must not exceed a height of three feet. With conditions of approval the project will comply with this requirement.
- 14.16.370 - Water-efficient landscape. The landscape plan submitted by the applicant indicates proposed species including trees, shrubs, and groundcover will require low and moderate water usage. As specified in Section 14.16.370(C)(1) of the SRMC, project approval is subject to

conditions which require the applicant to provide written verification of plan approval from the Marin Municipal Water District (MMWD) prior to the issuance of a building permit or grading permit.

Chapter 14.18 (Parking Standards). The project proposes to provide parking consistent with Chapter 14.18 of the SRMC including 195 automobile spaces, 16 of which will be designated for clean air vehicles and 57 will be compact, and 20 bicycle parking spaces including 10 short-term and 10 long-term. Furthermore, the project has been reviewed by the Department of Public Works to determine compliance with parking facility dimensions, and adequacy of access to the public right-of-way.

ENVIRONMENTAL AND DESIGN REVIEW FINDINGS (HOTEL - ED19-038)

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

The project site is designated as General Commercial (GC) on the General Plan 2020 Land Use Map and is within the General Commercial (GC) Zoning District. Hotels are an allowable use within the GC Zoning District with prior Conditional Use Permit approval by the Planning Commission. The project is consistent with the following design-related General Plan polices:

Neighborhood Policy NH-51 (Existing Business Areas) encourages the redevelopment and upgrading of existing business areas and sites. The proposed project is located just south of Bellam Blvd/Francisco Blvd E, which is a prominent intersection within the neighborhood and consists of a newer light industrial/office area. The addition of a hotel to this area will enhance the existing business area and upgrade the overall site consistent with this policy.

Community Design Policies CD-1c (Landscape Improvement) and CD-18 (Landscaping) recognize that landscaping is a critical design component that should contribute to the overall site design and provide visual interest. Landscaping is proposed throughout the project site and has been designed to enhance the overall design of the site and reduce the visual impact of the proposed parking areas. The project has been reviewed by the Design Review Board and meets all applicable landscaping requirements including minimum requirements, species type, and water usage. As such, the project is consistent with General Plan policies CD-1c, and CD-18.

Community Design Policy CD-10 (Nonresidential Design Guidelines) seeks to preserve and enhance the design elements that contribute to the economic vitality of commercial areas. The project incorporates design criteria included in the City's Design Guidelines for Nonresidential Development including parking lot design that provides logical entry and exits, landscaping that is designed as an integral part of the development, pedestrian circulation that clearly defines movement through parking lots, and building form that provides a continuity of design, colors, materials, and architectural elements. Further, the project design has been reviewed by the Design Review Board and was found to be consistent with these applicable design criteria. As such, the project is consistent with this General Plan policy.

Community Design Policy CD-19 (Lighting) provides for adequate site lighting for safety purposes while also controlling for light spillover and glare onto surrounding development. The project proposes various types of lighting including wall sconces, LED up-lighting, LED accent lighting, bollard lighting and single and double pole parking lot lights. As a condition of project approval, the photometric study shall be recalculated to confirm illuminated exterior wall sections are included. Additionally,

illuminated exterior wall sections are required to be dimmable and limited to a single shade of white. As conditioned, the project is consistent with this policy.

Community Design Policy CD-21 (Parking Lot Landscaping) seeks to provide landscaping within parking lots to control heat build-up from pavement, reduce air pollution, provide shade cover for vehicles and soften the appearance of the parking lot. Landscaping is provided throughout the site including in parking areas. Zoning Ordinance regulations require parking lots with more than five spaces provide one canopy tree for every four parking spaces. The project will provide 195 parking spaces, which requires a minimum of 49 canopy trees. As proposed, 57 canopy trees will be provided, meeting both the intent of this policy and the regulations of the Zoning Ordinance.

Conservation Policy CON-16 (Landscape with Native Plant Species) encourages landscaping with native and compatible non-native plant species that are drought resistant. The proposed landscape palette includes species that require low to moderate water usage. Proposed parking lot trees, groundcover, shrubs, and grasses have been selected from the City's parking lot tree list and consistent with guidance provided by the Marin Municipal Water District water-wise plants website. As such, the project is consistent with this policy.

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

The Design Review Board (Board) evaluated the design of the hotel project on January 8, 2019, as part of conceptual design review and on March 25, 2020 as part of a formal design review. The Design Review Board Subcommittee found that the project was appropriate in design unanimously (2-0) recommended approval of the project design to the Planning Commission, subject to conditions of approval.

C. That the project design minimizes adverse environmental impacts:

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

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

D. That the project design will not be detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity.

The project has been reviewed by the appropriate agencies and appropriate conditions of approval have been incorporated to ensure the project will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the project vicinity.

**TENTATIVE SUBDIVISION MAP FINDINGS
(TS19-003)**

- 1. The proposed map is consistent with the San Rafael general plan and any applicable, adopted specific plan or neighborhood plan;**

The proposed map will consolidate five existing lots into two lots, shown on the Tentative Map as Parcel 1 and Parcel 2. The two lots will be established as a 185-room hotel and vehicle storage lot, respectively. The General Plan supports such uses, and the applicant seeks Use Permit approval as required by the SRMC. As such, the proposed map is consistent with the San Rafael General Plan.

- 2. The design or improvement of the proposed subdivision is consistent with the San Rafael general plan and any pertinent, adopted specific plan or neighborhood plan;**

The proposed project has been reviewed for consistency with applicable General Plan policies. As discussed in the required Use Permit and Environmental and Design Review findings, the design and improvement of the proposed project and associated map is consistent with the General Plan. As such, the proposed map is consistent with this finding.

- 3. The property subject to subdivision is physically suitable for the type or density of development that is proposed;**

The proposed map has been reviewed concurrent with the proposed physical development. The subdivision will adequately accommodate the type and density of the proposed uses consistent with this finding.

- 4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;**

The project has been reviewed in accordance with the California Environmental Quality Act and has been found to be categorically exempt pursuant to CEQA Guidelines Section 15332. As such, the design of the subdivision and associated improvements will not cause a substantial adverse impact on the environment.

- 5. The design of the subdivision or the type of proposed improvements is not likely to cause serious health problems; and**

The project has been reviewed by appropriate city departments, including the Building Division, Fire Department, Department of Public Works, and Marin Sanitary Service. As conditioned, the project will require application of a building permit that complies with all applicable Building and Fire Code requirements prior to construction. In addition, the applicant will be required to comply with conditions of approval imposed by the Department of Public Works and Marin Sanitary Service as contained herein. As such, the design of the subdivision and associated improvements will not cause serious health problems and is therefore consistent with this finding.

- 6. The design of the subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the city may approve the map if it is determined that alternative easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired or secured for public use.**

There are no existing public access easements onsite. As such, the proposed map is consistent with this finding.

NOW THEREFORE BE IT RESOLVED, the Planning Commission makes the following findings relating to the Use Permit (UP19-046), and Environmental and Design Review Permit (ED19-098) for the proposed vehicle storage use.

**USE PERMIT FINDINGS
(VEHICLE STORAGE - UP19-046)**

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

The site is designated as General Commercial (GC) on the General Plan 2020 Land Use Map which allows for the establishment of general retail and service uses, including automobile sales and service uses. In addition, the project is consistent with the General Plan and specifically with the following key General Plan Policies:

Land Use LU-4a. (Reasonable Interim Uses) provides for the establishment of land uses that allow reasonable interim uses for properties that are in areas with limited traffic capacity for development. Including uses such as contractor's yards, new car storage, modular office and storage, and outdoor recreation. The continued use of Parcel 2 as a car storage lot allows for the reasonable interim use of the property consistent with this policy.

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

The project has been reviewed by appropriate city departments, including the Building Division, Fire Department, Department of Public Works, and Marin Sanitary Service. As conditioned, the project will require application of a building permit that complies with all applicable Building and Fire Code requirements prior to construction. In addition, the applicant will be required to comply with conditions of approval imposed by the Department of Public Works and Marin Sanitary Service as contained herein.

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

The proposed use complies with all applicable provisions of the Zoning Ordinance. Outdoor storage uses, which include vehicle storage are conditionally permitted in the GC Zoning District. The vehicle storage lot does not propose construction of any new buildings. Landscaping will be provided consistent with the requirements of the GC Zoning designation.

**ENVIRONMENTAL AND DESIGN REVIEW FINDINGS
(VEHICLE STORAGE - ED19-098)**

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

The project site is designated as General Commercial (GC) on the General Plan 2020 Land Use Map and is within the General Commercial (GC) Zoning District. Outdoor storage, including vehicle storage, is an allowable use within the GC Zoning District with prior Conditional Use Permit approval by the Planning Commission. The project does not propose construction of any new buildings. However, landscaping has been designed consistent with the following General Plan Policies:

Community Design Policies CD-1c (Landscape Improvement) and CD-18 (Landscaping) recognize that landscaping is a critical design component that should contribute to the overall site design and provide visual interest. Landscaping is proposed around the perimeter of the project site and has been designed to enhance the overall design of the site and reduce the visual impact of the proposed vehicle storage area. The project has been reviewed by the Design Review Board and meets all applicable landscaping requirements including minimum requirements, species type, and water usage. As such, the project is consistent with General Plan policies CD-1c, and CD-18.

Community Design Policy CD-21 (Parking Lot Landscaping) seeks to provide landscaping within parking lots to control heat build-up from pavement, reduce air pollution, provide shade cover for vehicles and soften the appearance of the parking lot. Landscaping is provided around the perimeter of the site, consistent with this General Plan policy.

Conservation Policy CON-16 (Landscape with Native Plant Species) encourages landscaping with native and compatible non-native plant species that are drought resistant. The proposed landscape palette includes species that require low to moderate water usage. Proposed parking lot trees, groundcover, shrubs, and grasses have been selected from the City's parking lot tree list and consistent with guidance provided by the Marin Municipal Water District water-wise plants website. As such, the project is consistent with this policy.

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

The Design Review Board (Board) evaluated the design of the hotel project on January 8, 2019, as part of conceptual design review and on March 25, 2020 as part of a formal design review. The Design Review Board Subcommittee found that the project was appropriate in design unanimously (2-0) recommended approval of the project design to the Planning Commission, subject to conditions of approval.

C. That the project design minimizes adverse environmental impacts:

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

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

e. The site can be adequately served by all required utilities and public services.

D. That the project design will not be detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity.

The project has been reviewed by the appropriate agencies and appropriate conditions of approval have been incorporated to ensure the project will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the project vicinity.

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

**USE PERMIT
CONDITIONS OF APPROVAL (HOTEL - UP19-016)**

1. This Use Permit approves a 54-foot tall, 185-room hotel project with associated parking, access and landscape improvements at 1075 Francisco Blvd E and within the General Commercial (GC) Zoning District. Plans submitted for building permit shall be in substantial conformance to the plans approved May 12, 2020 with regard to building techniques, materials, elevations, and overall project appearance except as modified by these conditions of approval.
2. This Use Permit shall run with the land. This Use Permit shall become null and void if not vested within two (2) years from the date of approval, or no later than May 12, 2022 unless a time extension is granted before such time. Vesting shall include issuance of necessary building permits or commencement of business operations.
3. Building Permit plans shall demonstrate compliance with conditions required by Building Official Memorandum, dated May 17, 2019.
4. Building Permit plans shall demonstrate compliance with conditions required by Fire Department Memorandum, dated May 16, 2019.
5. Building Permit plans shall demonstrate compliance with standard conditions required by Department of Public Works Memorandum, dated June 3, 2019.
6. Plans submitted for building permit shall demonstrate building construction that incorporates recommendations to reduce interior noise levels included in the noise study prepared by Coffman Engineers on September 5, 2019.
7. Where feasible, project activities including site preparation, grading, and building construction should occur between September 1 and January 31 to avoid the bird nesting season. Project activities occurring between February 1 and August 31 shall require a nesting bird survey conducted by a qualified wildlife biologist no more than 14 days prior to the start of major construction activities.
8. Upon submittal of the building permit the applicant shall provide a final version of the Transportation Demand Management (TDM) Program. All measures identified in the draft TDM Program prepared by W-Trans shall be included in the final version and shall be implemented upon commencement of operation of the project.
9. Building permit plans shall include rooftop solar panels. Roof top solar panels shall be installed Prior to Final Inspection.

10. Prior to Issuance of Building Permits, the applicant shall pay all outstanding Planning Division application processing fees.
11. Prior to Issuance of Building Permits, the applicant shall pay all development impact fees required for this project, including those fees mentioned herein and other fees required by ordinance (ie affordable housing in-lieu fee, etc.).
12. Prior to Issuance of Building Permits, the applicant shall submit plans that show the required 10 long-term spaces in addition to the existing proposed 10 short-term spaces.
13. Minor modifications or revisions to the project shall be subject to review and approval of the Community Development Department, Planning Division. Modifications deemed greater than minor by the Community Development Director shall require review and approval by the Planning Commission.
14. The project shall comply with the City construction operation limits as follows:
 - a. Construction hours shall be limited to
 - i. Weekdays between 7:00am and 6:00pm
 - ii. Saturdays between 9:00am and 6:00pm
 - iii. Sundays and holidays NO construction permitted.
 - b. Prohibit all unnecessary idling of internal combustion engines.
 - c. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. Air compressors and pneumatic equipment should be equipped with mufflers, and impact tools should be equipped with shrouds or shields.
 - d. Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.
 - e. Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
 - f. Notify all adjacent noise sensitive land uses of the construction schedule in writing.
 - g. Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.
15. Due to the extent and scope of the project, third party inspection may be required on behalf of the City and funded by the developer on a deposit basis.

**ENVIRONMENTAL AND DESIGN REVIEW
CONDITIONS OF APPROVAL (HOTEL - ED19-038)**

1. This Environmental and Design Review Permit approves a 61-foot 8-inch tall, 185-room hotel project with associated parking, access and landscape improvements at 1075 Francisco Blvd E and within the General Commercial (GC) Zoning District. Plans submitted for building permit shall be in substantial conformance to the plans approved May 12, 2020 with regard to building techniques, materials, elevations, and overall project appearance except as modified by these conditions of approval.
2. This Design Review Permit (ED19-038) shall be valid for three years from approval or until May 12, 2023, and shall be null and void if a building permit is not issued or a time extension granted prior to the expiration date.
3. The project is subject to a 90-post installation lighting inspection to evaluate the need for adjustment and assure compliance with SRMC Section 14.16.227.
4. Prior to issuance of a building permit, the applicant demonstrate compliance with Marin Municipal Water District water conservation measures.
5. Prior to Installation of signs for this project, the applicant shall apply for sign review of the proposed signage.
6. The Environmental and Design Review permit is subject to all applicable conditions of approval outlined in DPW memo, date June 3, 2019, Building Division memo dated
7. Prior to Issuance of Building Permit, the applicant shall submit the stormwater control plan, which includes a written document, in addition to the erosion control plan shown on the plan set. A stormwater facility maintenance agreement shall be required. More specific information is available from MCSTOPPP, hosted on the Marin County Website. See tools and guidance, and post construction requirements at the following address:
<http://www.marincounty.org/depts/pw/divisions/mcstoppp/development/new-and-redevelopment-projects>
8. A grading permit shall be required from the Department of Public Works, located at 111 Morphew St.
9. Prior to Issuance of a Building Permit the applicant shall provide improvement plans for proposed frontage improvements.
10. Prior to commencing work within the right-of-way, the applicant shall obtain an encroachment from the Department of Public Works located at 111 Morphew St.
11. Prior to Issuance of Building Permit, the applicant shall provide a finalized traffic study.
12. In the event that any archaeological features, such as concentrations of artifacts or culturally modified soil deposits including trash pits older than fifty years of age, are discovered at any time during grading, scraping, or excavation within the property, all work shall be halted in the vicinity of the find, the Planning Division shall be notified, and a qualified archaeologist shall be contacted immediately to make an evaluation. If warranted by the concentration of artifacts or soils deposits, an archaeologist shall monitor further work in the discovery area.
13. If human remains are encountered during grading and construction, all work shall stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist shall be notified immediately so that an evaluation can be performed. The Coroner shall contact the Native American Heritage Commission, if the remains are deemed to be Native American and prehistoric, so the “most likely descendant” can be designated.

**TENTATIVE SUBDIVISION MAP
CONDITIONS OF APPROVAL (TS19-003)**

1. This Tentative Subdivision Map approves the consolidation/reconfiguration of APNs 009-191-02, 009-191-03, 009-191-04, 009-191-09, 009-191-10 as shown on plans approved May 12, 2020.
2. Prior to issuance of a building permit, the applicant shall submit an application for a Final Subdivision Map, which shall be in substantial conformance to the Tentative Map.
3. The Tentative map is subject to all applicable conditions of approval outlined in DPW memo, date June 3, 2019 and fire safety access improvements described in Fire Department memo dated May 16, 2019.
4. Prior to issuance of a building permit for the hotel project, the applicant shall provide plans that show the following intersection and frontage improvements:
 - a. Frontage improvements shall include sidewalk, curb and gutter, an accessible crosswalk for Castro Ave, repaving of ½ the width of adjacent roadways and where necessary, street lighting, conduit for City facilities, drainage facilities. This shall be reviewed at the time of permit issuance.
 - b. Intersection improvements for Castro at Francisco shall be provided, to square the intersection which will reduce the crosswalk distance, improve the alignment for visibility and bedesigned for the current one-way traffic flow.
 - c. Francisco Blvd East is a one-way street. Vehicles exiting the southeast driveway when looking for parking will not be able to re-enter the site easily. We recommendthat this be addressed with internal site circulation. Otherwise, striping/signage and/or a turnaround shallbe provided.
5. This Tentative Subdivision Map (TS19-003) shall be valid for three years from approval or until May 12, 2023, and shall become null and void if a Final Subdivision Map or a time extension granted prior to the expiration date.

**USE PERMIT
CONDITIONS OF APPROVAL (VEHICLE STORAGE - UP19-046)**

1. This Use Permit approves a vehicle storage lot and associated access and landscape improvements at 1075 Francisco Blvd E and within the General Commercial (GC) Zoning District. Plans submitted for building permit shall be in substantial conformance to the plans approved May 12, 2020 with regard to building techniques, materials, elevations, and overall project appearance except as modified by these conditions of approval.
2. This Use Permit (UP19-046) shall run with the land. This Use Permit shall become null and void if not vested within two (2) years from the date of approval, or no later than May 12, 2022 unless a time extension is granted before such time. Vesting shall include issuance of necessary building permits or commencement of business operations.
3. The Use Permit is subject to all applicable conditions of approval outlined in DPW memo, date June 3, 2019, Building Division memo dated May 17, 2019 and Fire Department memo dated May 16, 2019.

4. Establishment of the vehicle storage lot shall be contingent upon the concurrent development of the 185-room hotel project (UP19-016; ED19-038; TS19-003).
5. Upon commencement of the vehicle storage lot, temporary use permit (UP19-045) shall become null and void.
6. All landscaping shall be installed and maintain in good growing condition.

**ENVIRONMENTAL AND DESIGN REVIEW
CONDITIONS OF APPROVAL (VEHICLE STORAGE - ED19-098)**

1. This Environmental and Design Review Permit approves a vehicle storage lot and associated landscape improvements at 1075 Francisco Blvd E and within the General Commercial (GC) Zoning District. Plans submitted for building permit shall be in substantial conformance to the plans approved May 12, 2020 with regard to building techniques, materials, elevations, and overall project appearance except as modified by these conditions of approval.
2. This Design Review Permit (ED19-098) shall be valid for two years from approval or until May 12, 2022, and shall be null and void if a building permit is not issued or a time extension granted prior to the expiration date.
3. The Design Review is subject to all applicable conditions of approval outlined in DPW memo, date June 3, 2019, Building Division memo dated May 17, 2019 and Fire Department memo dated May 16, 2019.
4. Plans submitted for building permit for the 185-room hotel project (UP19-016; ED19-038; TS19-003) shall include a full landscape plan which includes landscaping for the vehicle storage lot.

The foregoing Resolution was adopted at the regular City of San Rafael Planning Commission meeting held on the 12th day of May, 2020. The Planning Commission's Action is final unless it is appealed to the City Council within five (5) working days pursuant to San Rafael Municipal Code Section 14.28.030 - *Filing and time limit of appeals.*

Moved by _____ and seconded by _____. The vote is as follows:

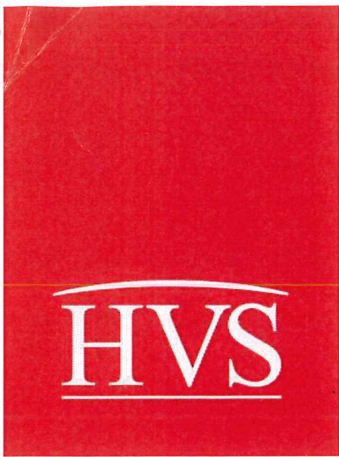
AYES:
NOES:
ABSENT:

SAN RAFAEL PLANNING COMMISSION

ATTEST: _____
Paul A Jensen, Secretary

BY: _____
Aldo Mercado, Chair

ATTACHMENT:



RECEIVED

DEC 05 2019

PLANNING

HVS STUDY

Economic Impact Study

Proposed Dual-Branded Home2 Suites and Hampton Inn and Suites by Hilton

1075 EAST FRANCISCO BOULEVARD
SAN RAFAEL, CALIFORNIA



SUBMITTED TO:

Amish Patel
Marin Hospitality, Inc.
1075 East Francisco Boulevard
San Rafael, California 94901

+1 (415) 279-7080

PREPARED BY:

HVS Consulting & Valuation
Division of TS Worldwide, LLC
100 Bush Street, Suite 1625
San Francisco, California 94104

+1 (415) 268-0868



Table of Contents

SECTION	TITLE	PAGE
1.	Executive Summary	2
2.	Introduction	6
3.	Economic Impact – Hotel Construction	9
4.	Economic Impact – Hotel Operations	11
5.	Economic Impact of Total – 185-Room Hotel	15
6.	Economic Impact of the Fifth Floor (28 Rooms)	17

Glossary



1. Executive Summary

HVS was retained by Marin Hospitality Inc. to evaluate the economic impact of adding a fifth floor to the 185-room proposed dual-branded Home2 Suites and Hampton Inn & Suites by Hilton to be built on an approximately 3.4-acre site located at 1075 East Francisco Boulevard in the city of San Rafael, California. To accomplish this, we have analyzed the economic impact of the total property and allocated the economic impact of the fifth floor based on its pro-rata share of the hotel's guestrooms. The potential economic impact to the city of constructing and operating this hotel has been based on financial projections prepared by HVS, and the IMPLAN model, which projects employment, business revenues, and taxes based on the specifics of the project.

The proposed dual-branded subject hotel is planned to feature the following facilities and amenities:



PROPOSED FACILITIES SUMMARY

Guestroom Configuration (All Floors)		Number of Units
Hampton Inn & Suites		
Queen/Queen		42
King		34
King Studio		24
<i>Subtotal</i>		99
Home2 Suites		
King		68
King Studio		10
Queen/Queen		8
<i>Subtotal</i>		86
Total		185
<i>*Fifth Floor features a total of 28 rooms.</i>		
Food & Beverage Facilities		Seating Capacity
Breakfast Dining Area		TBD
Indoor Meeting & Banquet Facilities		Square Footage
Meeting Room		2,276
Amenities & Services		
Pool	Guest Laundry Area	
Fitness Room	Market Pantry	
Infrastructure		
Parking Spaces		185
Elevators		2 Guest
Life-Safety Systems		Sprinklers, Smoke Detectors
Construction Details		Wood Frame, Poured Concrete

The construction of this hotel and the hotel's future operation is anticipated to create positive economic impacts on the city of San Rafael and environs, such as an increase in employment, an improvement in business revenues, and a contribution to various types of taxes. Below are summaries of the various economic impacts anticipated to be generated by the construction and operation of the proposed hotel. We note that all economic impacts are represented in 2019 dollars.

Construction Impacts:

- According to the developer, the hard construction cost of the proposed subject hotel, including the fifth floor, is anticipated to be \$30 million, in addition to one-time city fee of approximately \$1.1 million.



- *Employment:* the construction is projected to support nearly 243 jobs, including approximately 181 full-time equivalent jobs associated with the hotel construction alone.
- *Business Revenues:* the construction cost and fees are estimated to generate \$40.6 million in local business revenues during the construction period.
- *Tax Contribution:* the construction itself is projected to generate approximately \$1.77 million.

Operational Impacts

The operational impact set forth below is based on financial projections prepared by HVS and the IMPLAN output based on the specifics of the project.

- Rooms Revenue (in 2019 dollars)
 - First Year's Room Revenue: \$9,029,000
 - Rooms Revenue in the Stabilized Year: \$9,926,000
 - Rooms Revenue for the Five Projection Years: \$49,860,000
- *Employment:* By the stabilized year of operation, the proposed hotel is anticipated to generate 94 jobs, including 81 full-time equivalent jobs.
- *Business Revenue:*
 - First Year of Operation: Additional \$3.8 million in local business revenues in addition to the approximately \$9 million in revenue generated by the hotel.
 - First Five Years of Operation: Approximately \$21 million (in 2019 dollars) in additional business revenue over the five years of hotel operation.
- *Tax Contribution:*
 - First Year of Operation: \$2.3 million including \$1 million of Transient Occupancy Tax (TOT) and \$347,000 of property tax.
 - First Five Years of Operation: \$18.5 million including nearly \$6 million in TOT and \$1.7 million in property tax.

The following charts depict the above cited economic impact of the total 185-room hotel in graphic format.



CHART 1 EMPLOYMENT IMPACT

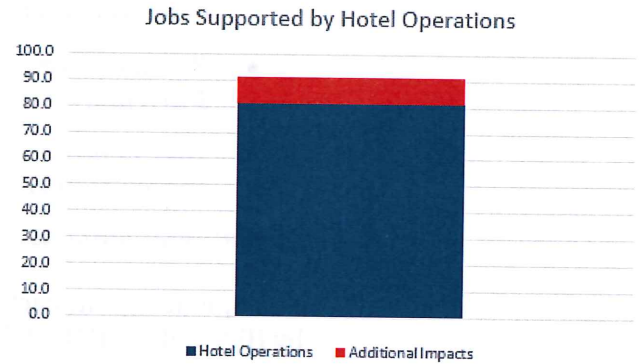
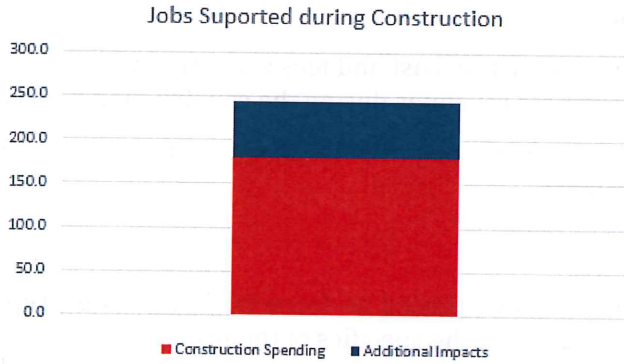


CHART 2 BUSINESS REVENUES

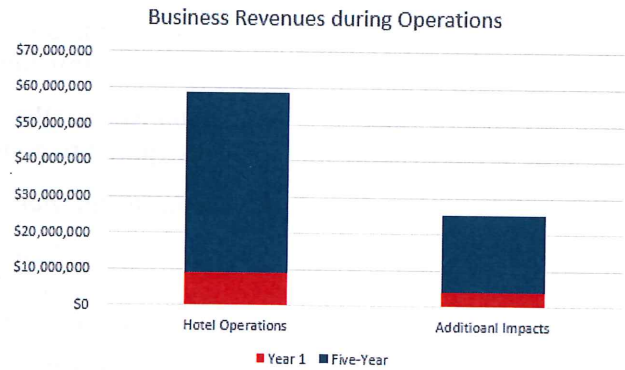
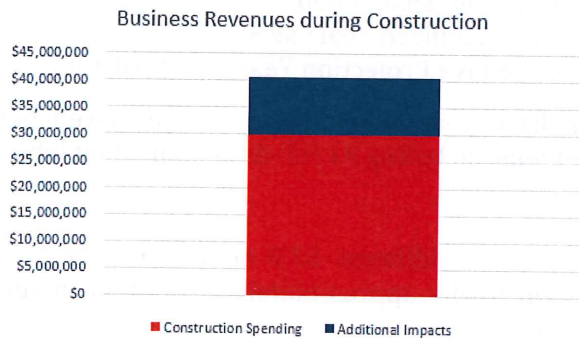
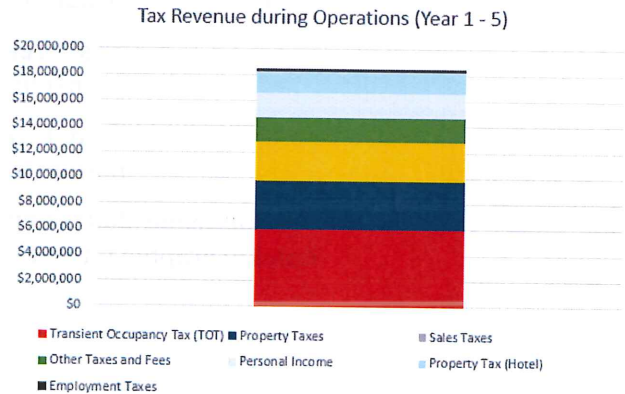
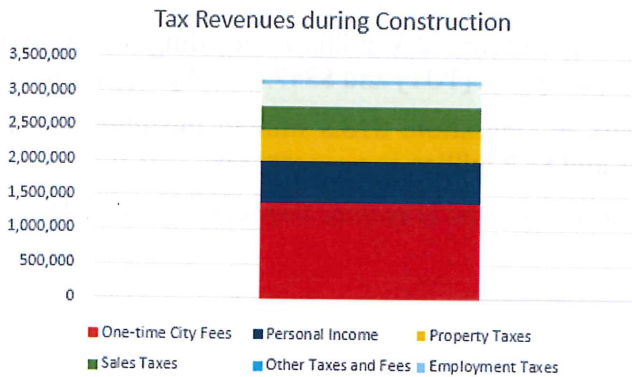


CHART 3 TAX CONTRIBUTION





2. Introduction

This study investigates the economic impact of the proposed dual-branded Home2 Suites and Hampton Inn & Suites by Hilton hotel. The construction and operation of the proposed hotel is anticipated to generate significant positive economic impacts for the city of San Rafael and environs.

The economic impacts of the construction and the operation of the hotel have been evaluated under the various conditions summarized below. The economic impact resulting from these conditions will be presented later in the conclusion section of this report.

- Stage 1: The 185-room hotel's hard cost of construction has been estimated by the developer to be \$30 million; in addition, \$1.4 million in city fees are expected to be generated.
- Stage 2:
 - Employment impacts of the hotel operation were evaluated based on the room revenue anticipated by the stabilized year of operation in 2019 dollars, which is projected to be approximately \$9,926,000.
 - Business and tax revenues were analyzed based on the revenue generated during the first year of operation. There are two components to business revenues. One is the revenue generated by the hotel, and the others resulting from the impact of the hotel's operation in the community based on spending by employees and visitors.
 - We project the rooms revenue in the first year of the proposed subject hotel to be \$9,029,000 in 2019 dollars.
 - IMPLAN projects additional business revenues of approximately \$3.9 million and tax revenues of \$2.3 million.
 - We have also evaluated additional business and tax revenues for the first five projection years.

- We project the rooms revenue in the first five projection years to be \$49,860,000 in 2019 dollars.
- IMPLAN projects that the proposed subject hotel will generate approximately \$21.4 million in additional business revenues and \$18.5 million in tax revenues.
- Economic impact of the fifth floor:
 - We have allocated the fifth floor's fair share of the previously set forth total economic impact of the property based on the fifth floor's pro-rata share of the hotel's total guestrooms; this analysis will be presented in the last section of this report.
 - The fifth floor is planned to feature 28 guestrooms. We have divided this number of guestrooms (28) by the total number of rooms (185). This results in a 15.1% of pro-rata share for the fifth floor, in nature.

To quantify the economic impacts of the business revenues as previously discussed, our analysis estimates direct, indirect, and induced impacts, which are further described below:

- *Direct Impact:* Production changes or expenditures made by producers/consumers as a result of the construction and operation of the subject hotel.
- *Indirect Impact:* The impact of local industries buying goods and services from other local industries.
 - *Ex.:* purchases by the developer and construction workers during the construction; purchases of inventory such as linens and bed sheets etc.
- *Induced Impacts:* The response by an economy to an initial change (direct effect) that occurs through re-spending of income.
 - *Ex.:* hotel employees' spending on groceries, leisure spending, medical visits, etc.

For our analysis, we have relied on the economic input output modeling application provided by IMPLAN, which has been a leading provider of economic impact data



3. Economic Impact – Hotel Construction

The construction of the subject hotel is anticipated to have a positive economic impact on the city of San Rafael and environs before the subject hotel is completed and opened. We have used the construction cost of \$30,000,000 for the 185-room hotel, which was provided the developer. This construction cost is subject to change as the construction progresses. We note that this cost only includes the hard/building cost and excludes other costs related to land, fixture, furniture, and equipment (FF&E) and pre-opening, as well as soft costs.

Based on the construction cost indicated above, IMPLAN estimates the full-time equivalent employment level, as well as business and tax revenues.

FIGURE 1 – EMPLOYMENT IMPACT DURING CONSTRUCTION

Description	Direct	Indirect	Induced	Total
Construction of new commercial structures, including farm structures	180.5	0.0	0.0	180.5
Wholesale trade	0.0	3.5	1.0	4.4
Real estate	0.0	1.1	2.6	3.7
Full-service restaurants	0.0	0.5	3.2	3.7
Architectural, engineering, and related services	0.0	3.1	0.2	3.3
Limited-service restaurants	0.0	0.1	2.1	2.2
Individual and family services	0.0	0.0	1.7	1.7
Retail - Food and beverage stores	0.0	0.0	1.5	1.5
All other food and drinking places	0.0	0.1	1.3	1.4
Offices of physicians	0.0	0.0	1.2	1.2
All Other	0.0	9.3	30.2	39.6
Total	180.5	17.8	45.0	243.2

Source: IMPLAN



FIGURE 2 – BUSINESS REVENUE EFFECTS (IN 2019 DOLLARS) DURING CONSTRUCTION

Description	Direct	Indirect	Induced	Total
Construction of new commercial structures, including farm structures	\$30,000,000	\$0	\$0	\$30,000,000
Owner-occupied dwellings	0	0	1,533,145	1,533,145
Wholesale trade	0	864,112	239,554	1,103,667
Real estate	0	256,502	605,512	862,014
Architectural, engineering, and related services	0	525,943	32,874	558,816
Limited-service restaurants	0	13,917	240,261	254,178
Full-service restaurants	0	33,888	206,788	240,676
Offices of physicians	0	0	204,398	204,398
Other financial investment activities	0	21,891	179,480	201,370
Truck transportation	0	150,738	34,359	185,097
All Other	0	1,475,703	3,951,562	5,427,265
Total	\$30,000,000	\$3,342,693	\$7,227,933	\$40,570,625

Source: HVS and IMPLAN

FIGURE 3 – STATE AND LOCAL TAX RECEIPTS (IN 2019 DOLLARS) DURING CONSTRUCTION

Tax	Amount
Employment Taxes	\$52,282
Sales Taxes	349,562
Property Taxes	441,156
Personal Income	608,385
Other Taxes and Fees	315,560
One-time City Fees	1,400,000
Total State and Local Taxes	\$1,766,945

Source: HVS and IMPLAN

The impact of the construction would continue until the completion of the proposed subject hotel.



4. Economic Impact – Hotel Operations

Upon its opening, the proposed subject hotel is expected to generate annual ongoing economic impacts in the city of San Rafael and environs. Based on our research, market interviews, and lodging statistics in the greater San Rafael region, we have forecasted the subject property’s occupancy, average daily rate, and RevPAR (revenue per available room) for the first five years of operation.

FIGURE 4 – FIVE-YEAR FORECAST

	Year 1 2021/22	Year 2 2022/23	Year 3 (Stabilized) 2023/24	Year 4 2024/25	Year 5 2025/26
Number of Rooms	185	185	185	185	185
Year Open	365	365	365	365	365
Occupancy	72%	78%	80%	80%	80%
ADR	\$195.30	\$203.06	\$210.74	\$217.07	\$223.57
RevPAR	\$140.48	\$159.19	\$168.29	\$173.39	\$178.59
Total Revenue	\$9,486,000	\$10,749,000	\$11,364,000	\$11,708,000	\$12,059,000

**The proposed subject hotel is assumed to open in October 2021*

Source: HVS

In our analysis, we have projected the hotel’s operation to stabilize by the third year of operation. To understand the employment impacts of the proposed hotel upon its stabilization, we have deflated the projected third year revenue to 2019 dollars assuming an underlying inflation rate of 2.5%, 2.5%, and 3.0% in the first, second, and third projection years, respectively. The deflated revenue equates to \$9,926,000. The following figure illustrates the projected employment based on this amount of rooms revenue.

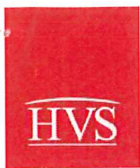


FIGURE 5 – EMPLOYMENT IMPACT – OPERATING HOTEL

Description	Direct	Indirect	Induced	Total
Hotels and motels, including casino hotels	81.3	0.0	0.0	81.3
All other food and drinking places	0.0	1.5	0.4	1.9
Real estate	0.0	1.0	0.8	1.8
Services to buildings	0.0	1.1	0.3	1.4
Full-service restaurants	0.0	0.3	0.9	1.2
Advertising, public relations, and related services	0.0	0.8	0.1	0.9
Limited-service restaurants	0.0	0.1	0.6	0.7
Maintenance and repair construction of nonresidential structures	0.0	0.6	0.1	0.7
Management consulting services	0.0	0.6	0.1	0.7
Postal service	0.0	0.6	0.0	0.7
All Other	0.0	0.0	0.0	0.0
Total	81.3	6.7	3.1	91.2

Source: IMPLAN

The following figures exhibit the projected impacts of the dual-branded hotel in its first year of operation (in 2019 dollars).

FIGURE 6 – BUSINESS REVENUE EFFECTS (YEAR 1)

Description	Direct	Indirect	Induced	Total
Hotels and motels, including casino hotels	\$9,028,911	\$556	\$451	\$9,029,919
Owner-occupied dwellings	0	0	403,706	403,706
Real estate	0	218,262	160,919	379,181
Advertising, public relations, and related services	0	167,534	10,623	178,157
Maintenance and repair construction of nonresidential structures	0	118,705	11,389	130,093
Wholesale trade	0	60,507	63,334	123,841
Management of companies and enterprises	0	97,885	9,912	107,797
All other food and drinking places	0	77,668	19,854	97,523
Cable and other subscription programming	0	73,425	6,015	79,439
Limited-service restaurants	0	15,813	63,517	79,330
All Other	0	1,126,716	1,160,812	2,287,528
Total	\$9,028,911	\$1,957,073	\$1,910,530	\$12,896,515

Source: HVS and IMPLAN

In addition to the approximately \$9 million of revenues directly generated by the subject property, additional business revenue close to \$3.9 million is expected to be created.



The current property tax rate for the subject site is 1.1156%; a newly constructed building is typically assessed based on the construction cost submitted by the developer. Therefore, we have applied the current tax rate of the subject site to the first year's revenue for the "Property Taxes (Hotel)" line item. Additionally, the proposed subject hotel will be subject to TOT equal to 12% of rooms revenue. We note that the city of San Rafael should benefit from a portion of this TOT.

FIGURE 7 – STATE AND LOCAL TAX RECEIPTS (YEAR 1)

Tax	Amount
Employment Taxes	\$14,828
Sales Taxes	252,804
Property Taxes	319,046
Property Taxes (Hotel)	346,800
Personal Income	159,094
Transient Occupancy Tax (TOT)	1,083,480
Other Taxes and Fees	161,135
Total State and Local Taxes	\$2,337,187

Source: HVS and IMPLAN

The proposed subject hotel will have an annual ongoing impact to the city of San Rafael and environs. To illustrate the impact over a longer term, we have run the analysis with the revenues for the first five projection years (approximately \$49.9 million), as illustrated below.

FIGURE 8 – BUSINESS REVENUE EFFECTS (YEAR 1 – 5)

Description	Direct	Indirect	Induced	Total
Hotels and motels, including casino hotels	\$49,859,613	\$3,073	\$2,490	\$49,865,176
Owner-occupied dwellings	0	0	2,229,353	2,229,353
Real estate	0	1,205,291	888,627	2,093,918
Advertising, public relations, and related services	0	925,161	58,662	983,823
Maintenance and repair construction of nonresidential structures	0	655,513	62,892	718,404
Wholesale trade	0	334,134	349,744	683,878
Management of companies and enterprises	0	540,544	54,735	595,278
All other food and drinking places	0	428,902	109,640	538,541
Cable and other subscription programming	0	405,466	33,214	438,680
Limited-service restaurants	0	87,324	350,753	438,078
All Other	0	6,221,973	6,410,254	12,632,228
Total	\$49,859,613	\$10,807,382	\$10,550,365	\$71,217,360

Source: HVS and IMPLAN



In the first five projection years, the city of San Rafael is projected to benefit from the additional business revenues of \$21.4 million, which is the total business revenues of \$71,217,360 less the operational revenues (\$49,859,613) for the five projection years.

FIGURE 9 – STATE AND LOCAL TAX RECEIPTS (YEAR 1 – 5)

Tax	Amount
Employment Taxes	\$173,877
Sales Taxes	3,012,480
Property Taxes	3,801,831
Property Tax (Hotel)	1,734,000
Personal Income	1,883,662
Transient Occupancy Tax (TOT)	5,983,200
Other Taxes and Fees	1,916,493
Total State and Local Taxes	\$18,505,543

Source: HVS and IMPLAN



5. Economic Impact of Total – 185-Room Hotel

The construction and operation of the proposed hotel are projected to have the following economic impacts as summarized below:

Construction Impacts:

- *Assumption:* The hard construction cost is anticipated to be \$30 million, in addition to the \$1.4 million, one-time city fees.
- *Economic Impact*
 - Approximately 243 jobs should be supported, including the 181 full-time equivalent jobs related to the hotel construction.
 - The construction should generate additional business revenue of \$10,571,000, in addition to the \$30 million in construction cost and \$1.4 in one-time city fees.

Operational Impacts:

- *Assumptions:*
 - The 185-room hotel should stabilize in the third projection year at an occupancy of 80% at an average rate of \$211
 - First Year's Room Revenue: \$9,029,000
 - Rooms Revenue in the Stabilized Year: \$9,926,000
 - Rooms Revenue for the Five Projection Years: \$49,860,000

**All the rooms revenues are expressed in 2019 dollars.*
- *Economic Impact:*
 - *Employment:* By the stabilized year of the hotel operation, the proposed hotel is anticipated to generate 94 jobs, including 81 full-time equivalent jobs.
 - *Business Revenue:*
 - First Year of Operation: Total business revenue of approximately \$12.9 million, comprised of \$9.0 million in



hotel rooms revenue and \$3.9 million in local business revenues.

- First Five Years of Operation: Approximately \$21 million in additional business revenue over the five years of hotel operation. (\$71.2 million in total business revenues less the operational revenues of \$49.9 million)

- *Tax Contribution:*

- First Year of Operation: \$2.3 million, including \$1 million in TOT and \$347,000 in property tax.
- First Five Years of Operation: \$18.5 million including nearly \$6 million in TOT and \$1.7 million in property tax.

Item	Year 1	Total
Construction	21,000,000	21,000,000
Project Cost	100,000	100,000
No. of Jobs	100	100
Additional Business Revenue	1,100,000	10,500,000
Operational Profit	1,000,000	10,000,000
First Year Local Business Revenue	1,000,000	1,000,000
Additional Business Revenue	1,000,000	10,000,000
First Five Years Local Business Revenue	1,000,000	5,000,000
Employment	20	20
Local Business Revenue - Year 1	1,000,000	1,000,000
Total Business Revenue - Years 1-5	10,000,000	50,000,000
State and Local Tax Revenue - Year 1	1,000,000	1,000,000
State and Local Tax Revenue - Years 1-5	1,000,000	5,000,000



6. Economic Impact of the Fifth Floor (28 Rooms)

As previously discussed, the proposed subject hotel will feature 28 guestrooms on the fifth floor. To quantify the economic impact of this floor alone, we have allocated the previously developed impacts based on the fifth floor's pro-rata share of the hotel's total guestrooms. The number of guestrooms on the fifth floor (28) was divided by the total number of rooms (185), which results in the pro-rata share of 15.1% for the fifth floor. This pro-rata share is applied to the economic impacts of the total property to evaluate the impact of the fifth floor.

Below is the summary of the economic impacts of the fifth floor of the proposed subject hotel:

FIGURE 10 – SUMMARY

	Total Hotel	Fifth Floor
Construction Impact		
Project Cost	\$30,000,000	\$4,530,000
No. of Jobs	180	27
Additional Business Revenue	10,571,000	1,596,000
Operational Impact		
First Year Rooms Revenue	9,029,000	1,363,000
Stabilized Rooms Revenue	9,926,000	1,499,000
First Five Years Rooms Revenue	49,860,000	7,529,000
Employment	91	14
Total Business Revenue - Year 1	12,897,000	1,947,000
Total Business Revenue - Years 1 - 5	71,217,000	10,754,000
State and Local Tax Receipts - Year 1	\$2,337,000	353,000
State and Local Tax Receipts - Years 1 - 5	18,506,000	2,794,000

Construction Impacts:

- *Assumption:* The construction cost for the fifth floor alone has not been determined yet. In the absence of that information we have applied the pro-



rata share (15.1%) to the total project cost to derive the allocated cost of the fifth floor.

- Construction Cost for the Fifth Floor: \$4.53M ($\$30M * 15.1\%$)

- *Economic Impact*

- Approximately 37 jobs should be supported, including the 27 full-time equivalent jobs related to the construction of the fifth floor.
- The construction should generate additional business revenue of \$1.60 million in addition to the \$4.53 million in construction cost and \$211,400 in one-time city fee.

Operational Impacts:

- *Assumptions for the Fifth Floor (28 rooms):*

- First Year's Room Revenue: \$1,363,000
- Rooms Revenue in the Stabilized Year: \$1,499,000
- Rooms Revenue for the Five Projection Years: \$7,529,000

**All the rooms revenues are expressed in 2019 dollars.*

- *Economic Impact:*

- *Employment:* By the stabilized year of the hotel operation, the fifth floor of the proposed hotel is anticipated to generate 14 jobs, including 12 full-time equivalent jobs.
- *Business Revenue:*
 - First Year of Operation: Additional \$573,800 in local business revenues (in addition to the over \$1.36 million in revenue generated by the 28 guestrooms on the fifth floor).
 - First Five Years of Operation: Approximately \$3.17 million (in 2019 dollars) in additional business revenue over the five years of hotel operation.
- *Tax Contribution:*
 - First Year of Operation: \$347,300 including \$151,000 in TOT and \$52,000 in property tax.
 - First Five Years of Operation: \$2.79 million including nearly \$906,000 in TOT and \$256,700 in property tax.



Glossary

All other food and drinking places: All additional restaurants not captured in limited- or full-service restaurants, including food trucks.

Cable and other subscription programming: These sectors comprises establishments in operating studios and facilities for the broadcasting of programs on a subscription or fee basis. These establishments produce programming in their own facilities or acquire programming from external sources.

Full-service restaurants: Establishments engaged in providing food service to patrons who order and are served while seated and make payments after eating. These establishments may sell alcoholic beverages, provide take-out services, operate a bar, or present live entertainment.

Limited-service restaurants: Establishments whose consumers order or select items and pay before eating.

Management of companies and enterprises: This sector comprises establishments primarily engaged in managing companies and enterprises and/or holding the securities or financial assets of companies and enterprises, for the purpose of owning a controlling interest in them and/or influencing their management decisions.

Owner-occupied dwellings: Housing unit permanently or seasonally occupied by the owner of units prior to or after renovation or demolition.

Wholesale trade: A form of trade that goods are purchased and stored in large quantities and sold, in batches of a designated quantity to resellers, professional users or groups, but not to final consumers.

Exhibit 4

REVIEW OF GENERAL PLAN 2020 GOALS AND POLICIES 1075 Francisco Blvd E Project Consistency with San Rafael General Plan 2020 Policies

LAND USE ELEMENT	
<p>LU-2. Development Timing. For health, safety and general welfare reasons, new development should only occur when adequate infrastructure is available</p>	<p><i>Consistent</i></p> <p>The project site is surrounded by adequate infrastructure including public rights-of-ways, and utilities. Additionally, the project will provide frontage improvements at the corner of Francisco Blvd E and Castro Ave in the form of new sidewalks to provide safe pedestrian access to the site. As such, the project is consistent with this policy.</p>
<p>LU-4a. Reasonable Interim Uses. In the zoning ordinance establish land uses that allow reasonable interim uses for properties that are in areas with limited traffic capacity for development. Examples include contractor’s yards, new car storage, modular office and storage, and outdoor recreation.</p>	<p><i>Consistent</i></p> <p>The continued use of Parcel 2 as a car storage lot allows for the reasonable interim use of the property consistent with this policy.</p>
<p>LU-9a. Nonresidential Zoning. Implement nonresidential levels of development and FAR transfer policies through allowed floor area ratios in zoning districts.</p>	<p><i>Consistent</i></p> <p>The proposed use is within a non-residential zoning district. As a development that proposes a new hotel, no FAR limits apply for the development, and therefore the project is consistent with General Plan policies LU-9a, LU-20a, and LU-23.</p>
<p>LU-12. Building Heights. Hotels have a 54-foot height limit</p>	<p>Hotels are permitted a maximum height of 54 feet. Section 14.16.120 of the SRMC excludes mechanical equipment from the maximum height limits through approval of an Environmental and Design Review Permit. The project proposes a height of 54-feet to the rooftop with a maximum height of 61-feet 8-inches. The additional height includes rooftop mechanical equipment and is therefore excluded from the maximum height limits. Furthermore, the design has been recommended for approval by the Design Review Board, subject to conditions as further described in the Staff Report. As such, the project is consistent with General Plan policies LU-12, LU-13, and LU-20a.</p> <p>The project meets all applicable development standards of the General Commercial Zoning District, consistent with General Plan policy LU-23.</p>
<p>LU-13. Height Bonuses. A height bonus may be granted with a use permit for a development that provides one or more of the amenities listed in Exhibit 10, including hotels</p>	
<p>LU-20a. Hotel Zoning. Maintain zoning ordinance regulations allowing height bonus and exemption from FARs for hotels</p>	
<p>Policy LU-23. Land Use Map and Categories. Land use categories are generalized groupings of land uses and titles that define a predominant land use type. All proposed projects must meet density and FAR standards for that type of use, and other applicable development standards. Some listed uses are conditional uses in the zoning ordinance and may be allowed only in limited areas or under limited circumstances.</p>	
HOUSING ELEMENT	
<p>H-6a. In-Lieu Fees for Affordable Housing. Affordable Housing In-Lieu Fees generated from non-residential development and fees generated from residential developments pursuant to San Rafael Zoning Code Section 14.16.030 are placed in a citywide housing in-lieu fee fund to be used to increase the supply of housing affordable to very low, low, and</p>	<p><i>Consistent</i></p> <p>The project’s share of affordable housing is 0.0075 affordable units per 1,000 square feet of gross floor area. The gross floor area is 106,000 square feet. Therefore, the project is required to provide 1 affordable unit or pay the applicable in-lieu fee. As conditioned, the project is required to</p>

Exhibit 4

REVIEW OF GENERAL PLAN 2020 GOALS AND POLICIES 1075 Francisco Blvd E Project Consistency with San Rafael General Plan 2020 Policies

moderate income households.	meet this requirement and is therefore consistent with General Plan policy H-6a.
NEIGHBORHOOD ELEMENT	
NH-51. Existing Business Areas. Support and encourage the upgrading of existing business areas, consistent with infrastructure needs. Encourage redevelopment and upgrading of existing sites.	<i>Consistent</i> The proposed project is located just south of Bellam Blvd/Francisco Blvd E, which is a prominent intersection within the neighborhood and consists of a newer light industrial/office area. The addition of a hotel to this area will enhance the existing business area and upgrade the overall site consistent with this policy.
NH-52. New Business Development. Encourage and give priority to new business development that benefits the neighborhood through provision of needed services, low traffic impacts, or employment of a high percentage of neighborhood residents. Encourage opportunities for local residents to own and operate businesses.	<i>Consistent</i> Hotels are identified as a desired land use as they are low traffic-generators and high tax-generators. As such, the proposed project will benefit the neighborhood and is therefore consistent with this policy.
COMMUNITY DESIGN ELEMENT	
CD-1c. Landscape Improvement. Recognize that landscaping is a critical design component. Encourage maximum use of available landscape area to create visual interest and foster sense of the natural environment in new and existing developments. Encourage the use of a variety of site appropriate plant materials.	<i>Consistent</i> Landscaping is proposed throughout the project site and has been designed to enhance the overall design of the site and reduce the visual impact of the proposed parking areas. The project has been reviewed by the Design Review Board and meets all applicable landscaping requirements including minimum requirements, species type, and water usage. As such, the project is consistent with General Plan policies CD-1c, and CD-18.
CD-18. Landscaping. Recognize the unique contribution provided by landscaping, and make it a significant component of all site design.	
CD-10. Nonresidential Design Guidelines. Recognize, preserve and enhance the design elements that contribute to the economic vitality of commercial areas.	<i>Consistent</i> The project incorporates design criteria included in the City's Design Guidelines for Nonresidential Development including parking lot design that provides logical entry and exits, landscaping that is designed as an integral part of the development, pedestrian circulation that clearly defines movement through parking lots, and building form that provides a continuity of design, colors, materials, and architectural elements. Further, the project design has been reviewed by the Design Review Board and was found to be consistent with these applicable design criteria. As such, the project is consistent with this General Plan policy.
CD-15. Participation in Project Review. Provide for public involvement in the review of new development	<i>Consistent</i> The project has been subject to multiple public meetings/hearings. All meetings and hearings, as required, have been publicly noticed allowing opportunities for public involvement. Public comments and concerns have been addressed to the extent feasible. Therefore, the project is

Exhibit 4

REVIEW OF GENERAL PLAN 2020 GOALS AND POLICIES 1075 Francisco Blvd E Project Consistency with San Rafael General Plan 2020 Policies

	consistent with this General Plan policy.
CD-19. Lighting. Allow adequate site lighting for safety purposes while controlling excessive light spillover and glare.	<i>Consistent</i> The project proposes various types of lighting including wall sconces, LED up-lighting, LED accent lighting, bollard lighting and single and double pole parking lot lights. As a condition of project approval, the photometric study shall be recalculated to confirm illuminated exterior wall sections are included. Additionally, illuminated exterior wall sections are required to be dimmable and limited to a single shade of white. As conditioned, the project is consistent with this policy.
CD-21. Parking Lot Landscaping. Provide parking lot landscaping to control heat build-up from pavement, reduce air pollution, provide shade cover for vehicles and soften the appearance of the parking lot. Emphasize the use of trees and limit the height of shrub plantings so as to avoid creating security problems.	<i>Consistent</i> As previously stated, landscaping is provided throughout the site including in parking areas. Zoning Ordinance regulations require parking lots with more than five spaces provide one canopy tree for every four parking spaces. The project will provide 195 parking spaces, which requires a minimum of 49 canopy trees. As proposed, 57 canopy trees will be provided, meeting both the intent of this policy and the regulations of the Zoning Ordinance.
ECONOMIC VITALITY	
EV-2. Seek, Retain, and Promote Businesses that Enhance San Rafael. Recruit and retain businesses that contribute to our economic vitality, thus helping to provide needed local goods, services and employment, and enhance the City's physical environment.	<i>Consistent</i> The project will contribute to the economic vitality of the City through increased revenues. Additionally, the project will provide new employment opportunities and enhance the physical environment by improving an existing vacant lot located near a highly visible intersection. As such, the proposed project is consistent with this General Plan policy.
EV-3. Tourism. Recognize and support tourism as a significant contributor to San Rafael's economy.	<i>Consistent</i> The proposed use is a use that supports tourism and is therefore consistent with this policy.
EV-7. Environmentally-Friendly Business Practices. Promote environmentally friendly business practices that reduce the need for nonrenewable resources.	<i>Consistent</i> The project will be required to comply with mandatory City measures including implementation of on-site water management, energy conservation, and the use of recycled content. As such, the project is consistent with this policy.
EV-8. Diversity of our Economic Base. Keep San Rafael a full-service city by retaining and supporting a broad and healthy range of businesses.	<i>Consistent</i> The proposed project will introduce a new hotel within the City, and the Canal Neighborhood specifically, expanding upon the range of visitor accommodating uses currently available within the City.
EV-14. Support for Business Areas. Support and encourage public and private redevelopment and upgrading of both existing and underdeveloped commercial and industrial properties, while retaining economic and architectural diversity	Further, the proposed project will upgrade the existing underdeveloped lot in an established light industrial/office area of the neighborhood. As

Exhibit 4

REVIEW OF GENERAL PLAN 2020 GOALS AND POLICIES 1075 Francisco Blvd E Project Consistency with San Rafael General Plan 2020 Policies

	such, the proposed use is consistent with General Plan policies EV-8 and EV-14.
CIRCULATION ELEMENT	
C-7a. Traffic Mitigation Fees. Continue to implement and periodically update the City's Traffic Mitigation Program	<i>Consistent</i> The project, as conditioned, is required to pay a fair share of traffic mitigation fees consistent with this policy.
C-26c. Bicycle Parking. Update Zoning Ordinance requirements for bicycle parking	<i>Consistent</i> The project, as conditioned, will provide bicycle parking in compliance with applicable regulations. As such, the project is consistent with this General Plan policy.
INFRASTRUCTURE ELEMENT	
Policy I-7. Landscape Maintenance. Provide for low maintenance entryway landscaping. Give priority to maintenance of landscaping along the City's most heavily traveled roadways and gateways as shown on Exhibits 17 (San Rafael Community Design) and Exhibit 18 (Central San Rafael Community Design).	<i>Consistent</i> As shown in General Plan Exhibit 18, Francisco Blvd E, Bellam Blvd, and Kerner Blvd are identified as some of the City's most heavily traveled roadways. The project will provide landscaping along all project frontages and is designed consistent with applicable City of San Rafael and Marin Municipal Water District (MMWD) standards. Maintenance of landscaping will be the responsibility of the property owner/operator, as specified in conditions of approval. Therefore, the project is consistent with this General Plan policy.
SAFETY ELEMENT	
S-6. Seismic Safety of New Buildings. Design and construct all new buildings to resist stresses produced by earthquakes. The minimum level of seismic design shall be in accordance with the most recently adopted building code as required by State law.	<i>Consistent</i> The proposed project will be required to comply with California and San Rafael building code standards, which include design standards that resist stresses produced by earthquakes. As such, the project is consistent with this General Plan policy.
S-12. Use of Environmental Databases in Development Review. When development is proposed, determine whether the site has been recorded as contaminated. Undertake appropriate studies to assure identification and implementation of mitigation measures for sites on or near identified hazards.	<i>Consistent</i> The site was formerly listed as a LUST cleanup site on the State of California's Water Resources Control Board GeoTraker website. Cleanup actions were associated with the former San Rafael Chrysler Dodge. However, the cleanup activities were completed, and the case was closed in 2006. Further, a Phase II Environmental Site Assessment (ESA) was conducted for the site and concluded that chemicals present in the soil and soil gas were below screening thresholds and would not pose a threat to the public health or environment associated with the proposed use. As such, the project is consistent with this General Plan policy.

Exhibit 4

REVIEW OF GENERAL PLAN 2020 GOALS AND POLICIES 1075 Francisco Blvd E Project Consistency with San Rafael General Plan 2020 Policies

<p>S-17. Flood Protection of New Development. Design new development within the bay mud areas to minimum floor elevation that provides protection from potential impacts of flooding during the “100-year” flood.</p>	<p><i>Consistent</i> The site is located within the 100-year floodplain. In order to protect the new development from flood impacts, the finished floor will be elevated two feet above the base flood elevation. As such, the project is consistent with this General Plan policy.</p>
<p>Policy S-18 Storm Drainage Improvements. Require new development to improve local storm drainage facilities to accommodate site runoff anticipated from a “100-year” storm.</p>	<p><i>Consistent</i> As conditioned the project will be required to comply with standard storm drain requirements. Additionally, the applicant has provided a stormwater plan for the site which includes four drainage management areas with low impact development treatment areas sized consistent with the requirements set forth by the RWQCB. These areas are intended to offset the increase in impervious surfaces and to accommodate stormwater onsite. As such, the project is consistent with this policies S-18 and S-25.</p>
<p>Policy S-25. Regional Water Quality Control Board (RWQCB) Requirements. Continue to work through the Marin County Stormwater Pollution Prevention Program to implement appropriate Watershed Management plans as dictated in the RWQCB general National Pollutant Discharge Elimination System permit for Marin County and the local stormwater plan.</p>	
NOISE	
<p>N-1. Noise Impacts on New Development. Protect people in new development from excessive noise by applying noise standards in land use decisions.</p>	<p><i>Consistent</i> General Plan Exhibit 31 identifies land use compatibility standards for new development in the City. For hotel uses, exterior noise levels are acceptable up to 60 dBA and interior noise levels up to 45 dBA. The noise study prepared for the project provides minimum Outdoor to Indoor Transmission Class (OITC) ratings for exterior windows to ensure interior noise levels are consistent with the General Plan. As conditioned, the project meets this requirement and is therefore consistent with this policy.</p>
<p>N-3. Planning and Design of New Development. Encourage new development to be planned and designed to minimize noise impacts from outside noise sources.</p>	
<p>N-4. Noise from New Nonresidential Development. Design nonresidential development to minimize noise impacts on neighboring uses</p>	<p><i>Consistent</i> As discussed in the noise study, primary sources of noise associated with operation of the hotel includes mechanical and HVAC equipment. Typical noise levels generated by this type of equipment ranges from 50 - 60 dBA at a distance of 50 feet from the source. Mechanical equipment enclosures provide at least 5 dBA attenuation. Noise levels are assumed to be 55 dBA at the nearest commercial property and 58 dBA at the nearest industrial property. Noise criteria for commercial and industrial uses are 55 and 60 dBA, respectively. Therefore, the project will not impact neighboring properties with regard to operational noise and is consistent with this General Plan policy.</p>
<p>N-5. Traffic Noise from New Development. Minimize noise impacts of increased off-site traffic caused by new development. Where the exterior Ldn is 65 dB or greater at a residential building or outdoor use area and a plan, program, or project increases traffic noise levels by more than Ldn 3 dB, reasonable noise mitigation measures shall be included in the plan,</p>	<p><i>Consistent</i> As discussed in the noise study, traffic generated by the project will result in a minimal overall increase as compared to existing traffic. Noise modeling for the project determined that the increase in traffic would result in less than 1 dB increase to ambient noise levels over existing</p>

Exhibit 4

REVIEW OF GENERAL PLAN 2020 GOALS AND POLICIES 1075 Francisco Blvd E Project Consistency with San Rafael General Plan 2020 Policies

program or project.	volumes. As such, the project is consistent with this General Plan policy.
CONSERVATION	
Policy CON-16. Landscape with Native Plant Species. Encourage landscaping with native and compatible non-native plant species, especially drought-resistant species.	<i>Consistent</i> The proposed landscape palette includes species that require low to moderate water usage. Proposed parking lot trees, groundcover, shrubs, and grasses have been selected from the City's parking lot tree list and consistent with guidance provided by the Marin Municipal Water District water-wise plants website. As such, the project is consistent with policy CON-16

March 13, 2020

San Rafael Design Review Board
Community Development Department City Hall
1400 5th Avenue
San Rafael, CA 94901

Reference: Proposed Use Permit Hilton Dual Brand Hotel: Hampton Inn and Suites & Home 2 Suites
1075 Francisco Boulevard East
San Rafael, CA 94901

Design Review Board Members:

It's my pleasure to express support for the proposed hotel project. The economic and social benefits to San Rafael are compelling and well understood. The focus of this correspondence is on site and architectural design as these are the purview of the DRB.

Site design

Finish floor Elevation:

It appears the finish floor elevation of the hotel is based on the 2016 FEMA Flood Insurance Rate Map (FIRM) and required freeboard. While this meets current flood risk mitigation requirements, the owner may find it prudent to provide additional freeboard to allow for the future impacts of sea level rise and FIRM revisions. A City of San Rafael 2040 General Plan policy and program will likely include an Adaptation Plan to address rising tides and floods. This project may proceed over the next few years. The project owners are encouraged to participate in the planning process as it moves forward.

Service Area:

The service entrance and rubbish enclosure are well sited and the rubbish enclosure is durably designed. The gates need to be tough enough to take a beating from rubbish bins and rough handling by staff and the recycle and waste hauler. The owners may wish to verify adequate space is provided for staging and storage for separate recycle and rubbish bins.



Building Siting, Parking and Pedestrian Access

Siting:

The location of the building on the property is appropriate considering the automobile oriented context, lot configuration and the need to transition from the existing street grade at Francisco Boulevard East to the ground floor of the hotel. The Porte Cochere is easy to see and access for approaching traffic.

Parking:

The parking field location and design are appropriate in their context. The project has addressed landscape screening of the Francisco Boulevard East and Castro Street frontages including the undeveloped portion of the site. It may be prudent for the project to secure a license agreement with the city for landscaping and maintenance of the portion of the public right of way left bare adjacent to the site as a result of the reconfiguration of the intersection at Castro.

Pedestrian Access:

Bellam Boulevard, southeast San Rafael's main street, identified in the 2040 General Plan as a "complete street", is approximately a block away from the property. Direct pedestrian pathways are provided to Bellam via sidewalks along Francisco Boulevard East and Castro Street. It may be desirable to match the width of the wider Francisco Boulevard East sidewalk on both sides of the reconfigured Castro intersection and along the Castro frontage. Providing a pedestrian connection to Kerner Boulevard, if possible, may also be desirable.

EV Charging:

Provision of EV charging stations is noted and appropriate.

Building Architecture

Architectural Design:

The contemporary architecture of the project is appropriate considering the project's context in an area where automobile oriented land uses predominate, most existing buildings are nearing the end of their functional life and lack both design quality and any historic or cultural significance. A contemporary building is consistent with San Rafael's architectural history: Building design that is consistent with the period and social context when they were built VS an imposed architectural theme.

The building scale is appropriate for the context. Building massing, articulation and integration of the room HVAC units into the building elevations are well handled.

Exterior Finish Materials:

The materials selected are appropriate for the architecture and context. As a matter of personal preference, we offer the following observation: the material shown for the stone veneer treatment appears to look like concrete rubble. Perhaps a different stone and color may be selected.

Screening of Mechanical Equipment

The roof top mechanical equipment appears to be screened based on the elevations and sections provided. A word of caution however: At this stage on the design, and prior to procurement, the actual dimensions roof top HVAC equipment may not be known and all equipment may not yet be shown.

We look forward to successful completion of this project.

Sincerely

A handwritten signature in blue ink, appearing to read 'J. Rhoads', with a long horizontal flourish extending to the right.

Jeffrey D. Rhoads, RA LEED AP
President