

February 17, 2021

Paul Jensen, Community Development Director, and
Alicia Giudice, Planning Manager
City of San Rafael
1400 Fifth Ave
San Rafael, CA. 94901

RE: San Rafael Design Review Board Meeting for February 17, 2021

Item #1. Approval of the Design Review Board Meeting Minutes of November 4, 2020

I request these minutes be amended to include the names and comments of the three residents who participated in this meeting. Since there is no video recording, the written minutes are the only record of what transpired. I request that the minutes of future meetings include the identification of all who participated in the meeting and their public comments.

For the record, I was one of the residents who provided the following comments at the November 4th meeting: “The DRB provides an invaluable service to the City and the full 5-member review of hillside development at a public hearing is really important, especially if the applicant requests an Exception”. Please amend the minutes to include my comments and include the other two participants names and their comments in the amended minutes for November 4th.

Item #2. Report on Possible Changes to Design Review Board Structure and Processes

Please consider the following comments:

1. I've commented on this before but I think it bears repeating. Staff frequently references a workshop where 81% of the participants voted to support a change to the Design Review Board to streamline project review. This calculation is based on 40 people attending a workshop where only 32 people supported changes to the Design Review Board. This hardly constitutes a consensus, if you define consensus as being wide-spread agreement among community members. Do we even know if the participants were San Rafael residents or were any participants from outside the area?
2. Second paragraph, last sentence states: “...staff is not seeking feedback from the Board.” I assume this is an error?
3. I have the following questions about the DRB Subcommittee that was formed last March, almost one year ago:

Since you have already tried using the program for nearly one year, could you provide a report summarizing the activity over the past year; which members of the full Board acted as a subcommittee member; what types of projects were reviewed; how many projects were reviewed this way; when were they reviewed, etc; what type of public notice or public participation was involved; successes and problems with the process, including praises and complaints. Did the same architect and landscape architect review all projects during the year or was there rotation of the architects? I think additional information about how the process worked over the past year would be helpful in deciding how to go forward.

4. Hillside Development recommendations:

I support a full 5-member Design Review Board to review all Hillside Development applications at a noticed public hearing. I think this review is so critical to the success of development on our hillsides that it is too important to change. The Design Review Board generally only reviews one or two applications for hillside development over a year's time, at the most, and sometimes, none. So I don't really see the urgency to change this important review process.

Particularly since my own experience, in 2020, when DRAC was used to review the design for a new hillside SFD at 38 Upper Fremont. Neighborhood residents were not informed about the change in process until after the DRAC review. It certainly felt like things were being done in secrecy. Plans reviewed by the DRAC were not provided to the West End Neighborhood Association (WENA) until after the DRAC meeting so we were unable to comment on the plans.

We weren't offered any description or result of the DRAC meeting and, apparently, WENA's previous comments about the design were not considered. No story pole plan was provided as initially required and no story poles were installed prior to the design review, which is customary. Not only were residents not included in the design review process, we were not provided the visual benefit of the story poles. It seemed like a quick desk review. My experience with DRAC was that it was rushed and not transparent; based on my experience, I could not recommend DRAC for another project.

In contrast, the full Design Review Board provides an invaluable service to the City and each member contributes a slightly different perspective which results in a much better and more complete design review. We think the full DRB provides the best review of our hillside projects and benefits the public by allowing full participating in the process, as well.

5. Comments on Exhibit 1: DRAC Pilot Program

A. Purpose and Authority.

1. As commented in previous discussions, a 10-unit building is considered a large project for most residential neighborhoods, except the Downtown. This issue has not been addressed in your proposed plan. How do you plan to address it?
2. I find the second bulleted item under A. confusing. It sounds like you allow up to 13 units to fall under the DRAC review which conflicts with the previous bulleted point that only allows DRAC for 10 units or less.

B. Membership of the DRAC:

Who has been assigned to the DRAC for this past year and who will be assigned next? I think with fewer architects reviewing a project, you will potentially miss the broader feedback from the full Board, so I would recommend a more frequent rotation of the DRAC members to provide a broader perspective across a range of projects.

Since the Pilot Program is for one year, you should have more frequent rotations of the DRAC members so that after a year, the individual DRB members will have experienced what it was like and be able to provide more valuable feedback. DRB members could be rotated as new projects come up for review which will create broader participation by the DRB and let their views and expertise be provided across a variety of projects, rather than have the same 2 members for the whole year.

C. Alternate Member.

If the alternate member assigned for that rotation is a landscape architect and the alternate replaces the one licensed architect on the DRAC then you would have 2 landscape architects deciding the design of a project. That doesn't work.

D. Meetings

Will any consultation by staff (in any capacity) with a member of the DRAC on a specific project be documented and included in the project file for review by members of the public before the public hearing? What is the procedure for staff using DRAC for a desk review of a project?

E. Referral to the full DRB. Identify who can refer the project to the Full DRB and when. Where in the proposed pilot do you allow controversial hillside development an exception from DRAC and refer it to the full 5-member Design Review Board? How is it determined whether a project is controversial?

F. Action by the DRAC: Shouldn't the Zoning Administrator public hearings also be included in description of "Action by the DRAC"? What about the Community Development Director?

J. Public Notice. (Shouldn't this be a G instead of a J?)

a. Public Notice of DRAC review should also be included for Zoning Administrator hearings, as well as the Planning Commission, and possibly the Community Development Director.

b. Recommend that the Project Referral /Transmittal Sheet sent to neighborhood associations by the Project Planner include a determination of whether the project is subject to a DRB review or DRAC and how to request a full DRB review. Also, include a description of whether the DRAC will meet with the Planning Commission or Zoning Administrator at the scheduled public hearings or at a separate time and how the public can participate.

Thank you for your consideration of these comments.

Sincerely,

Victoria DeWitt
West End Neighborhood resident