

September 18, 2020

Honorable Mayor Phillips and City Council members
City of San Rafael
1400 Fifth Ave. Room 203
San Rafael, CA. 94901

CITY COUNCIL Hearing for Monday, Sept 21 -
Agenda item 5.a. Measures to Facilitate Housing Development and Streamline Approvals

Honorable Mayor Phillips and City Council members:

I would like you to consider the consequences of delaying or eliminating technical reports for proposed projects in order to “streamline” the development process and reduce costs for the developer.

Last Tuesday (9/15), the Planning Commission heard and approved (4 yes, 1 no) a single family home on a hillside lot with a 60% slope, located at 38 Upper Fremont Drive. To satisfy the hillside parking requirement for 2 covered parking and 2 guest parking spaces, a “pit stacker car parking” system was proposed. This system would accommodate 4 cars inside an enclosed garage, fitted with a mechanical device to lower two cars into a “pit” and stack another two cars on top, requiring extensive excavation.

Mechanical lift parking systems have been approved in the downtown district but the current code does not address their use in residential areas or on hillsides. Other cities allow mechanical parking systems in multi-family/commercial zones but not single family residential. Belvedere does not allow parking pits on hillsides because of excess grading/excavation.

Planning Staff cited 14.18.120 B. that allows tandem parking as part of an environmental and design review permit under the Hillside Residential Design Guidelines, as support for the proposal, even though a civil engineer in Public Works said it was NOT a tandem style parking system.

WENA repeatedly requested a “thorough safety and feasibility study” be done prior to approval in several comment letters beginning on April 30, 2019, when this system was first proposed. A Geotechnical Investigation Report prepared for a prior owner, recommended keeping the site grading “to a minimum” and that the road “may be of possible lower or marginal stability.” General Plan Safety Element, S-3, states that the review of slope stability be made “at the time a development is proposed” NOT after approval of the project. The Hillside Design Guidelines stresses the importance of minimizing grading on hillsides.

Public Works will require an updated Geotechnical Investigation Report and review AFTER approval of the project. Shouldn’t this have been done BEFORE the Planning Commission hearing to determine the safety and feasibility of the proposed plan before approval? In 2017, PG&E replaced 2 gas services near this site due to a landslide. We don’t want what happened in Sausalito last winter, to happen on our hillside.

Respectfully submitted,

Victoria DeWitt



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

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Re: Proposed Housing Policy Revisions

Honorable Mayor and Council Members,
Sustainable San Rafael continues to recommend Scenario 2 (15% onsite equivalent) for the City's revised inclusionary housing requirement. We are concerned that cutting affordable housing requirements in half is excessive, and will result in fewer units, delayed delivery, and more segregated development.

- In addition to encouraging more housing production by relaxing overall requirements, Scenario 2 creates a path for more units affordable to moderate-income residents. This addresses an important need and furthers the City's goal of making developments more feasible by providing flexibility and returns close to market-rate units.
- For any scenario, we continue to encourage increased requirements for the in-lieu payments, off-site units, and land conveyance options, in order to incentivize more affordable units being built more quickly on site. This supports the basic purpose of inclusionary housing, which is to produce a more economically integrated San Rafael.
- We urge the City to increase in-lieu payments for both housing and commercial developments to better balance jobs and housing going forward.
- We do not support retroactive 'buyouts' of affordable on-site units with in-lieu payments in cases like 703 Third Street, where the City has already granted large density bonuses with no increase in affordable units.
- We support your direction that the proposed Design Review Advisory Committee meet with customary public notice and participation.
- The need remains for comprehensive integration of the city's height bonuses with other incentives for affordable housing and similar public objectives.

We continue to recommend annual reevaluation of the effectiveness of these revisions, at least until the adoption of the City's next Housing Element. In acting on the revisions, the City should clearly identify the metrics it will use to evaluate the

performance of the revised requirements in meeting San Rafael's growing need for housing in general, and affordable workforce housing in particular, including comparative measurements of housing production both before and after adopting these changes.

Our concerns remain about the potential displacement of low-income families as existing properties are redeveloped. We urge your consideration of higher relocation payments, longer notice provisions, and certificates of preference for displaced tenants.

With the added emphasis on in-lieu payments to the Housing Fund, the City is taking on a significant commitment to assure the rapid and effective use of those funds to produce new affordable housing throughout San Rafael, in greater numbers than in the past. We urge proactive staffing and policy support to realize those goals, in wholehearted partnership with non-profit housing providers, to overcome the barriers that have often stymied such development in Marin.

As always, thank you for your close consideration of this important decision.

Sincerely,

William Carney
Board President