



**San Rafael Design Review Board
Regular Meeting
Tuesday, June 8, 2021, 7:00 P.M.
REVISED AGENDA**

Virtual Meeting

Watch on Webinar: <https://tinyurl.com/drb-2021-6-8>

Telephone: (669) 900-9128

ID: 847-5414-6598#

Members of the public may speak on Agenda items.

CALL TO ORDER

STAFF COMMUNICATION

BOARD COMMUNICATION

CONSENT CALENDAR

- 1. Approval of the Design Review Board Meeting Minutes of November 4, 2020, February 17, 2021 and May 4, 2021**
Recommended Action – Approve as submitted

DISCUSSION ITEMS

- 2. 33/41 Ross Street Terrace**
Request for a Lot Line Adjustment for property line adjustment, Exception, and Environmental and Design Review Permits to allow: (1) Construction of a 2,842 square-foot, single-family residence on vacant hillside Lot 59; (2) Construction of a 2,885 square foot residence on vacant hillside Lot 60; and (3) Construction of a two lane access driveway approximately 480 feet in length within the undeveloped Ross Street Terrace right-of-way; APN: 012-141-59 and 012-141-60; Single-family Residential (R7.5) District; Coby Freidman, applicant. File No(s): LLA19-008/ED19-090/ED19-091/EX20-006.
Project Planner: Dave Hogan
Recommended Action – Review and recommend approval of site and building design
- 3. 800 Mission Ave. (“Aegis Living San Rafael”)**
Request amendment of Use Permit and an Environmental and Design Review Permit approvals to allow a 11’ 2” height bonus for a previously approved senior assisted living and memory care facility on two vacant Downtown parcels with 29,885 sq. ft. of combined area. Amendment of the approvals would increase the height of the building from 36’ to 47’ 2” and increase the unit count from 77 suites to 106 suites. The remainder of the approved site and building design would remain unchanged; APNS: 011-184-08 & -09; Multifamily Residential – High Density (HR1) District Zone; Geoff Forner, Applicant; ASC San Rafael LLC, Owner; Downtown Neighborhood.

Project Planners: Steve Stafford

Recommended Action – Review and recommend approval of site and building design

4. 16 De Luca Place

Request for Conceptual Design Review to demolish an existing one-story industrial building and construct a new two-story, 7,774 square foot building. The building will contain primarily storage/factory spaces with ancillary office space not exceeding 25 percent of the overall building square footage.; APN: 013-081-04; Industrial (I), Zoning District; Mark and Kathleen Barger, Owner; Stewart Summers, SKS Architects, Applicant; File No.: CDR21-001

Project Planners: Krystle Rizzi

Recommended Action – Review and provide feedback on the proposed design

BOARD COMMUNICATION

ADJOURNMENT:

Any records relating to an agenda item, received by a majority or more of the Board less than 72 hours before the meeting, shall be available for inspection online. Sign Language interpreters 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 of the meeting. Copies of documents are available in accessible formats upon request.

MINUTES



**San Rafael Design Review Board
Regular Meeting
Wednesday, November 4, 2020, 7:00 P.M.**

Virtual Meeting

Listen online: <https://tinyurl.com/DRB-2020-11-04>

Telephone: (669) 900-9128

Meeting ID: 823-0970-4098#

Present: Chair Kent
Member Blayney
Member Paul
Member Rege
Member Summers

Absent: None

Also Present: Steve Stafford, Senior Planner
Alicia Giudice, Principal Planner
Paul Jensen, Community Development Director

CALL TO ORDER

The meeting was called to order at 7:00 p.m. All board members were present. Alternate Member Donald Blayney served as full-voting member due to vacancy of Member Samina Saude.

NEW BUSINESS

1. Project: Report on Possible Changes to Design Review Board Structure and Processes.

Review and solicit feedback on possible changes to the DRB structure and process by adopting a temporary pilot program creating a Design Review Advisory Committee (DRAC) on certain projects.

Project Planner: Alicia Giudice

Recommended Action – Accept report and provide feedback to staff

Three residents provided comments.

- Shirley Fischer stated the DRAC appears to add work rather than streamline the processing time and a project's site should not be used as a benchmark for determining what is reviewed by the full DRB or the DRAC.
- Kate Powers expressed concern with streamline the DRB process. She believes it imperative to preserve public input in the design review process. She prefers to keep the current five (5)-member DRB as currently structured.
- Victoria DeWitt also indicated her preference to keeping the current full DRB structure. She indicated hillside development should be reviewed by the full DRB and not the DRAC. Recommends further exploration of which projects may be reviewed by the DRAC. Recommends the City also review the processing structure for Zoning Administrator hearings which creates a Zoning

Administrator who is not also in the dual role of being the project planner. Recommends including the DRAC in Zoning Administrator reviews for smaller projects.

Discussion at this Study Session included common ideas such as:

- Preserve some opportunity for public input/participation, even of written comments only
- DRAC (DRB Subcommittee) should be preserved for use in concert with utilization of full DRB. Clear guidelines should be adopted for which projects should go to the DRAC, though staff should have the discretion to take a design item to the full DRB if potentially controversial
- DRAC membership should be three DRB members (two licensed architects and one landscape architect), rotated annually like the chair and vice chair of the full DRB
- DRB supports staff taking complex projects to the Planning Commission before DRB review for non-design land use policy applications
- Staff should investigate reducing the length of staff reports for efficiencies
- It would be helpful if staff would provide details to the DRB when this item returns to them on how many DRB items in 2018 and 2019 would have utilized DRAC

ADJOURNMENT

Jeff Kent adjourned the meeting at 8:00 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2020

JEFF KENT, Chair

MINUTES



**San Rafael Design Review Board
Regular Meeting
Wednesday, February 17, 2021, 7:00 P.M.**

Virtual Meeting

Watch on Webinar: <https://tinyurl.com/Drb-2021-02-17>

Telephone: (669) 900-9128

Meeting ID: 897-5942-0487#

Present: Chair Pro Tem Paul
Chair Kent
Member Rege
Member Summers

Absent: Member Blayney

Also Present: Steve Stafford, Senior Planner
Ali Giudice, Planning Manager
Michele Ginn, Permit Services Coordinator
Paul Jensen, Community Development Director
Barry Miller, General Plan Project Planner

CALL TO ORDER

The meeting was called to order at 7:03 p.m. All Board members were present, except for Member Blayney. The Board is currently operating without a replacement for former Member Samina Saude, who is now a Planning Commissioner.

STAFF COMMUNICATION

Staff received the following public comments after the distribution of Staff Reports, which were forwarded to the Board as separate emails-

Responsible Growth Marin provided the following comments on Agenda Item #2:

- Language on what qualifies for DRAC review needs further refinement
- Language on the membership of the DRAC needs further refinement

Victoria DeWitt (West End neighborhood resident) provided the following comments on Agenda Items #1 and #2:

- Requests amendment of 11/04/20 DRB meeting minutes to reflect her previously submitted comments on the proposed DRAC
- Authority for the DRAC needs further refinement
- Membership on DRAC needs further refinement

Sustainable San Rafael provided the following comments on Agenda Item #3:

- Provided specific miscellaneous recommendations for improving the DPP

BOARD COMMUNICATION

None

PUBLIC NOTIFICATION OF MEETING PROCEDURES

Chair Pro Tem Paul invited Senior Planner Steve Stafford who informed the community that members of the public would provide public comment either on the telephone or through Zoom. He explained the process for community participation on the telephone and Zoom.

Chair Pro Tem Paul reviewed the procedures for the meeting.

CONSENT CALENDAR

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

Recommended Action – Approve as submitted

Staff withdraws November 4, 2020 meeting minutes to allow staff to improve the record.

DISCUSSION ITEM

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

Review and solicit feedback on proposed pilot program creating a Design Review Advisory Committee (DRAC)

Project Planners: Paul Jensen and Ali Giudice

Recommended Action – Accept report and provide feedback to staff

Alicia Giudice, Planning Manager presented the Staff Report.

Staff responded to questions from the Board members.

Correspondence in real-time on telephone or Zoom:

Jay Hubert, President of Dominican Neighborhood Association, Victoria DeWitt, Shirley Fischer, Terra Linda Homeowners Association, Kate Powers, Grace Geraghty, Claire Halenbeck

Staff responded to public comment.

Staff responded to further questions from the Board members.

No vote taken, only feedback requested. Board provided the following comments:

- The membership of the DRAC should be increased from two DRB members to three DRB members
- The public should be included in the DRAC process
- A flowchart clearly showing those projects, which would go to the DRAC and which would go to the full DRB would be helpful

PUBLIC HEARING

3. Draft Downtown San Rafael Precise Plan

The Design Review Board (DRB) will hold a public hearing on the Draft Downtown Precise Plan, including the Draft Form Based Code (FBC). The purpose of the hearing is to update the DRB on the proposed Plan and FBC and provide an opportunity for comments from DRB members and the public.

Case Nos.: GPA16-001 & P16-013

Project Planner: Barry Miller

Recommended Action – Accept report

Ali Giudice, Planning Manager introduced Stefan Pellegrini, Opticos Design who presented the Staff Report.

Staff responded to questions from the Board members.

Correspondence in real-time on telephone or Zoom:

Kate Powers, Binky, Brad Sears, Claire Halenbeck

Staff responded to further questions from the Board members.

No vote taken, only feedback requested. Board provided the following comments:

The form-based code approach to site development makes sense in the Downtown. More attention should be given to areas susceptible to projected sea level rise. Concern expressed with proposed increased building heights at the ‘bookends’ to West End Village neighborhood of Downtown, at the westernmost borders (convergence of Fourth and Second Streets) and the easternmost borders (Fourth and E Streets). The Board believes the West End Village neighborhood is a transition area, which should have lower building heights. Concern expressed with proposed increased building heights adjacent to U.S. Highway 101 and the potential result of a wall of building and loss of views of Downtown and surrounding hills. Concern that taller buildings will result in reduced solar access along Downtown streets and request solar studies to ensure the pedestrian experience is not impacted.

OTHER AGENDA ITEM

4. Annual Meeting of Design Review Board

Preparation in advance of Annual Meeting of Design Review Board to include: a) Distribution of Design Review Board “Rules of Order” for review before annual meeting; and b) Election of Officers for 2021 Design Review Board meetings.

Project Planner: Steve Stafford

Recommended Action – Accept report

Steve Stafford presented the Staff Report.

Member Summers moved and Member Kent seconded to adopt the existing Rules of Order as presented in the Staff Report.

AYES: Members: Kent, Rege, Summers & Chair Pro Tem Paul
NOES: Members: None
ABSENT: Members: Blayney
ABSTAIN: Members: None

Motion carried 4-0

Adopted the existing Rules of Order as presented in the Staff Report

Member Summers moved and Member Kent seconded to elect Vice Chair Paul to Chair and Member Rege to Vice Chair

AYES: Members: Kent, Rege, Summers & Chair Pro Tem Paul
NOES: Members: None
ABSENT: Members: Blayney
ABSTAIN: Members: None

Motion carried 4-0

Elected Vice Chair Paul to Chair and Member Rege to Vice Chair

ADJOURNMENT:

Chair Pro Tem Paul adjourned the meeting at 9:49 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2021

Jeff Kent, Chair

MINUTES



**San Rafael Design Review Board
Regular Meeting
Tuesday, May 4, 2021, 7:00 P.M.**

Virtual Meeting

Watch on Webinar: <https://tinyurl.com/DRB-2021-05-04>

Telephone: (669) 900-9128

Meeting ID: 897-5606-9694#

Present: Chair Paul
Member Kent
Member Rege
Member Summers

Absent: Member Blayney

Also Present: Steve Stafford, Senior Planner
Dave Hogan, Contract Planner

CALL TO ORDER

The meeting was called to order at 7:03 p.m. All current Board members were present, except for Member Donald Blayney.

Staff requested to continue the review of both discussion items on the Agenda tonight to a date certain of Tuesday, May 18, 2021.

Member Kent moved and Member Summers seconded to continue this meeting to the next scheduled Design Review Board meeting to be held on Tuesday, May 18, 2021.

AYES: Members: Kent, Rege, Summers & Chair Paul

NOES: Members: None

ABSENT: Members: Blayney

ABSTAIN: Members: None

Motion carried 4-0

Meeting continued to Tuesday, May 18, 2021

DISCUSSION ITEMS

1. 33/41 Ross Street Terrace

Request for a Lot Line Adjustment for property line adjustment, Exception, and Environmental and Design Review Permits to allow: (1) Construction of a 2,842 square-foot, single-family residence on vacant hillside Lot 59; (2) Construction of a 2,885 square foot residence on vacant hillside Lot 60; and (3) Construction of a two lane access driveway approximately 480 feet in length within the undeveloped Ross Street Terrace right-of-way; APN: 012-141-59 and 012-141-60; Single-family Residential (R7.5) District; Coby Freidman, applicant. File No(s): LLA19-008/ED19-090/ED19-091/EX20-006.

Project Planners: Dave Hogan and Ali Giudice

Recommended Action – Review and recommend approval of site and building design

2. 800 Mission Ave. (“Aegis Living San Rafael”)

Request Request amendment of Use Permit and an Environmental and Design Review Permit approvals to allow a 11’ 2” height bonus for a previously approved senior assisted living and memory care facility on two vacant Downtown parcels with 29,885 sq. ft. of combined area. Amendment of the approvals would increase the height of the building from 36’ to 47’ 2” and increase the unit count from 77 suites to 106 suites. The remainder of the approved site and building design would remain unchanged; APNS: 011-184-08 & -09; Multifamily Residential – High Density (HR1) District Zone; Geoff Forner, Applicant; ASC San Rafael LLC, Owner; File No(s): UP21-006/ED21-022; Downtown Neighborhood.

Project Planners: Steve Stafford

Recommended Action – Review and recommend approval of site and building design

ADJOURNMENT:

Chair Paul adjourned the meeting at 7:18 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2021

Larry Paul, Chair



REPORT TO DESIGN REVIEW BOARD

SUBJECT: 33/41 Ross Street Terrace – Request for a Lot Line Adjustment for property line adjustment, Exception, and Environmental and Design Review Permits to allow: (1) Construction of a 2,842-square foot, single-family residence on vacant hillside Lot 59; (2) Construction of a 2,885-square foot residence on vacant hillside Lot 60; and (3) Construction of a two-lane access driveway approximately 480 feet in length within the undeveloped Ross Street Terrace right-of-way; APN: 012-141-59 and 012-141-60; Single-family Residential (R7.5) District; Coby Freidman, applicant. File No(s): LLA19-008 / ED19-090 / ED19-091 / EX20-006.

*****Continued from the May 4, 2021 Design Review Board Meeting*****

PROPERTY FACTS

| Location | General Plan Land Use Designation | Zoning Designation | Existing Land-Use |
|--|-----------------------------------|--------------------|------------------------------------|
| <i>Lot 59 (33 Ross Street Terrace)</i> | Low Density Residential | R7.5 | Vacant |
| <i>Lot 60 (41 Ross Street Terrace)</i> | Low Density Residential | R7.5 | Vacant |
| North: | Low Density Residential | R7.5 | Vacant |
| South: | Low Density Residential | R7.5 | Single-family Residence |
| East: | Low Density Residential | DR/MR2 | Single and Multi-family Residences |
| West: | Low Density Residential | R7.5 | Single-family Residence |

SUMMARY

The proposed project is being referred to the Design Review Board Subcommittee (Board) for conceptual review of site and building design for the construction of two single-family residences on two separate vacant hillside lots and a new common driveway within the undeveloped Ross Street Terrace ROW, linking the project sites to Ross St. These lots were previously addressed as 33 and 41 Ross Street Terrace. But because the proposal involves a lot line adjustment that would move the access panhandle for the upper lot (41 Ross Street Terrace) in front of the lower lot (33 Ross Street Terrace), the project plans and staff report will refer to the upper lot as Lot 59 and the lower lot as Lot 60. The existing and proposed upper lot are both flag lots and are legal lots of record.

A Certificate of Compliance (COC) was issued by the Planning Commission on November 12, 1963. The key conditions of approval are as follows.

1. A road shall be constructed to the satisfaction of the City Engineer; it shall be 16 feet wide.
2. A water main shall be installed in front of the lots.
3. Connection to the sewer system is required.

The current project meets these requirements and is similar to the proposal presented to the Board on August 22, 2017 during a previous conceptual review. The primary differences include a change to the proposed Lot Line Adjustment and changes in the architectural design of the proposed structures. The layout of the current Lot Line Adjustment (LLA) is an improvement over the previous application which had a narrow strip of land along the eastern side of the property with the lower lot.

On May 4, 2021, the Board unanimously (4-0 vote, Blayney absent) approved a requested continuance by staff to a 'date certain', to the next scheduled Board meeting on May 18, 2021, to allow staff time to better provide the Board with plans in a format more usable for the complexities of the project. The DRB meeting previously scheduled for May 18, 2021 was also cancelled to today's date.

BACKGROUND

Site Description & Setting:

The project site consists of two single family lots located on the east slope of Moore Hill in the Gerstle Park Neighborhood. Because both lots have average slopes greater than 25% they are classified as hillside lots subject to the City's hillside development standards. The project also proposes a Lot Line Adjustment (LLA) to re-locate the panhandle portion of Lot 59 from the northside of Lot 60 to the southside of Lot 60. The LLA proposes to relocate the future driveway on Lot 60 to a less steep portion of the site and simplify the provision of a Fire Department turn around at the end of the Ross Street Terrace.

The previous project proposed similarly sized residential units, 2,808 sq. ft. vs. 2,842 sq. ft. for Lot 59, and 2,627 sq. ft. vs. 2,885 sq. ft. for Lot 60. Both versions of the proposed single-family residences were three bedroom, two and a half bath, twostory homes with two- car garages.

Access to the two parcels would be from Ross Street via Ross Street Terrace. Previous iterations of the project suggested access from Clayton Street. However, site topography, combined with the hairpin turn from Clayton Street onto Ross Street Terrace make this access (from the north side) impractical.

Like the previous project, the current proposal involves the use of a new Ross Street Terrace access drive to connect to the City's road network. Construction of the access drive would involve the construction of retaining walls along both sides of the access drive. Current plans show retaining wall heights on the west side, above the roadway ranging from 12' near the intersection with Ross Street to 3 – 5' along most of Ross Street Terrace. Retaining walls along the east side of the access drive would range in height from between two and six feet along most of its alignment. Like the previous proposal, the current proposal shows the width of the middle portion of Ross Street Terrace to be only 16 feet wide. The Fire Department has requested that the access drive be a minimum width of 20 feet wide. This will require that some of the retaining walls will be somewhat higher along much of the alignment (except for that portion near Ross Street which is already 20 feet wide).

The proposed project (with the 16-foot access drive) would require the removal of 2,030 cubic yards of earth. Approximately 690 cubic yards would be filled onsite. The remaining 1,340 cubic yards would be exported (removed from the site) to an appropriate location approved by the Department of Public Works.

Staff is looking for the Board's concurrence/comments on the proposed Lot Line Adjustment and resulting site plan. Does the LLA demonstrate the best layout to develop the properties? In addition to the layout of the LLA, staff has concerns about the requested Natural State Exception and Guest Parking and is looking for the Board's concurrence on the following items:

- *Exception to Natural State requirement - Pursuant to Section 14.12.030 of the Zoning Code, projects on Hillside lots need to reserve a minimum area of twenty-five percent (25%) of the lot area plus the percentage figure of average slope, not to exceed a maximum of eighty-five percent (85%), as natural state. Natural state includes all portions of lots that remain undeveloped and*

undisturbed. Grading, excavating, filling and/or the construction roadways, driveways, parking areas and structures are prohibited. Planting and landscaping which enhances the natural environment are permitted when approved through an environmental and design review permit. The applicant is requesting an exception to the Natural State which allows for the following:

- Lot 59 - The minimum natural state required for this lot is 3,610 square feet. The applicant's data (Sheet TS) proposes a total natural state of 1,957 square feet, which is less than the minimum required and therefore an exception to the natural state requirement is requested. In comparison, proposed lot is 78% in size (only 60% of the minimum lot size if the panhandle is removed from the calculation); 1,957 square feet is about 54% of the required minimum natural state.
- Lot 60 - The minimum natural state requirement for this lot is 3,283 square feet. The applicant's project data (Sheet TS) proposes a total natural state of 1,741 square feet, which is less than the minimum required and therefore an exception to the natural state requirement is requested. In comparison, proposed lot is 67% in size; 1,741 square feet is about 53% of the required minimum natural state.
- **Exception to Guest Parking requirement** – pursuant to Section 15.07.030(c) each lot created on substandard city and all private streets shall provide a minimum of two off-street parking spaces. These independently accessible guest parking spaces should be developed on each lot and shall not be located on the driveway apron. The proposed Ross Street Terrace roadway is between 16 and 20 feet wide.
 - Lot 59 - One guest parking space is proposed in front of the residence in what realistically is the backup and turnaround area for vehicle pulling out of the garage. This will be discussed in more detail later.
 - Lot 60 – One guest parking space is proposed in front of the residence.
- **Exception to Driveway Slope requirement** – pursuant to Section 15.07.030 the grade for new streets and driveways shall not exceed 18% unless an exception has been granted by the hearing body and the design has been recommended by the Design Review Board. The project includes a short segment when the grade is 24.86%.
- **Architecture:** Whether the design of the new residences incorporate appropriate design elements and contributes to the mix of architectural styles of the neighborhood and whether this style adequately incorporates architectural details to minimize height differences.
- **Materials and Colors:** Whether the colors and materials are appropriate for this site.

Project Information using the proposed lots and residences are provided below.

| Lot 59 (Upper Lot) | | | | |
|--|--|-------------------------|----------------------|----------------------|
| | Minimum Required or Maximum Allowed | Existing Lot (2) | Proposed Lot | Compliant Y/N |
| Min. Lot Size | 7,500 sq. ft. | 5,851 sq. ft. | 5,851 sq. ft. | N (No Change) |
| Average Lot Slope | - | 32.7% | 36.7% | - |
| Max. Gross Building Area (2,500 square feet + 10% lot area) | 3,085 sq. ft. | 3,085 sq. ft. | 2,842 sq. ft. | Y |
| Min. Natural State (25% + %Average Slope) | 61.7% 3,610 sq. ft. (1) | 100% 5,851 sq. ft. | 54% 1,957 sq. ft. | N |
| Max. Lot Coverage | 40% | 0% | 23.87% | Y |
| Max. Building Height | 30 feet | 0 feet | 25.2 feet | Y |

| Lot 59 (Upper Lot) | | | | |
|----------------------|--|------------------|------------------|---------------|
| | Minimum Required or Maximum Allowed | Existing Lot (2) | Proposed Lot | Compliant Y/N |
| Stepbacks | Cannot exceed 20 feet over more than 25% of the length of each building side | 0% | Side South – 0% | Y |
| | | | Front – 0% | Y |
| | | | Side North – 16% | Y |
| Parking | 2 | 0 | 2 | Y |
| Guest Parking | 2 | 0 | 1 | N |
| Min. Setbacks | | | | |
| Front | 15 feet | 0 feet | 15 feet | Y |
| Rear | 10 feet | 0 feet | 10 feet | Y |
| Side-South | 6 feet | 0 feet | 6.9 feet | Y |
| Side-North | 6 feet | 0 feet | 17.4 feet | Y |

Notes:

- (1) The Minimum Natural State requirement for a 7,500 square foot lot with a 61.7% average slope would be 4,628 square feet.
- (2) The existing lot is vacant/undeveloped.

| Lot 60 (Lower Lot) | | | | |
|--|--|-----------------------|----------------------|------------------|
| | Minimum Required or Maximum Allowed | Existing Lot (2) | Proposed Lot | Compliant Y/N |
| Min. Lot Size | 7,500 sq. ft. | 5,028 sq. ft. | 5,028 sq. ft. | N (No Change) |
| Average Lot Slope | - | 45.1% | 40.3% | - |
| Max Gross Building Area (2,500 square feet + 10% lot area) | 3,003 sq. ft. | 3,003 sq. ft. | 2,885 sq. ft. | Y |
| Min. Natural State (25% + %Average Slope) | 65.3% 3,283 sq. ft. (1) | 100% 5,028 sq. ft. | 53% 1,747 sq. ft. | N |
| Max. Lot Coverage | 40% | 0% | 27.39% | Y |
| Max. Building Height | 30 feet | 0 feet | 22 feet | Y |
| Stepbacks | Cannot exceed 20 feet over more than 25% of the length of each building side | 0% | Side South – 0% | Y |
| | | | Front – 0% | Y |
| | | | Side North – 19%. | Y |
| Parking | 2 | 0 | 2 | Y |
| Guest Parking | 2 | 0 | 1 | N |
| Min. Setbacks | | | | |
| Front | 15 feet | 0 feet | 15 feet | Y |
| Rear | 10 feet | 0 feet | 10 feet | Y |
| Side-South | 6 feet | 0 feet | 6 feet | Y |
| Side-North | 6 feet | 0 feet | 6 feet | Y |

Notes:

- (1) The Minimum Natural State requirement for a 7,500 square foot lot with a 65.3% average slope would be 4,898 square feet.
- (2) The existing lot is vacant/undeveloped.

Previous 2017 Project

On August 22, 2017, the Design Review Board provided conceptual review comments on a previous project design. After reviewing the project, the Board acknowledged that providing access to the vacant lots was extraordinarily challenging and encouraged staff to meet with all stakeholders, including Fire Department, neighbors, and the applicant's team to help find a solution. The Board (Board) provide conceptual design review comments on the design of the prior project:

- Due to the necessity of overwhelmingly tall retaining walls, the Ross St. Terrace access option should be discouraged and access to the site should be from Clayton St.
- If project continues to propose access along Ross Street Terrace, ownership issues surrounding the roadway right-of-way (ROW) need to be resolved. If owned by the City, abandonment should be considered and allow the project to meet private driveway standards rather than public roadway standards.
- All guest parking should be on each parcel and not located off-site, within the new roadway ROW.
- If meeting the required Natural State standard is difficult, a shared access driveway should be considered and/or an Exception.
- The 'flagpole' portion of the flag lot should be included in the Natural State calculation.
- The Lot Line Adjustment should not create the proposed rear 'dog leg' area on the lower lot.
- Contemporary design of residences may be OK though it needs refinement such as lower ceiling heights and better setbacks.
- The removal of 'significant' trees should be replaced on a 3:1 ratio, if possible. Better landscape plans needed with additional details.
- Cross-sections should be added to plans showing the sites, the proposed residences and new roadway.
- Provide story poles for the proposed new structures and staking the location and height of the new roadway retaining walls.

Lot Line Adjustment

Like the current project, the previous project layout shifted the new driveway to Lot 59 to the southside of Lot 60. However, unlike the current project the applicant proposed a finger of land about ten feet wide along the northern property line. This layout increased the buildable area of Lot 59 at the expense of the buildable area for Lot 60 since about 700 square feet of the lot was unusable due to the narrow finger of land.

In response to the previous proposal, the Board recommended that the Lot Line Adjustment not include a rear dogleg on the lower lot. The current proposal has eliminated the rear dogleg from the LLA application to create a straight property line. This change has also resulted in an increase in the depth of (lower) Lot 60 by about five feet.

Site Design

Like the current project, the previous layout proposed to construct a single-family residence on each lot. The driveway for Lot 59 following the southern property line from Ross Street Terrace up toward the new residence. Both projects would utilize the Ross Street Terrace right-of-way to access Ross Street. This configuration improved access into and out of the garage by providing a straight approach from the driveway.

The Board did not comment on the proposed side yard reduction. The general orientation of the site had not changed except that the Lot 59 residence now complies with the required 6-foot setback.

Ross Street Terrace

According to the project plans both residences would utilize the Ross Street Terrace right-of-way to access the City street network at Ross Street. The Board’s previous recommendation was to try to reduce the need for tall retaining walls and consider site access from Clayton Street. As a result, staff had the applicant design a project access to the proposed residences from Clayton Street that meets the requirements of the Department of Public Works and the Fire Department.

The existing privately-owned section of Clayton Street (which goes up the hill toward the connection with Ross Street Terrace) is only one lane wide and would require the construction of a modified travel lane in a changed location to accommodate a fire truck. These improvements would require substantial grading and retaining walls since many of the structures along Clayton Street are built on or near the property lanes. It would require the approval of the existing property owners to allow construction of the modified roadway over their properties.

In addition, staff report Exhibit 4 provides a visual comparison of proposed retaining walls taller than four feet that are unique to each alternative. The exhibit also includes representative spot wall heights at different points. The exhibit does not show the retaining walls around the proposed residences since these are common to both access alternatives. Retaining walls shorter than four feet are not depicted. The four-foot retaining wall height criterion was selected because Code Section 14.16.140(A)(2)(a) states that retaining walls taller than four feet may be permitted with environmental and design review subject to Design Review Board recommendation.

Both access alternatives involve a variety of retaining walls both above and below the proposed access drive. Based upon the submitted information, the Clayton Street access has more tall retaining walls and would directly affect the daily access to six existing residences. The construction of a Clayton Street access would require the construction of a six-foot tall retaining wall in front of the existing residence at 53 Clayton Street.

| | Access from Ross Street | Access from Clayton Street |
|--|--------------------------------|-----------------------------------|
| Length of Access Drive (to centerline of the driveway for the upper residence) | 400 feet | 440 feet |
| Number of Existing Residences using the Roadway for Primary Access | 0 | 6 |
| Starting Elevation | 242 feet | 203 feet |
| Maximum Elevation | 284 feet | 272 feet |
| Elevation at Driveway to the Upper Unit | 272 feet | 272 feet |
| Average Slope (all vertical slopes ÷ distance) | 13.5% | 15.7% |
| Approximate Length of Retaining Walls 4’ or Taller (Excludes retaining walls around proposed residences) | 350+/- feet | 450+/- feet |

All vertical elevations are measured as Above Mean Sea Level.

After evaluating both access points, it became clear that while both alternatives require the construction of retaining walls, access from Ross Street would have less direct impact to other properties in terms of off-site grading and access. The overall length of both access drives (including the necessary Fire Department turnaround) are similar. As demonstrated in the preceding table, access from Ross Street involves less elevation gain, fewer tall retaining walls, directly affects the primary access to fewer residences, and because the access drive is straighter, will provide easier access for emergency vehicles. A Ross Street access will also avoid a potential eminent domain acquisition by the City since a Clayton Street access would involve construction on private property. For these reasons, staff is recommending that the project retain its access from Ross Street.

On a related subject, the right-of-way for Ross Street Terrace was offered to the City but was never formerly accepted. Because the proposed access drive is functionally a long driveway to the proposed residences, it will be constructed by the applicant and maintained by the owners of the properties who might be using it for access. The properties to be included in any future maintenance agreement will be evaluated by the Planning Commission when the project is considered at a future date.

Retaining Walls

The project proposes a series of retaining walls on each side of the proposed access drive along the Ross Street Terrace right-of-way. Across the access drive from the lower residence there will be two sets of taller retaining walls with intermediate landscaping. The retaining wall design in this area is the same for both the Ross Street and Clayton Street access designs. As previously discussed, the use of Clayton Street to access the property would require more taller retaining walls.

The Board expressed concern about the heights of the retaining walls along the access drive and requested additional information on their height and location, including cross sections. The plans show cross sections in multiple locations across the access drive.

Access Driveway Grade

SRMC Section 15.07.030 indicates that the grades for new streets and driveways shall not exceed 18% unless an exception has been granted by the hearing body and the design has been recommended by the Design Review Board. The access drive from Ross Street contains a 68-foot long section where the slope is 24.86%. The rest of the access drive has grades less than 18%. Staff believes it is possible to construct the access drive to better comply with the 18% requirement, however, that would involve more grading and taller retaining walls. The applicant is requesting an Exception to this requirement.

Guest Parking

The project proposes to locate the required guest parking for Lot 59 on the east side of Ross Street Terrace across the street from the Lot 60 residence. The guest parking for Lot 60 is proposed within the right-of-way for Ross Street Terrace in front of the Lot 60 residence. The current proposal has removed the guest parking from the Ross Street Terrace right-of-way to on-site locations near the front doors of each unit. SRMC Section 15.07.030(c) requires the provision of two guest parking spaces per unit. The applicant is proposing to provide only one parking space per unit. As a result, an exception is being requested.

Natural State

The previous project, like the proposed project cannot meet the natural state requirement. When the project was previously submitted to the Board, no specific information was provided on the lower lot, Lot 60.

In response the Board indicated that if the required Natural State standard cannot be achieved, a shared access driveway should be considered, or an Exception requested. Given the onsite topography a shared driveway is not feasible, and, as a result, an exception is being requested.

Building Architecture

The project proposed a contemporary style rectilinear architecture. The exterior materials were a combination of stucco and painted Hardie board siding with metal frame windows. Patio railings consisted of horizontal black powder-coated railings. The overall designs were somewhat boxy in appearance.

In response the Board noted that the contemporary design may be okay though they felt that the proposed design needed additional refinement such as lower ceiling heights and better setbacks.

The general style of the buildings has not substantially changed though the structures do comply with the required setbacks.

Landscaping, Tree Removal and Replacement

The Board also felt that the significant trees identified for removal should be replaced on a 3:1 ratio and that more detailed landscape plans were needed. The applicant has provided more detailed landscape plans which are located in the project plans contained in Exhibit 2. To provide additional information of onsite trees, an arborist report was provided.

According to the initial arborist report, the combined site contains a total of 58 trees, though only 39 are significantly sized. There are also several trees located on adjacent sites that could be affected by project construction. As summarized below, the project proposes to remove 35 of the 39 significant trees. The City defines a tree as significant in the hillside overlay district when the diameter at breast height is 12 inches or larger (6 inches for larger for live oaks). The majority of these trees are located within the right-of-way for Ross Street Terrace. A summary of the significant trees on the project site is provided below.

| Tree Species | Existing | To Be Removed | To Remain | New Trees | Proposed |
|----------------------------|-----------------|----------------------|------------------|------------------|-----------------|
| Acacia sp. | 13 | 13 | 0 | 0 | 0 |
| Live Oak ** | 10 | 8 | 2 | 5 | 7 |
| Eucalyptus sp. | 3 | 3 | 0 | 0 | 0 |
| California Bay ** | 3 | 1 | 2 | 0 | 2 |
| Others (7 species) | 10 | 10 | 0 | 0 | 0 |
| <i>Western Redbud **</i> | <i>0</i> | <i>0</i> | <i>0</i> | <i>4</i> | <i>4</i> |
| <i>Santa Cruz Ironwood</i> | <i>0</i> | <i>0</i> | <i>0</i> | <i>6</i> | <i>6</i> |
| <i>Little Gem Magnolia</i> | <i>0</i> | <i>0</i> | <i>0</i> | <i>5</i> | <i>5</i> |
| <i>Strawberry Tree</i> | <i>0</i> | <i>0</i> | <i>0</i> | <i>1</i> | <i>1</i> |
| Total | 39 | 35 | 4 | 20 | 24 |

** - Northern California native species

There are also nineteen other trees smaller than 12 inches in diameter (or smaller than 8 inches for the Live Oak) at breast height. These include 9 Acacia, 2 California Bay, 4 Live Oak, and 4 others. The proposed replacement trees are proposed to be 24" Box specimens. Most of these will be planted along the proposed access drive. The trees shown in italics are the trees that are the proposed replacement trees.

Other issues

Also, the Board requested additional information on the access drive, including cross-sections, to better show the sites and proposed residences, as well as the new roadway and that any future storypoles should also indicate the heights of the roadway retaining walls. The plans provide detailed information on the landscape material and include cross sections across the proposed access drive. Storypoles have been placed on site to show the locations and massing of the proposed residences.

PROJECT DESCRIPTION & ANALYSIS

Lot Line Adjustment:

The proposed site plan includes a lot line adjustment to reconfigure the two existing lots by moving the driveway flag portion of the upper lot (labeled as Lot 59) from the northside of Lot 60 to the south side and shifting the lower lot (labeled as Lot 60) twenty feet to the north. The relative areas of the two lots are the same and the overall size of the developable areas on each lot are similar.

Staff is requesting DRB Subcommittee input regarding:

- The proposed lot lines and the reorientation of the two lots.
- Whether the proposed site plan demonstrates efficient use of the site.

Site Plan:

The project proposes to construct a new two story, three-bedroom, two-and-a-half-bath single family residence on each lot. Each new house includes a two-car garage and a patio deck which is accessed directly from the kitchen/family room. The numerous retaining walls are discussed in more detail later in this staff report.

Lot 59: The driveway access for the upper lot is part of the required fire department turnaround. The middle twenty-foot long segment between the retaining walls is 11½ feet wide. The upper segment driveway provides access into and out of the garage. While turning motions into the garage appear functional, the movements to back out of the garage appear to be problematic. Exiting the garage will either require a three or more points turn, the use of the proposed guest parking space to turn around, or the driver to back down the hundred-foot driveway to reach Ross Street Terrace. A portion of the upper lot turn around is proposed to be located on the lower lot through an easement.

Lot 60: Access to the garage for the lower unit is directly from Ross Street Terrace via a 20-foot-long driveway. Access is simple and direct and is not problematic in any way. One guest parking space is being provided near the front door outside of the right of way for Ross Street Terrace.

Access Drive: The original Certificate of Compliance for the project site required the construction of a 16-foot wide access drive to either Ross Street or Clayton Street. The proposal is to connect to Ross Street involves the construction of a 16-foot-wide access drive back to the driveway to the upper lot; twenty feet wide at the transition to Ross Street. The northern end of the access drive will be 28 feet wide. At the end of the access drive, a barrier wall will be installed to prevent vehicles from driving off the edge. Except for a short section, the grade of the access drive complies with the City's 18% requirement.

Guest Parking: One guest parking space would be provided in front of each proposed residence. Other parking along the access drive would not be allowed since the drive is too narrow to allow parking. Additional guest parking would be available along Ross Street.

Staff is requesting DRB Subcommittee input regarding:

- The orientation of the two houses and the driveway to the upper lot.
- The design and grade of the access drive.
- Number and location of guest parking.

Architecture:

The design of both residences is a contemporary style incorporating a variety of wall planes and roof lines. Each building has three building massing elements, on the left side there a master bedroom with balcony over the two-car garage. On the left side is the kitchen/family/dining room area over two ground-floor bedrooms with an adjacent deck. In between there is a recessed entry and foyer that leads to the stairs which lead to the upper level. Each of these building massing elements one or more varied roof lines which also further diversify the massing.

The structure provides articulation in the following ways:

- Varying wall planes and heights.

- Varying materials with a combination of flat surfaces accented with vertical and horizontal wood trim.
- Roof lines with a combination of butterfly and flat roofs.

The primary exterior materials included Hardie Panels with reveals, with vertical T&G Wood siding and horizontal ship lap siding. The T&G Wood panels will also be used on the soffits. The Hardie Panels will be painted a gray-silver color (Benjamin Moore Revere Pewter). The windows system calls for black metal frames. The proposed window system does not include mullions. Composite shingles will be used on the roof.

The retaining walls near the structures will be board-formed concrete. It is unclear if all the retaining walls will use this system of construction.

The proposed materials are similar to the exterior materials in the surrounding area. Based upon a windshield survey, homes in the area include a variety of architectural styles utilizing both wood and stucco exteriors.

Staff would like the Subcommittee's input regarding:

- The design of the residences, including the colors and materials.

Gross Building Square Footage:

Lot 59: The new single-family residential structure on the upper lot consists of approximately 2,842 square feet. The allowable square footage on this hillside lot is 3,085 square feet. The second floor consists of about 1,445 square feet. The allowable second story square footage is 75% of the lot coverage (e.g. 40%) of 5,851 square feet, or 1,755 square feet. The proposed residence complies with these code requirements.

Lot 60: The new single-family residence on the lower lot is proposed to be developed with a gross building area of 2,492 which is less than maximum allowed of 3,158 square feet. The second floor consists of approximately 1,508 square feet, the allowable second floor square footage is 75% of the lot coverage (e.g. 40%) of 5,028 square feet or 1,508 square feet. The proposed residence complies with these code requirements.

Natural Open Space:

Lot 59: As shown in the Tables above, the proposed lot line adjustment and resulting development on the upper lot would result in a natural state area of 1,957 square feet (54% of the lot), where at least 61.7% or 3,610 square feet is required. The natural state requirement includes 945 square feet of drought tolerant native landscaping. Much of the landscaping is concentrated in the front of the proposed house near the guest parking space. The landscape plan includes the retention of a 47.9" Live Oak tree. The landscape plans show the removal of six significant trees on the upper lot. These includes a live oak, a silk oak, a glossy privet, an acacia, a California buckeye, and a cherry plum.

Lot 60: As shown in the Tables above, the proposed lot line adjustment and resulting development on the upper lot would result in a natural state area of 1,747 square feet (53% of the lot), where at least 65.3% or 3,283 square feet is required. The natural state requirement includes 1,548 square feet of drought tolerant native landscaping. Two-thirds of the landscaping is located behind the residence and consists of 1,070 square feet of a Native Mow Free lawn in the rear yard. The landscape plans show the removal of twenty-five significant trees along the Ross Street Terrace from the northern property line to Ross Street. These includes two live oaks and two cherry plums.

Access Drive: Construction of the access drive would require the removal of many trees in the Ross Street Terrace. The preliminary arborist report shows the removal of twenty-four significant trees in the Ross Street Terrace corridor. These include: eight Live Oak, six acacia, four eucalyptus, two olive, two California Bay, Cherry Plum, and a Monterey Cypress. However, staff would like to point out that

there is some confusion about exactly which trees may be affected by the project. When the arborist report was prepared, several trees that were identified for removal may not actually be removed. This is because of a lack of on-the-ground reference points in some areas. Once the project design is finalized an updated arborist report will be prepared.

Staff seeks input from the DRB Subcommittee regarding:

- The proposed Natural State and whether the proposed landscaped area enhances the natural environment and should therefore be considered part of natural state.
- The removal of the large number of significant-sized trees.

Landscaping:

Lot 59: The landscape plan shows a single 24" Box multi-trunked accent tree (Strawberry Tree) near the front door and will retain a significant sized live oak located in the south east corner of the site will be protected in place. All other existing trees will be removed.

Low water use native species will be planted in defined planters near the front door and in the rear yard, as well as the strip of landscaping between the driveway retaining wall and property line. The proposed shrubs include the Pink Flowered Currant, Oregon Grape Holly, Fuschiaflower Gooseberry, along with Mound San Bruno Coffeeberry in the bioretention basin. The groundcover is proposed to be California Lilac. The landscape plan proposes to irrigate 945 square feet of shrub and ground cover with drip/bubbler systems.

Lot 60: The landscape plan for the lower lot proposes to use different species that were proposed for the upper lot. The landscape plan shows three 24" Box Western Redbud trees in the rear of the new residence to create a degree of rear yard privacy screen between the two sites. None of the existing trees will be retained.

Low water use native species will be planted in defined planters near the front door and in the rear yard, as well as the strip of landscaping along the south edge of the driveway. The proposed shrubs include the Winnifred Gilman Blue Sage, Pine Muhly, along with Cape Rush in the bioretention basin. The landscaping includes 1,070 square feet of a Native Mow Free lawn consisting of Idaho fescue, Molate fescue, and Western Mokolumne fescue in most of the rear yard area. The landscape plan proposes to irrigate 1,548 square feet with drip/bubbler systems.

Access Drive: Most of the project landscaping is located within the right-of-way for Ross Terrace Street. The landscaping in this area also primarily includes low water use native species. The landscape plan shows 5 Live Oak, 6 Santa Cruz Island Ironwood, and 5 Little Gem Magnolia. The Little Gem Magnolia is a non-native tree and will be planted on the south side of Ross Street Terrace across from the lower residence to provide additional screening for the rear yard at 211 Marin Street. All of the trees will be 24" Box specimens. None of the existing trees will be retained in this area.

The proposed shrubs include the Elfin King Strawberry Tree, Fuschiaflower Gooseberry, and the Mound San Bruno Coffeeberry, and White Flowered Lantana below the access drive. Silk Tassel Bush, Catalina Currant, and Mound San Bruno Coffeeberry are proposed to be planted above the access drive. The landscape plan proposes to irrigate 3,999 square feet with drip/bubbler systems.

Staff would like the Subcommittee's recommendation about the appropriateness of the landscaping proposed as follows:

- Is the proposed landscape scheme, centered around predominantly low water use native species, consistent with the hillside conditions?

Retaining Walls:

There are three sets of retaining walls on the project. The first set is along the driveway to the residence on Lot 59. The second set of retaining wall is along both sides of the access drive from Ross Street. The third set is the double retaining walls east of the new unit on Lot 60.

Lot 59 Driveway: The retaining wall creating the driveway begins at the south east corner of Lot 59 and Ross Street Terrace. The retaining wall then follows the southern property line up to the corner of the upper residence. The height of the wall starts out at 5¾ feet before transitions up to a height of 10 feet in height near the upper residence. The height of the upper portion of this retaining wall is based upon the floor elevation of the garage that is about 7 below the surface of the ground at the front and 11 feet below ground surface at the rear.

The parallel retaining wall on the other side of the drive is much lower. For most of its length it is between two feet and four feet in height, though the wall making the proposed guest parking space near the front door is 5 feet high. The lower side of this retaining wall faces the backyard for the lower residence.

Ross Street Terrace Access Drive: The construction of the access drive will require the construction of retaining walls on both sides of the drive because of the existing cross slope. Virtually all of these retaining walls will back face the east with the exception of the wall on the east side of the access drive just off of Ross Street where the roadway ascends the existing slope created by the original construction of Ross Street. The tallest retaining wall is found near the intersection with Ross Street. In this area, on the west (uphill) side of the driveway, a retaining wall of up to 12 feet in height will be required as the access drive ascends the initial slope adjacent to Ross Street. Once on top, the heights of this retaining wall will vary from between two and four feet. The height of the downhill retaining wall, on the east side of the access drive, varies between four and six feet along most of its length, though just before the driveway to Lot 59, the wall is only two feet tall.

Ross Street Terrace Double Retaining Wall: At the north end of the proposed improvements to Ross Street Terrace in front of Lot 60 the proposes to accommodate the required Fire Department turn around using the driveway to Lot 59 and the Terrace in front of the Lot 60 residence. In this area because of the higher slope, the project would construct two retaining walls about six feet apart to reduce the apparent massing of the retaining structure. The height of the upper wall would vary from up to 12 feet near the connection to Ross Terrace. Most of the upper retaining walls on the northern half are less than 4 feet in height. The lower wall is between 5 and 6 feet tall over most of its length.

Staff would like the Subcommittee's input regarding:

- On the grades of the access drive.
- The use and location of the proposed retaining walls.

General Plan 2020 Consistency:

The property is located within the Low Density Residential (LDR) Land Use Designation. The following General Plan policies are relevant to the project site:

Land Use Policy – LU12 (Building Heights): General Plan Land Use Policy LU12 establishes a maximum building height of 30 feet for this property. The applicant proposes structures with a maximum heights less than 30 feet.

Hillsides – CD-6a (Hillside Design Guidelines): General Plan Policy CD-6a seeks to protect the visual identity of the hillsides by controlling development through the use of Hillside Design Guidelines. The following Hillside Design Guidelines are relevant to the project.

- Significant existing natural features should be integrated into new hillside residential development proposals to retain the desirable qualities of San Rafael's hillside setting.

- Site development plans should demonstrate that a diligent effort has been made to retain as many significant trees as possible while minimizing fire hazards in high fire hazard areas.
- Grading should be kept to a minimum and should be performed in a way that respects significant natural features and visually blends with adjacent properties.
- The visual prominence of hillside residential development should be minimized by taking advantage of existing site features.
- Development should avoid large expanses of a wall in a single plane on downhill elevations. Use horizontal and vertical building components to effectively reduce the bulk of hillside residential development.
- New Hillside Residential Architecture in San Rafael should continue the dominant pattern of one and two-story buildings with tree canopied spaces around them.
- Color selection should show evidence of coordination with the predominant colors and values of the surrounding landscape.
- Site lighting should be used efficiently to aid safety, security and compliment architectural character. Lighting should minimize intrusion into adjacent properties, roadways, the hillside silhouette and the night sky.

In general, the project demonstrates compliance with hillside design standards though the balancing of conflicting site access, grading, tree preservation, and fire safety requirements has resulted in a number of design compromises. But when viewed as a whole, the proposed design results in a project that fits well into the local context. However, as mentioned above, the applicant is requesting exceptions to the natural state and guest parking requirements. Staff is seeking the Board's concurrence on these two exceptions.

Zoning Ordinance Consistency:

The proposed land use is consistent with the R7.5 Zoning District. As noted in the development summary table, the project proposes to comply with the R7.5 Zoning District development standards as well as the development standards of the Hillside Development Overlay including building heights and stepbacks. The project would not comply with the following standards:

Natural State

The applicant is requesting an exception to the natural state requirement of the Hillside Development Overlay District.

Guest Parking

The applicant is requesting an exception to the amount of required guest parking.

Subdivision Ordinance Consistency:

Driveway Grade

The applicant is requesting an exception to the driveway grade standards.

San Rafael Design Guidelines:

The San Rafael Design Guidelines serve as a guide for evaluating development. The project is a single-family residential project. The project complies with the following criteria:

- All building facades should be varied and articulated. Long monotonous walls should be avoided.
- Transitional elements, such as stepped facades, roof decks and architectural details that help merge larger building into an existing neighborhood should be used.
- There should be a clear, well-defined sense of entry from the street to the building.

- The placement and size of windows in the building should be consistent with the overall building design and the neighborhood streetscape. Where windows do not reflect an existing pattern, greater attention should be paid to other means such as balcony overhangs, porches, materials, colors, etc. of articulating the façade.
- Window proportions should be consistent with the proportions of the building and with other windows on the building.
- Windows should overlook the street, parking and public areas to permit surveillance and increased safety.
- Limit the intensity of lighting to provide for adequate site security and for pedestrian and vehicular safety.
- Shield light sources to prevent glare and illumination beyond the boundaries of the property.
- Lighting fixtures should complement the architecture of the project.

The project incorporates varied wall plains and rooflines and uses building setbacks to break up the volume of the building into smaller forms. There are a variety of building styles with varying setbacks in the adjacent areas along both sides of the Ross Street Terrace right-of-way. Except as noted above, the proposed building complies with the current hillside development standards. The entries to the buildings are well-defined. Light fixtures will be required to comply with the City's lighting requirements.

SUMMARY OF TOPICS

Staff seeks the Board's guidance regarding the following:

- Lot Line Adjustment
 - The lot lines and the reorientation of the two lots.
 - Whether the site plan demonstrates efficient use of the site.
- Site Design
 - The orientation of the two houses and the driveway to the upper lot.
 - The design and grade of the access drive.
 - Number and location of the guest parking.
- Retaining Walls
 - The use and location of the retaining walls.
- Building Design
 - The architectural design of the residences.
 - The proposed colors and materials.
- Natural State
 - The amount of Natural State on each lot.
 - Including the proposed landscaping as part of the Natural State.
- Landscape Design
 - The proposed landscape scheme involving predominantly low water use native species.
 - The removal of a large number of significant-sized trees.

DESIGN REVIEW BOARD

At the opening of the May 4, 2021 Board meeting on the project, staff requested a continuance to a 'date certain', to the next scheduled Design Review Board meeting, to May 18, 2021, to better provide the Board with plans in a more usable format. The Board unanimously (4-0 vote, Blayne absent) approved the requested continuance without staff introduction, acceptance of public comments or Board discussion on the project. Because of meeting issues, the project was pushed back to June 8, 2021.

NEIGHBORHOOD CORRESPONDENCE

Notice of the May 4, 2021 hearing was conducted in accordance with the requirements contained in Chapter 29 of the Zoning Ordinance. Following the Board's continuation to a 'date certain', a Notice of Continued Public Hearing was mailed to all property owners and occupants within a 300-foot radius of the project site, with the new online meeting details prior to the Board meeting. Additionally, notice which was previously posted near the project site on Ross Street, in the location of the proposed driveway and on Clayton Street, at the end of the public right-of-way, were also updated. Public comments on the project are included in Exhibit 5, which now contains forty-three public comments. Most of these comments are opposed to the project.

The most common reasons for their opposition to the project include, but are not limited to the following: that the property owner (the Applicant) has no legal right to improve Ross Street Terrace to access the home sites, emergency vehicles will not be able to access the site, the loss of parking on Ross Street, the additional traffic on Ross Street, the number and height of the retaining walls, that site access should be from Clayton Street, the loss of public use, impacts to wildlife habitat and open space, increased runoff, and construction impacts and noise. Because of the amount of public discussion, staff would like to address some of the concerns.

- **Community Comment: The property owner (the Applicant) has no legal right to improve Ross Street Terrace to access the site.** The City Attorney has evaluated this assertion and has determined that the property owner has the right to use Ross Street Terrace for access and to construct an access drive within the right-of-way.
- **Community Comment: The proposed access drive is too steep for fire engines to access the new residences.** The Department of Public Works and City Fire Department have evaluated the slope of the access drive and have indicated that, though steep near Ross Street, a fire engine can access the site and will be able to turnaround. Compliance will be verified prior to issuing permits to grade and construct an approved project.
- **Community Comment: Access from Clayton Street would be shorter and less intrusive.** The total length of the access drive from Ross Street and from Clayton Street, including necessary Fire Department turnaround are similar; both are about 480 feet in length. As discussed in the staff report, accessing from Clayton Street is potentially more difficult and disruptive than from Ross Street and would require the acquisition of private property to accommodate.
- **Community Comment: Loss of parking on Ross Street.** Construction of the access drive would eliminate two or three parking spaces along Ross Street.
- **Community comment: The loss of public use.** Construction of the access drive would not prevent public access, though it would alter how the site is currently used.
- **Community Comment: Construction impacts and construction noise.** Like all construction activities, there will be short-term disruption and noise impacts. However, construction activities will be subject to the City's construction noise restrictions in the San Rafael Municipal Code (7am to 6pm, Monday thru Friday, 9am to 6pm on Saturdays, and prohibited on Sunday).

CONCLUSION

As mentioned above, the applicant has submitted a Lot Line Adjustment and Environmental and Design Review application, the application for the Exception is pending, seeking input from the Board regarding architectural design approach, site plan and site design along with the mentioned exceptions. The Board's recommendations will help with the formal decision by the Planning Commission.

EXHIBITS

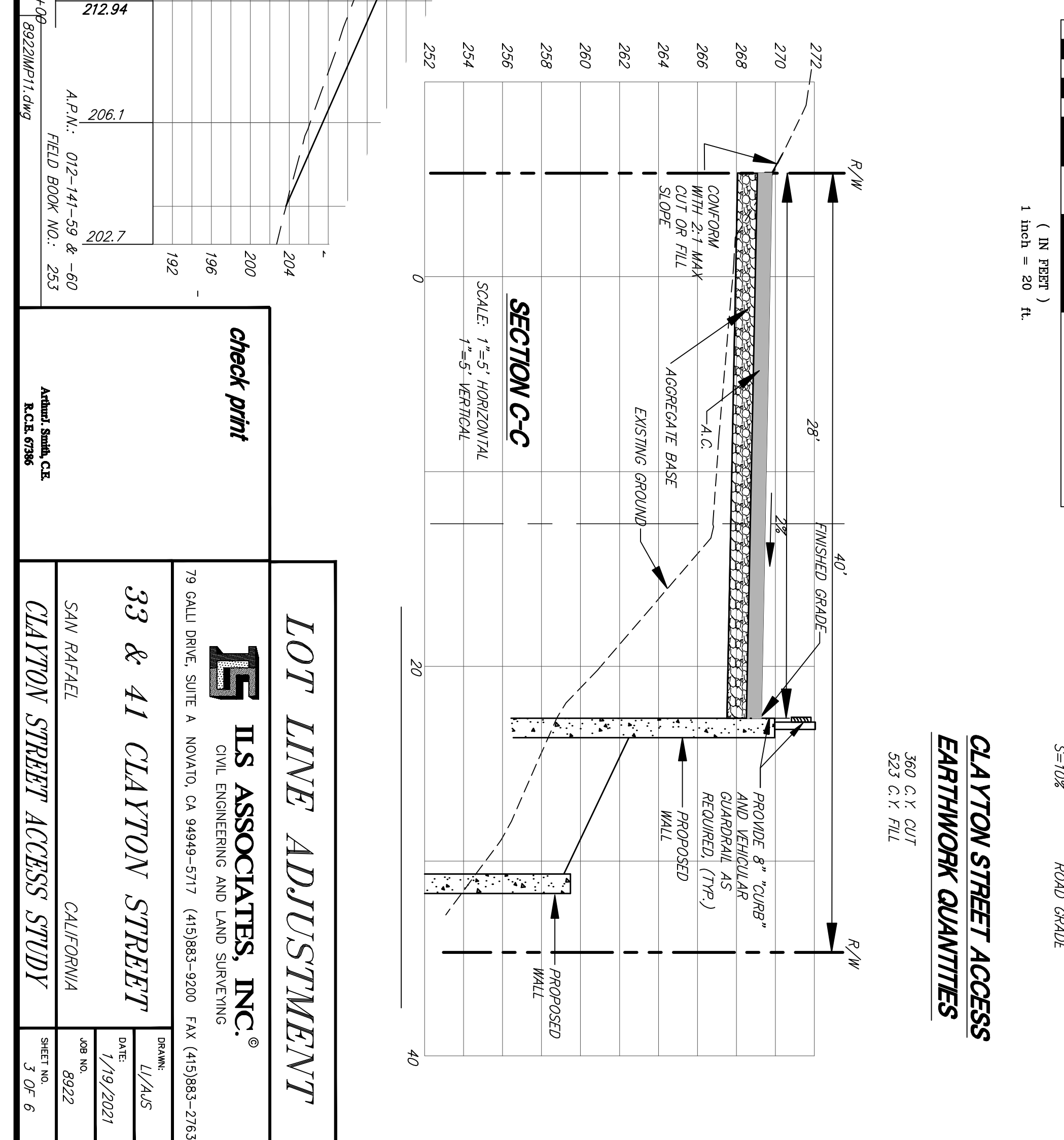
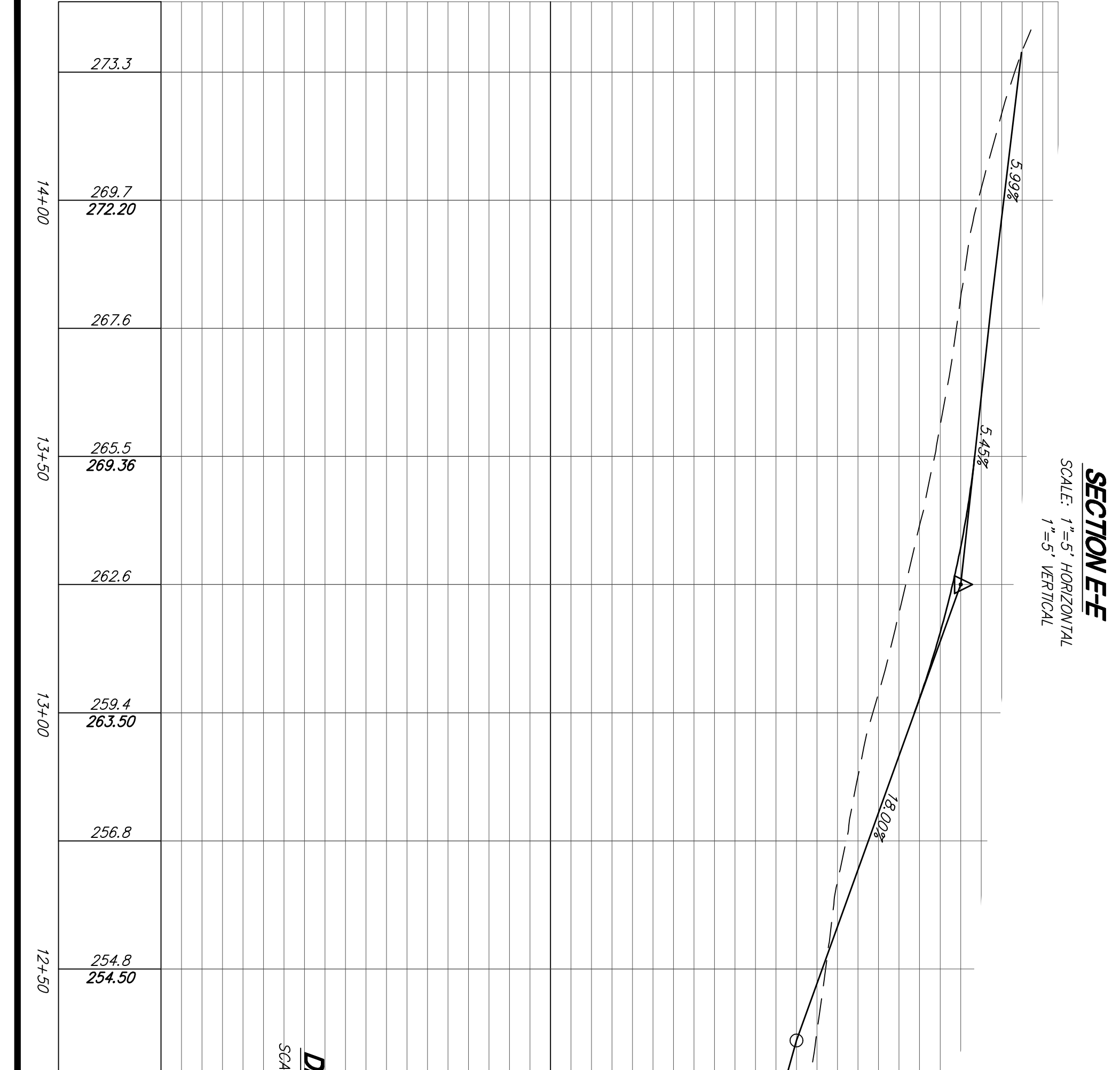
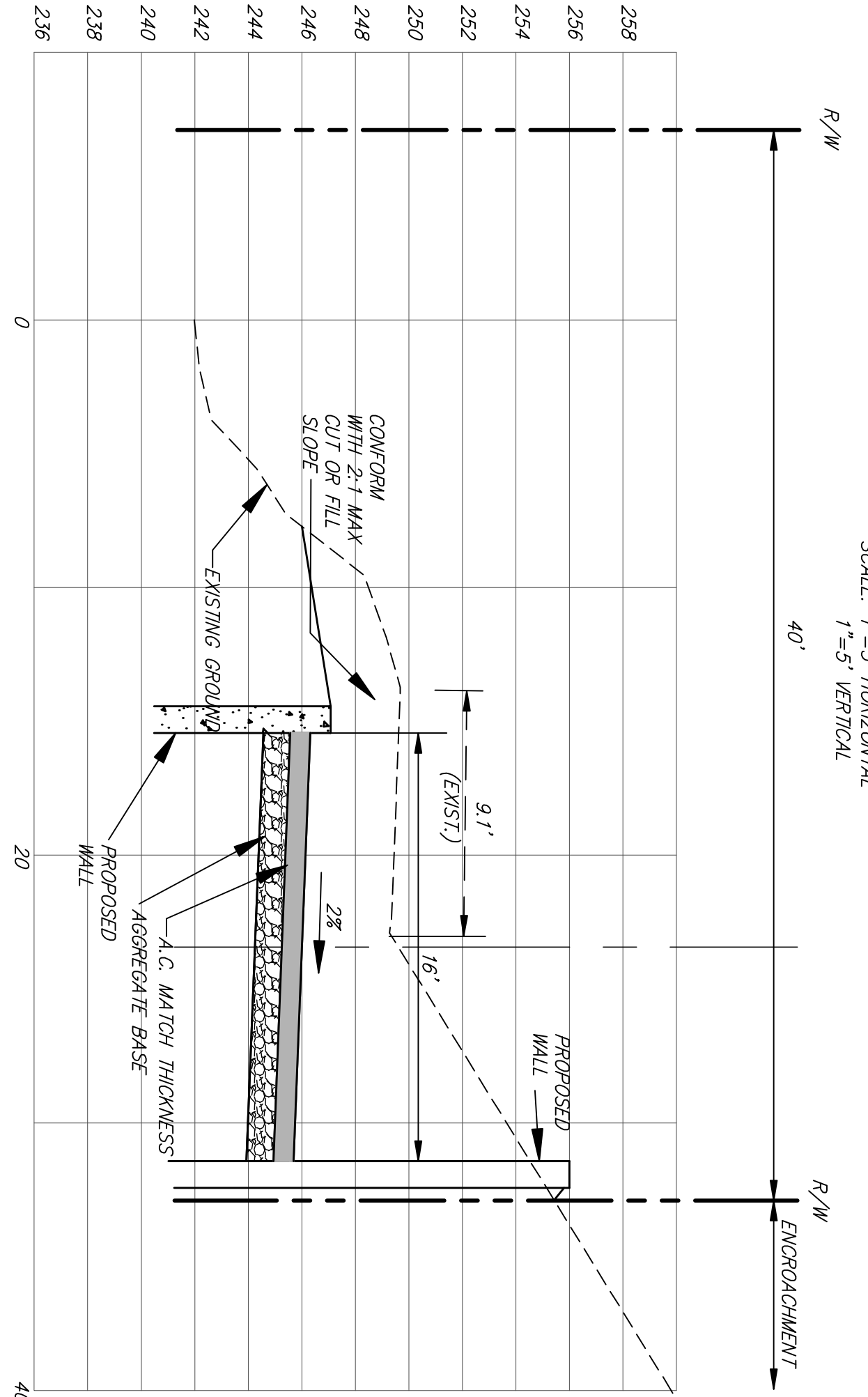
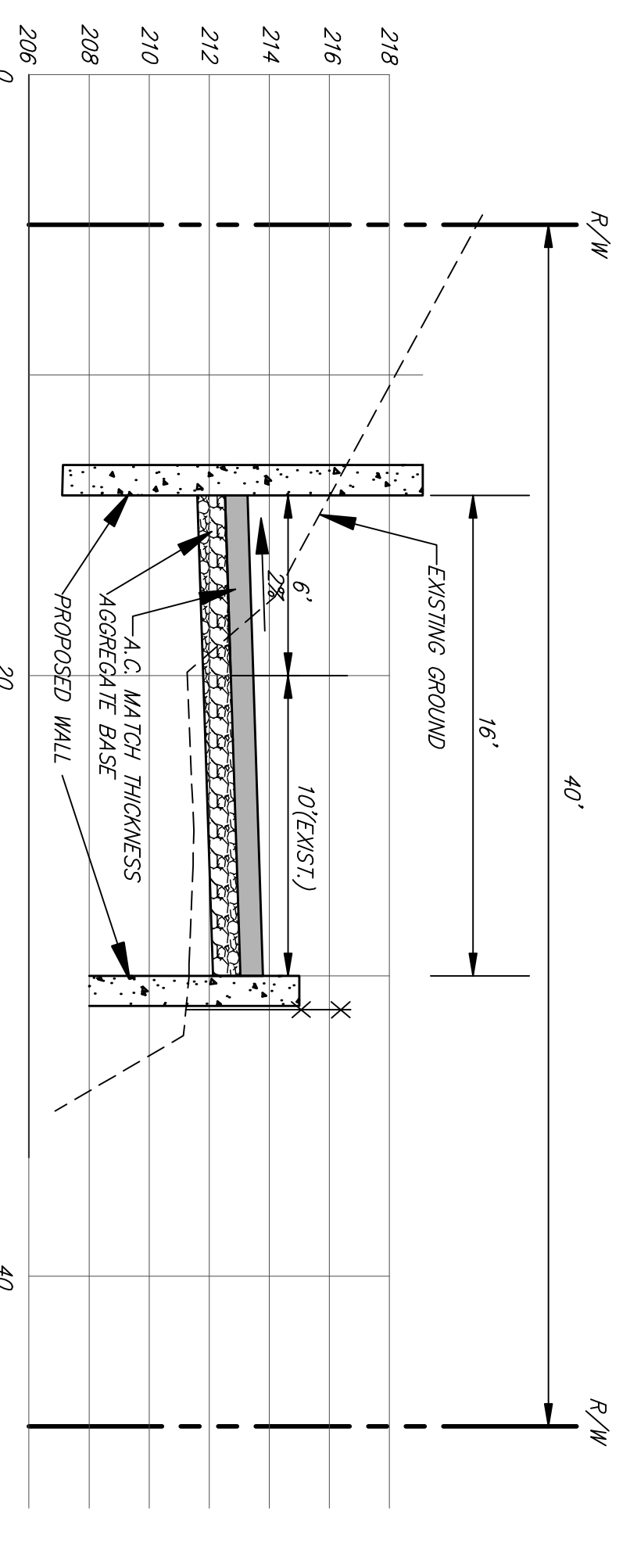
1. Vicinity Map
2. Reduced Project Plans
3. Updated Clayton Street Access Drive Plans
4. Retaining Wall Height Exhibit
5. Compiled Public Comments

Exhibit 1: Vicinity Map



Exhibit 2. Plan Set

<https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/09/Clayton-Ross-St-Terrace-5-2020.pdf>



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LOT LINE ADJUSTMENT

IUS ASSOCIATES, INC.
 CIVIL ENGINEERING AND LAND SURVEYING
 79 GALLI DRIVE, SUITE A NOVATO, CA 94949-5717 (415)983-9200 FAX (415)983-2763

33 & 41 CLAYTON STREET
 SAN RAFAEL CALIFORNIA

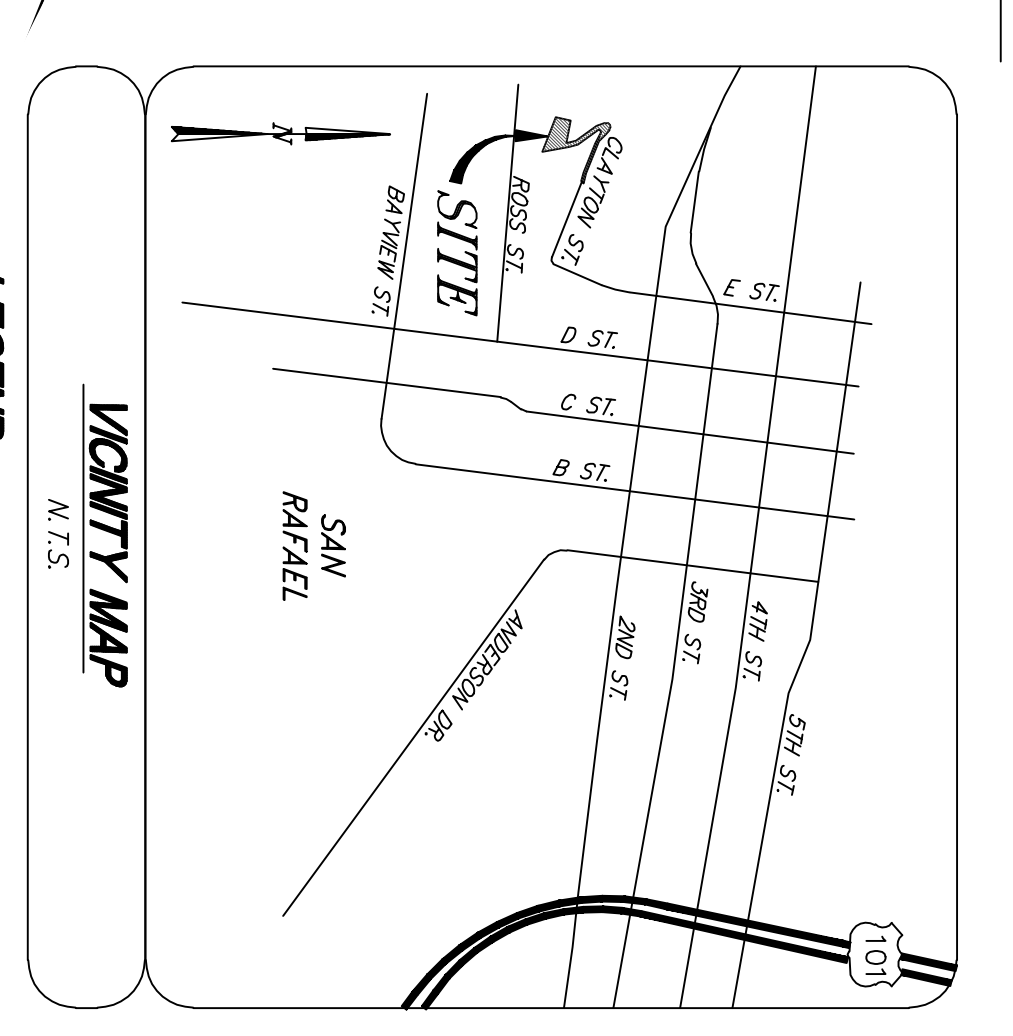
CLAYTON STREET ACCESS STUDY

DATE: 1/19/2021
 JOB NO: 8922
 SHEET NO: 3 OF 6

SURVEY NOTES:
 1. VERTICAL DATUM IS ASSUMED.
 2. HORIZONTAL DATUM IS BASED UPON FIELD SURVEY AND 2020 NS 041.
 3. CONTOUR INTERVAL IS 2'.

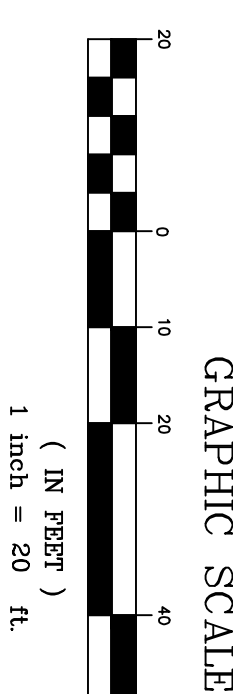
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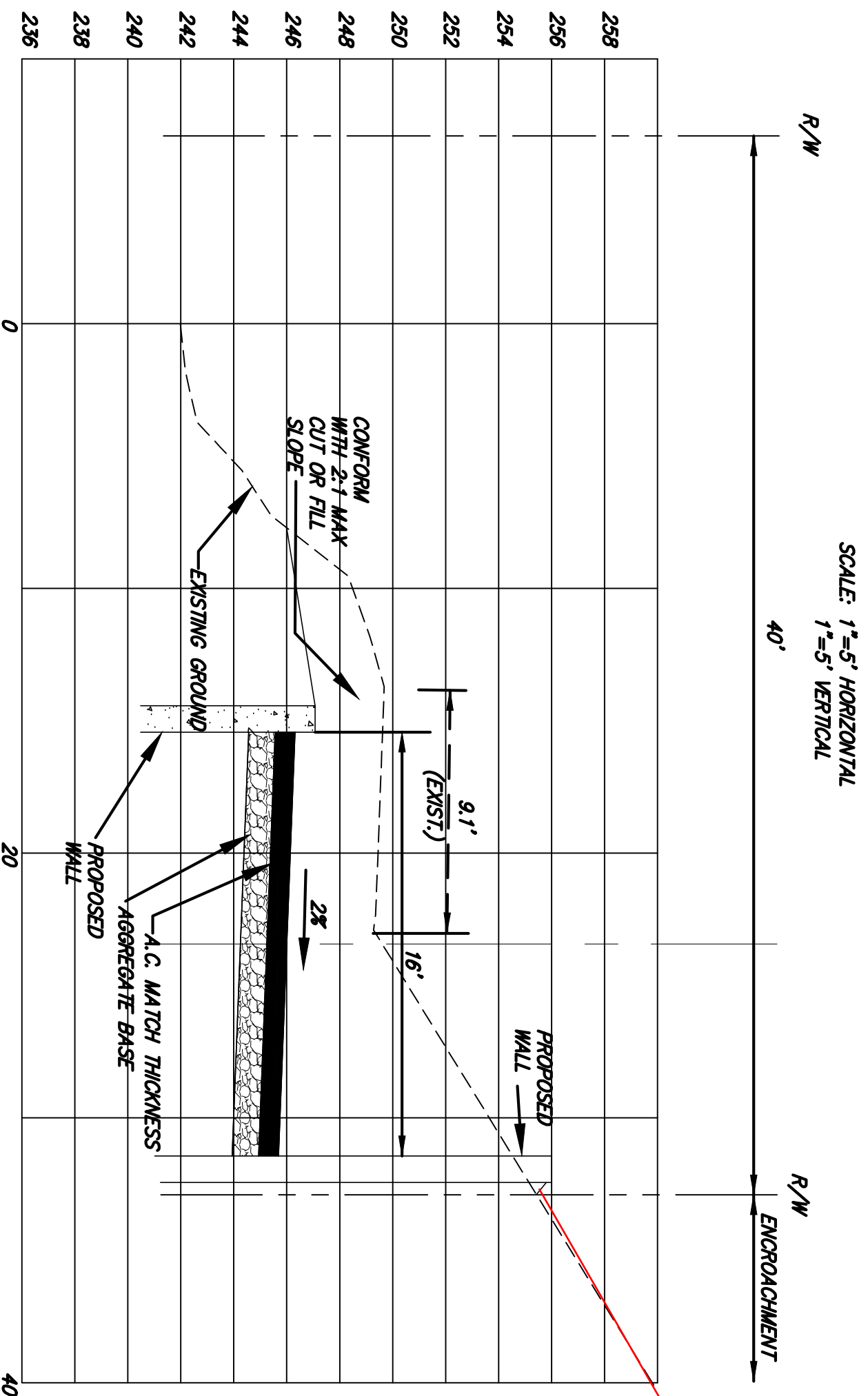
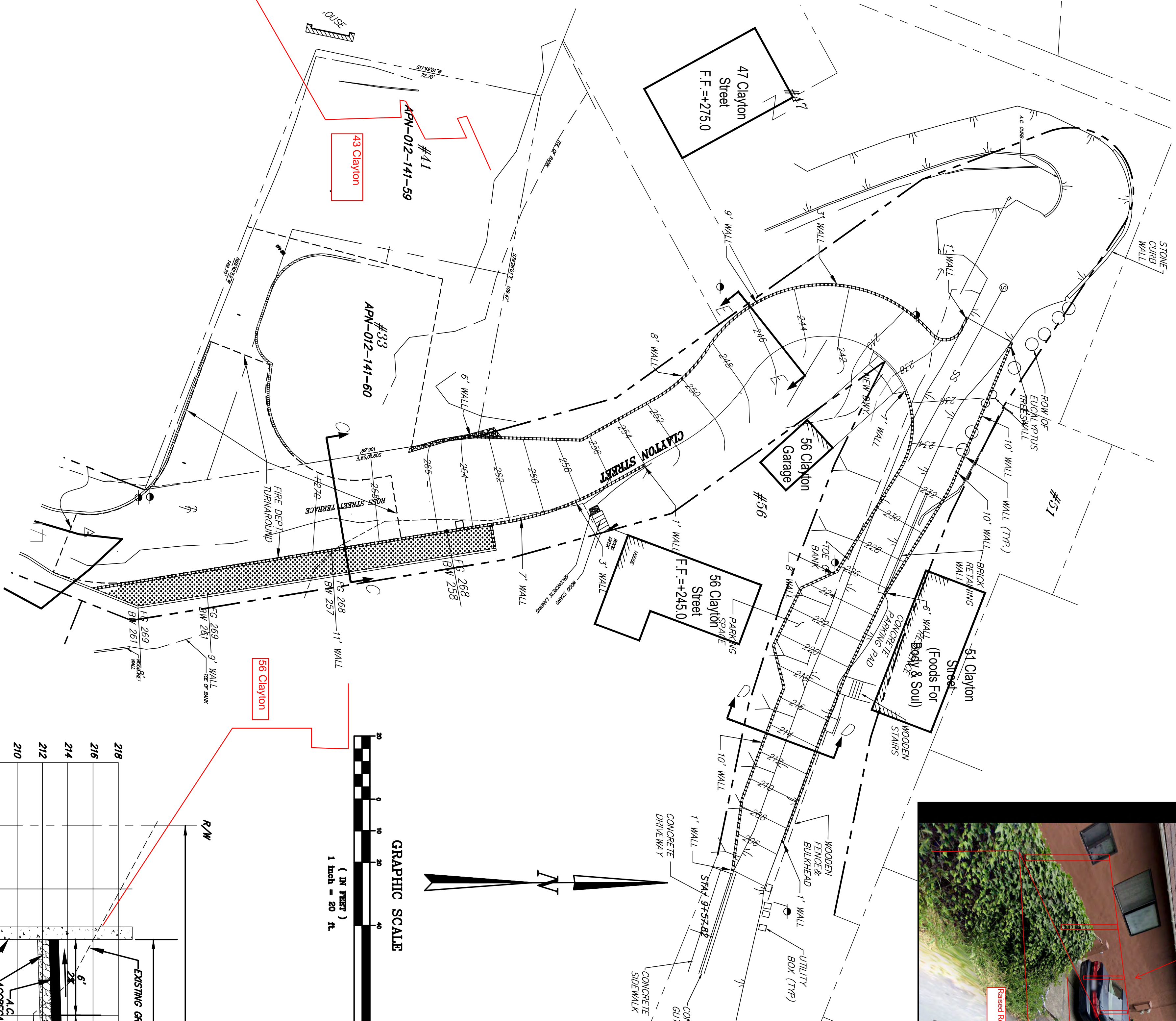
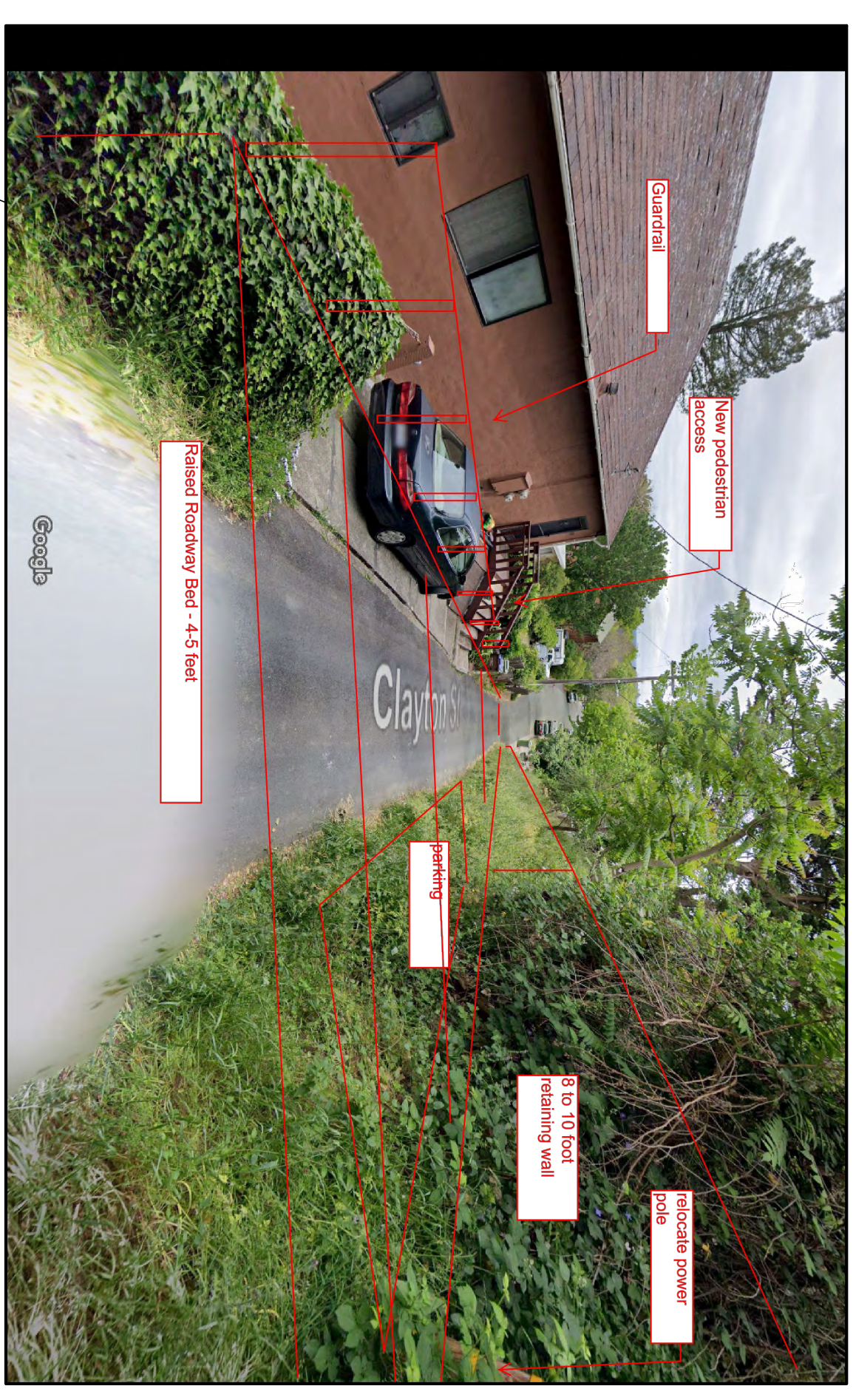
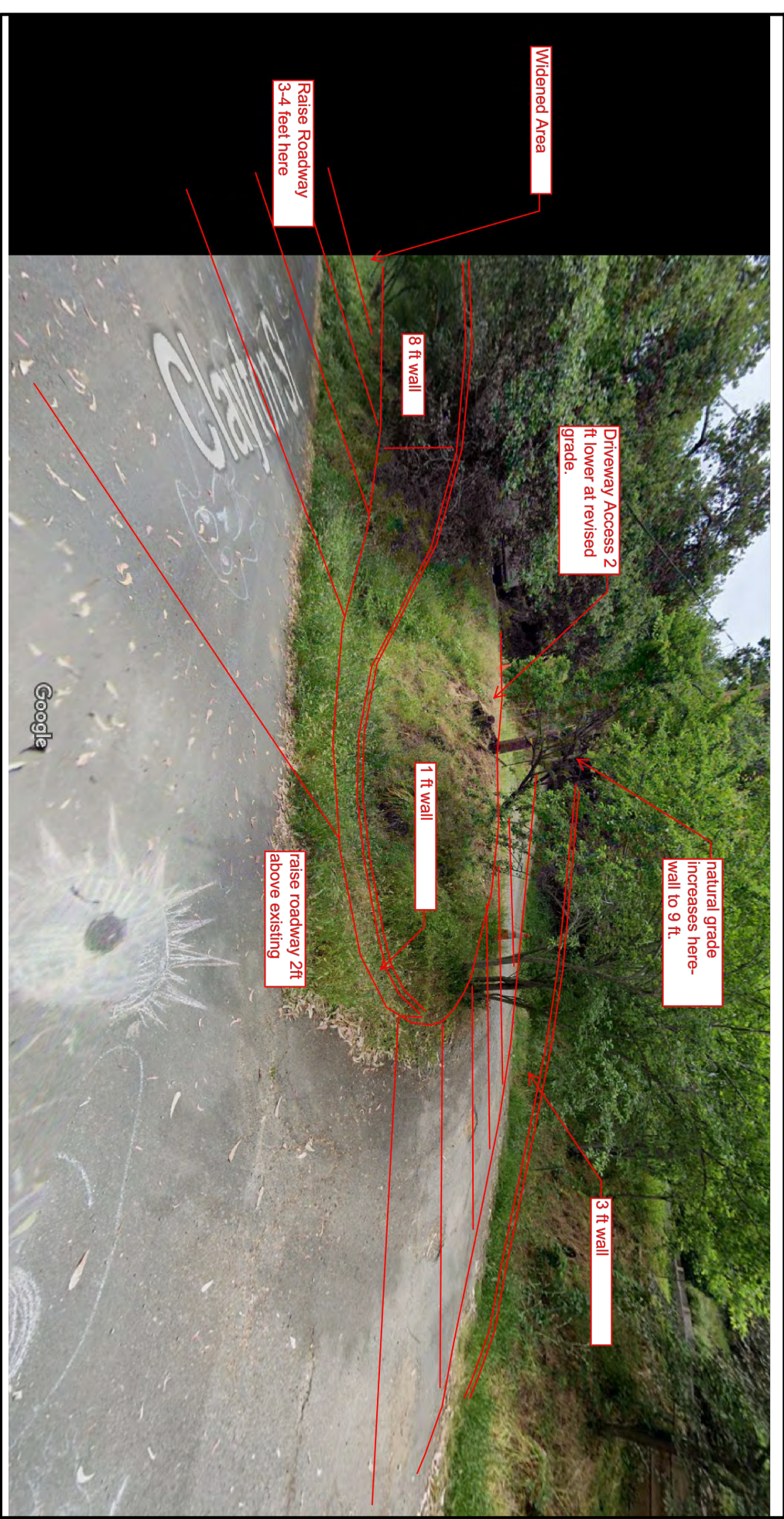
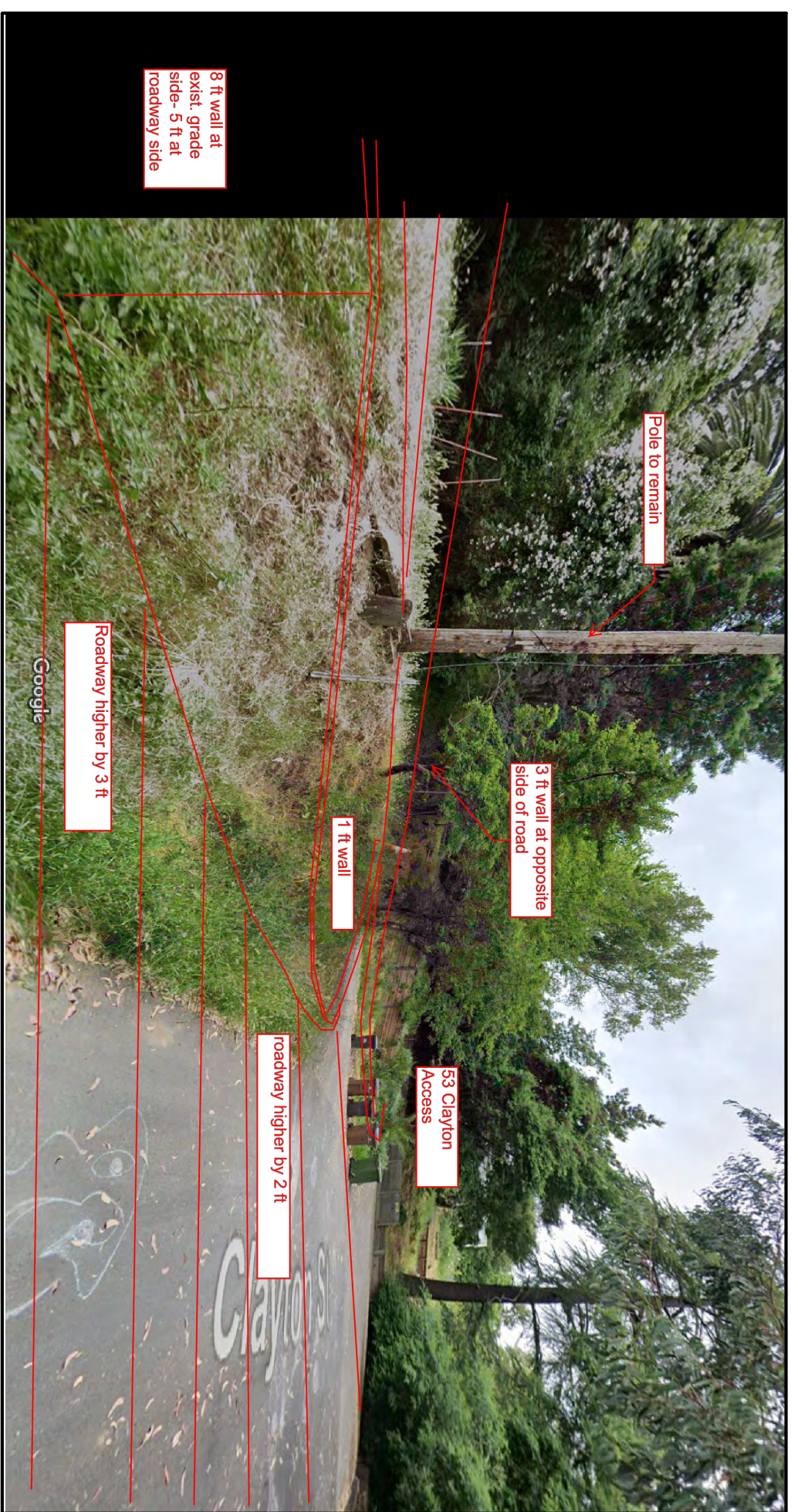
NOTE:
 INSIDE RADIUS IS 28' AND WIDTH SHOWN IS 16' AS REQUIRED BY FIRE DEPARTMENT.



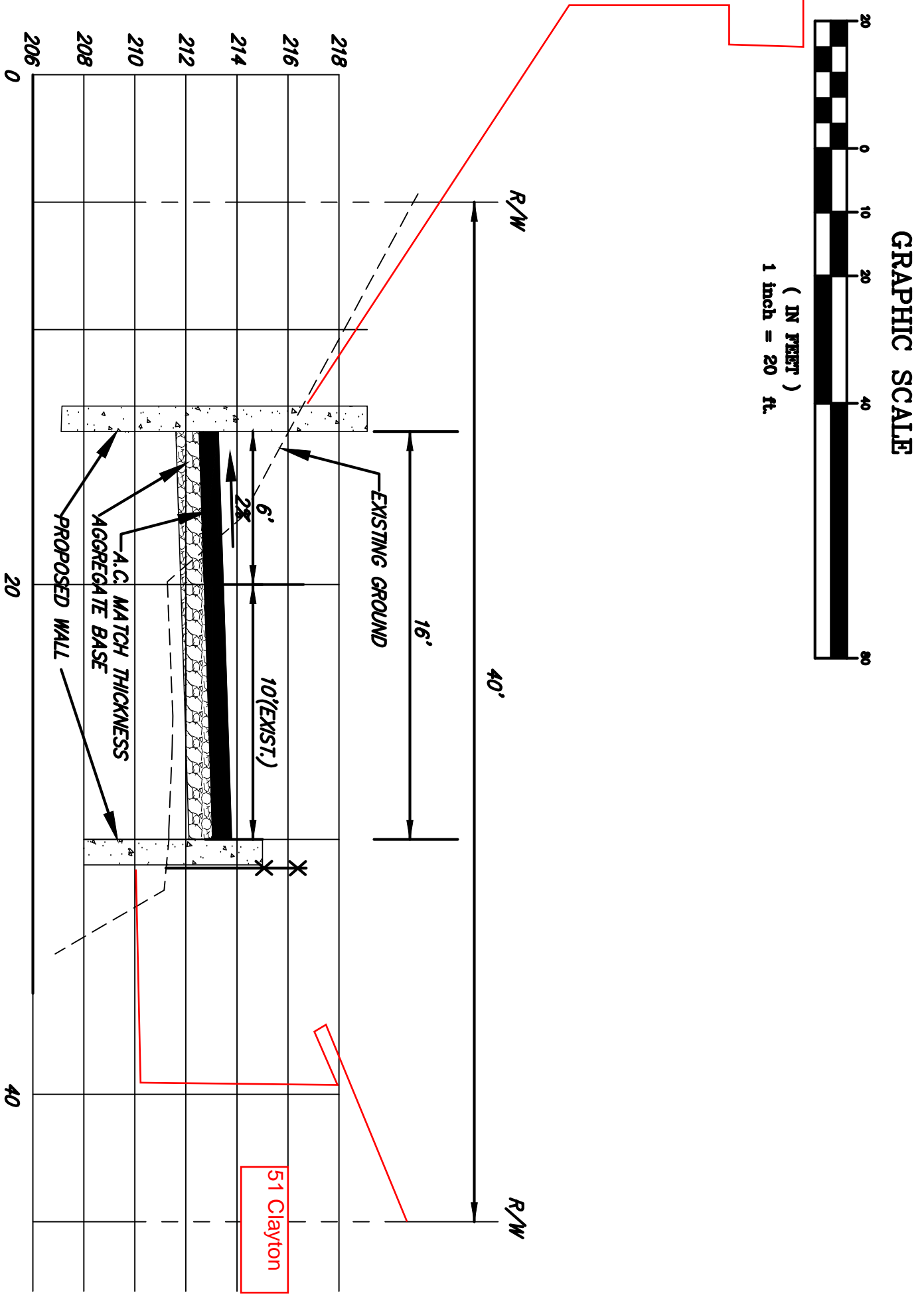
LEGEND

- ▲ RANDOM CONTROL FOR SURVEY
- EXISTING GUY ANCHOR
- EXISTING JOINT POLE
- ASPHALT CONCRETE
- EXISTING TREE
- EXISTING CONTOURS
- PROPERTY LINE - SUBJECT
- EXISTING EDGE OF PAVEMENT
- PROPERTY LINE - ADJACERS
- PROPOSED WALL
- ENCROACHMENT
- FINISHED GRADE
- BOTTOM OF WALL
- FINISHED GRADE CONTOUR
- 4' WALL
- 4' WALL HEIGHT
- S-108
- ROAD GRADE





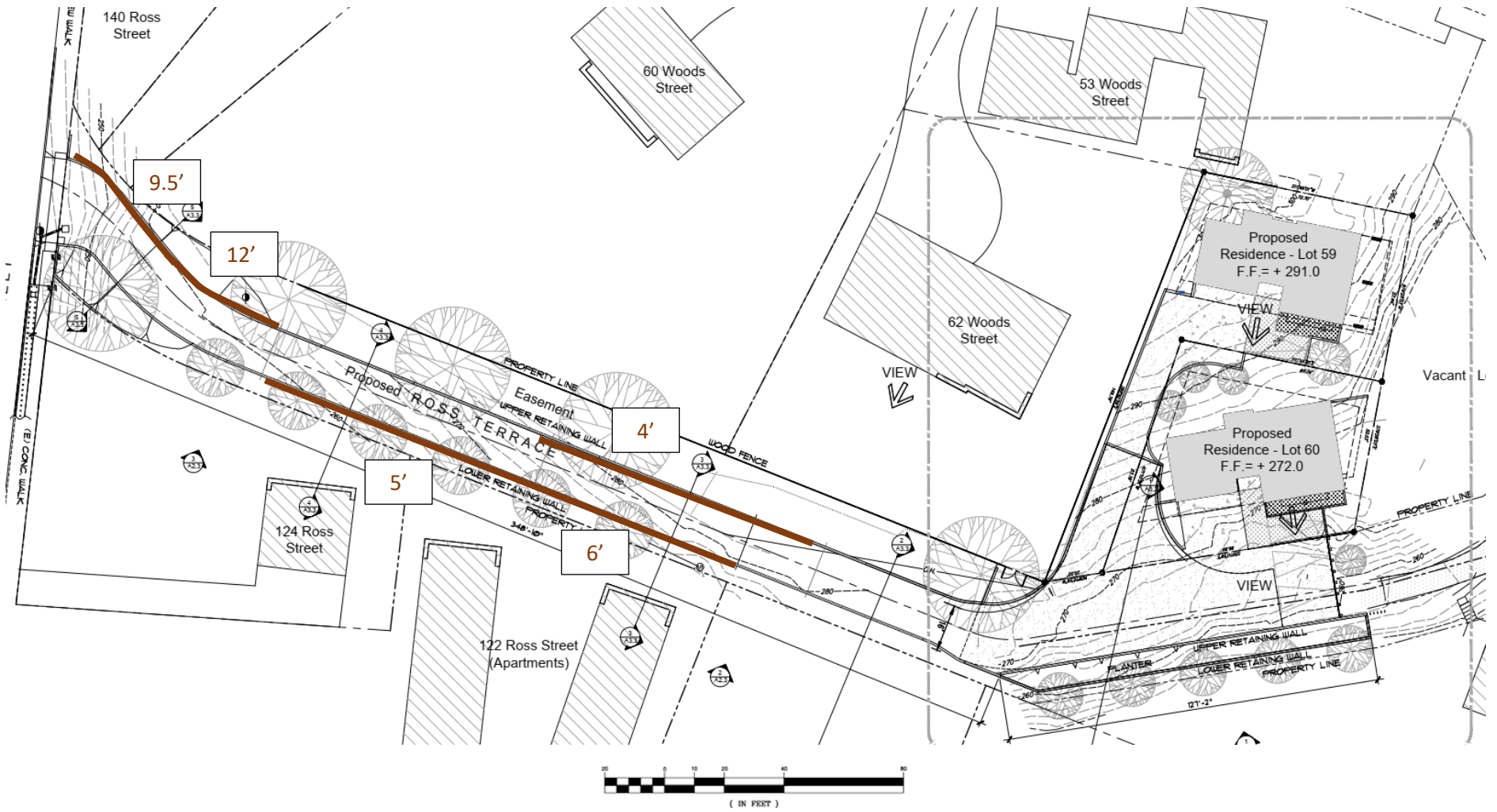
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SECTION D-D
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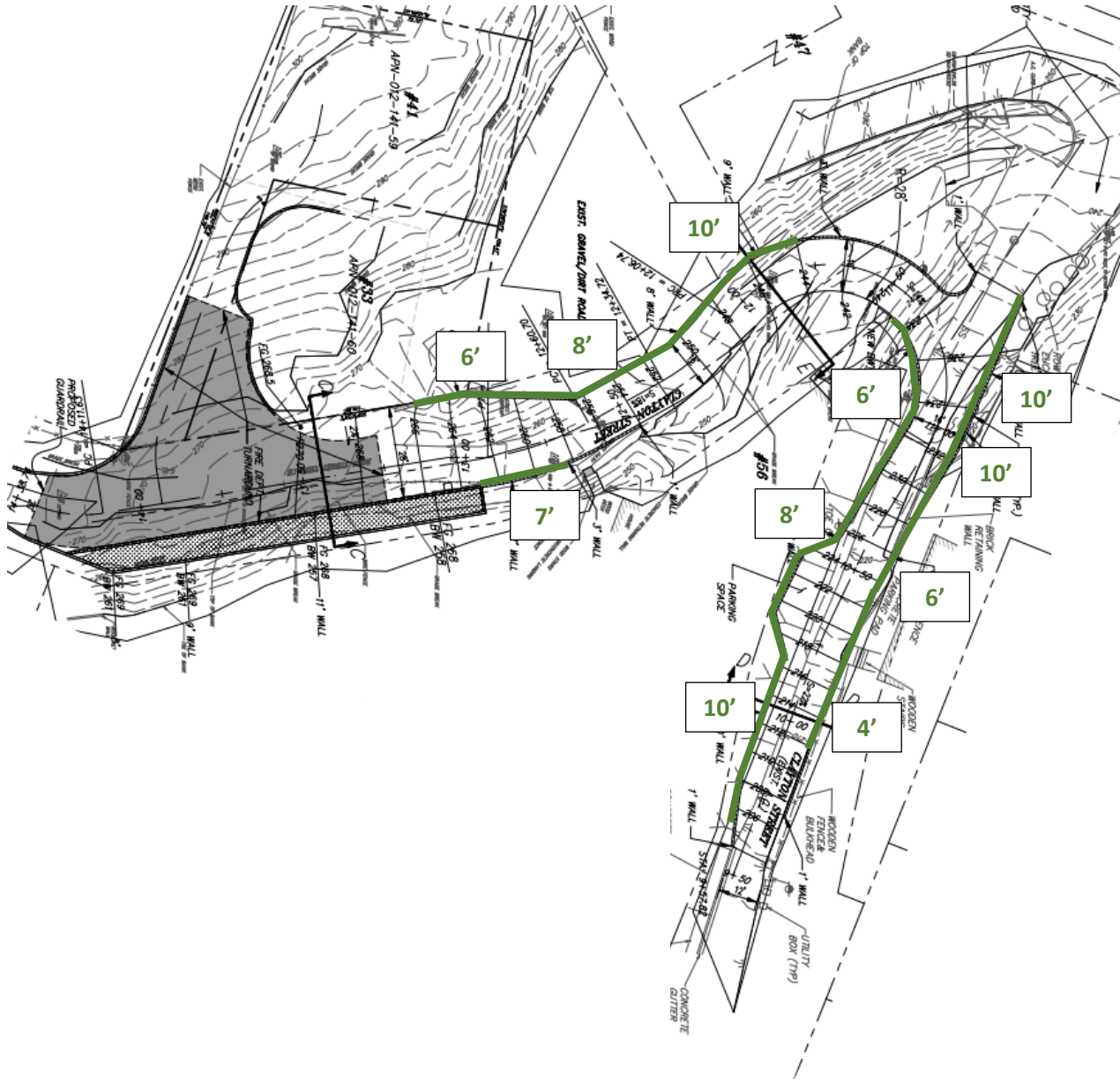
Exhibit 5

PROPOSED RETAINING WALLS – ROSS STREET ACCESS



Note: While pictorially accurate (i.e. approximate and generally in these locations) the location of the retaining walls taller than four feet are not exact.

PROPOSED RETAINING WALLS – CLAYTON STREET ACCESS



Note: While pictorially accurate (i.e. approximate and generally in these locations) the location of the retaining walls taller than four feet are not exact.

LAW OFFICES OF
NEIL SORENSEN

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EMAIL neil@sorensenlaw.com

December 12, 2019

VIA E-MAIL

Lisa A. Goldfien
Assistant City Attorney
City of San Rafael
1400 Fifth Avenue
San Rafael, CA 94901

**Re: ED 19-090 and 19-091
A.P. 12-141-59 and 60 (Friedman)**

Dear Lisa:

This letter is a follow-up to our telephone conference on December 11th regarding this project. I am the attorney for the applicant, Coby Friedman.

As we discussed, my client was surprised the City was raising an issue over access four years after he first applied to the City to develop these lots and after numerous City reviews and a staff report to the Planning Commission. Not once during this four year period has staff ever raised an issue with access or requested that my client submit documentation showing he has "rights to access and construct a new roadway on Ross Street Terrace."

The two lots my client seeks to develop were created by a subdivision approved by the City in 1963. Although access at that time was from Clayton Street, the relevant portion of Clayton Street is not a City street. The legality of the lots was confirmed through a Certificate of Compliance process in 2004. Clearly, the City would not have approved the initial lot split in 1963 or ratified it through the issuance of a Certificate of Compliance in 2004 if there was not legal access along Ross Street Terrace or the portion of Clayton Street that is not a City street.

We believe there is absolutely no question that these two lots have the right to access and construct a roadway on Ross Street Terrace based upon the following:

1. The property is part of the unrecorded map of Shorts Addition (copy enclosed). Specifically, it was shown on the unrecorded map of Shorts Addition as the property of "J. S. McDonald." The unrecorded map of Shorts Addition shows Ross Street Terrace extending from Ross Street (a City street) up to the property and continuing to Clayton Street. There are

numerous California Appellate Court cases that stand for the proposition that when lots are sold by map or with reference to the streets on a map, the streets as designated on the map are "open to the purchaser and to any subsequent purchaser." See *Day v. Robison* (1955) 131 Cal.App.2d 622, 623-24. The *Day* case references the famous California Supreme Court opinion in *Danielson v. Sykes* (157 Cal. 686, 689) which stands for the proposition that when lots are sold and refer to streets shown on maps (whether recorded or unrecorded) it creates private easement rights in the lot owners. See also *Douglas v. Lewin* (1933) 131 Cal.App. 159 which held that the sale of a lot with reference to an unrecorded map created rights in the purchaser of the lot to use that roadway for access (Mill Valley case). Thus, because the Friedman property was shown on the Map of Shorts Addition, it has easement rights over the adjacent street.

2. As the City knows, there is a deed recorded in 1886 that dedicated Ross Street Terrace starting at Ross Street (a City street) and extending all the way up to the portion of Clayton Street that is a City street. I am enclosing a copy of the deed, which is very difficult to read. We have had the deed transcribed and I am also enclosing a transcribed portion of the deed. The deed involves the sale of land in Shorts Addition by James S. McDonald (same as on Map of Shorts Addition) to Peter Williams and the creation of two public streets between Ross Street and the end of the City owned portion of Clayton Street.

"The object being a continuous street of the uniform width of 40 feet from Ross street to a point 130 feet West from the West end of Clayton street. The 130 feet having been otherwise dedicated by party of the first part and M. M. Jordan. Said new street to be known as Buena Vista street; the said Buena Vista street being dedicated hereby for the use of the parties of the first and second part and the public and the same extending along the North Easterly and the Westerly sides of the land having conveyed." (Emphasis added.)

The language in the 1886 deed creates both a public right-of-way and private rights in all lot owners in the area ("use of the parties"). Since James S. McDonald owned the Friedman property when he created Ross Street Terrace and reserved the street for his use, the Friedman property clearly has easement rights over Ross Street Terrace.

3. When Mr. Friedman purchased his property, he also purchased a Policy of Title Insurance from Fidelity National Title Company (copy enclosed). The Policy of Title Insurance (see page 2) specifically insures Mr. Friedman against "lack of right of access" to and from the land." As referenced in the title policy legal description (page 4) and in Mr. Friedman's deed, the description of his property clearly references that it borders "Ross Street Terrace (formerly Buena Vista) as described and dedicated to public use in the deed from James S. McDonald to Peter Williams recorded in Book 3 of Deeds at page 360, Marin County Records...." This alone creates access rights in Ross Street Terrace.

I trust that the above provides you with sufficient information to conclude that Mr. Friedman has adequate access rights over Ross Street Terrace. If not, I would ask that you put

December 12, 2019

Page 3

your objections in writing so that I may convey them to Mr. Friedman's title company and make a claim for lack of access to his property.

If you have any questions or wish to discuss this further, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil Sorensen". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

NEIL SORENSEN

NS/mjs

Enclosures

cc: Coby Friedman

RECEIVED

DEC 02 2019

PLANNING

To: Community Development Department

Re: File No. ED19-090/ED19-091/LLA19-008

The Gerstle Park Neighborhood Association is opposed to the above project.

It is one function of GPNA to evaluate and comment on new exterior construction in Gerstle Park or construction that would impact views from Gerstle Park. The Vision of Gerstle Park includes "opportunities...to be more compatible with the historic neighborhood design character..." The 2040 General Plan for Gerstle Park includes "...encouraging new development or significant remodels that enhance the historic architectural character of the neighborhood".

Also, the 2040 General Plan encourages: "protecting hillside ridges and the visual backdrop of the ridges..." San Rafael and specifically Gerstle Park is a city of trees. The feeling of living in Gerstle Park is a feeling of being close and in touch with our environment.

The proposed project consists of developing two homes on small lots. We oppose the project as presented:

1. The homes are very "modern" in appearance and out of architectural character for Gerstle Park.
2. Construction of the homes will require tearing out an area which is filled in with large trees and vegetation to the point that the vegetation will be completely removed and change the wooded character of the area. The slope will have to be extensively graded with extensive artificial slope stabilization and reinforcement.

From: Tom Heinz, Planning and Development Committee, GPNA

Valerie A. C. Lels
San Rafael, California 94901

January 6, 2020

Caron Jo Parker
Associate Planner
City of San Rafael
1400 Fifth Avenue
San Rafael, California 94901

Re: Clayton Lots- Legal Issues

Dear Caron,

This letter is written in response to December 12, 2019 correspondence to City Attorney Lisa Goldfein from Neil Sorensen, the attorney for Mr. Friedman, who is the developer of the Clayton Street lots. In addition to raising legal issues related to the proposed Clayton Street project, this letter contains some comments and observations of my own. The issues I address are issues that come to mind at this time. However, should any additional issues come to my attention in the future, I would like to reserve the opportunity to address them with the Planning Department and/or other City departments as appropriate.

I would ask that you please forward this letter to Ms. Goldfein for her review and analysis, and also that you please take into consideration the issues raised in this letter when you prepare your Letter of Completeness that is due to be submitted by January 10th.

1. A right of access does not automatically confer a right to construct. Although these are demonstrably two separate rights, Mr. Sorensen presents in his December 12, 2019 letter a seamless segue from the right of access to the right to construct, offering authority for the former and none at all for the latter. No issue is taken with the developer's right to access his lots via ingress and egress along Ross Street Terrace. That principle of access to one's property is not in dispute here. However, the right of access does not confer upon the developer the right to perform construction along the entirety of Ross Street Terrace. No evidence has been presented to show that the developer owns the entirety of Ross Street Terrace, and he has no rights of construction or development on property he does not own.

2. There are multiple properties abutting Ross Street Terrace that are owned by others. It is well-established that the owners of properties existing along a roadway and abutting that roadway also own the property from the abutting property line to the center line of the given roadway. California Civil Code § 831: "An owner of land bound by a road or street is presumed to own to the center of the way; but the contrary may be shown." California Civil Code § 1112: "A transfer of land bounded by a highway passes the title of the person whose estate is transferred to the soil of the highway in front to the center thereof, unless a different intent appears from the grant."

The deeds by which the abutting property owners acquired title to their property show no intent to except from those transfers of title the above-described contiguous portions of Ross Street Terrace, and no evidence has been presented that any such exceptions occurred earlier in the relevant chains of title. Accordingly, when the current abutting property owners took title to their property, they also acquired a fee title to the portions of Ross Street Terrace that lie between the abutting

Caron Jo Parker
Associate Planner
City of San Rafael
January 6, 2020
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property line and the center line of Ross Street Terrace. *Jones v. Deeter* (1984) 152 Cal.App.3d 798,802; *Safwenberg v. Maquez* (1975) 50 Cal.App.3d 301,307-309. Therefore, the developer may not construct upon or in any way alter the portions of Ross Street Terrace belonging to the abutting property owners without permission from those property owners. For the developer to do so would constitute a basis for causes of action for trespass, nuisance, willful and malicious destruction of property, and any additional unlawful acts committed by the developer.

3. Beyond the above, each abutting property owner possesses an additional, private right of easement and use in Ross Street Terrace for purposes of access to his property. This right of easement arises as a matter of law particular to each abutting property owner based upon ownership of the abutting property, and it is separate and distinct from any rights of access the general public may have to pass along Ross Street Terrace. *Brown v. Board of Supervisors* (1899) 124 Cal. 274,280. It is as fully a property right as the property owner has in the property itself. This right may not be taken away, destroyed, or substantially impaired or interfered with, and any such infringement gives the property owner a basis for one or more causes of action. *Rose v. State of California* (1942) 19 Cal.2d 713, 726-729. "It is well settled that where there is evidence to support a finding that substantial and unreasonable interference with the landowner's easement of access or right of ingress and egress has been caused as the result of an obstruction in the street or highway on which his property abuts, an appellate court will not say as a matter of law that such finding is erroneous." *Ibid.*,728. Accordingly, the developer is prohibited from interfering with the abutting property owners' private easement of access rights either during the construction process, or by constructing or creating any permanent barriers and/or changes to Ross Street Terrace that would block, restrict, or impede these easement rights in any way.

4. The developer's plans as presented to the City would create numerous dangerous conditions for adjacent property owners, including but not limited to the dangerous conditions described in Victor Kunin's 12/2/19 email to you. Such dangerous conditions could result in serious damage to adjacent properties as well as serious injury to the property owners, their families, guests, and tenants. Further, such a dangerous condition on property belonging to the abutting property owners would open those property owners, their tenants, and anyone else who occupies or controls the property, to premises liability claims. California Civil Code §1714(a); see also *Sprecher v Adamson Companies* (1981) 30 Cal.3d 358,368: "...the duty to take affirmative action for the protection of individuals coming upon the land is grounded in the possession of the premises and the attendant right to control and manage the premises."

Alarminglly, the maintenance agreement suggested by the developer for the Ross Street Terrace roadway, the proposed retaining walls, and other structures included in the plans presented to the City, allows the adjacent property owners no means of enforcement regarding such maintenance should the responsible parties under the maintenance agreement fail to maintain. Yet all the while the adjacent property owners remain potentially liable for injuries and accidents caused by such failure to maintain. This creates an untenable and entirely unfair burden and risk for the adjacent property owners. Would homeowners' insurance cover such a situation? That would depend on the facts, the scope of coverage, the policy limits, etc. In any event, it is entirely foreseeable that such a situation would constitute a legal nightmare.

5. I would like to comment on some of Mr. Sorensen's assertions in his December 12, 2019 letter:

a) Mr. Sorensen states on page one of his letter "...the relevant portion of Clayton Street is not a City Street." It is not clear what portion of Clayton Street Mr. Sorensen means by "the relevant portion of Clayton street", on what information he

Caron Jo Parker
Associate Planner
City of San Rafael
January 6, 2020
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relies in making this statement, and what relevance this statement has to the issues he presents.

b) Mr. Sorensen further states on page one of his letter "Clearly, the City would not have approved the initial lot split in 1963 or ratified it through the issuance of a Certificate of Compliance in 2004 if there was not legal access along Ross Street Terrace...". This statement is entirely speculative and conclusory. Mr. Sorensen has no information regarding what the San Rafael City officials were thinking or intending when they approved the subdivision in 1963 and/or when they issued the Certificate of Compliance in 2004. The only information we have as to the true intent of the City of San Rafael is the information contained within the four corners of the referenced documents, as follows: (1) The 1963 lot subdivision approval specifically requires the construction of a road along Clayton Street in front of the proposed lots as a condition of the approval; there is no mention of any access along Ross Street Terrace. (2) The 2004 Certificate of Compliance specifically requires the owner of the property to satisfy the conditions of the 1963 City of San Rafael Planning Commission (which conditions include the construction of a road along Clayton Street in front of the proposed lots) prior to the issuance of any building permits, and the 1963 subdivision conditions are attached to the Certificate of Compliance as Exhibit B, incorporating these conditions by reference. There is nothing in either of these documents that indicates any intention on the part of the City of San Rafael regarding access to the lots from Ross Street Terrace. On the contrary, the plain language in both documents clearly indicates the intention that access to the lots would be from Clayton Street, and in fact the Certificate of Compliance shows the street address of the three lots in question to be 33, 37, and 41 Clayton Street (not 33, 37, and 41 Ross Street Terrace).

6. Further to the above, in reviewing the 1963 subdivision approval document and the 2004 Certificate of Compliance, I note that the subdivision plans approved in 1963 show only one structure to be built on one of the lots: a duplex on Parcel 2 (Lot 59), with no construction at all on Parcels 1 and 3. Further, it appears that the issuance of the 2004 Certificate of Compliance was done in reliance on the 1963 subdivision approval and the plans submitted therewith. Yet the current construction plans are a far cry from, and greatly exceed the scope of, the minimal construction shown on the plans submitted in 1963, when the application for subdivision approval was submitted.

7. The following comments relate to the 1886 deed provided by Mr. Sorensen, the maps he provided in conjunction with the deed, and Mr. Sorensen's analysis of the same. Much clarification and additional information is needed here.

a) Only one of the maps provided, the Shorts Addition map, is legible; the other map is nothing but a gray blur. The Shorts Addition map does not extend far enough up Ross Street Terrace to show Clayton Street or to illustrate what Mr. Sorensen asserts the 1886 deed is conveying and reserving/dedicating. It is impossible to understand from the deed and maps provided either the metes and bounds description shown in the 1886 deed, or what was actually conveyed and what was reserved/dedicated at that time. (For example, what/where are the all-important "courses three (3) to nine (9)" referred to in the deed?)

b) Notwithstanding the above, the minimal information I have been able to glean from the deed and maps provided seems to indicate that Mr. Sorensen's assertion on page two of his letter that the 1886 deed from McDonald to Williams dedicated Ross Street Terrace "starting at Ross Street (a City street) and extending all the way up to the portion of Clayton Street that is a City street" cannot be correct, because:

(1) The Shorts Addition map shows that McDonald did not own the two lots on either side of Ross Street Terrace where it intersects with Ross Street. He could not convey or reserve/dedicate Ross Street Terrace at that point because he did not own those lots.

Caron Jo Parker
Associate Planner
City of San Rafael
January 6, 2020
Page 4 of 4

(2) The 1886 deed states that the newly-dedicated roadway extends to "the north end of the 40 foot Street known as Ross Street Terrace", which is further evidence that the newly-dedicated roadway did not extend all the way to Ross Street, as Mr. Sorensen contends. It is also evidence that McDonald neither "created Ross Street Terrace" nor "reserved the street for his use", as Mr. Sorensen also contends. Under the circumstances, Mr. Sorensen's statement that the 1886 deed "creates both a public right-of-way and private rights in all lot owners in the area" seems at a minimum to be overly-broad, and he does not address by what means or legal authority McDonald could have reserved the entirety of Ross Street Terrace for his use or could have created private rights in all lot owners in the area.

(3) Further, Mr. Sorensen's reference to the term "use of the parties" to support his statement that the deed creates "private rights in all lot owners in the area" is incorrect and misleading. The 1886 deed actually reads "use of the parties of the first and second part", which refers specifically to McDonald and Williams respectively, and which, on the contrary, tends to indicate the dedication of an easement for the use of McDonald and Williams. "A dedication is legally equivalent to the granting of an easement." *Jones v. Deeter* (1984) 152 Cal.App.3d 798,802.

8. I see no evidence of a chain of title connecting whatever portion of land McDonald actually did convey and reserve/dedicate in 1886 with the land purchased by the developer in 2014. We know that the three lots the developer purchased in 2014 were owned by McPhee in 1963. But we have no information regarding what land transfers might have occurred in the 75+ years between the 1886 deed (which is at this time unclear) and the creation of the three lots that were owned by McPhee in 1963. Accordingly, any relationship or connection that Mr. Sorensen currently alleges between the land conveyed and reserved/dedicated by the 1886 deed and the lots the purchased by the developer in 2014 is without merit. Unless an appropriate and complete chain of title is provided, the 1886 deed cannot be offered as evidence of the developer's property ownership and/or property rights.

Further to the above, I respectfully request that the City of San Rafael revisit any previously-expressed opinions regarding the developer's rights pertaining to the proposed Clayton Street project.

Sincerely yours,

Valerie Lels

From: Valerie Lels <>
Sent: Wednesday, July 8, 2020 4:46 PM
To: Alicia Giudice <Alicia.Giudice@cityofsanrafael.org>
Cc: Victor Kunin <> Patrick Killian <>, Peter Marks<>
Subject: Clayton Street lots

Dear Ms. Guidice,

I own the property at [REDACTED] which borders the Clayton Street lots. I, along with many neighbors, have grave concerns regarding what we believe are significant health and safety issues as well as property rights regarding this development, and there has been much correspondence on these issues from many of us to Caron Parker, who was the Planner in charge of this project until last January, when she retired. Caron did an excellent job of keeping us all informed regarding the status of the project. The last information we had from Caron was that the developer's plans were incomplete.

Over the past few days, surveyors have been seen on the proposed roadway and on the lots themselves, where they have placed stakes that appear to relate to the placement of the houses. It is my understanding that you will now be in charge of this project. I would greatly appreciate it if you would bring us up to date on the status of the project, including: (1) whether the plans are still deemed incomplete; and (2) whether any permits have been issued.

Thank you sincerely,
Valerie Lels

Sent from my iPhone

From: [REDACTED] >
Sent: Friday, July 10, 2020 8:26 PM
To: Alicia Giudice <Alicia.Giudice@cityofsanrafael.org>
Subject: Re: Clayton Street lots

Hi Alicia,

Thank you so much for responding so quickly to the recent inquiries regarding the current status of the proposed development of the Clayton Street lots, and for sending along your incompleteness letter. I very much appreciate your timely response, particularly in light of the City being short-staffed due to its financial situation as well as constraints caused by the COVID-19 situation. I can only imagine that those circumstances, along with Caron's retirement, have resulted in overwhelm for you all. Caron was an absolute professional, and we all will miss her as well. Please be assured that my neighbors and I will do what we can to ease the burden with respect to the need for you to sift through the large amount of documentation that has been generated on this project over the past years.

Very shortly before Caron left in January, I met with her at the Planning Department and gave her the original of a letter to that I wrote to her dated January 6, 2020. The letter contains a request that it be forwarded to the City Attorney, in that it sets forth in detail several significant legal issues relating to this project. I am attaching a copy of my January 6th letter to this email.

I find myself wondering if this letter has ever been read, or if it ever reached the City Attorney. For example, your July 9, 2020 email confirms that the applicant has the right to use Ross Street Terrace to access his property. Please note, as expressed in paragraph #1. of my January 6th letter, that no one disputes the developer's right to use Ross Street Terrace to access his property. What is disputed, however, is his right to construct on Ross Street Terrace. This is quite a different issue, and one that must be addressed. My January 6th letter provides ample legal authority for the fact that the owners of the properties bordering Ross Street Terrace also own the property from the abutting property line to the center line of Ross Street Terrace. How is it that the City can issue a permit for a party to construct a retaining wall or anything else on private property that belongs to another party?

I, along with the neighbors who will be impacted by the Clayton Street project, believe strongly that this issue, as well as all the other issues raised by my January 6th letter, must be brought to the attention of the City Attorney, and that they must be addressed by the City before this project goes forward.

Further to the above, I would ask that you please read the attached letter, and that you please be certain to forward it to the City Attorney at your earliest convenience.

Thank you sincerely,
Valerie Lels

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LAW OFFICES OF
NEIL SORENSEN

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FACSIMILE 415 491-9515
EMAIL neil@sorensenlaw.com

August 26, 2020

VIA E-MAIL

Lisa A. Goldfien
Assistant City Attorney
City of San Rafael
1400 Fifth Avenue
San Rafael, CA 94901

**Re: ED 19-090 and 19-091
A.P. 12-141-59 and 60 (Friedman)**

Dear Lisa:

As you know, I am the attorney for Coby Friedman, the applicant for the above referenced applications.

I write concerning the emails sent by some of the property owners bordering Ross Street Terrace, which allege that Mr. Friedman has no right to construct a new roadway within the Ross Street Terrace right-of-way because the roadway would include grading and retaining walls that may impede access to adjacent lots. As I understand it, the issue is not whether Mr. Friedman has easement rights to use Ross Street Terrace. That issue was covered in my letter to you dated December 12, 2019 and we understand that the neighbors and the city are not questioning the right of access.

As you may know, because of the steepness of the slope along the Ross Street Terrace right-of-way and in order to meet the roadway width requirements imposed by the city (including a sidewalk on one side), it is necessary to grade the right-of-way and install retaining walls in certain areas along the proposed roadway. For the following reasons, this work is allowed under the existing easement.

I. The Grading and Retaining Wall Work are Necessary Incidents of the Access Easement Appurtenant to the Friedman Property.

As discussed more fully in my December 12th letter, the Ross Street Terrace right-of-way was created in 1886 by deed. The deed offered for dedication a public right-of-way over Ross Street Terrace and created private easement rights in favor of the grantor and grantee (in the deed) to use said street. The Friedman property is part of the property owned by James S. McDonald (grantor) and therefore has easement rights over Ross Street Terrace.

California appellate courts have consistently held that the holder of an access easement or right-of-way has the right to make improvements to an easement and make such changes “in the surface of the land as are necessary to make it available for travel in a convenient manner”. Ballard v. Titus (1910) 157 Cal. 673, 681. See also, Herzog v. Grosso (1953) 41 Cal.2d 219, 223, where the Supreme Court recognized the right of an easement holder to construct and maintain a wooden guardrail along a road easement. More specifically, the Court of Appeal in Dolnikov. Ekizian (2013) 222 Cal.App.4th 419, held that easement holders have certain secondary easement rights that allow them to undertake necessary improvements in the easement – including constructing retaining walls and grading the easement surface.

“As the grading and retaining wall are necessary incidents of, and not inconsistent with, the easement for ingress and egress, they are secondary easements, and so plaintiff was entitled to make the cut and build the wall in furtherance of her rights and her full enjoyment of the easement.” Dolnikov at 430.

As noted above, in order to meet the street standards imposed by the city and the fire department, Mr. Friedman must grade the street right-of-way and install retaining walls. However, all work will be done within the existing 40 foot right of way and will not encroach onto adjacent parcels.

II. There is no Evidence that all the Lots Bordering Ross Street Terrace Have Easement Rights to Use It. None of the lots use Ross Street Terrace for Access.

The emails sent to the city claim that all the lots bordering Ross Street Terrace have easement rights to use it and that the proposed retaining walls will somehow impede their access.

First, there is no evidence that other lot owners along Ross Street Terrace have easement rights to use Ross Street Terrace. The deed referenced above and Mr. Friedman’s policy of title insurance show that the Friedman property has an easement, but no other lot owners have submitted similar title documentation. Until they do, it is pure speculation to claim that they have an easement that will be blocked.

Second, even assuming an easement exists, it is our understanding that all the developed lots that border Ross Street Terrace, between Ross Street and the Friedman property, currently have access to their property from other streets, including Ross Street, Woods Street and Marin Street. None of these lots rely on Ross Street Terrace for access. Accordingly, the improvement of Ross Street Terrace will not block their access.

August 26, 2020

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Finally, if there is an issue concerning my client using a private easement in an inappropriate manner or overburdening it, that would seem to be a private issue between easement holders. The city should not insert itself into any such private dispute or take sides.

If you have any questions or wish to discuss this further, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil Sorensen". The signature is fluid and cursive, with a long horizontal stroke at the end.

NEIL SORENSEN

NS/mjs

Enclosures

cc: Coby Friedman

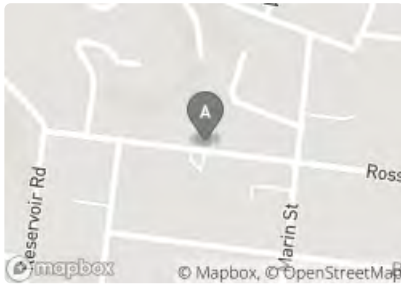
Steve Carter, Architect

Associated Constituent**Sara Romero**

C-1302926, added on October 28th, 2020 at 11:24 PM

Phone Numbers: None**Email Addresses:** xxxxxx**Locations:** None**Conversation:****First Name:** Sara**Last Name:** Romero**Email Address:** xxxxxxx**Phone Number:****Subject:** Friedman Residence Project on Ross Street

Message: This message is for the Design Review Board of San Rafael. I am a resident who currently resides on [REDACTED], right next to where the proposed road for the Friedman Residence Project Parcels is planning to be built. I am a mother with 2 young children, my neighbor also has 2 young children, the neighbors across the street has 2 young children, etc. Ross street and Gerstle Park in general is a family neighborhood with many young families and young children who play on the sidewalks and street. The road is already small and tight as it is due to the lack of parking and cars having to park on the street. I understand the concern for more housing in San Rafael but I do not think Ross street and our neighborhood is the right location. This area is already very concentrated with housing and it is unsafe to add more roads to an already populated area especially for the safety of our kids. They should be able to ride their bikes and play ball safely and as parents we should not have to worry that cars will harm our kids. Please reconsider allowing this project to pass. A concerned resident, Sara Romero

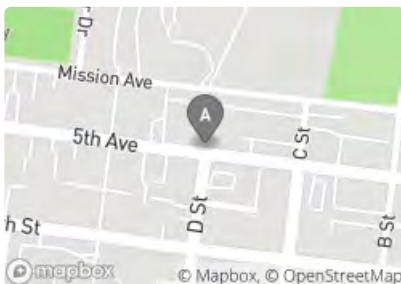
**A: LOCATION**

Inbound form submission from Sara Romero to Contact the City Clerk's Office on October 28th, 2020 at 11:24 PM

Thank you for your message. We value your input and strive to respond to any questions or concerns within 2 business days.
Thank you, City of San Rafael

Automated message sent to Sara Romero via City Clerk on October 28th, 2020 at 11:24 PM

Thank you for your feedback. I will forward this on to the project planner. Michele Ginn | City of San Rafael PERMIT SERVICES COORDINATOR Planning Division 1400 5th Avenue San Rafael, CA 94901 [Online Zoning Information] (<https://www.cityofsanrafael.org/zoning-information/>)



Valerie A. C. Lels, Attorney at Law
Kentfield, CA 94914

November 6, 2020

Lisa Goldfien
Assistant City Attorney
City of San Rafael
1400 Fifth Avenue
San Rafael, CA 94901

Re: Response to August 26, 2020 Letter from Neil Sorensen

Dear Ms. Goldfien:

Thank you for forwarding Mr. Sorensen's August 26, 2020 letter to my attention. Below you will find my comments regarding Mr. Sorensen's allegations disputing the fact that adjacent property owners have easement rights on Ross Street Terrace. These allegations are erroneous and misleading, as follows:

1. Mr. Sorensen states "...there is no evidence that other lot owners along Ross Street Terrace have easement rights to use Ross street Terrace". In fact, the 1880 deed Mr. Sorensen provided along with his December 12, 2019, letter confirms the very easement rights of adjacent Ross Street Terrace property owners that Mr. Sorensen denies. This deed contains a reservation/dedication of a 40' strip of land the entire length of Ross Street Terrace, Buena Vista Street, and Clayton Street for use as a public street. Thus, the owners of properties bordering Ross Street Terrace, as members of the public, have easement rights on Ross Street Terrace and all along the roadway described in the 1880 deed.
2. Mr. Sorensen also states "Mr. Friedman's policy of title insurance show[s] that the Friedman property has an easement...". However, Mr. Friedman's 2015 grant deed includes no conveyance of an easement along Ross Street Terrace/Clayton Street, nor need it do so, in that Ross Street Terrace/Clayton Street is a public street by virtue of the 1880 deed. It is unlikely that Mr. Friedman's policy of title insurance covers his right to traverse a public street.

Further to the above, Mr. Sorensen is in error contending that the 1880 deed along with Mr. Friedman's policy of title insurance somehow constitute evidence of an easement held exclusively by Mr. Friedman. These documents constitute no such evidence. On the contrary, the 1880 deed (a) establishes easement rights on behalf of the public, including but not limited to the adjacent property owners on Ross Street Terrace;

Lisa Goldfien
Assistant City Attorney
November 6, 2019
Page two

and (b) invalidates Mr. Sorensen's contention that the adjacent property owners must submit documentation of easement rights on Ross Street Terrace before such claim will constitute anything more than "pure speculation". No documentation beyond the 1880 deed is needed to substantiate the easement rights of adjacent property owners in Ross Street Terrace. Further, no documentation has been presented to show that Mr. Friedman has easement rights in Ross Street Terrace that are any greater than the easement rights of the public and of other property owners along Ross Street Terrace.

3. In addition, there is ample legal authority supporting the fact that the property owners adjacent to Ross Street Terrace possess private easement rights in Ross Street Terrace over and above the already-described easement rights of the public. This legal authority is set forth on page two, paragraph #3, of my January 6, 2020 letter, which has been sent to the City on several occasions. Another copy of my January 6, 2020 letter is attached to the email that accompanies this letter.
4. A written communication from the Planning Department confirms that the City Attorney's office itself "believes all the abutting property owners have a private right to use Ross Street Terrace."
5. The fact that the adjacent property owners can access their properties from other streets does not extinguish their easement rights in Ross Street Terrace.

Accordingly, easement rights of the public in Ross Street Terrace, as well as the enhanced easement rights of property owners adjacent to Ross Street Terrace, are not in dispute, as Mr. Sorensen alleges, and no further evidence of these easement rights need be presented. Mr. Friedman's easement rights in Ross Street Terrace are no greater than the easement rights of any other property owners along Ross Street Terrace. Construction on Ross Street Terrace will inevitably block the adjacent property owners' access and will unlawfully deprive them of their easement rights.

Very truly yours,

Valerie A. C. Lels
Attorney at Law

cc: Robert Epstein, City Attorney via email

Ross Street Terrace Project

george presson < >

Tue 4/20/2021 9:28 AM

To: Dave Hogan <Dave.Hogan@cityofsanrafael.org>

Hello David,

I am a 71 year old retiree, living at [REDACTED] directly below the proposed elephantine driveway project to the two proposed residences. I have lived in my apartment for 14 years and 20 plus years in the neighborhood. This project does not harmonize with the natural environment and surrounding area! When Mr. Friedman initially tried his "end run" around your department a couple of years back, I thought: you have got to be kidding me! A 480 foot drive carved through a pristine county landscape, for the benefit of two residences? This will hurt the neighborhood for the benefit of a very few.

These are my reasons for saying no to the project;

1. Ross Street is a narrow street with a great deal of congestion. The reason is a significant amount of on street parking. A result of several multi unit apartments along the street. Often, cars are required to pull over and await oncoming traffic because of the tight squeeze.
2. Parking spaces on the street will be lost as a result of this project, making the congested street worse.
3. A complex construction project will take more parking spaces and severely constrict the street even more.
4. The hill itself is fragile and our building recently underwent an expensive retrofit to prevent further movement downhill. More erosion is a certainty.
5. The loss of hillside vegetation would increase the speed of rainwater downhill and dramatically cut the absorption rate. This has happened all over the state where farmlands have been paved over to accommodate new construction.
6. This is not a project coveted by cities these days, as close to transit and affordable housing. Rather, this is a money maker benefiting the few to the detriment of the neighborhood.
7. The issue of quiet enjoyment. Months of dirt, noise and construction chaos will make this "in fill" a living hell. My residence is within feet of the roadway.

In conclusion, this project is a pure money grab that is out of scale and harmony with the neighborhood. Please convey my thoughts to the Design Review Board, and I thank you for your hard work.

Sincerely, George Presson

Re: hearing on Ross St Terrace/Clayton Street lots matter

Jessica Yarnall Loarie <>

Mon 4/19/2021 4:02 PM

To: Dave Hogan <Dave.Hogan@cityofsanrafael.org>

Cc: planning <planning@cityofsanrafael.org>; Alicia Giudice <Alicia.Giudice@cityofsanrafael.org>

 1 attachments (13 KB)

Outlook-1487714976.png;

Thanks for your reply.

I will write a more complete set of comments. The project is basically across the street from us and my kids do sometimes hike up the hill there so we have some familiarity with the geography.

The physical distance between the proposed homes and Clayton St is much shorter than building an entirely new road to Ross St. Access from Clayton, not Ross, should most certainly be explored as an alternative given traffic and parking concerns.

I also understand (2nd hand) that any easement or right-of-way from this property to Ross St went away as part of another deal years ago so adding a road here shouldn't be the first choice. Neighbors mentioned this to us so I don't have any specifics. Adding a road to Ross St is a terrible idea for parking and traffic. It's also inconsistent with a recent Planning Commission decision on the 147 Ross Street apartment renovation. If memory serves, the Commission downsized the number of 2 BR units citing neighborhood parking concerns.

I'd request to be added to the current notice list. And I'd also request that the City update its website to reflect that there is an upcoming hearing for this project. Not everyone will see the sign.

Thanks,

Jessica Yarnall Loarie

To: Dave Hogan,
Planning Department
City of San Rafael
Transmitted by email.

From: Victor Kunin
San Rafael, CA 94901

Re: proposed Ross Street Terrace construction

Dave,

Thank you for engaging us in discussion about this project. My wife and I are the owners of the 7-unit multi-family property at [REDACTED]. We live on the property with our 3 children, alongside our tenants. This property is located immediately downhill from the proposed development site.

We provided feedback for the Application over the last several years. So far I'm not aware of any changes made in response to our concerns. As a result, our concerns are essentially the same as presented previously. If it's possible, please attach the following comments to the application for the consideration of the Board.

Coby Friedman, the property owner and developer, asks for special exceptions and permissions for a project that will create dangerous conditions for neighbors, legal trouble, maintenance trouble, access restrictions and environmental damage. We are asking the city planners and the Design Review Board to request a significant modification of the project before it can be approved. We hereby object to, among other things, **the proposed adjustment of the property lines, the proposed design of the road and the driveway, retaining walls, developer's proposed non-compliance with the City's parking, Natural State and Floor Area Ratio requirements.**

First, a statement of legal ownership.

Ross Street Terrace belongs to the owners of the abutting properties, as confirmed by California Civil Code sections 831 and 1112. Those sections read:

831. An owner of land bounded by a road or street is presumed to own to the center of the way, but the contrary may be shown.

1112. A transfer of land, bounded by a highway, passes the title of the person whose estate is transferred to the soil of the highway in front to the center thereof, unless a different intent appears from the grant.

A different intent does not appear in the grants, and the contrary has not otherwise been shown. Hence abutting property owners own Ross Street Terrace from the abutting property line up to the center of the Ross Street Terrace. As our property abuts Ross Street Terrace, my **wife and I own a part of Ross Street Terrace that abuts our property. Any construction, including but not limited to retaining walls on the portion of Ross Street Terrace owned by my wife and me would be without our consent.**

Second, a brief discussion of some of our concerns.

Retaining walls. The plans specify the construction of tall retaining walls on both sides of Ross Street Terrace to support the access road. A portion of these walls is planned to be located just inches away from our property. Here are some of our concerns with those walls.

- 1) **Access.** Our property will be cut off from Ross Street Terrace by retaining walls at least 5ft high. The retaining walls will deprive us of the access to the portion of Ross Street Terrace that we legally own, that we have used almost daily for the last 8 years, and that we continue to use. In addition, the walls will block off Ross Street Terrace where it adjoins Clayton Street, depriving us of the access to Clayton Street that we have used for years. This is unacceptable.
- 2) **Fire escape route.** Currently, we can use Ross Street Terrace as a **secondary escape route** in the event a fire or other disaster blocks the main access to our property. The

main access to our property is through a 400-foot long private driveway with a single exit to Marin Street. **The developer's proposed retaining walls, as well as proposed closing of Ross Street Terrace where it borders the developer's property will create barriers that will block my family and me, as well as my tenants, from using this vital secondary escape route, potentially trapping us all in the event of a fire or other disaster.** Please recall the tragic events of the Camp Fire of 2018, where inadequate escape routes were a major factor in the loss of 85 lives. If the existing developer's plans are approved, it is foreseeable that such a scenario could be repeated in San Rafael.

- 3) **Maintenance.** A malfunction of tall retaining walls on the edge of our back yard would unleash huge landslides. The slope towards our house ensures that our property will be directly in the line of the landslides. It is entirely foreseeable that such landslides just feet from my backyard would cause significant property damage and bodily harm. Because of the severe consequences of retaining wall failure, a proper inspection schedule and an agreement addressing maintenance of the walls are of paramount importance. No provision has been made for either one.

Maintaining large retaining walls is an expensive undertaking. City planners have made it clear that the City will not take responsibility for the maintenance of these walls. It is important to note that maintenance of and liability for these retaining walls will affect the homeowners who live below the walls to a far greater extent than they will affect the owners of the proposed houses, which are located above the walls. Whereas the collapse of the retaining walls will not directly endanger those living in the proposed new houses, the collapse of the same walls has the potential to cause significant damage to our home and cause bodily harm to my family and my tenants. With no maintenance and liability agreement between ourselves and the future homeowners, this imbalance of the potential impact of the retaining walls' failure will make it easy for the new homeowners to defer, or completely ignore, needed maintenance and repairs, particularly if they are not in a financial position to pay for costly work on hundreds of feet of retaining walls. It is well established that deferred maintenance will hasten the failure of retaining walls. Thus, the burden for maintenance and repair of the walls will fall on the abutting property

owners who are most affected by the failing condition of the walls. This is certain to lead to disputes among neighbors and will undoubtedly create a legal nightmare.

Mr. Friedman, the developer, has not proposed any solution for the above scenario, and when these issues were raised in his presence they have been completely ignored. Moreover, Mr. Friedman has already demonstrated utter disregard for the neighbors' safety. On July 6-8th 2020 surveyors hired by Mr. Friedman cut vegetation on Ross Street Terrace and dumped it in heaps on the road, creating a fire hazard. Mr. Friedman stonewalled our repeated requests to clean up, even with fire department and police involvement. Only after the involvement of the city planners several months later did he partially remove the dry vegetation. Almost a year later much of the dumped dry vegetation still remains on the road, presenting fire danger to the neighbors. This incident does not add credibility to Mr Friedman's claims that maintenance concerns will be promptly addressed.



Figure 1. View of the Ross Street Terrace from my house at 211 Marin St. Road bend and a 24 ft cliff are shown.

- 4) **Unclear plans.** The Roadway Section page (A 3.3) shows a small gradual hill at the bottom of the proposed retaining walls at our property. It doesn't show a 24' cliff between the road and our property (see Figure 1). We believe that the representation on the

developer's plans doesn't accurately reflect the existing conditions, and we are asking for clarification on how the proposed 5' walls will support the 24' cliff. The current plans are unclear, and vague markings on the site make it impossible to visualize how the road will be constructed in relation to the existing terrain. We kindly ask that the plans be deemed incomplete until any and all ambiguities are resolved.

- 5) **Fall hazard.** The retaining walls are proposed to get as high as 12', and are 5' to 8' in the immediate proximity to our property. They present a significant fall hazard in a public right of way, particularly so for small children, potentially endangering my own 3 little children. It is entirely foreseeable that children, adults or the elderly could fall from the proposed retaining walls on the Ross Street Terrace, resulting in severe injury and even loss of life.

Fall accidents are common. Here are links to some accidents resulting from falls from retaining walls:

12/12/2017, Employee Falls From Retaining Wall And Injures Head:

<https://bit.ly/37dbHuX>

09/26/2019: A woman injured after falling over a retaining wall:

<https://bit.ly/2NQIb7I>

- 6) **Noise.** The natural hill under Ross Street Terrace absorbs noise and contributes to a highly desirable quiet location. Retaining walls will reflect and redistribute noise that is currently muffled by the existing landscape. Nothing in the current plans suggests ways of mitigating the noise that will be exacerbated by the retaining walls.

In light of the objections noted above we kindly request that the City not approve construction of retaining walls as they appear on the current plans.

Road and driveway hazards.

The developer proposes a Lot line adjustment. At present Lot #59 can be accessed via a dedicated area connecting it to the Ross Street Terrace on the northern side of Lot #60. The developer proposes to transfer the Lot #59 access from the northern side of Lot #60 to the southern Lot #60. The proposed newly constructed driveway will be on a 24.3% grade for a

distance of approximately 60 feet, pointing directly towards my house. This is in contrast to the existing driveway location which does not point towards any existing structure.

A further dangerous condition is the fact that there is a bend on Ross Street Terrace separated from our back yard only by a **24ft cliff**. The plans for the road are specified to accommodate a load of 75,000 pounds, i.e. a 53-foot semi-trailer truck. Should a truck of this size roll out of control on the Lot #59 driveway, or should a driver lose control on Ross Street Terrace, the out of control vehicle will have no opportunity to stop before crashing into my backyard and possibly into my house. Nothing in the proposed plans will stop large out of control vehicles. This directly threatens the safety of my wife, three small children, myself and our tenants.

Accidents involving out of control vehicles happen for a number of reasons (e.g., road or weather conditions, mechanical failure, driver's carelessness/distraction/health or mental condition/inexperience/impairment due to alcohol or other substances, etc.). Such accidents are not uncommon as you can see in the references below. In just a single week we had three such accidents right here in Marin County, two of them on Sep 26th alone. It is entirely foreseeable that an accident such as this could take place as a result of the proposed Lot #59 driveway and/or the proposed path of Ross Street Terrace, resulting in property damage, severe injury and even loss of life to my family and others.

Here are some links to relevant accidents:

Car plunges 80 feet into Tiburon backyard, Aug 30 2017:

<http://www.mercurynews.com/2017/08/31/marin-crash-hurts-teen-brothers-as-car-falls-80-feet-in-to-backyard>

Car going through home in Novato, Sep 26 2017:

<http://www.marinij.com/article/NO/20170829/NEWS/170829768>

Car crashing into Mill Valley shopping center, Sep 26 2017:

<http://www.mercurynews.com/2017/09/26/8-hurt-in-marin-county-wreck-after-truck-hurtles-off-highway-101/>

We therefore kindly request that, for the sake of safety, the City reject the developer's proposed lot line adjustment, construction of the lot #59 driveway and the road on Ross Street Terrace as they appear on the current plans.

Utilities. In the **absence of a utilities plan and absence of utilities easement** on Ross Street Terrace it's not clear how the developer proposes to supply the future houses with water, gas and sewer services. We kindly ask the City to request the developer to clarify this issue.

Parking. The plans do not provide for the required off-street parking on the subject lots. This is a major problem for Ross Street, which is already overwhelmed with limited parking, and will lose several existing parking spaces if these plans are approved. Moreover, Ross Street will lose several existing parking spaces if those plans are approved, and approving this plan will likely set a precedent for other applications lacking adequate parking. **We kindly request that the City not approve the developer's plans until a solution to parking is found.**

Environment, Floor Area Ratio and Natural State requirements. The current plans are non compliant with the City's Natural State and Floor Area Ratio requirements. This is out of character with the neighboring properties and ignores the basic reasons for those requirements. The Natural State Exception will contribute to water runoffs, which have the potential to flood neighboring properties, including my own. The proposed removal of large numbers of stately trees, as well as removal of over 2,000 cubic yards of soil will change the neighbourhood, create soil instability, and destroy an important, long-established wildlife corridor. Landfill of over 500 cubic yards will add to destabilization of the soil, making it prone to landslides. **We kindly request that the City reject the developer's plans where they call for non compliance with the City's regulations on Floor Area Ratio and Natural State.**

Construction safety. Excavation of over 2000 cubic yards of soil, bringing in over 500 cubic yards of fill, and construction of massive retaining walls and two houses as specified in the plans will require the use of heavy construction vehicles and equipment. My understanding is that the existing roadway cannot support such heavy equipment. A roadway that does not safely support the heavy-duty equipment required by this project will subject my family, my tenants, and me to the ever-present danger of a construction vehicle falling into my backyard.

We understand that the existing dirt road will have to be substantially widened and strengthened before it will be capable of safely supporting the on-going transit of construction vehicles such as bulldozers and dump trucks carrying heavy loads. Such a road will depend upon retaining walls sufficient to support and stabilize it. This presents a "catch-22" situation, in that 1) heavy

construction equipment will be required to construct retaining walls sufficient to support and stabilize a roadway that will 2) support the heavy construction equipment required to construct the retaining walls. I respectfully request that the developer address this situation and advise what plans he has to resolve it.

Another concern is that the construction of retaining walls requires extensive excavation and the use of heavy metal support beams tens of feet long. A small mistake by the construction crew can send these heavy metal beams flying onto my property and into my home, causing damage and bodily harm. We kindly request that the developer specify the ways they intend to guard against these dangers during construction.

In summary, proposed plans create multiple significant health and safety hazards, environmental and legal problems. Such foreseeably dangerous conditions will deprive us of peace of mind and the quiet enjoyment of our property. Therefore, ***we respectfully request that, per §14.23.070(D) of the San Rafael Code of Ordinances, the City not approve the plans to the extent that they call for these conditions.***

Sincerely yours,

Victor Kunin.

April 26 2021.

Dave Hogan

From: Jamey Chan < >
Sent: Tuesday, April 27, 2021 9:13 PM
To: Dave Hogan
Subject: Opposition

I am in opposition to the 2-house project at 33 and [41 Clayton Street, San Rafael](#).

Thank you,
Jamey

Sent from my iPhone

Dave Hogan

From: Jason Chan < >
Sent: Wednesday, April 28, 2021 9:08 AM
To: Dave Hogan
Subject: NO THANK YOU - 2-house project at 33 and 41 Clayton Street, San Rafael

Hi Dave,

I'm writing in opposition to the proposed 2-house project and a new road being built off Ross St. I've lived on Woods street for close to ten years and Ross Street is already highly congested and a nightmare to drive down. Its virtually possible to drive down Ross uninterrupted without running into a car double parked, delivery trucks, garbage trucks etc and the street is barely wide enough for two cars to pass anyways (its a joke). In addition, I have concerns about the light pollution, environment, and wildlife that inhabits this area.

Adding a new road off Ross for this project will only make matters worse due to the overcrowding that already exists. If they want this project to exist than they need build access off Clayton St (since these are Clayton St houses) NOT Ross St.

Thanks,
Jason

Dave Hogan

From: Donna Pierce < >
Sent: Wednesday, April 28, 2021 1:15 PM
To: Dave Hogan
Subject: Opposition to 2-house project at 33 and 41 Clayton

Dear Mr. Hogan;

I am writing to you as a homeowner off Ross St in San Rafael and am extremely opposed to the private road being considered for a 2-house project at 33 and 44 Clayton. The current Clayton St could be extended for this purpose and not add additional traffic on an already very busy street on Ross. In addition it would create an unnecessary and unreasonably steep access for emergency vehicles and create additional noise, parking and loss of undeveloped open space.

Please do not approve this plan.

Best regards,
Donna J Pierce
San Rafael

Dave Hogan

From: MARK STRAUSS <[REDACTED]>
Sent: Wednesday, April 28, 2021 2:12 PM
To: Dave Hogan
Subject: Clayton and Ross Street project

Dear Mr. Hogan,

I want to voice my opposition to the project of widening the street I am adding additional units above Clayton St.. There is a very difficult Parking Problem as well as lots of bike traffic now that Clayton St. is designated an official bike path. In addition, I've always liked the woods above my house as I see birds and wildlife up there. I've been a resident here at [REDACTED] on the corner of Clayton and Welch for the past 31 years. And I have seen the neighborhood get more and more congested. After consulting with my neighbors at four Welch one Welch and others on Clayton St. we all feel this would be a big mistake.

Thank you for considering our opposition.

Sincerely,

Mark Strauss

[REDACTED]
SanRafael CA 94901

Mr. Dave Hogan
City of San Rafael Project Manager
1400 Fifth Avenue
San Rafael, CA
Dave.hogan@cityofsanrafael.org.

April 29, 2021

Re: Two-house project at 33 and 41 Clayton Street, San Rafael

Good Day Dave,

We are the current owners of the [REDACTED] which is adjacent to the to the entire southern boundary of the 41 Clayton Street parcel and portion of the western boundary of Ross Terrace Road. The 62 Woods Street property has been owned by our family for over 50 years. We currently have two tenants residing at 62 Woods Street who also support our opposition.

We are opposed to the proposed two-house project based on the inadequate emergency vehicle access, negative environmental impacts without adequate mitigation, loss of access to Ross Terrace and Clayton Road from our property and the other properties adjacent to Ross Terrace and Clayton Road, and our potential liabilities associated with construction and maintenance of the private driveway.

The 25% grade from Ross Street to proposed new Ross Terrace is unrealistically steep. Therefore, emergency vehicles will not have adequate access to the 33 and 41 Clayton Street properties. Emergency vehicles do not currently have access to the 33 and 41 Clayton Street properties. The fire risk to structures on adjacent properties from fires originating from the 33 and 41 Clayton Street properties is significant. There should not be any activities that could start fires on the 33 and 41 Clayton Street properties until emergency vehicles have adequate access to those properties.

The proposed exceptions to the required lot sizes and maximum building heights should not be allowed. The proposed structures allowed by these exceptions negatively affect the views from our property and the property west of the project and the available light to the property west of the project.

The project also fails to adequately mitigate the loss of parking on Ross Street and increased noise due to additional automobile and truck traffic.

All of Ross Terrace and the portion of Clayton Road fronting the 33 and 41 Clayton Road properties will be converted to a private drive way. Clayton road is a City of San Rafael street and the owner of the 33 and 41 Clayton Road properties does not own Ross Terrace. The owner of the 33 and 41 Clayton Road properties should not be allowed to convert to portion of a City of San Rafael Street and unowned property to a private driveway.

The blocking of Clayton Road at the northern boundary of the 33 Clayton Road property and the retaining walls as tall as 14' on both sides of the private driveway prevents the adjacent residents from accessing an historical pedestrian and vehicular route to downtown San Rafael. The residents of 62 Woods street have used Ross Street Terrace – Clayton Road to access downtown for over 50 years.

The extensive excavation and grading required for construction of the private driveway and associated retaining walls has a probability of creating slope stability issues on our property and the other properties adjacent to the private driveway. Any project approvals should be withheld until an adequate geotechnical analysis is conducted and confirms there will not be any slope stability issues that affect adjacent properties.

The responsibility for the maintenance and policing of the private driveway and retaining walls are extremely important. Improper maintenance of the private driveway and retaining walls will adversely affect the adjacent property owners. There should be an adequate maintenance and policing plan securely funded by the owners of 33 and 41 Clayton Road, in perpetuity, that releases the adjacent property owners from any liabilities associated with construction, maintenance, and policing of the private driveway the project should not be approved.

Respectively Submitted,

Lori Stickel

Ronald Stickel

Dave Hogan

From: Peter Marks (Peter R. Marks) <[REDACTED]>
Sent: Thursday, April 29, 2021 8:17 PM
To: Dave Hogan
Subject: Project 33/41 Ross Street Terrace ** Statement of Opposition **
Attachments: Letter to Dave Hogan April 29 2021.pdf

** Kindly Acknowledge Receipt **

April 29, 2021

Dear Mr. Hogan,

I'm writing you **IN OPPOSITION** to project 33/41 Ross Street Terrace and the proposed access via Ross Street.

I oppose this project's access via Ross Street for the following main reasons, among others.

1. Access via Ross Street will have a major impact over 45 residents both short-term and long-term (when the proposed road is completed). Access via the existing Clayton Street road will only impact 5 residents in the short-term, and none in the long-term, while improving access to their properties. Please see attached diagram.
2. Access via Ross Street has a substantially greater environmental impact. The deeded Clayton Street access to these lots will only require an estimated 150' of new pavement along an existing graded roadway. The existing road would need to be widened and improved which would benefit the current residents on Clayton. **Access from Ross Street to these lots will require 480' of entirely new roadway**, removing existing greenspace that has been enjoyed by both wildlife and residents, and generating unnecessary hard-scape, light and noise pollution for all adjoining residents. This is an environmental blunder.
3. Access via Ross Street will hinder existing fire escape routes and access to town for current residents along Ross Terrace, while doing nothing to enhance fire protection (other than undergrounding utilities which should be required irrespective of access route). **Access to these lots via Clayton will improve fire safety**, access and existing drainage issues for all residents on upper Clayton.
4. Mr. Friedman has told property owners along Ross Terrace that he doesn't prefer one access option over the other.

The City, DPW and Fire Department should work with Friedman Residential to find:

- **A solution that protects the vast majority of residents who would be impacted,**
- **A solution that improves an existing street, and**
- **A solution that enhances fire protection for residents.**

This is access via Clayton Street.

Respectfully,

Peter R. Marks
(property boarders Ross Terrace)
San Rafael, CA

April 29, 2021

Dear Mr. Hogan,

I'm writing you **IN OPPOSITION** to project 33/41 Ross Street Terrace and the proposed access via Ross Street.

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1. Access via Ross Street will have a major impact over 45 residents both short-term and long-term (when the proposed road is completed). Access via the **existing Clayton Street road will only impact 5 residents in the short-term, and none in the long-term, while improving access to their properties**. Please see attached diagram.
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The City, DPW and Fire Department should work with Friedman Residential to find:

- **A solution that protects the vast majority of residents who would be impacted,**
- **A solution that improves an existing street, and**
- **A solution that enhances fire protection for residents.**

This is access via Clayton Street.

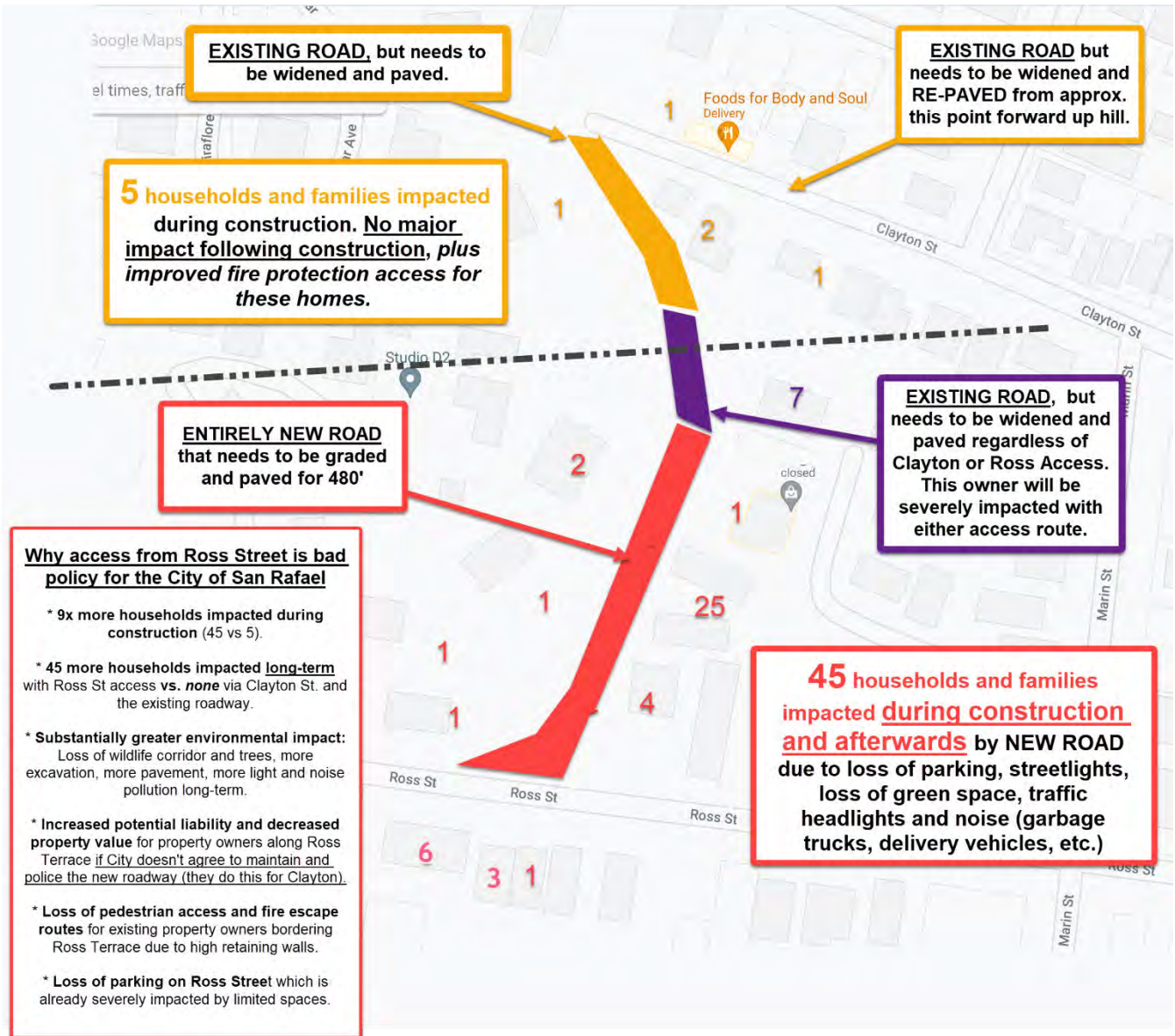
Respectfully,

Peter R. Marks

 (property borders Ross Terrace)

San Rafael, CA

Residents Impacted by Access Route (Ross St. vs. Clayton St.)



Valerie A. C. Lels
Attorney at Law
Post Office Box 812
Kentfield, CA 94914

April 29, 2021

Sent via email attachment

Mr. David Hogan
Planning Department
City of San Rafael
1400 Fifth Avenue
San Rafael, CA 94901

Re: 33/41 Ross Street Terrace (Friedman Residential)
Objections to be submitted to Design Review Board prior to 5/4/2021 7:00pm meeting

Dear Mr. Hogan:

By way of background, Coby Friedman, owner of the referenced property and developer of this project, proposes to construct two single family dwellings: one on Lot #59 and one on Lot#60 with access from Clayton Street/Ross Street Terrace, as shown on the plans he has submitted to the City of San Rafael. I own the property known as [REDACTED] in Gerstle Park, which borders on Lot #59. I am writing to you to register my strong objections to this project, and I respectfully request that you forward this correspondence to the Design Review Board prior to the May 4, 2021 public meeting to be held at 7:00pm. My objections concern the variances/exceptions required by the plans currently submitted by this developer, as follows:

Natural State.

The most recent set of plans that I have shows the Natural State calculations on Page A0.1.

Lot #59 - The Natural State requirement is 3610 square feet (5851 square foot lot with a 36.7% slope); however, the proposed plans allow for only 1950 square feet of Natural State, which is only 54% of the Natural State requirement. This would result in the loss of 1660 square feet of required Natural State

Lot #60 - .The Natural State requirement is 3283 square feet (5028 square foot lot with a 40.3% slope); however the proposed plans allow for only 1730 square feet of Natural State, which is only 52.7% of the Natural State requirement. This would result in the loss of 1553 square feet of required Natural State.

Mr. David Hogan
Planning Department, City of San Rafael
April 29, 2021
Page 2

Further to the above, the developer's proposed plans for this construction project would result in a loss of approximately 3200 total square feet of required Natural State.

Maintaining the required Natural State not only prevents over-building and preserves the beauty of unspoiled landscape, it also ensures absorption of precipitation, which, along with undisturbed established vegetation, stabilizes the soil and helps protect against erosion. In addition, Natural State provides vital food, shelter and nesting for an abundance of wildlife, including many species of animals, local and migratory birds, and pollenating insects, all of which help keep our ecosystem in balance.

For the above reasons, I respectfully request that the proposed variance/exception with respect to required Natural State be **denied**.

Off Street Parking.

According to Table 14.18.040 of the San Rafael Municipal Code, single-family residential hillside properties located on streets less than 26 feet wide, shall provide a minimum of two additional on-site parking spaces per unit (not to be located on the driveway apron). The developer is requesting a variance/exception to this requirement, and his plans propose the widening of Clayton Street/Ross Street Terrace to 26 feet. However, even a cursory on-site inspection of the existing narrow, undeveloped roadway leads one to question whether this can be accomplished without invading the private residential properties located along the roadway.

Thus, for good reason, both the Design Review Board and the Planning Commission have been clear with the developer that they recommend the two required guest parking spaces be located on the project site. To my knowledge, this recommendation has not been incorporated into the plans. On a practical level, it seems unlikely that this can be accomplished, in that the lots, which are significantly sub-standard in size, are already over-burdened with construction to the extent that the Natural State requirements cannot even be met and are approximately only half of what is required.

Further to the above, I respectfully request that, until and unless the developer can stake out the proposed roadway and demonstrate that it can indeed be widened to 26 feet, any proposed on-street guest parking be **denied**.

Development of sub-standard size lots.

The developer proposes construction of two single family dwellings on two lots that are far too small to accommodate the extensive driveway paving and multiple retaining walls that

Mr. David Hogan
Planning Department, City of San Rafael
April 29, 2021
Page 3

he incorporates into his design. This is due to the extremely difficult site he has chosen for his project. Lot #59, at 5851 square feet, is 1,649 feet smaller than the 7500 square foot lot required for R7.5 zoning; Lot #60 at 5028 is 2472 smaller than required. The proposed construction on lots of this sub-standard size is what gives rise to the request for variances/exceptions as to Natural state and on-site guest parking requirements. If these two lots are developed as proposed, it would result in over-building, compromising and seriously altering the character of the neighborhood.

It should be noted that on January 10, 2020 the developer was informed in writing by the Planning Department that the 2004 Certificate of Compliance does not ensure that the parcels he purchased are buildable parcels, nor does it entitle him as the parcel owner to a construction permit or other permits. It merely verifies that the three lots created by the 1963 three-lot split are legal lots of record. The developer was further reminded that to obtain a construction permit or other land use approval for the parcels he must complete the appropriate application process and meet all existing regulations.

In that the developer is unable to meet all existing regulations for the proposed construction on Lot #59 and Lot#60, construction on those lots should be **denied based on the sub-standard size of the lots alone.**

Having said that, I would like to suggest that a potential way to resolve this situation would be for the developer to construct one residential dwelling on a double lot. That approach would provide a building site of almost 11,000 square feet, which would allow for construction of a residence of substantial size, would enable compliance with the City's Natural State requirements, and would allow for two on-site guest parking spaces. It would also provide more flexibility with driveway location as well as the approach to the residence on this extremely difficult site.

With sincere thanks for your attention to the above, I remain,

Very truly yours,

Valerie A. C. Lels
Attorney at Law

cc:

Raffi Boloyan, City of San Rafael
Alicia Giudice, City of San Rafael

Dave Hogan

From: Prem Byrne < >
Sent: Friday, April 30, 2021 11:31 AM
To: Dave Hogan
Subject: Opposition to Clayton Street project

Dear David,

I live at [REDACTED] and am strongly opposed to the Clayton Street project because:

It creates an unnecessary new road through the middle of an existing neighborhood.

Clayton Street project should be served by Clayton Street, not Ross Street.

Major excavation creates retaining walls as tall as 14 feet high.

It creates unreasonable steep access for emergency vehicles with 25% grade from Ross Street to proposed new Ross Terrace.

Leads to loss of parking on Ross Street.

Light impacts from vehicles entering and existing new proposed 500 foot private driveway.

Noise impacts from increased vehicles, particularly on the 25% grade section.

Loss of undeveloped open space.

Loss of public pathway to downtown used by the entire neighborhood.

Loss of emergency fire access to residents because new large retaining walls block access.

Leaves the end of Clayton Street with existing inadequate emergency vehicle access that can be improved by providing access to the project via Clayton Street.

I will be attending the town meeting on this issue. Thank you for taking the time to read my opposition.

Best Regards,

Jonathan Steel
San rafael

Rifkind Law Group

1010 B Street, Suite 200, San Rafael, CA 94901
Telephone: (415) 785-7988 * www.rifkindlawgroup.com

Leonard A. Rifkind
len@rifkindlawgroup.com

April 30, 2021

VIA EMAIL: dave.hogan@cityofsanrafael.org; Alicia.giudice@cityofsanrafael.org

City of San Rafael Design Review Board

Re: Conceptual Design Review 33 and 41 Clayton Street

Dear Design Review Board Members:

Our firm represents Robert and Emily Foehr, 122 Ross Street (25 units), Michelle and Patrick Killian, 209 Marin Street, Peter and Leslie Marks, 60 Woods, Kurt Scheidt, 137 Ross Street, and Ronald and Lori Stickel, 62 Woods, all of whom **oppose** the proposed access for the referenced project via a *new* to be constructed private street some 500 feet in length to be named "Ross Terrace." Our clients oppose the proposed Ross Terrace access for several reasons:

1. **45 Units Impacted by Ross Terrace Access Compared to 5 Units on Clayton Street.** Ross Terrace will be massively disruptive to 45 housing units. Building a new 20-foot wide, 500-foot road with retaining walls up to 14-foot high is an anathema to the neighborhood, replacing green space that provides public pedestrian access towards downtown and an alternative emergency egress.
2. **Clayton Street Needs Improved Emergency Vehicle Access.** Improving existing Clayton Street will *enhance* existing poor emergency vehicle access.
3. **Ross Terrace Access Will Require Retaining Walls 14 Feet High.** Ross Terrace will require retaining walls collectively equal to 14 feet in height in some locations. Such walls will be unsightly, massive and block access to adjoining property owners that have prescriptive rights on undeveloped Ross Terrace.
4. **Ross Terrace Access Has Excessive Grade.** Ross Terrace as designed calls for an initial 25% grade, and will cause a standard fire truck to bottom out/scrape its undercarriage on the transition from Ross Street to Ross Terrace. A 25% grade for a fire truck and other emergency vehicles is objectively unreasonable. The only way to reduce the grade is to increase grading resulting in even higher retaining walls.
5. **Loss of Existing Public Access.** Developing Ross Terrace will cut off public access to Clayton Street that has been used by the public for over a hundred years as access towards downtown.

6. **Loss of Alternative Emergency Escape.** Developing Ross Terrace with massive retaining walls will cut off alternative public emergency egress, e.g., a fire escape route for the 45 units affected.
7. **Loss of Parking Spaces on Ross Street.** Developing Ross Terrace will cause the loss of at least four (4) valuable parking spaces on overparked Ross Street.
8. **Light, Noise and Traffic Impacts to Residents.** Developing Ross Terrace will create headlight impacts on Ross Street housing facing the new driveway. Additionally, because of the excessively steep grade vehicles will have to go into low gear and generate significant engine noise affecting 45 housing units. The hidden nature of the new roadway, with its massive retaining walls, is an invitation to criminal activity.
9. **Drainage Impacts.** A Ross Terrace access will increase the amount of surface waters draining towards Clayton Street.
10. **Utility Impacts.** A Ross Terrace access will adversely affect existing utilities for several adjacent units that have been in place decades.
11. **Loss of Green Space and Wildlife Habitat.** Developing Ross Terrace eliminates a public social trail in place for over 100 years, and eliminates green space.
12. **Developer Does Not Have Preference on the Access Route.** The developer does not care which access, Ross Terrace or Clayton, only that he is approved to construct his two-unit project. The majority of the neighborhood deeply cares and is strongly opposed to constructing a new 500-foot roadway through the middle of the neighborhood. Even the developer believed Clayton Street was the correct access for the project, having directed his engineer, ILS and Associates to prepare engineering plans for Clayton access in 2016, and again in 2019.
13. **Maintenance.** Imposing the maintenance of 500-foot private road and adjacent retaining walls on the proposed two new homes invites the likelihood of abdication by future homeowners of the two-unit project, leaving the surrounding neighbors with a concrete eyesore. A shorter 150-foot private access route from Clayton is more feasible.

There are several provisions of the City's design review ordinance that require the Board to recommend that the project does NOT receive conceptual design review approval:

No Balance Between the Project and the Natural Environment. The Board cannot support or recommend conceptual design review approval for this project with a Ross Terrace access. The very purpose of design review fails: "first and foremost, maintain a proper balance between development and the natural environment." SRMC Sec.

14.25.010. A Ross Terrace access obliterates the natural environment. The project access creates a Caltrans level infrastructure in a small residential neighborhood.

Project Access on Ross Terrace Fails to Comply with Design Review Requirements in Multiple Respects:

- The proposed Ross Terrace access fails to “display sensitivity to the natural hillside setting and compatibility with nearby hillside neighborhoods, and maintain a strong relationship to the natural setting.” SRMC Sec. 14.25.050C(1).
- The proposed Ross Terrace access fails to *minimize* grading, retain more of the project site in its natural state, minimize visual impacts . . . and with sensitivity to nearby structures. SRMC Sec. 14.25.050C(2).
- The proposed Ross Terrace access *maximizes* grading. Site design requires a project to minimize grading and removal of natural vegetation. Highly visible hillsides and wildlife habitat should be preserved and respected. SRMC Sec. 14.25.050E(2).
- The project solution for access by creation of a new 500-foot road bounded by massive retaining walls fails the fails the “good” circulation test. SRMC Sec. 14.25.050E(3)
- Ross Terrace access fails to preserve the natural landscape in its natural state as much as practical and should be rejected in favor of the shorter less intrusive Clayton Street access. SRMC Sec. 14.25.050G.
- Construction impacts will be increased with a Ross Terrace access and cause substantial disruption to 45 households. SRMC Sec. 14.25.050H.

We anticipate that the developer will claim the Clayton access is not viable because the Fire Department does not support it and it requires acquisition of private property for right of way purposes. Given the incredible impacts that will occur with a Ross Terrace access, we respectfully request the Board direct staff, including the Fire Department, to explore every opportunity to enhance fire safety access on Clayton Street, which is demonstrably deficient, before allowing a new freeway level of improvement on Ross Terrace.

Respectfully submitted,

RIFKIND LAW GROUP

By: 


Len Rifkind

neighbors letter of oposition

Victor Kunin <>

Mon 5/3/2021 10:40 AM

To: Dave Hogan <Dave.Hogan@cityofsanrafael.org>

 1 attachments (131 KB)

neighbors_letter.pdf;

Dave,

Our neighbors and tenants signed the attached letter of opposition to this project. I apologize for sending it this late, and I hope it's not too late.

Please let me know if it can be attached to the report.

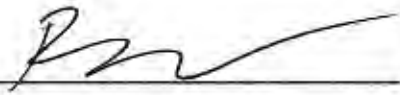




Victor.

To David Hogan, Planner

Re: Opposition to the plans for development of Lots on Ross Street Terrace.

We oppose the plans for development of Ross Street Terrace and lots 012-141-59 and -60 dated 5-10-2020.

The developer seeks to create a new private driveway on Ross Street Terrace, which presently is an open space used by the public, with up to 12 foot retaining walls on both the uphill and downhill sides. The current design will block our alternative emergency egress, block access to Clayton Street, remove existing parking, and will not to comply with city's parking, Natural State and Floor Area Ratio requirements. We kindly request not to approve the plans until those issues are resolved.

| Name | Address | Signature | Date |
|-------------------|------------|---|---------|
| 1. River Matta | [REDACTED] |  | 4/28/21 |
| 2. Charlie Brown | [REDACTED] | Charlie = Brown | 4/28/21 |
| 3. Chris Peacock | [REDACTED] |  | |
| 4. Zylan Johnson | [REDACTED] |  | 4/29/21 |
| 5. Peter Perminov | [REDACTED] |  | 4/30/21 |
| 6. Maria Kunin | [REDACTED] |  | 4/30/21 |
| 7. | | | |
| 8. | | | |
| 9. | | | |

33/41 Ross Street Terrace Project

Wilfried <>

Mon 5/3/2021 10:37 AM

To: Dave Hogan <Dave.Hogan@cityofsanrafael.org>

Hello David,

this note is in regards to the proposed development at 33/41 Ross Street Terrace (formerly referred to as Clayton Street lots 59 & 60).

My name is Wilfried Kruse. I live at [redacted] Clayton Street, and am the owner of the third undeveloped lot [redacted]. I would like to request that any approved proposal to provide street access for lots 59 & 60 will not "orphan" my undeveloped lot and allow for the access road to be extended in the future with reasonable effort. I am especially concerned about an approach that would require agreement of the owners at 33/41 Ross Street Terrace for a future expansion. I would appreciate if the Design Review Board can incorporate this topic into their review and recommendations for the proposed project.

Kind regards,
Wilfried Kruse

Opposed to the Ross Terrace lots #59 and #60 project

Sandra Luna Corcoran Global Living < >

Mon 5/3/2021 3:45 PM

To: Dave Hogan <Dave.Hogan@cityofsanrafael.org>

Hello Mr Hogan,

I am a resident of Gerstle Park.

I am also a realtor, much in favor of new housing but not this project.

If you've been to the site you know Ross is already a very narrow road with tons of cars and nowhere to park and it's difficult for two cars to get through if going opposite directions.

This new development, if approved, should access through Clayton St.

There is no reason to pave over 4,800'+++ of wild lands servicing wildlife to make way for two households.

As you may know, Gerstle Park goes back to the building of our town before the Gold Rush.

I'm not writing here to preserve a house, I'm writing to keep green space where it is and has been for hundreds of years. This undeveloped land in our neighborhood is precious and must be preserved.

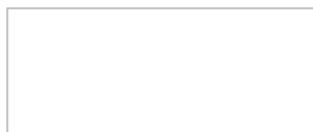
The current use of the public walkway to downtown is a charming feature of any historic area.

Please please don't remove it.

--

Sandi Luna

REALTOR



WIRE FRAUD WARNING: Do not respond to ANY wire instructions that appear to be from me or anyone at Corcoran Global Living. They are likely to be an attempt to steal your money. Coordinate all wire transfers via phone conversation with your escrow officer.

This email may be confidential. If you are not the intended recipient, please notify me immediately and delete this copy from your system.

5/4/2021

Fw: Objection to 33/41 Ross Street Terrace

Sandy Baker < >

Mon 5/3/2021 4:19 PM

To: Dave Hogan <Dave.Hogan@cityofsanrafael.org>

 1 attachments (14 KB)

Lindsay Lara 5.3.21.docx;

From: Sandy Baker

Sent: Monday, May 3, 2021 4:08 PM

To: davehogan@cityofsanrafael.org <davehogan@cityofsanrafael.org>

Cc: billb@xxxxxxx

Subject: Objec on to 33/41 Ross Street Terrace

Hello again Mr. Hogan - I spoke with you last Tuesday voicing my "vehement objection" to this project. My husband and I have become much more engaged and educated about it and we really think it's a horrible plan. Please see my attached letter, and let me know if there is anything else we can do...besides attend and speak up at tomorrow night's meeting (I've already asked Lindsay Lara to put us on the Agenda).

Many thanks. Sandy Baker

Sandy Baker, MBA

www.mamabakes.org

May 3, 2021

Lindsay Lara, SR City Clerk

Cc: Planning Commission

(please make sure this letter is forwarded to all members prior to the meeting).

RE: Planning Commission Meeting – Tuesday May 4, 2021 7:00 pm
Discussion about Agenda Item, entitled 33/41 Ross Street Terrace

Dear Ms. Lara –

This letter is in Strong Opposition to the development project proposed at 33/41 Ross Vista Terrace, which is physically located at the top end of Clayton Street. This project has been rejected numerous times, beginning back in 2014. In 2019, the Planning Department advised the lot owner that the “Certification of Compliance” he received did NOT ensure that the parcels he’d purchased are buildable parcels”. **We do not understand why this is again under consideration.** Nothing has changed. The land demographic remains the same. The density of surrounding neighborhoods has not changed.

My husband (a building contractor) and I live in the Gerstle Park neighborhood; our home is above the proposed property. We have walked this property multiple times. The proposed building sites do not have sufficient lot size to build compliant homes. The property is not buildable.

We understand the developer is requesting unreasonable exemptions to build the two homes in question. This violates regulations/building codes, and creates safety issues for surrounding homes/streets.

We believe that allowing this project to move forward would result in serious Safety and Fire issues for our neighborhood. It has also already resulted in very divisive “Access” issues throughout the neighborhood.

Please, rightly, reject this project!

Sincerely, Sandy and Bill Baker

Sandy Baker, MBA

Bill Baker, General Building Contractor

Ross Terrace issues

Patrick Killian < >

Mon 5/3/2021 4:40 PM

To: Dave Hogan <Dave.Hogan@cityofsanrafael.org>; Alicia Giudice <Alicia.Giudice@cityofsanrafael.org>; Raffi Boloyan <Raffi.Boloyan@cityofsanrafael.org>

To: dave.hogan@cityofsanrafael.org

alicia.giudice@cityofsanrafael.org

Raffi.Boloyan@cityofsanrafael.org

Dear Dave, Alicia, and Raffi

My wife Michele and I have lived at [REDACTED] for around 25 years. We have particularly enjoyed the quiet and natural setting that we have been lucky enough to have lived in all these years. Our house backs up to the "fire road" which the city is calling Ross Terrace.

Now that there is a potential development of the fire road directly behind our house, we and our neighbors feel that much of that pristine quality we have enjoyed is being threatened for no good reason.

The property bought by Coby Friedman stated in its documents that the access was to be via Clayton St. This contractual stipulation seems to have been set aside simply because of some of the challenges required to make the Clayton access viable. The fire road called Ross Terrace has at least as many challenges and would affect far more people and really the whole neighborhood.

This weighing of the pros and cons has got to be the determining factor in the decision of which way the access to this development is to go. It really is up to Coby Friedman to work out the hurdles no matter what direction is chosen.

There are so many issues when considering the Ross Terrace access and they should not be dismissed.

- There has been much discussion about the fire trucks accessibility to the new development. Even though Clayton has a steep road and a sharp curve to deal with much of the same issues are present with the Ross Terrace entrance.
 - The road would be very steep coming off Ross St.
 - The trucks would not be able to access this entrance going west on Ross St. for the angle of the turn would be too tight. They would instead have to drive around the block down Bayview, right on Clark, then east on Ross St. What happens if the drivers do not know that is the only way to gain access? They would lose valuable time responding to an emergency.
- The Gerstle Park neighborhood is already tight on street parking, but Ross St. is the worst. There is never enough parking on Ross St. right now. An entrance off Ross St. would remove at least 3 to 4 essential parking spaces.
 - Access from Ross St. creates an unnecessary new road through the middle of an existing neighborhood, whereas Clayton Street has existed for many years.
- Access from Ross St would require major excavation which would create retaining walls as tall as 14 feet high, all visible when driving down Ross St. and making an unsightly look in our old and beautiful neighborhood

- Emergency vehicles would have to navigate a very steep 25% grade from Ross Street to proposed new Ross Terrace. The retaining walls would also prevent emergency egress for residents.
- The impacts from vehicle headlights entering and exiting a new proposed 450-plus foot private driveway would disturb many of the neighbors on Ross St. as well as the properties that border Ross Terrace.
- There would be impacts from noise, light & exhaust from delivery vehicles, garbage and cars that would affect many more people than the Clayton St access. Not only are there single-family homes bordering the Ross Terrace road, but one 4-plex, one very large apartment complex with over 20 units, and one 6-unit apartment building. The proposed road would come within feet of many of those who live in the large apartment building.
- Therefore, if you weigh the impact on the local residents there is no question that developing Ross St Terrace would affect far more people detrimentally.
- This undeveloped open space, the "fire road" called Ross Terrace has served as a wildlife corridor as well as a public pathway to downtown used by the entire neighborhood. That is one major reason Hugo Landecker was so vehemently opposed to this road being developed during his lifetime.
- Therefore, one major question to ponder is how this development is going to affect the character, quality, and even property value of the highly sought Gerstle Park neighborhood.
- It also leaves the end of Clayton Street with existing inadequate emergency vehicle access that can be improved by providing access to the project via Clayton Street.
- One of the issues that has not been addressed is the maintenance of the proposed new Ross Terrace road. To assume that the owners of the new properties are going to be liable and maintain a 400 plus foot road is untenable and absurd. That is not acceptable to all the homeowners adjacent to the road.

Please take the wishes of the local residents, and the wildlife corridor in our very special neighborhood into account when determining the access to this new development.

Thank you,

Patrick and Michele Killian

33/41 Ross St Terrace Proposed Project

David Campbell < >

Tue 5/4/2021 11:03 AM

To: Dave Hogan <Dave.Hogan@cityofsanrafael.org>; alicia.guidice@cityofsanrafael.org <alicia.guidice@cityofsanrafael.org>

Ross St Terrace Proposed Project

Dear Design Review Board,

We write to express our serious concerns about the wisdom and viability of the proposed building project on lots 59 & 60 on Ross St Terrace.

According to the original deed, the Ross Terrace road cut that has been slated for improvement for the purpose of executing this building project and for the future daily use of the eventual home owners, was originally declared as an easement dedicated to public use. Does the city intend to perform these roadway improvements, or will the contractor? Who will be responsible for future maintenance and liabilities associated with these proposed roadway improvements? What is the process by which the city permits conversion of dedicated public use property to private use?

We have recently been informed by City Planner Alice Guidice that this unimproved roadway is not a publicly maintained roadway and the City does not control the use of the road. Having lived here for over 40 years, we can attest that the city, nor anyone other than ourselves, has ever provided any maintenance or exercised authority over conditions on this unimproved road. This road cut has suffered landslides and significant erosion over the years, and is only drivable adjacent to our 56 Clayton St address as result of our personal efforts to make it so. We have been informed that an independent environmental impact report for the proposed project has not yet been filed. We need and expect to review such documentation as it concerns past and probable future soils migration and deleterious moisture drainage conditions that have historically beset the general area.

This unimproved section of roadway serves as sole and primary entry access for the residents of our upper duplex apartment (56B). We cannot tolerate any unsafe conditions likely to be imposed by construction traffic and obstructive parking of vehicles impeding proper and safe access to the residence entry

The upper portion of Clayton St where we live is a one lane street with virtually no street parking available. It is a dead end street, our sole means of accessing or exiting our residences. There are six residences on this slope. The imposition of ongoing periods of closure to this section of the street that this construction project will likely create would at very least cause a profound inconvenience to our daily lives, but also impose a persistent health and safety threat by its interference with emergency services access, and/or our ability to exit the vicinity in event of emergency.

Page 26 of the building plans posted on the San Rafael website shows plans for modifications to this upper portion of Clayton St that involve accessing and usurping portions of multiple properties to install retaining walls, widen the road, and modify the turning radius and steepness of the sharp turn at the top of the existing Clayton street. A large portion of our driveway is to be taken by this plan. We do not understand how the city will approve a plan for

a private developer to use properties he does not own to achieve his proposed project goals. As I understand, none of these properties has granted such permission, and no one is inclined to allow such transgression.

We strongly oppose the approval of this building project. It seems quite certain to cause a monstrous headache for our immediate neighborhood, for the Gerstle Park neighborhood in general, and inevitably for the City of San Rafael.

We strongly urge any and all individuals involved in decisions concerning this project to visit the site and witness the conditions here at play. Merely looking at a set of plans does not and cannot provide adequate basis for making informed decisions concerning the many, many challenges of this proposed development. We would gladly meet with any such persons to share our perspective in detail. Thank you for your kind attention,

Jeanne and David Campbell

San Rafael

33/41 Ross Street Terrace

Susan Miltner < >

Mon 5/3/2021 10:32 PM

To: Dave Hogan <Dave.Hogan@cityofsanrafael.org>

Dear San Rafael Design Review Board,

We would like to express our concern as to the building of two large homes on two small lots in a hillside area. Are these buildable lots? Of great concern to us is that the properties to meet the natural state requirements.

We also are writing this letter in response to the suggestion by some that Clayton Street provides a better access to 33/41 Ross Street Terrace.

When Clayton Street was being repaved, we were told by the city that Clayton Street ended at the top and they would not pave the road further to the existing two homes further up the way.

We kindly request that the Design Review Board walk along Clayton Street up to the proposed lots to understand more fully the impact that this project will have on us and our neighbors.

From the drawings presented, the impact to our property specifically (51-53 Clayton) will be devastating and have long term impact on us.

1. The stairs to 51 Clayton Street will have to be taken down to provide for a widened street. This is our entryway and part of our property.
2. The access to 53 Clayton Street would no longer be at grade level, but would be six feet below street level. How will we access 53 Clayton Street?
3. The proposal is to put a guard rail about 2 feet away from our house. A metal guard rail 2 feet away from our house, the length of our house.
4. In addition, the proposal is to put a 6 foot retaining wall right next to our house. We will be below the street. We will no longer be able to look out the windows.
5. With the street being raised, the retaining walls on our property at the backyard will be more than 10 feet high.
6. Property will be taken away from us to make the street larger. We have a very tiny lot and taking away any property will impact us negatively.
7. A parking space will be taken away from our property and be created for public use across the street. Parking is highly impacted on Clayton Street. It is not uncommon to have to park two blocks away. Taking away private parking from a residence does not make sense.
8. I am concerned for the ability of the house directly above us and for our house to sustain the level of work involved on building a road and continuing road traffic.
9. We are right on the road. I am fearful for our animals and us.

Thank you for consideration of our concerns.

Sincerely,

Susan Miltner and Marco Berti

Clayton Street

DRB Agenda Item #1 - 33/41 Ross St. Terrace

Amy Likover <>

Mon 5/3/2021 8:16 PM

To: Lindsay Lara <Lindsay.Lara@cityofsanrafael.org>; Alicia Giudice <Alicia.Giudice@cityofsanrafael.org>; Dave Hogan <Dave.Hogan@cityofsanrafael.org>

To The Design Review Board,

Cc to Planners Dave Hogan and Ali Giudice

Re: File No(s).: LLA19-008/ED19-090/ED19- 091/EX20-006.We object to the proposed project.The exceptions to the Hillside Design Guidelines should never be granted on such a steep and inaccessible lot. The proposed structures are too large for the parcels and the proposed roadway Ross Street Terrace is too narrow given the lots' topography and the applicant's request for exemptions.The first exemption requests a hugely diminished natural state. There is a sound rationale for this regulation on hillside lots, they are best practices, and this requirement must be maintained.The second exception requests an exemption from the City's requirement for 2 covered and 2 guestparking spaces (not in the driveway). The proposed Ross Street Terrace is a narrow street due to the topography; any blockage from guest parking is an evacuation and fire safety hazard.There are some lots that are simply unbuildable as proposed, and this proposal on these lots, is so far out of compliance that the City must reject it as unbuildable. In the City's estimation as described in the December 6, 2019 correspondence to the applicant, Mr. Coby Friedman, the Certificate of Compliance does not ensure the parcels he purchased are buildable. We are in agreement with the City's 2019 estimation.Property owners who build on a hillside lot have a responsibility to comply, as we did when we built our home. We are safer for it, and so is our neighborhood. Mr. Friedman's proposal puts the entire neighborhood at risk.

Yours truly,

Amy and Joe Likover

Rd.San Rafael, CA 94901

Natural State

Valerie Lels < >

Mon 5/3/2021 8:07 PM

To: Dave Hogan <Dave.Hogan@cityofsanrafael.org>

Cc: Alicia Giudice <Alicia.Giudice@cityofsanrafael.org>; Raffi Boloyan <Raffi.Boloyan@cityofsanrafael.org>

Hi Dave,

Please see the below photos, taken today, of a mother deer and her just-born twin babies. They are standing mere feet from the Friedman property, where the developer is requesting a Natural State variance/exception that would leave remaining just over half of the Natural State required by the San Rafael Municipal Code.

If this variance/exception is granted, 3200 square feet of required Natural State would be eliminated from the Friedman lots.

Please do not deprive the wildlife as well as the neighborhood of this vital Natural State. Please deny the developer's request for the Natural State variance/exception.

Thank you sincerely,

Valerie Lels
Gerstle Park





Sent from my iPhone

Ross Terrace St - San Rafael

Katy Chamberlin < >

Tue 5/4/2021 11:52 AM

To: Dave Hogan <Dave.Hogan@cityofsanrafael.org>

Hello Dave,

As a resident of [REDACTED] I am writing to oppose the proposed new house project for 33 and 41 Clayton St in San Rafael (Ross Terrace).

This proposed road to access is approx 25ft from my front door. While I don't know the timeline of the project, I am starting chemotherapy for cancer treatment shortly. I can't see getting much rest with construction and excavation equipment outside my front door. As well as future noise impact for those of us who live along the proposed road.

This is a Clayton St project and any access roads should not cut through the existing neighborhood resulting in loss of open space.

The road would not be adequate for emergency response vehicles via Ross St. or emergency fire access for residents because of the proposed retaining walls that would block access.

Thank you,
Katy Chamberlin
San Rafael, Ca 94901

Opposition Regarding Project 33/41 Ross Street Terrace, (Freidman Residential)

Megan Gordon <>

Tue 5/4/2021 11:37 AM

To: Dave Hogan <Dave.Hogan@cityofsanrafael.org>

Cc: travis turner <tturner03@gmail.com>

Hi Dave,

I hope your day is going well. My husband (copied here) and I are new residents in San Rafael, having moved on 4/17/2021 from Oakland.

The property we now reside in [REDACTED] is owned by my mother, Donna Mickelson, of Berkeley CA. Previously it belonged to my grandmother, Katherine Ettienne of Fairfax, since the mid 50's.

We were thrilled to move into this family home, and excited to live in a quiet area, with a calm pace of life. So, imagine our distress upon seeing notice (forwarded by my mother) of the planned project in our beautiful new community.

As I'm sure you are aware, Clayton is a very narrow street. Parking is already problematic. If the planned project goes forward, all residents of Clayton St will be deeply inconvenienced, possibly even in a life threatening manner.

If construction vehicles block Clayton St, residents may be denied ingress and egress, even in the event of emergencies. I'm sure I don't need to tell you that the upcoming fire season is likely to be very dangerous, potentially deadly.

Adding more residences in this already crowded area also reduces defensible space for much needed fire prevention activities.

One must also take into account the disruption and noise pollution of jackhammers, earth movers, dump trucks, etc. I work primarily from home. It is also highly likely our driveway would be impacted, and frequently blocked. I need to leave my home to give site tours to potential clients as a regular function of my job. These are at varied times, and sometimes with little warning. This planned project will therefore impact my livelihood.

It's unclear to me why residents of Clayton St should be forced to live in an at best inconvenient and at worst dangerous situation, just so a developer can make a buck. I hope the City of San Rafael will prioritize existing residents and longtime landowners, over new developers.

I plan to attend this evening's Design Review Board Meeting to register our complete disapproval of this project personally. I know many other Clayton St residents plan to do the same.

Please feel free to contact me directly with any questions or points of clarification. I look forward to hearing from you.

Best,

--

Megan Gordon

Dave Hogan

From: Veronica Page < >
Sent: Tuesday, May 4, 2021 2:58 PM
To: Dave Hogan
Subject: Proposed Ross Street driveway.

Dear Mr. Hogan,

For this evenings Zoom Meeting
897-5606-9694

I am one of many concerned actually, annoyed neighbors that do not want to see this pass.

I can't even believe this proposal is even being considered as a possibility.

As one of my other neighbors pointed out, if this steep driveway can be engineered, then so can the gravel portion of Clayton street. That's where the driveway belongs, closer to the actual site.

I would never begrudge someone who wants to build a home or two, but a driveway where there isn't supposed to be one? That's different, it's a big no.

Let's really think about the dangers and the impact this will have on the entirety of the residents on Ross street. Please DO NOT PASS this portion of the project proposal.

Thank you for listening and for your consideration.

Veronica Page-Affoumado
Ross Street Resident

Dave Hogan

From: Jessica Yarnall Loarie < >
Sent: Tuesday, May 4, 2021 4:10 PM
To: Dave Hogan; Alicia Giudice; planning
Cc: Scott Loarie
Subject: Comments for Design Review Board on Ross Terrace St project
Attachments: May 3 letter re design review board_final.pdf

Please see the attached comments and picture of the already congested parking situation on Ross St.

Thanks,

Jessica L Yarnall Loarie, esq. and Scott Loarie



May 4, 2021

City of San Rafael

Dave Hogan and Alicia Giudice
Planning Department
Design Review Board
1400 Fifth Ave
San Rafael, CA 94901

Re: Letter of Opposition to Ross Terrace Road and Homes Project

Dear Mr. Hogan, Ms. Giudice and Members of the Design Review Board:

We join our many neighbors and write to oppose the Ross Terrace project homes and the new private two lane 500ft Ross Terrace road. We purchased [REDACTED] which is across the street from the proposed road, and are the parents to two young children, ages 6 and 3. We frequently walk, bike, scoot and play on Ross Street and its sidewalks with our children and pass this area daily while en route to Gerstle Park. We have grave concerns about this entire development project, a few of which are outlined below.

1. Inadequate notice

We live across the street from the project and newly proposed 2 lane private access road and have requested to be added to the project notice list several times, to no avail. We have never received notice from the city or the developer of this project.

Moreover, in at least one place noticing the May 4 Design Review Board meeting, the notice lacked the date and the zoom link which was only found on the street sign. The City's website for the Ross Terrace project indicates that there are no decision points at this time-- <https://www.cityofsanrafael.org/ross-clayton/>. This is not adequate notice.

2. The New Two-Lane Road and Two Large Single-Family Homes Will Take Away Necessary Parking

Parking along Ross Street is extremely constrained and is worse than in many neighborhoods in San Francisco. I'm attached a picture of a normal day on Ross Street. When cars are parked on both sides of Ross Street, there is only room for one car to pass and not two lanes of traffic. Thus, having a two-lane access road of a width of 16-20 feet (**Staff report at p. 2**) take 2-4 parking spaces out of commission for Ross Street presents a serious problem for our already congested neighborhood.

Moreover, the two proposed houses apparently lack adequate off-street guest parking under city regulations. This is unacceptable and will further add to the parking congestion. The homes can be downsized to accommodate the required parking on the existing lots.

Finally, the San Rafael Planning Commission recently approved a remodel for the 147 Ross Street apartments. I understand the developer there had asked for additional 2-bedroom units but was denied due to the site having inadequate off-street parking. Two new single-family homes should be subject to these same standards—and should not be built as presented if they cannot meet the parking requirements.

3. Traffic

Ross Street is a main access route for many parts of Gerstle Park. It is not unusual for many cars and delivery vehicles to be on the street in any given day, many of which are traveling far above a residential speed limit. Adding a new private road and two large, single family homes will add more traffic to an already congested area. This will be even worse during construction, but presents a long-term issue with the addition of two large single-family homes and a new 2 lane road.

Ross street is not a very wide street and when cars are parked, only a single car can safely pass. This means there is a rather constant stream of cars pulling into driveways and stopping for other cars to pass, a dangerous situation for young kids and pedestrians.

4. Pedestrian and Vehicle Safety from Addition of Two-lane road with High Retaining Walls

The proposed two-lane road at Ross Terrace is at a steep grade and apparently will require 6-12 foot+ high retaining walls. When coupled with congested neighborhood parking, any driver pulling out of this Ross Terrace road and onto Ross Street will have an incredibly difficult time viewing passing pedestrians, such as young children walking or on bikes, or the other cars driving down Ross Street. It's analogous to coming out of a parking garage in an urban area (most of which have alarms to alert pedestrians). **(Staff report at p. 10).**

The staff report even notes that the present design with inadequate guest parking and garage exit space may require a car to *back down* the full 500 ft Ross Terrace road. This is absurd and extraordinarily dangerous. (Staff Report at p. 7—erroneously stating that Ross Terrace is only 100 ft.).

I foresee the potential for accidents for both pedestrians and vehicles. We often have a tough time safely pulling out of our own driveway that does not have 6-12 foot retaining walls blocking our view. The line of sight issue poses a severe safety issue.

5. Drainage concerns from Road and New Homes

The new 2 lane road is on an extremely steep grade. Adjacent property owners have already expressed concern about how those steep retaining walls could impact their properties, and

questioned who will be responsible for maintaining the walls over the long-term. Another concern is how changing the grading and slope of the natural hillside and paving it will impact drainage for nearby property owners, including those of us across the street. Essentially, the new two-lane Ross Terrace road will channel water directly at our properties. The natural dirt and trees on the property that currently absorb water will be removed. **The project includes the removal of more than 25 trees for the access road alone (Staff Report. P. 8).** No drainage study has been conducted to assess this issue my knowledge.

6. Fire access

Improving Clayton Street would provide safer fire access for a number of homes already on Clayton. This alternative should be analyzed for this project.

Adding Ross Terrace to Ross Street is not a great fire access alternative. A recent fire alarm at an apartment building on Ross Street required closure to traffic for the entire street for fire trucks to access an at-grade property. With congested parking and a steep hill, Ross Terrace is not a great fire access point.

Further, if the new homes pose a fire danger in that area, one should question whether this is an appropriate location to site two new homes.

7. Character of homes is not aligned with Historic Gerstle Park

The staff report for this meeting is the first place we've seen any sort of design plans for the homes on Ross Terrace. The homes appear to be very modern, which is out of character for the historic Gerstle Park area. The homes should be designed to harmonize with the surroundings of this unique and special area.

8. Granting numerous exemptions—natural state, guest parking is not warranted

City policies requiring a certain amount of natural space and guest parking exist for good reason. This project requires so many exceptions that it is not a viable and compliant design. No exemptions should be granted here.

a. Loss of natural state

The developer here is asking for a large exception to the natural state requirement. This requirement exists for good reason. Green space is important. The current property is an important wildlife habitat and corridor. We regularly see deer, wild turkeys and even foxes in this area. The large mature trees provide vital shade, retain carbon, and the soil absorbs moisture. Taking out more than 25 trees, paving over this area with a road and two large homes—as the design currently suggests—does not comply with city policies and does not warrant any exemption.

b. Guest Parking

As previously outlined, parking is a massive problem on Ross Street already. This 16-20ft access road will take 2-4 parking spaces out of commission. Adding two new homes without adequate guest parking would take away another 2-4 spaces for a net loss of 8+ parking spaces.

This is an extremely bad idea. Moreover, the Planning Commission recently scaled back the 147 Ross St apartment design plans due to inadequate off-street parking. The policy should be consistently applied. No exemption should be granted to the Ross Terrace homes for guest parking.

9. Alternatives

a. Clayton Street Access as Viable, Preferred Access Alternative

The Design Review Board should re-consider access via Clayton Street instead of a massive new road being constructed off of Ross St. It would benefit the homes on Clayton street to have better fire access. And a less extreme road would need to be built from the Clayton side and the Ross Street parking and pedestrian safety would be preserved. Apparently, a 2017 recommendation from the Design Review Board endorsed the Clayton Street access alternative (**Staff Report at p. 12**). Nothing has changed to necessitate access from a new road at Ross Terrace.

b. Downsizing project to One House

At a certain point, the exceptions swallow the rule. That's the present situation. Two large homes just do not fit into this very small, sloped space. One home would be enough of a stretch. A one home alternative should be explored.

c. Downsizing size and scope of the two houses

The homes are too large for the space given. If two homes will be built, they must be greatly scaled back to accommodate the natural space requirements and adequate guest parking. No exceptions should be granted.

d. Designing home(s) to be more in character with an historic neighborhood

If this Board requires the developer to reconfigure the homes, they should be designed with the historic character of this neighborhood in mind.

e. No Build alternative

A no build alternative should also be examined.

These comments are based on a very quick review of the staff report and public information available about the project and we reserve the right to make additional comments at a later time.

In sum, we would ask the Design Review Board to not approve the proposed plans or, at minimum, delay a decision on this project while other viable alternatives are explored. The plans in their current form are wholly unacceptable.

Sincerely,

Jessica L. Yarnall Loarie, esq. and Scott Loarie
San Rafael, CA 94901

Dave Hogan

From: Seth Affoumado < >
Sent: Tuesday, May 4, 2021 6:22 PM
To: Dave Hogan
Cc: Dave Hogan
Subject: Re: Proposed Ross Street driveway.

Dear Mr. Hogan,

I am a neighbor that lives at the top of Ross Street crossing Reservoir Road.

There are many ways to avoid the unnecessary construction of a private driveway on Ross Street which I hope you consider before making your decision.

The private road will impact more than 50 residents on Ross Street with unnecessary construction noise, inconvenience and environmental impact. This project only will benefit the person who builds the house and not the general public.

The engineering opportunity to design a better more efficient road to Clayton street should be the priority since that is where the homes will be situated.

Ross Street is our home too. My wife and I strongly urge you to vote against this construction and find a better more equitable solution for all.

Thank you for considering our request.

With respect and gratitude,

Seth and Veronica Page-Affoumado

Seth Affoumado
Musician Teacher Photographer

San Rafael, CA

Dave Hogan

From: Carol Smith < >
Sent: Wednesday, May 5, 2021 1:21 PM
To: Dave Hogan
Subject: Lot 59 and 60 Ross Terrace

Hi Dave,

I am a property owner on Welch Street in San Rafael and I approve of this project as detailed in the plans on view dated 5-10-20 drawn by Joseph Farrell. Please make sure that my approval is noted in the Planning Review meeting which I believe is slated for tmwr. I am unable to attend remotely.

Thank you,
Carol Poshepny

Dave Hogan

From: David Campbell <>
Sent: Thursday, May 6, 2021 9:56 AM
To: Dave Hogan; Alicia Giudice; Jeanne Cronis Campbell
Subject: Ross St. Terrace Proposal

Dear San Rafael Planning Department,

We applaud the design review board's decision to carry over consideration of this Ross St. Terrace project to May 18. Hopefully, that will allow time to properly consider the massive body of complaints and opposition that have been presented against the approval of this project.

On the web link to the recent design review board meeting, we noticed that you have recommended approval of the building plans submitted. We are curious as to how you could recommend a project prior to the submission of an independent environmental impact report? The environmental impact this project threatens is a matter of critical importance, and we anxiously await the opportunity to review contents of such report. This project requires multiple variances/exceptions for approval, and is not compliant with San Rafael Hillside Design Guidelines.

Also, the plans currently posted on the San Rafael website show significant building activity to be performed on properties not owned by the applicant, particularly to the ___ Clayton property where we live. Page 26 of the plans in fact shows a significant portion of our property being usurped by the modifications shown to be performed on Clayton St. Surely you understand this is something we will not allow, and such being the case, why would you recommend approval?

Thank you for your careful consideration,

Jeanne and David Campbell

Mr. Pavil Wilkinson
San Rafael California 94901

5 5 2021

[Sent via email attachment]

Mr. David Hogan
Planning Department
City of San Rafael
1400 5th Ave
San Rafael CA, 94901

Reg: 33/41 Ross St Terrace [Friedman Residential]
Objections submitted to Design review board prior to the 5 18 2021 7:00 PM meeting.

Dear Mr. Hogan,

I live on Clayton St. and will be directly affected by the widening of the road to access the 2 building sites proposed on substandard lots, with inadequate parking.

Issue #1: Parking

We currently have 4 rental units on Clayton St. that have no off-street parking. According to Table 14.18.040 of the San Rafael Municipal Code these new homes are required to be built with 2 off street parking spaces. To build 2 additional homes that do not have the required off-street parking would be using very bad judgment. Additionally, the proposed approach from Clayton St would remove the existing off-street parking at 51 Clayton St. of 4 cars.

Issue #2: Open space.

I walk my dogs long the nature trail at Ross St Terrace that will be lost if this project moves forward.

Issue #3: Retaining walls

The plans provide by the developer do not adequately show the grade properly. If the approach comes from Clayton st. it will require installing +/- 200' of retaining walls, one running right through the neighborhood garden in front of 51 Clayton St where we host neighborhood parties 4-6 times a year, this is a terrible idea and I vehemently oppose it. This would ruin our quant neighborhood and our neighborhood gatherings. You and the design review board should come and enjoy the food.

In conclusion: The proposed plans for an approach from Clayton St. would significantly impact our quant neighborhood making it a worse place to live.

Best regards,
Pav Wilkinson

5/11/21

To: Dave Hogan, Ali Giudice , planners; City of San Rafael.

Re : 33/41 Ross Street Terrace

Development of Ross Street Terrace for development access.

Dear Mr Hogan, Ms. Giudice and members of design review board.

My Name is Jeff McPhail. I am the managing member of Canal Front Properties LLC which owns the four-unit building at 124 Ross Street. Our property is downhill and East of proposed development of Ross Street Terrace as a driveway to serve two proposed homes. The deepest excavation proposed is abutting our property.

I am writing because the development as proposed will negatively affect our property and prohibit future access to Ross Street Terrace.

Like the applicant's property, our property does not have vehicular access.

We would like to enjoy the same consideration as applicant and to maintain our legal right to access the property by way of Ross Valley Terrace.

Adjacent landowners should have rights to access the right-of-way which current design makes difficult or impossible.

I spoke to the architect of the project several months ago regarding my concerns but the current drawings of high retaining walls do not reflect any consideration for neighbor access.

We would strongly urge the city to reject the project as drawn and would suggest a redesign that would respect our property rights and provide equal access to Ross Street Terrace.

Thank you for your attention.

Jeff McPhail

San Rafael CA. 94901

May 9, 2021

Dear Members of the Design Review Board,

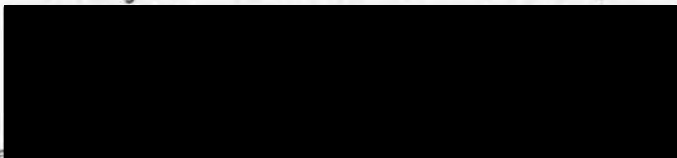
Thank you for your volunteer efforts in support of our community.

We would like to bring three issues to your attention in reference to the application for 33/41 Ross Street Terrace.

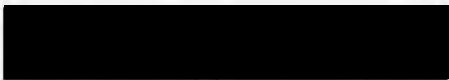
1. This project deserves a full public hearing up through the Planning Commission and beyond, if necessary. There should be no shortcuts. Streamlining of this process has been opposed by other neighborhoods in San Rafael. The City Hillside Design Review has worked for 30 plus years and represents a fair public process.
2. We object to granting the exceptions to the minimum natural state requirement. The charm of Gerstle Park is the spacious character, trees, gardens and natural surroundings. We are already a closely crowded neighborhood in need of more natural state rather than less.
3. The approval of exceptions for on street guest parking and natural state requirements will set a negative precedent. Gerstle Park will evolve into an area with large houses on small lots with little natural habitat and increased fire risk. This will become a pattern of "exception creep" that others will follow. These exceptions will negatively impact the character, health, safety and welfare of the neighborhood currently and into the future.

With Respect,

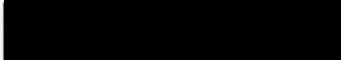
Megan Gordon and Travis Turner



Susan Multron + Marco Berete



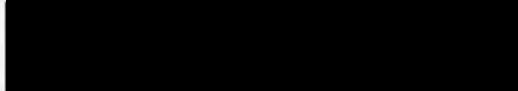
Chris Griffiths + Mark Strauss -



Jeanne Campbell + David Campbell



Wilfried Krause -



From: Patrick Killian <>
Sent: Wednesday, May 12, 2021 5:33 PM
To: Distrib- City Clerk <City.Clerk@cityofsanrafael.org>
Subject: letter to design review board regarding Ross Terrace development

Please see that this letter is forwarded to all on the Design Review board and the appropriate agents of the City of San Rafael.

To: Design Review Board of San Rafael

From: Patrick and Michele Killian

Re: Proposed development of Two homes and Ross Terrace driveway

Dear Folks,

We would like to summarize our feelings of what is going on with the proposed development of two homes on steep and relatively inaccessible lots on Ross Terrace.

It should be obvious that these lots would have been developed long ago if there was a simple and reasonable way for a development to go forward. That is not the case.

What we have now is a developer who wanted to roll the dice and thought he could bully his way into forcing the surrounding neighbors and the City of San Rafael into accepting what he wants to develop, with the only motivating factor to make a profit.

He does not care what chaos he might unleash on the neighborhood

He does not care if it removes a large area of wildlife land.

He does not care if he is putting the adjoining neighbors in a precarious situation because he himself will not be responsible to maintain or be liable for the road and retaining walls he proposes to create.

He does not care if he does not meet the requirements for allowing natural habitat on his properties. He is not even trying to get close to meeting the requirements. The natural habitat reserved on his land is barely over 50% of what is required, and he is asking for an exception. Why? Because he is proposing to build two properties on land that does not have room for two properties.

He is not meeting the required parking requirements because he does not have the space to do so. Why? Once again, he is overbuilding.

He is trying to cram two large properties on land that should only house one home with the appropriate natural habitat, parking, and turnarounds. Why is he doing that? Because he cannot make a profit on building just one home considering that he will have to spend a considerable amount of money developing the road access no matter which direction it goes. He is rolling the dice and hoping he can steamroll his way to approval.

This developer has only been antagonistic to the neighborhood and downright offensively aggressive in his interactions with individuals who live nearby. He has no interest in working together or to find common solutions other than ways he can put more money into his pocket.

I would think it would be eye-opening to have anyone approach the Design Review Board when their proposal does not even come close to meeting requirements and yet they are asking for a stamp of approval. What is alarming and unconscionable is that the city seems to want to give him the stamp of approval.

The Board of Review and the City of San Rafael have a moral, legal, and ethical obligation to not cave to this kind of activity. It is wrong and should not be entertained.

There is absolutely no reason to grant exceptions to a developer that wants to push his agenda and his disregard for rules and regulations forward. The entire local neighborhood supports this stance and we demand that his current proposal be rejected.

Sincerely,

Patrick and Michele

Additional Comments: Project 33/41 Ross Street Terrace ** Statement of Opposition **

Peter Marks (Peter R. Marks) < >

Thu 5/13/2021 4:57 PM

To: Dave Hogan <Dave.Hogan@cityofsanrafael.org>; Alicia Giudice <Alicia.Giudice@cityofsanrafael.org>

Cc: Leslie Marks [REDACTED]

Dear Dave and Alicia,

*** Kindly Acknowledge Receipt ***

We're submitting this additional letter of opposition to the project as proposed after having further reviewed the plans. This project clearly proposes **overbuilding the two lots, requiring significant variances to the detriment of the environment and the neighborhood**. The size of the homes and impact on the neighborhood should be reduced in scope.

The applicant should not be granted these **gross exceptions** for his sole benefit (profit) at the expense of the environment and all neighborhood residents. The rules and guidelines set by the City should be applied to this project and followed as closely as possible. **The exceptions being requested are not minor in nature or magnitude, and only serve the interests of the developer**, and perhaps the City in terms of future tax revenue.

- **Minimum Natural State.** The proposed development is not just a few percent off; **it's 53% and 54% short of the required minimum. This is over building the lots to maximizing profit for the developer instead of developing a home or homes that are suitable for the site and stay within the rules.**
- **Parking Exception:** Why after proposing to build a 480' driveway should the developer be granted a **50% reduction in the required guest parking requirement**, with one of the spaces actually impeding the use of a garage? Again, this only serves to maximize the size of the homes and the profit for the developer.
- **Existing Lot Size:** Both lots are tiny – **less than 78% and 67% of the 7,500 sq/. minimum** respectively, with large proposed homes that are completely out of character with the nearby houses. The homes should be smaller (or maybe only a single home be built) which will easily solve the issues outlined above (but not the developers desire to maximize profit).

There are also several inaccuracies in the report, and other items left unaddressed:

- **Height of retaining walls at Ross St Entrance.** *The drawings do not show the wall heights at the steepest part of the proposed Ross St entrance to Ross Terrace, instead they only show section A-A after where the road starts to level out and where the walls are still over 12' tall on the west side. The actual height of all retaining walls along the entrance route should be detailed for both the uphill (west side) and downhill (east side) – the actual impact is far greater than it looks on the drawings.*
- **The developer did not deliver the same photographic representation of the road for the Ross Street access, as he did for Clayton.** This should be done to provide a true perspective of the impact of the proposed Ross Terrace entrance for the DBR to see.
- **Why has the CEQA report not been delivered for review?** This is an important aspect of this project, and we believe it would be a critical part of the DBR's analysis.
- **Destruction of existing open space:** The proposed Ross Street roadway will destroy current open space *far in excess of the foot prints of the proposed homes*, creating more hard-scape and pavement contributing to global warming. The Clayton Street access largely exists, thus would be far less environmentally impactful, while at the same time improving fire access for all properties along Clayton St. How does preservation of

habitat and open space factor into the City's analysis in light of its current and future (2040) planning?
How does the developer propose to offset the environmental impact, loss of natural state, and loss of open space?

- Access for current property owners **all along Ross Terrace will be blocked by a Ross Street entrance due to high retaining walls and fences on both sides of the proposed road.** Owners rights to continuously and safely access Ross Terrace cannot simply be taken or given away, especially since it's a critical fire escape route for all property owners along Ross Terrace.
- **There is another undeveloped, triangular, lot to the north of the subject lots.** If access is granted from Ross Street this lot will effectively be blocked from future development, *or the City would need to approve a plan for access via Clayton Street.* Providing access from Clayton will solve access for all lots on Ross Terrace, not just the two lots currently in question, in addition to many other benefits outlined by various neighbors.
- There is an **unaddressed issue where the proposal located the garage level of the single-family residence on Lot 59 approximately 1½ feet from the property line.** This is exactly the type of exception that causes future problems, and is only being considered so the developer can maximize the size of the homes and his profit.
- **The Planner discuss the impact on neighbors with access via Clayton, but did not do the same for property owners along Ross Terrace should be access be via Ross St.** (where 9x's as many families would be impacted). No property owners along Ross Terrace have been approached about the impact to them by either the applicant or the design review board, while at the same time there have been repeated (unanswered) requests for information.
- **The City seems happy to relinquish any responsibility for the Ross Terrace street,** putting the responsibility and liability, upkeep, maintenance and policing on adjacent property owners. These responsibilities already fall upon the City for a Clayton St access, and if access is granted via Ross St, the City should not be released of its obligation to manage, maintain and police.

These are just a few of the concerns we have. We urge the DBR to carefully consider all the exceptions being granted, the impact of the proposed access routes, and adjust the scope of this project accordingly.

Respectfully ,

Peter & Leslie Marks

[REDACTED]
San Rafael, CA 94901
[REDACTED]



SAN RAFAEL
THE CITY WITH A MISSION

Community Development Department – Planning Division

Meeting Date: June 8, 2021
Case Numbers: UP21-006, ED21-022
Project Planner: Steve Stafford – (415) 458-5048
Agenda Item: 3

REPORT TO DESIGN REVIEW BOARD

SUBJECT: 800 Mission Ave. (“Aegis Living San Rafael”) – Request amendment of Use Permit and an Environmental and Design Review Permit approvals to allow a 11’ 2” height bonus for a previously approved senior assisted living and memory care facility on two vacant Downtown parcels with 29,885 sq. ft. of combined area. Amendment of the approvals would increase the height of the building from 36’ to 47’ 2” and increase the unit count from 77 suites to 106 suites. The remainder of the approved site and building design would remain unchanged; APNS: 011-184-08 & -09; Multifamily Residential – High Density (HR1) District Zone; Geoff Forner, Applicant; ASC San Rafael LLC, Owner; Downtown Neighborhood.

*****Continued from the May 4, 2021 Design Review Board Meeting*****

PROPERTY FACTS

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| <p>Location <i>Project Site:</i> High-Density Residential (HDR) North: HDR South: 5/M R/O East: 5/M R/O West: HDR</p> <p>Lot Size Required: 29,885 sf Proposed: 6,000 sf</p> <p>Height Allowed: 36’ Proposed: 47’ 2” (includes height bonus; excludes domes, trellis elevator and staircase protruding features)</p> <p>Parking Required: 53 parking spaces Proposed: 40 parking spaces</p> <p>Landscaping (Min.) Required: 50% of Front and Street Side Setback (2,164 sf) Proposed: 51% of Front and Street Side Setback (2,209 sf)</p> <p>Tree Removal</p> | <p>General Plan Designation High-Density Residential (HDR)</p> <p>Lot Coverage (Max.) Allowed: 60% (17,931 sf) Proposed: 59% (17,720 sf)</p> <p>Density (Max.) Allowed: 29 units (1 unit per 1,000 sf of gross lot area) Proposed: None (‘efficiency kitchens’ only for assisted care units only)</p> <p>Usable Outdoor Area (Min.) Required: None (Recommended 100 sf per unit) Proposed: 6,248 sf (common indoor and outdoor recreational area)</p> | <p>Zoning Designation HR1 HR1 5/M R/O 5/M R/O HR1</p> <p>Existing Land-Use Vacant Lot SFR Apartment Buildings Service Station w/Mini-Mart Office</p> | <p>Setbacks</p> <table border="0"> <tr> <td></td> <td style="text-align: center;"><u>Required</u></td> <td style="text-align: center;"><u>Existing</u></td> <td style="text-align: center;"><u>Proposed</u></td> </tr> <tr> <td>Front:</td> <td style="text-align: center;">15’</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">15’</td> </tr> <tr> <td>Side(s):</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Street:</td> <td style="text-align: center;">10’</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">10’</td> </tr> <tr> <td>Interior:</td> <td style="text-align: center;">5’</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">5’</td> </tr> <tr> <td>Rear:</td> <td style="text-align: center;">5’</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">5’</td> </tr> </table> <p>Grading</p> | | <u>Required</u> | <u>Existing</u> | <u>Proposed</u> | Front: | 15’ | n/a | 15’ | Side(s): | | | | Street: | 10’ | n/a | 10’ | Interior: | 5’ | n/a | 5’ | Rear: | 5’ | n/a | 5’ |
| | <u>Required</u> | <u>Existing</u> | <u>Proposed</u> | | | | | | | | | | | | | | | | | | | | | | | | |
| Front: | 15’ | n/a | 15’ | | | | | | | | | | | | | | | | | | | | | | | | |
| Side(s): | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Street: | 10’ | n/a | 10’ | | | | | | | | | | | | | | | | | | | | | | | | |
| Interior: | 5’ | n/a | 5’ | | | | | | | | | | | | | | | | | | | | | | | | |
| Rear: | 5’ | n/a | 5’ | | | | | | | | | | | | | | | | | | | | | | | | |

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| Total(No./Species): 6 (4 'mature') + 5 Street Trees (1 'mature') | Total: | 14,000 CYDS |
| Requirement: None (15 Replacement Trees Encouraged) | Cut: | 13,000 CYDS |
| Proposed: 13 Replacement Trees (includes 3 Street Trees) | Fill: | 1,000 CYDS |
| | Off-Haul: | 13,000 CYDS |

SUMMARY

The project is being referred to the Design Review Board (Board) for review of proposed amendments to an approved project. On September 4, 2018, the City Council denied an appeal (City Council Resolution No. 14575) and upheld the Planning Commission’s July 10, 2018 conditional approval of a new assisted living facility with memory care services and 40 garage parking spaces, located at 800 Mission Ave. (previously 1203-1211 Lincoln Ave.). The proposed amendments request a height bonus of 11’ 2”, increasing the overall height, from 36’ to 47’ 2”. The proposed height bonus would also increase the size of the project, from 77 resident ‘suites’ to 106 ‘resident’ suites. The site is currently vacant, and the project would include site grading, drainage, landscaping and signage.

The proposed amendments to the approved project require the following approvals by the Planning Commission with the recommendation of the Board:

- An Environmental and Design Review Permit Amendment for modifications in the design of the approved building and site improvements; and
- A Use Permit Amendment to allow both the new assisted living facility to operate on the site, the requested height bonus and a *Parking Modification* to reduce the parking requirement for the project, from 53 to 40 on-site parking spaces.

This is an amendment of an approved project in which the Board’s review is limited to the scale/mass of the requested height bonus; how it relates to the surrounding neighborhood since the expanded project retains the California Mission Revival architecture, which the Board unanimously recommended for approval to the Planning Commission on June 5, 2018. No other changes to the approved design of the project are proposed. Staff supports the scale/mass of the requested height bonus, finding it adequately relates to the predominant four- and three-story scale of existing development immediately adjacent to the project site. Staff requests the Board’s comments on the following:

Scale/Mass

- Whether the scale/mass of the requested height bonus adequately relates to the predominant scale of existing development of development in the immediate neighborhood.

BACKGROUND

Site Description & Setting:

The project site is comprised of two (2) adjacent parcels located at the northwest corner of the intersection of Lincoln and Mission Avenues. The site is a combined 29,885 sq. ft. in area and has an approximate 10% cross-slope, trending northwest to southeast. In 2007, prior buildings located on the project site were demolished, which remains vacant.

The project site is surrounded by predominantly multifamily residential development immediately to the north and west, a service station to the south across Mission Ave. and a mixture of commercial office and single-family residential development to the east across Lincoln Ave.

History:

- On September 4, 2018, the City Council denied an appeal and upheld the Planning Commission’s conditional approval of a Use Permit (UP17-030) and an Environmental and Design Review Permit (ED17-090) to allow the construction and operation of a new 77-suite

assisted living facility with memory care and associated garage parking, and site improvements on two (2) vacant Downtown parcels located at 800 Mission Ave.

- On October 8, 2019, the Design Review Board recommended approval of final details on the site landscaping, exterior lighting and outdoor terrace finishes.
- On March 10, 2020, Planning staff approved a minor modification to the design of the blue-tiled tower/dome feature, located at the southeast corner of site, to include additional windows to match the existing approved window design.
- On August 21, 2020, Planning staff again approved a minor modification to the design of the blue-tiled tower/dome feature, located at the southeast corner of site, to reduce the overall height, and to redesign and relocate the approved water fountain feature.
- On September 8, 2020, the Community Development Director approved the consolidation (LLA19-006) of the two (2) parcels. This Lot Line Adjustment/Consolidation will need to be recorded with the County of Marin by the applicant or property owner prior to issuance of building permits.
- On February 25, 2021, the Zoning Administrator approved a two (2) year time extension for the project due to project's financial infeasibility to construct during a global pandemic event. No additional changes, modifications or additions were proposed or approved to the project.
- Building permits for the project were submitted on September 3, 2019 (foundation only) and October 21, 2019 (building) and approved on December 20, 2019 (foundation only) and August 21, 2020 (building). The building permit for the foundation only was issued on December 20, 2019 though no site grading has occurred on the site. The building permit for the building has not been issued.
- On May 4, 2021, the Board unanimously (4-0 vote, Blayney absent) approved a requested continuance by staff to a 'date certain', to the next scheduled Board meeting on May 18, 2021, to allow staff time to better provide the Board with plans in a format more usable for the complexities of the project. This continuance was approved without staff introduction, acceptance of public comments or Board discussion on the project.

PROJECT DESCRIPTION

Use:

The project proposes to amend the height and unit count of an approved assisted living facility with memory care services on the project site.

Site Plan:

No design changes are proposed to the approved site plan.

Building Height:

The project proposes to increase the approved height of the building, from 36' to 47' 2". The project essentially proposes to add an additional or fifth floor with additional residential 'suites.' The approved height of the dome features, and rooftop elevator and stair overruns will not increase.

Floor Plan:

The project proposes to add an additional or fifth floor with 29 additional residential 'suites', increasing the overall unit count, from 77 approved 'suites' to 106 proposed residential 'suites'. No changes are proposed to the remaining approved floor plans. The second floor continues to provide secured

memory care services and includes common indoor and outdoor terrace areas. The previously approved rooftop terrace was removed from the project design during the approval of the time extension by the Zoning Administrator in February 2021.

Architecture:

No design changes are proposed to the approved architecture. Rather, the proposed amendment to the project would return the blue-tiled dome feature along Lincoln Ave., which was previously approved by staff at the request of the applicant to meet cost-efficiencies. The project is approved with a Spanish Colonial- or Mission Revival-like architecture with predominant design features including large arched windows, whitewashed stucco walls, red clay roof tiles and tile dome towers. The dome on top of the tower features were approved to be externally-illuminated and tiled in a color (blue) distinct from the red roof tile which would complement the blue fabric awnings along both street elevations. Decorative heavy-timber rafter ‘tails’ are included under the roof eaves. Decorative wrought iron balconies, railings, fencing and gates are well-presented along all building facades. The previously approved, externally-illuminated, 12’-dia. circular fountain with a center statue or sculpture, located at the Mission and Lincoln Ave. intersection, was removed and replaced with additional landscaping as an administrative amendment by staff in 2020.

No changes are proposed to the approved exterior colors and materials. The proposed additional or fifth floor is proposed to match the approved exterior colors and materials.

Parking:

No design changes are proposed to the approved parking garages plan. The project is approved for 40 on-site garage parking spaces. Of these, 37 parking spaces are located in the subterranean parking garage accessed by the driveway along Mission Ave. and three (3) additional parking spaces will be located on the first floor and accessed by the driveway along Lincoln Ave.

Landscaping:

No design changes are proposed to the approved site landscape plans. The project proposes to remove six (6) existing on-site trees on the smaller (1211 Lincoln Ave.) portion of the site, four (4) of which are ‘significant’ (A ‘significant’ tree is any tree 12” or greater in diameter, as measured 4.5’ above the root crown, or any Oak tree 6” or greater in diameter, as measured 4.5’ above the root crown). In 2007, all site landscaping was previously removed from the larger parcel (1203 Lincoln Ave.) during demolition of the prior motor court. The project also proposes to remove five (5) existing street trees along the Lincoln Ave. frontage, one (1) of which is ‘significant’. The project is approved to plant new landscaping along both the Mission and Lincoln Ave. frontages, including 10 replacement trees, plus three (3) new street trees along Lincoln Ave., and a mixture of shrub, grass and vine plantings. New landscaping is also required within a raised bioretention ‘planter’ bordering the 2nd level outdoor rear terrace.

Grading/Drainage:

No design changes are proposed to the approved preliminary grading and drainage plan. The project proposes a total of 14,000 cubic yards (CYDS) of excavation with 13,000 CYDS of ‘cut’, 1,000 CYDS of ‘fill’ and 13,000 YDS of off-haul. A raised, 1,036-sq. ft., bioretention ‘planter’ is approved bordering the 2nd level outdoor rear terrace with landscaping.

ANALYSIS

General Plan 2020 Consistency:

The General Plan land use designation for the site is High Density Residential (HDR). Pursuant to Land Use Policy LU-13 (*Height Bonuses*) in the San Rafael General Plan 2020, a height bonus of up to 12’ may be granted with a Use Permit for development projects that meet the affordable housing requirement, provided the building’s design is consistent with Community Design policies and design

guidelines. The project requests a 11' 2" height bonus. Staff requests the Board's guidance in evaluating the project for consistency with the following design-related General Plan Policies:

- *Community Design Policy CD-1d (City Image) Landscape Improvements recognizes that landscaping is a critical design component to. 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.*
- *CD-2 (Neighborhood Identity) Recognize and promote the unique character and integrity of the city's residential neighborhoods and Downtown. Strengthen the "hometown" image of San Rafael by: a) Maintaining the urban, historic, and pedestrian character of the Downtown; b) Preserving and enhancing the scale and landscaped character of the City's residential neighborhoods; c) Improving the appearance and function of commercial areas; and d) Allowing limited commercial uses in residential neighborhoods that serve local residents and create neighborhood-gathering places.*
- *CD-3 (Neighborhoods) seeks to recognize, preserve and enhance the positive qualities that give neighborhoods their unique identities, while also allowing flexibility for innovative design. New development should respect the context and scale of existing neighborhoods.*
- *CD-5 (Views) seeks to respect and enhance to the greatest extent possible, views of the Bay and its islands, Bay wetlands, St. Raphael's church bell tower, Canalfront, marinas, Mt. Tamalpais, Marin Civic Center and hills and ridgelines from public streets, parks and publicly accessible pathways.*
- *CD-7 (Downtown and Civic Center) Build upon the character of these areas by controlling land uses to clearly distinguish their boundaries; by recognizing Mission San Rafael Arcangel and St. Raphael Church, Marin Civic Center, and other buildings that help define the City's character, and requiring that these and other architectural characteristics and land uses that give these areas their identity are strengthened.*
- *CD-9 (Transportation Corridors) seeks to improve the function and appearance of transportation corridors, recognize those shown on Exhibits 17 and 18 and define each corridor's contribution to the City based upon its land use and transportation function and how it is experienced by the public.*
- *CD-10 (Nonresidential Design Guidelines) Recognize, preserve and enhance the design elements that contribute to the economic vitality of commercial areas. Develop design guidelines to ensure that new nonresidential and mixed-use development fits within and improves the immediate neighborhood and the community as a whole.*
- *CD-18 (Landscaping) recognizes landscaping as a significant component of all site design.*

Planning staff continues to find the landscaping and pedestrian scale along the street frontages helps connect the predominant residential character along Lincoln Ave., a transportation corridor, with the commercial Downtown immediately south of the project site. The proposed Mission Revival architecture appears to respect and not compete with the scale and design of St. Raphael's church bell tower. While the St. Raphael's church bell tower is approximately 10' lower in height of the domed towers in the proposed project design, St. Raphael's church bell tower is located more than two city blocks (1,100') west of the project site and approximately 30' higher in elevation. While the towers in the proposed project design would likely create a new view impact of Puerto Suello Hill as seen from northbound U.S. Highway 101, staff finds this to be limited.

General Plan 2040 Consistency:

The City is currently in the process of updating the General Plan. Under the draft General Plan 2040, the General Plan land use designation for the site is Downtown Mixed Use (DMU) with a maximum height as determined by the draft Downtown Precise Plan (currently 40'). The draft Downtown Precise Plan allows a height bonus of up to 10' (overall maximum height of 50') on the site. The project requests a 11' 2" height bonus for an overall height of 47' 2" (per UBC measurement of height).

Zoning Ordinance Consistency:

Chapter 4 – Residential (R, DR, MR, HR) Districts

The site is located within the Multifamily Residential – High Density (HR1) District. The proposed project will require consistency with the property development standards for the HR1 District, including maximum 60% lot coverage, minimum required yard setbacks (15' front; 10' street side; 5' interior side and rear) and minimum landscaping (50% of required front and street side yards). The project will exceed the maximum 36' height for the site, subject to the requested height bonus. Additionally, the project voluntarily proposes to create 3,970 sq. ft. of usable common outdoor area for the residents, reduced from 5,876 sq. ft. of usable common outdoor area previously approved by the project and after the elimination of the roof terrace. Pursuant to SRMC Section 14.04.040 (Property Development Standards for the HR District), common indoor area suitable for recreational uses may be counted toward the usable outdoor area requirement. Once these areas are included, the project proposes 6,248 sq. ft. of combined common indoor and outdoor area suitable for recreational use. These property development standards applicable to the project are identified in the *Property Facts* summary above. As designed, the project complies with all applicable property development standards for the HR1 District, including maximum lot coverage, minimum required yard setbacks and minimum landscaping. The project also would comply with the maximum height, subject to the requested height bonus.

Chapter 16 – Site and Use Regulations

Affordable Housing Requirement

SRMC Section 14.16.030 (*Affordable Housing Requirement*) requires all non-residential development projects to comply with the City's adopted inclusionary housing requirement through the payment of an in-lieu fee based on the type of development proposed for the site. The project continues to propose an assisted living facility with memory care services which is comparable to a hotel use. The proposed facility would continue to provide rooms or 'suites' with limited 'efficiency kitchens' and offer ancillary services to the residents like communal dining (both indoor and outdoor), "juice bar", "pub", "bistro", fitness, barber/salon, cinema and activities areas, in which some of these services would not be typically found in a hotel. Therefore, it is still credible to apply a hybrid rate for determining the amended affordable housing requirement linkage fee.

The approved project is 64,054 sq. ft. in size and, when applying both the hotel (0.0075 affordable units per 1,000 gross sq. ft.) and personal service rates (0.0225 affordable units per 1,000 gross sq. ft.) identified in Table 14.16.030 – 3, was required to provide 0.015 affordable housing units per 1,000 gross sq. ft., which translates to 0.96 low income units or an affordable housing in-lieu fee of approximately \$318,827.20 for the project, using the then-current affordable housing in-lieu fee of \$331,070.00 per unit. To further contribute to the City's affordable housing initiatives, the prior property owner voluntarily increased the affordable housing in-lieu fee to \$500,000 as a 'public benefit' (a 63.8% increase in the required affordable housing requirement), which was accepted by Planning Commission and the City Council on project appeal as a condition of project approval.

The amended project proposes to increase the new building size to 75,489 sq. ft. which, when applying the same affordable housing requirement formula (0.015 affordable housing units per 1,000 gross sq. ft.) translates to 1.13 low income units, or a revised affordable housing in-lieu fee of \$389,488.66 for the project, using today's updated affordable housing in-lieu fee of \$343,969.47 per unit. The current

property owner, Aegis Senior Communities LLC ('Aegis Living'), proposes to continue to voluntarily increase the affordable housing in-lieu fee to \$589,569 as a 'public benefit' (a 66% increase in the required affordable housing requirement).

Height Bonus

SRMC Section 14.16.190 (B) (*Lincoln Avenue Height Bonus*) a height bonus may be granted through Use Permit by the Planning Commission of up to 12' for projects located on Lincoln Avenue, between Mission Avenue and Hammondale Ct., on lots greater than one hundred fifty (150') in width and 20,000 sq. ft. in size and meeting their affordable housing requirement. The project meets the location, width and size requirement. As stated previously in staff's report, the required affordable housing in-lieu fee for the amended project is \$389,488.66 (1.13 affordable housing units), using the current affordable housing in-lieu fee of \$343,969.47 per unit. The project proposes to voluntarily increase the affordable housing in-lieu fee to \$589,569 as a 'public benefit' (a 66% increase in the required affordable housing requirement).

Chapter 18 – Parking Standards

Parking Requirements

SRMC Section 14.18.040 (*Parking Requirements*), the project requires on-site parking, based on the following proposed uses:

- Assisted living facilities are required to provide one (1) parking space for each five (5) clients; plus
- One (1) parking space for each staff person, visiting doctor or employee on maximum staffed shift.

Based on this formula, the project was required to provide 44 off-street parking spaces though it was approved to provide 40 off-street parking spaces, subject to a requested *Parking Modification* and supported with a traffic and parking study (Transpogroup, dated May 30, 2018), which anticipated peak parking demand of 31 parking spaces for residents, staff, physicians and guests, based on a proposed 88-bed assisted living facility. The amended project proposes to increase both the number of residents and staffing levels. Based on this formula, the amended project is required to provide 53 off-street parking spaces. The project continues to propose to provide 40 off-street parking spaces, subject to a requested *Parking Modification* and supported with an updated traffic and parking study (Transpogroup, dated March 3, 2021), which anticipated peak parking demand of 37 parking spaces for residents, staff, physicians and guests, based on a proposed 106-bed assisted living facility ([Updated Transportation and Parking Study](#)). The amended project essentially requests a height bonus to increase the number of beds for memory care residents. This updated traffic and parking study, like the original analysis, finds the memory care residents would create no parking demand since memory care residents are prohibited from vehicle ownership due to cognitive difficulties. The total required parking for the amended project is 53 on-site parking spaces while 40 on-site parking spaces continue to be proposed with requests for a *Parking Modification* for 13 required on-site parking spaces.

Parking Modification

The revised project continues to request a *Parking Modification*, through the Use Permit Amendment, to reduce the parking requirement by 13 parking spaces, from 53 to 40 on-site parking spaces, based on the historic operational needs from other assisted living facilities similar to the project. The amended project, like the approved project, supports this request with an updated traffic and parking study (Transpogroup, dated March 3, 2021; access [here](#)), which anticipates peak parking demand of 37 parking spaces for residents, staff, physicians and guests, based on a proposed 106-bed assisted living facility. All requests for *Parking Modification* require the review and recommendation of both the Community Development Director and the City Engineer, and the approval of the Planning Commission. The Community Development Director, through Planning staff, and the City Engineer

support this request for *Parking Modification*, concurring with the analysis and findings in the submitted updated traffic and parking study, and, like the approved project, subject to the subsequent submittal of a Transportation Demand Management Plan (TDMP) prepared by a licensed traffic engineer, identifying strategies and recommendations to reduce employee/staff trips and minimize parking and/or traffic impacts. The TDMP shall be subject to review and approval of the Community Development Director and the City Engineer, who reserves the right to require modifications to the TDMP and the applicant agrees to incorporate all recommendations outlined in the TDMP, including modifications required by the City, during the occupancy of the site by the approved use.

Guest Parking

Guest parking spaces are not required in the Downtown unless located within 200' of a residential district. While the project site is located within a residential district, guest parking is required for multifamily residential projects, based on residential units. As stated earlier in staff's report, the amended project does not propose any residential units (The project is comparable to a hotel by proposing to provide rooms or 'suites' for residents with 'efficiency kitchens' and with communal dining and entertainment and personal services) and, therefore, is not required to provide guest parking though voluntarily provides it. The project has submitted an updated traffic and parking study to support a request for *Parking Modification*, which anticipates peak parking demand (weekday) of 37 parking spaces which reduces to 28 spaces on weekends. Since the amended project continues to propose 40 off-street parking spaces, all parking spaces in excess of the 37 required parking spaces (weekdays, 28 weekends) would be available for guest parking.

Chapter 25 – Environmental and Design Review Permit

The project requires amendment of the existing approved Environmental and Design Review Permit by the Planning Commission with the Board's recommendation. The pertinent review criteria for Environmental and Design Review permits, pursuant to Section 14.25.050 (*Review Criteria; Environmental and Design Review Permits*), are as follows:

- *Site Design. Proposed structures and site development should relate to the existing development in the vicinity. The development should have good vehicular and pedestrian circulation and access. Safe and convenient parking areas should be designed to provide easy access to building entrances. The traffic capacity of adjoining streets must be considered. Major views of the San Pablo Bay, wetlands, bay frontage, the Canal, Mt. Tamalpais and the hills should be preserved and enhanced from public streets and public vantage points. In addition, respect views of St. Raphael's Church up "A" Street.*
- *Architecture. The project architecture should be harmoniously integrated in relation to the architecture in the vicinity in terms of colors and materials, scale and building design. The design should be sensitive to and compatible with historic and architecturally significant buildings in the vicinity. Design elements and approaches which are encouraged include: a) creation of interest in the building elevation; b) pedestrian-oriented design in appropriate locations; c) energy-efficient design; d) provision of a sense of entry; e) variation in building placement and height; and f) equal attention to design given to all facades in sensitive location.*
- *Materials and colors. Exterior finishes should be consistent with the context of the surrounding area. Color selection shall coordinate with the predominant colors and values of the surrounding landscape and architecture. High-quality building materials are required. Natural materials and colors in the earth tone and wood tone range are generally preferred. Concrete surfaces should be colored, textured, sculptured, and/or patterned to serve design as well as a structural function.*
- *Walls, Fences and Screening. Walls, fences and screening shall be used to screen parking and loading areas, refuse collection areas and mechanical equipment from view. Screening of mechanical equipment shall be designed as an integrated architectural component of the building*

and the landscape. Utility meters and transformers shall be incorporated into the overall project design.

- *Exterior Lighting.* Exterior lighting should provide safety for building occupants, but not create glare or hazard on adjoining streets or be annoying to adjacent properties or residential areas.
- *Landscape Design.* Landscaping shall be designed as an integral enhancement of the site and existing tree shall be preserved as much as possible. Water-conserving landscape design shall be required. A landscaped berm around the perimeter of parking areas is encouraged. Smaller scale, seasonal color street trees should be proposed along pedestrian-oriented streets while high-canopy, traffic-tolerant trees should be proposed for primary vehicular circulation streets.

Staff's Comments. This is an amendment of an approved project in which the Board's review is limited to the scale/mass of the requested height bonus; how it relates to the surrounding neighborhood since the expanded project retains the California Mission Revival architecture, which the Board unanimously recommended for approval to the Planning Commission on June 5, 2018. No other changes to the approved design of the project are proposed. The topography of the project site slopes (11% average cross-slope) up from the intersection of Mission and Lincoln Avenues to the rear of the site, trending southeast-to-northwest. This site topography helps to underground the 1st floor of the new building at the rear of the site. The amended project would have the visual appearance of a five-story building at the intersection of Mission and Lincoln Avenues and a four-story building at the rear and interior side elevations. The predominant scale of existing development immediately adjacent to the project site is four-story (west; 820 Mission Ave.) and three-story (north; 1215 Lincoln Ave. and 111 Laurel Pl.).

Staff supports the scale/mass of the requested height bonus, finding it adequately relates to the predominant four- and three-story scale of existing development immediately adjacent to the project site. Staff requests the Board's comments on the following:

- Whether the scale/mass of the requested height bonus adequately relates to the predominant scale of existing development of development in the immediate neighborhood.

Subdivision Ordinance Consistency:

Chapter 5 – Lot Line Adjustments and Consolidations

The amended project continues to propose to construct the new assisted living facility across the legal property line boundaries of two (2) adjacent Downtown parcels. On September 8, 2020, a Lot Line Adjustment was administratively approved for the consolidation of the two parcels which comprise the project site. New Grant Deeds, accompanied with a Plat Map and legal descriptions, will need to be recorded prior to building permit issuance for the amended project.

DESIGN REVIEW BOARD

At the opening of the May 4, 2021 Board meeting on the project, staff requested a continuance to a 'date certain', to the next scheduled Design Review Board meeting, to May 18, 2021, to better provide the Board with plans in a format more usable. The Board unanimously (4-0 vote, Blayney absent) approved the requested continuance without staff introduction, acceptance of public comments or Board discussion on the project.

NEIGHBORHOOD CORRESPONDENCE

Notice of the original May 4, 2021 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 project site, the appropriate

neighborhood groups (the Lincoln-San Rafael Hill Neighborhood Association and the Federation of San Rafael Neighborhoods), and all other interested parties (applicant and planner), a minimum of 15 calendar days prior to the Board meeting. Additionally, notice was posted on the project site, at the corner of Mission and Lincoln Avenues, also a minimum of 15 calendar days prior to the Board meeting. Since review of the project was continued to a 'date certain', to the next scheduled Board meeting on May 18, 2021, a 15-day noticing period was not required. However, a Notice of Continued Public Hearing was mailed to all property owners and occupants within a 300-foot radius of the project site, the appropriate neighborhood groups (the Lincoln-San Rafael Hill Neighborhood Association and the Federation of San Rafael Neighborhoods), and all other interested parties (applicant and planner), with the new online meeting details prior to the Board meeting. Additionally, notice which was previously posted on the project site, at the corner of Mission and Lincoln Avenues, was updated.

At the time of the distribution of staff's report to the Board, staff had received 26 written comment as a result of this noticing; 18 comments opposed to the project and eight (8) comments in support.

Most of the comments in opposition were from owners of separate condominium units within the building (820 Mission Ave.) located immediately west of the project site, along the Mission Ave. These comments strongly oppose the requested height bonus, stating the additional building height would create "detrimental overshadowing", noise, traffic, parking, light/glare and financial impacts, and "diminution of quality of life". These comments further express concern that the requested height bonus would overpower the Mission/Lincoln Ave intersection as a 'Gateway' to the Downtown and the general character of the existing neighborhood.

The comments in support of the proposed height bonus state that the project would continue to provide a significant contribution to the City's affordable housing in-lieu fee fund and initiatives while continuing to propose outstanding building design. These comments further state that the Mission/Lincoln Ave intersection, as a 'Gateway' to the Downtown, continues to deserve an iconic building design and the proposed height bonus would result in a building which sits only five feet (5') higher than the adjacent building along the Mission Ave frontage.

Staff's Comments: This is an amendment of an approved project in which the Board's review is limited to the scale/mass of the requested height bonus; how it relates to the surrounding neighborhood, and the traffic and parking impacts of the taller, larger building.

The topography of the project site slopes (11% average cross-slope) up from the intersection of Mission and Lincoln Avenues to the rear of the site, trending southeast-to-northwest. This site topography helps to underground the 1st floor of the new building at the rear of the site. The amended project would have the visual appearance of a five-story building at the intersection of Mission and Lincoln Avenues and a four-story building at the rear and interior side elevations, similar to 820 Mission Ave. condominium building. The predominant scale of existing development immediately adjacent to the project site is four-story (west; 820 Mission Ave.) and three-story (north; 1215 Lincoln Ave. and 111 Laurel Pl.).

The amended project submittal included an updated traffic and parking study which found that, while the proposed increased height and unit count would increase traffic impacts and required parking, these will be negligible (increased traffic over approved project) or mitigated (increase unit count is for memory care beds which increases staffing demand modestly and will be met by parking provided). The City Engineer has reviewed and supports findings presented in the updated traffic and parking study.

The expanded project retains the California Mission Revival architecture, which the Board unanimously recommended for approval to the Planning Commission on June 5, 2018, which was ultimately approved.

All public comments received on the amended project are attached as Exhibit 4.

CONCLUSION

Planning staff supports the scale/mass of the requested height bonus, finding it adequately relates to the predominant four- and three-story scale of existing development immediately adjacent to the project site. Planning staff finds the expanded project retains the California Mission Revival architecture, which the Board unanimously recommended for approval to the Planning Commission in 2018. No other changes to the approved design of the project are proposed. The amended project continues to meet the applicable design-related General Plan Policies and Zoning Ordinance regulations and standards, with the exception of the parking requirement for which the project submitted a updated traffic and parking study and requests a *Parking Modification*. The project continues to propose to develop two (2) Downtown parcels which have been vacant since 2007. Staff, however, requests the Board provide direction on the points specified in the Analysis section of this report. Staff further welcomes additional comments or guidance on the any site or building design details that would further improve the project.

EXHIBITS

1. Vicinity Map
2. Project Narrative
3. [Updated Transportation and Parking Study](#)
4. Public Comments
5. Approved Project Plans
6. Proposed Project Plans (Proposed Project Plans; <https://www.cityofsanrafael.org/1203-lincoln/>)

Reduced (11" x 17") color plans have been provided to Board members only.

cc: ASC San Rafael LLC – 415 118th Ave. SE; Bellevue, WA 98005
Geoff Forner – 1 Belvedere Pl.; Mill Valley, CA 94941

800 Mission Ave. Project

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.



Aegis Senior Living LLC

415 118th Ave SE
Bellevue, WA 98005

March 5, 2021

City of San Rafael Planning Division
Attn: Steve Stafford
1400 Fifth Avenue
San Rafael, CA 94901

RE: 800 Mission Avenue – Aegis San Rafael Design Review Modification

Dear Mr. Stafford,

On behalf of Aegis Senior Living LLC, we are pleased to present the revised DRB application for the previously approved senior assisted living project at 800 Mission Avenue. This project was last seen by the San Rafael Design Review Board on June 5, 2018 as an 88-bed project, comprised of four-levels over one level of subgrade parking. At that meeting, the project was unanimously approved, and the architectural character was praised by numerous Board members.

Since its approval, the lending and construction environment has changed profoundly. This was largely driven by the global pandemic. As a result, the project has been financially infeasible to break ground with its current approved configuration. Fortunately, there are provisions in the San Rafael Zoning Code which allow for a height bonus in this location which we did not pursue originally but are now opting to incorporate. This results in a feasible project, which in turn will allow us to fulfill our commitment to the City's affordable housing fund, development of this long vacant site into a vibrant and beautiful addition to downtown, and an increase by 26 suites of housing for San Rafael's senior population. It also allows for the return of the architectural dome element that was part of the original DRB approval that was removed for cost purposes in 2020; an evolution of design is shown on Sheet A8.2

We have continued to evolve the design and we believe we have improved upon it, while at the same time also improving the economics of the project.

The project's revised design retains the high-quality Mission-style architecture that was originally approved in 2018, but now utilizes the height bonus allowed by section 14.16.190.B of the San Rafael Municipal Code. The revised building retains many of the project's original architectural features and provides an additional 5th level without exceeding the allowable building height. As demonstrated in Exhibit #1, the difference of massing between the two buildings is minimized by the revised building design.

Please review the detailed project description from Ankrom Moisan Architecture, summarizing all changes to the building design. A Traffic and Parking Analysis from TranspoGroup is also included. The parking provided on-site for this project is sufficient to accommodate all residents, staff, and visitors to the building during both the weekend, and weekday peak demands. The traffic impacts of this project are tremendously lower than other allowable uses on this site. The attached Traffic Impacts Analysis concludes that this project, even with the additional units, does not negatively affect any nearby intersections at peak, nor non-peak hours.

We look forward to working with the City of San Rafael to create a beautiful and feasible new assisted living community in San Rafael.

Sincerely,

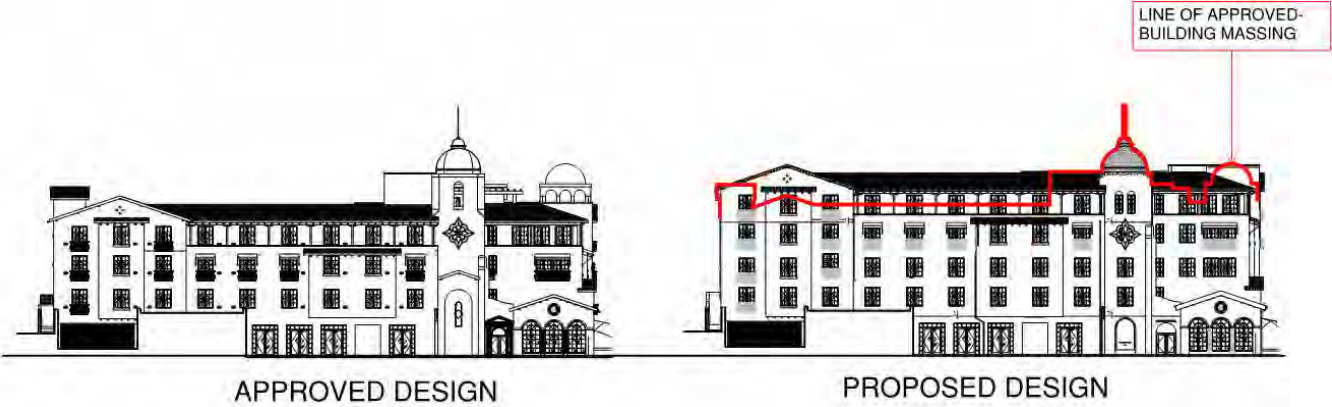


Geoff Forner
Aegis Senior Living LLC
1 Belvedere Pl. Mill Valley, CA 94941
415-720-3806

Aegis Senior Living LLC

415 118th Ave SE
Bellevue, WA 98005

EXHIBIT #1



Steve Stafford

From: Holm, Doug [REDACTED]
Sent: Wednesday, April 21, 2021 4:24 PM
To: Steve Stafford
Cc: Eric Holm; Steve Gould
Subject: 800 Mission Ave. (Aegis Living San Rafael - Amendment to Use Permit and an Environmental and Design Review Permit

Dear Steve,

We are owners of [REDACTED] Directly next door to the proposed Aegis Living project. We received a notice for the hearing Tuesday, May 4, 2021 at 7:00 PM to discuss Aegis Living amending their use permit to allow an additional 11feet height increase from 36' to 47' (yet an additional story) with a Unit increase from 77 suites to 106 suites.

The notice also gave your address for information. It is our opinion that this increase in height and volume of the proposed building would create detrimental overshadowing to our building, causing severe environmental, adjacent light and support issues, noise, traffic, parking, detrimental financial impact, and diminution in quality of life to us and our fellow homeowners at 820 Mission Ave..

We strongly oppose this egregious action by Aegis Living, particularly in that Aegis Living was already granted a previous variant to raise their height and unit specifications from the allowed zoning. Please express our concerns to the Design Review Board, Planning Commission and City Council in the hopes of avoiding further action.

We will do our best to attend the Zoom meeting, Tuesday, May 4, 2021 at 7:00 PM, but wanted to get our opinion on the record in writing.

Thank You and Best Regards,

Doug Holm

[REDACTED]
San Rafael, CA 94901

Douglas E. Holm

Lockton Insurance Brokers, LLC
California license number 0F15767

Office [REDACTED]
Mobil [REDACTED]
Three Embarcadero Center, Suite 600, San Francisco, CA 94111



Steve Stafford

From: Helga Blum [REDACTED]
Sent: Tuesday, April 27, 2021 3:58 PM
To: Steve Stafford
Subject: Aegis Building next to 820 Mission Ave

Dear Mr. Stafford,

I am a long time resident of San Rafael and live at [REDACTED]

While I was initially supportive of the proposed Aegis Living development next door to our Building at [REDACTED] it is regrettable that the developers are now wishing to amend their use permit to increase the building's height to gain 106 units as opposed to the originally proposed 77 units. This will dramatically impact our Mission Ave neighborhood from parking to traffic to noise and much more. Furthermore, this height increase would now overshadow our building, this impacting the view and sunlight to many of our tenants. These sudden amendments are literally and figuratively leaving us in the dark, and this is not what we were originally promised.

We ask that the City and the developers seriously reconsider this proposed plan

and work with the neighborhood on a building plan that is more respectful of our community.

As it stands now, this current proposal is unacceptable and I look forward to your response.

Respectfully,
Helga Blum



Steve Stafford

From: Matthew Ein [REDACTED]
Sent: Sunday, May 2, 2021 11:27 AM
To: Steve Stafford
Subject: Aegis Living Project 800 Mission Ave

Dear Mr. Stafford,

I own [REDACTED] a 13-unit condominium building, directly next door to the Aegis Living project at 800 Mission. We received a notice for the hearing of the Design Review Committee, Tuesday, May 4, 2021 at 7:00 PM to discuss Aegis Living amending their use permit, and yet again, to allow an additional 11 feet height increase from 36' to 47' (an additional story to be added to their previous expansion) with a unit increase from 77 suites to 106 suites.

The notice also gave your address for information. It is our opinion that this additional increase in height and volume of the proposed building would create detrimental overshadowing to our building, causing severe environmental, adjacent light and support issues, noise, traffic, and parking problems, as well as detrimental financial impact, with diminution in the quality of life to us and our fellow homeowners at 820 Mission Ave.

We strongly oppose this egregious action by Aegis Living, particularly in that Aegis Living was already granted a previous variant to raise their height and unit specifications from the allowed zoning. Please express our concerns to the Design Review Board, Planning Commission, and City Council in the hopes of avoiding further action.

We will do our best to attend the Zoom meeting, Tuesday, May 4, 2021 at 7:00 PM, but wanted to get our opinion on the record in writing.

-Matt Ein

Steve Stafford

From: Jill Sida [REDACTED]
Sent: Sunday, May 2, 2021 10:40 AM
To: Steve Stafford
Subject: Opposition to Aegis Living Request for change to plans

Dear Mr. Stafford:

I am an owner of [REDACTED] a 13-unit condominium building, directly next door to the Aegis Living project at 800 Mission. We received a notice for the hearing of the Design Review Committee, Tuesday, May 4, 2021 at 7:00 PM to discuss Aegis Living amending their use permit, and yet again, to allow an additional 11 feet height increase from 36' to 47' (an additional story to be added to their previous expansion) with a unit increase from 77 suites to 106 suites.

It is my strong belief that this additional increase in height and volume of the proposed building would create detrimental overshadowing to our building, causing severe environmental, adjacent light and support issues, noise, traffic and parking problems, as well as detrimental financial impact, with diminution in quality of life to me and my fellow homeowners at 820 Mission Ave.

I strongly oppose this egregious action by Aegis Living, particularly in that Aegis Living was already granted a previous variant to raise their height and unit specifications from the allowed zoning. Please express my concerns to the Design Review Board, Planning Commission, and City Council in the hopes of avoiding further action.

I will attend the Zoom meeting, Tuesday, May 4, 2021 at 7:00 PM, but wanted to get my opinion on the record in writing.

Jill Sida

Homeowner [REDACTED]

May 3, 2021

HOA Board of Directors
820 Mission Avenue HOA
San Rafael, CA 94901

RE: Aegis Living Project
800 Mission Avenue
San Rafael, CA 94901

Dear Mr. Stafford:

Our 820 Mission Avenue HOA Board met last week and discussed the proposed changes to the Aegis Living Project, 800 Mission Avenue, San Rafael, adjacent to our building. We are in strong opposition to this project going forward with the proposed changes being presented and requested by Aegis to the San Rafael Design Review Board Meeting on May 4, 2021. As this is a THIRD iteration of their proposal being considered we find the potential impact to our building, traffic issues, parking, natural light, and property values egregious. It is also our understanding that the Lincoln Hill community fears the same impacts to an already busy neighborhood and intersection.

- The proposed additional extension dramatically increases the size of the original project, in height from 3 stories, later modified to 4 stories, and now proposed 5 stories, plus the towers which rise above that;
- There is also a dramatic increase of overall number of units, with all the naturally resulting issues, complications, and public impact. **It is our opinion, this project would have met much greater opposition originally, had the full scope of this endeavor been disclosed at the onset.**
- This continuous expansionist project is the quintessential definition of "mission creep" or in this case "Mission Avenue creep", and seems manipulative and opaque from the original intent and impact of the project as previously presented.
- The Aegis Living project is on a major corner and gateway to the Downtown (Mission at Lincoln) and will overpower the character of our neighborhood as well as create an uncharacteristic first impression of the City.
- The continued increase of units does not create any sustainable housing in general and does not add to the vibrancy of the downtown.

It is our understanding that Aegis has sweetened the financial contribution to the City of San Rafael from \$500,000 to \$880,000 to allow the City to build additional low cost housing. While a majority of San Rafael residents appreciate the need for low cost housing, this feels a bit underhanded to these neighborhood residents who will experience a decrease in quality of life should this project move forward.

Sincerely,

Walden Valen
Interim HOA Board President

Steve Stafford

From: James Wilson [REDACTED]
Sent: Monday, May 3, 2021 8:59 AM
To: Steve Stafford
Cc: Etsuko Wilson; Walden Valen; Ginger Valen; Ingrid; Helga Blum
Subject: Opposition to Aegis project design and expansion

Dear Mr. Stafford:

My wife and I are owners of [REDACTED] a 13-unit condominium building, directly next door to the Aegis Living project at 800 Mission. We received a notice for the hearing of the Design Review Committee, Tuesday, May 4, 2021 at 7:00 PM to discuss Aegis Living amending their use permit, and yet again, to allow an additional 11 feet height increase from 36' to 47' (an additional story to be added to their previous expansion) with a unit increase from 77 suites to 106 suites.

The notice also gave your address for information. It is our opinion that this additional increase in height and volume of the proposed building would create detrimental overshadowing to our building, causing severe environmental, adjacent light and support issues, noise, traffic and parking problems, as well as detrimental financial impact, with diminution in quality of life to us and our fellow homeowners at 820 Mission Ave.

We strongly oppose this egregious action by Aegis Living, particularly in that Aegis Living was already granted a previous variant to raise their height and unit specifications from the allowed zoning. Please express our concerns to the Design Review Board, Planning Commission, and City Council in the hopes of avoiding further action.

We will do our best to attend the Zoom meeting, Tuesday, May 4, 2021 at 7:00 PM, but wanted to get our opinion on the record in writing.

Thank You and Best Regards,

James Wilson

Steve Stafford

From: Karinne Kleinbort [REDACTED]
Sent: Monday, May 3, 2021 12:22 PM
To: Steve Stafford
Cc: Susan Kleinbort
Subject: Aegis Living Project 800 Mission Avenue

Dear Mr. Stafford,

I am an owner of [REDACTED] a 13-unit condominium building, directly next door to the Aegis Living project at 800 Mission.

We received a notice for the hearing of the Design Review Committee, Tuesday, May 4, 2021 at 7:00 PM to discuss Aegis Living amending their use permit, and yet again, to allow an additional 11 feet height increase from 36' to 47' (an additional story to be added to their previous expansion) with a unit increase from 77 suites to 106 suites.

The notice also gave your address for information. It is our opinion that this additional increase in height and volume of the proposed building would create detrimental overshadowing to our building, causing severe environmental, adjacent light and support issues, noise, traffic and parking problems, as well as detrimental financial impact, with diminution in quality of life to us and our fellow homeowners at 820 Mission Ave.

We strongly oppose this egregious action by Aegis Living, particularly in that Aegis Living was already granted a previous variant to raise their height and unit specifications from the allowed zoning.

Please express our concerns to the Design Review Board, Planning Commission, and City Council in the hopes of avoiding further action.

We will do our best to attend the Zoom meeting, Tuesday, May 4, 2021 at 7:00 PM, but wanted to get our opinion on the record in writing.

Thank You and Best Regards,

Karinne Kleinbort
[REDACTED]

Steve Stafford

From: William Dewey [REDACTED]
Sent: Monday, May 10, 2021 3:20 PM
To: Steve Stafford
Subject: Fw: support for Aegis Senior Communities, LLC 800 Mission Avenue development

William Dewey, CEBS | Senior Benefits Consultant
1465 North McDowell Boulevard, Suite 180 | Petaluma | CA 94954
P: [REDACTED] | F: [REDACTED] | [REDACTED]

[Benefits](#) | [COBRA](#) | [FSA](#) | [Dental](#) | [Mobile](#) | [In The News](#)

From: William Dewey
Sent: Monday, May 10, 2021 2:59 PM
To: Steve.Stafford@cityofsanrafael.org
Cc: Billy Dewey [REDACTED]
Subject: support for Aegis Senior Communities, LLC 800 Mission Avenue development

Dear Steve,

I am a homeowner and resident of San Rafael since 1994.

I have reviewed revisions to the approved senior assisted living facility at 800 Mission Avenue. I understand the project now proposes to use a section of the San Rafael Municipal Code which will allow for a 12' height bonus to projects which contribute to Affordable Housing initiatives, and that are located on lots that fit certain limiting criteria. From my review of the application, the proposed project offers a significant contribution to San Rafael's Affordable Housing Fund (in excess of what is required by San Rafael, and for what has been paid by other projects of this use type). In addition, while the project is increasing in height, the building does not appear to be adding much overall size. The proposed building's characteristics fit with the surrounding neighborhood, and only rises 5' above the adjacent building. The architecture is outstanding.

I believe Mission Avenue deserves an iconic building at the gateway to downtown, and one from a reputable senior care provider like Aegis Senior Communities, LLC, which will provide benefits to San Rafael's aging population.

Seeing this project to fruition will greatly help to achieve several of San Rafael's General Plan initiatives and will contribute to the revitalization of downtown.

If this project is not completed, it is likely that as an alternative we will have a bland apartment high-rise which takes advantage of State initiatives to rise above any height limits in place and will generate much more traffic and parking issues to downtown San Rafael.

Thank you for your consideration of my support for this project's design and the use/height bonus to once again be supported by the Design Review Board and approved by the San Rafael Planning Commission.

Sincerely,

William Dewey

San Rafael, CA 94903

home
mobile

William Dewey, CEBS | Senior Benefits Consultant
1465 North McDowell Boulevard, Suite 180 | Petaluma | CA 94954
P: [REDACTED] | F: [REDACTED] | www.arrowbenefitsgroup.com

[Benefits](#) | [COBRA](#) | [FSA](#) | [Dental](#) | [Mobile](#) | [In The News](#)

Steve Stafford

From: NTN [REDACTED]
Sent: Monday, May 10, 2021 10:41 AM
To: Steve Stafford
Subject: 800 Mission Avenue Project Proposal - Letter of Support

Dear Mr. Stafford,

I am a downtown San Rafael homeowner, resident, and working professional .

I have been informed of the revisions to the approved senior assisted living facility at 800 Mission Avenue. I understand the project proposes to utilize a code section of the San Rafael Municipal Code which allows for a 12' height bonus to projects which contribute to Affordable Housing initiative, and to which are located on lots that fit a limiting criteria.

I believe Mission Avenue deserves an iconic building at the Gateway to Downtown. Seeing this project to fruition would greatly help in achieving numerous of San Rafael's General Plan initiatives, and contribute to the revitalization of Downtown.

As part of the City's evaluation, please consider requesting/requiring (1) reasonable building setbacks and (2) dedicated interior/exterior public spaces.

Please use this letter to represent my support for this project's design and the use/height bonus to once again be support by the Design Review Board AND approved by the San Rafael Planning Commission.

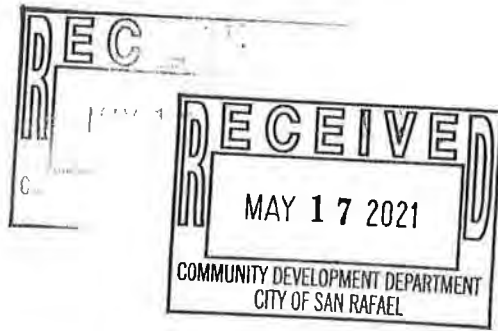
Sincerely,
Nicholas Nguyen

Lincoln-San Rafael Hill Neighborhood Association
Nina Lilienthal-Murphy, President

San Rafael, CA. 94915-0983

May 10, 2021

City of San Rafael
Planning Dept. – Steve Stafford
To Design Review Board, City Council, and Mayor Kate Collins
1400 – 5th Avenue, 3rd floor
San Rafael, CA. 94901



Hello Ladies & Gentlemen,

My name is Nina Lilienthal-Murphy, and I am a 40 year resident, the Co-Founder, President Emeritus, and the Current President of the Lincoln-San Rafael Hill Neighborhood Association, and today I am writing to you with our concerns, and we have many, for the 800 Mission Project.

Before I address our concerns, I want to emphasize that the information on the Reports & Notices is very different than that contained in the Blueprints.

On the Blueprints in 2018 the roof ridge line is at 67 ft. Now, in 2021 it's 87 ft. Yet, notices to the Public, DRB Agenda & Staff Report and the Site Sign all say the ridge line is 36 ft. Which is it??? We need to know what we're working with, and the numbers coming out of City Hall make this very confusing. I will focus on the issues:

To start, the site of Lincoln/Mission aka 800 Mission is NOT in the downtown area, it's on the outskirts, and this intersection is the Gateway to our Neighborhood. You can see a record of our Neighborhood boundaries noted in our Bi-Laws that we submitted in the late 1990's.

Going off the Blueprints, the Height and Character of this building do NOT belong on this particular site. It is completely out of character for our Neighborhood, and the City. The Height is out of control, and with windows on all 4 sides will impact the surrounding Neighbors, with people looking into their bedrooms, they will lose their PRIVACY, they will lose the Sunshine, and their views. Immediate surrounding homes will be overwhelmed by a Reflective towering wall and will affect their quality of life, and devalue their property.

State Mandate height bonuses for Housing, do not include Senior Living Centers or Hotels, this makes no sense.

Back in 2000 all the neighborhoods were working on the 2020 General Plan, in harmony with the City, and the designated Committee. In discussion it was brought up several times and agreed upon by all involved that Out of Scale Buildings along Lincoln Ave. will create a "Tunnel Effect", that will negatively impact the neighborhood. This issue was discussed extensively among all concerned and agreed upon by our Neighborhood Association, The Design Review Board, The Planning Commission, and then, Mayor Al Boro.

On April 20th, 2021 The Marin Municipal Water District declared Marin is in an "Extreme Drought" Condition, requesting everyone cut back their water use. So, how can a building with 110 units for "seniors" or "tenants" be approved with an impending drought?? Where will you get the water?? We believe at this time, all development should STOP!! Planned development does require an assessment of the current and future impacts affected by the project.

This project is in need of a LOCAL Traffic Study and an updated and current Environmental Impact Report (EIR).

The EIR was done in 2006 for a Condominium project, or as it states on the March 2021 Blueprints, "Multi-Family Residential" HR1. This is NOT a multi-family residential proposal, and this must be changed and corrected on the current blueprints, Design Review Board Agenda & Staff Report. The title of the Project is misleading thus the bonuses come into question.

The Traffic Study must be compiled locally, with feet on the ground along with accurate updated data that assesses the traffic impacts currently but in conjunction with a proposed project. A remote study done in the state of Washington by Transpo who did the current and past studies continues to include references to a "Future Train" which has been running for over 4 years now, starting in 2017, yet no updated assessment has been submitted. An updated traffic study, based on the current impacts including the train, normal and commute times, needs to be done.

As a former Traffic Engineer for San Rafael once stated, "the Lincoln-Mission intersection is one of the busiest in town". The daily impact of the east-west traffic during commute hours is very frustrating, and when the train enters the equation it becomes horrendous.

So many amendments required for this project that perpetuate many questions. Consistency in the information disseminated by the either developer, the City or both, leaves the Lincoln-San Rafael Neighborhood Association confused and the residents very concerned.

Points of contention are the amendments regarding;

Height, Parking, Guest Parking, Lot line adjustments, and monies paid to the City to eliminate affordable units. The main question from residents is whether this project is a "Senior Living Care Facility", "Multi-Family Residential project" or a "Hotel"!!

General Plan 2020 Consistency was violated,

The following are amendments to or violations of the General Plan 2020, contrary to what the Neighborhood and the City agreed and voted upon:

CD2 CD3 CD5 CD7 CD10 The City is supposed to preserve and enhance our area, the character of the building, the design, are to contribute to the look of the neighborhood, IT DOES NOT COMPLY!!

Ladies & Gentlemen, I know you know what your job is as a member of the Design Review Board, yet I would like to emphasize first and foremost we need to comply with the City's Municipal Code, 14.25.010, "A" thru "G".

A. To maintain a proper balance between development and the natural environment.

D. Preserve balance and harmony within neighborhoods.

F. Preserve and enhance views from other buildings and public property, and

G. Ensure the right to make residential additions and modifications which minimize the impact on adjacent residences and which are designed to be compatible with the existing residence and neighborhood.

All are important to us, please keep these in mind.

I would like to close by reiterating the points I have made:

There is a need of an updated Environmental Impact Report, a current and updated Traffic Study, and a coordinated assessment of the water needed for the Lincoln-Mission Project aka 800 Mission, and the corrections made to reflect that the proposed project is for a "Senior Living Center" and NOT a "Multi-Family Residential" project.

Thank you for your time and considerations,

Sincerely,

Nina Lichtenhal - Murphy

Steve Stafford

From: Czorniak, Lauren @ San Francisco <[REDACTED]>
Sent: Tuesday, May 11, 2021 11:36 AM
To: Steve Stafford
Subject: 800 Mission Ave San Rafael - Letter of Support

Dear Mr. Stafford,

I am a working professional of San Rafael.

I have been informed of the revisions to the approved senior assisted living facility at 800 Mission Avenue. I understand the project proposes to utilize a code section of the San Rafael Municipal Code which allows for a 12' height bonus to projects which contribute to Affordable Housing initiative, and to which are located on lots that fit a limiting criteria.

From my review of the application, the proposed project offers a significant contribution to the City's Affordable Housing Fund (well in excess of what is required by the City, and for what has been paid by other projects of this use type). In addition, while the project is increasing in height, the building does not appear to be adding an entire level of massing. The building's character fits with the surrounding neighborhood, only rises 5' above the adjacent building, and the architecture is outstanding.

I believe Mission Avenue deserves an iconic building at the Gateway to Downtown, and from a reputable senior care provider like Aegis who can provide great benefit to San Rafael's quickly aging population. Seeing this project to fruition would greatly help in achieving numerous of San Rafael's General Plan initiatives, and contribute to the revitalization of Downtown.

Otherwise, we will likely be receive a bland apartment high-rise which takes advantage of State initiatives to rise well above any height limit in place, and provide tremendously more traffic and parking impacts to Downtown San Rafael.

Please use this letter to represent my support for this project's design and the use/height bonus to once again be support by the Design Review Board AND approved by the San Rafael Planning Commission.

Sincerely,

Lauren

Lauren Czorniak | Senior Associate | Lic. 02001209
CBRE | San Francisco Downtown | Advisory & Transaction Services
415 Mission Street, Suite 4600 | San Francisco, CA
T [REDACTED] | C [REDACTED]
[REDACTED] | www.cbre.com

Please consider the environment before printing this email.

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Steve Stafford

From: Ravi [REDACTED]
Sent: Wednesday, May 12, 2021 4:56 PM
To: Steve Stafford
Subject: mission and lincoln project

Dear Sir,

You job is to protect those that pay taxes in San Rafael. This project will make traffic so bad in our town and will make it almost unlivable. Please fight for those that pay taxes and built this town. Reject this project.

If the law is a hindrance then do what ever you can to protect us, the citizens of San Rafael who have been under siege of these new abad laws and mandates.

Please sir represent us.

Thanks

Ravi.

Steve Stafford

From: Stuart Welte [REDACTED]
Sent: Thursday, May 13, 2021 2:26 PM
To: Steve Stafford; [REDACTED]
Subject: FW: 800 Mission proposing another story from 36 feet to 47 feet

Hello Steve and Mike,
My family and I are Lincoln-San Rafael Hill Residents.
Please see our Comments below and include in your review.
ATTENTION TO DETAILS PLEASE

Thank you,

STUART WELTE, AIA, LEED ap, ICC
EID ARCHITECTS

dir [REDACTED]

From: Stuart Welte
Sent: Saturday, April 24, 2021 3:01 PM
To: [REDACTED]
Subject: Re: 800 Mission proposing another story from 36 feet to 47 feet

Hello Mike,

We greatly appreciate you including our comments as a Neighbor and as Architects.
Everyone Must keep in mind that San Rafael is the COUNTY SEAT.
This status should inform the quality of our built environment, especially at the our Gateways into San Rafael.
Missioin/Lincoln Gateway Entrance is significant:
This architecture for 800 Mission Must reflect the QUALITY of DETAILING and Finishes appropriate to this significant location.

The extra height for this particular design is not a problem for us as design professionals, nor as San Rafael residents;
HOWEVER,
HIGH QUALITY MUST BE MANDATED PLEASE !

Attention to Details and subsequent design board review and approval Must be REQUIRED prior to construction.
All too often, the details do not achieve the Rendered Character.

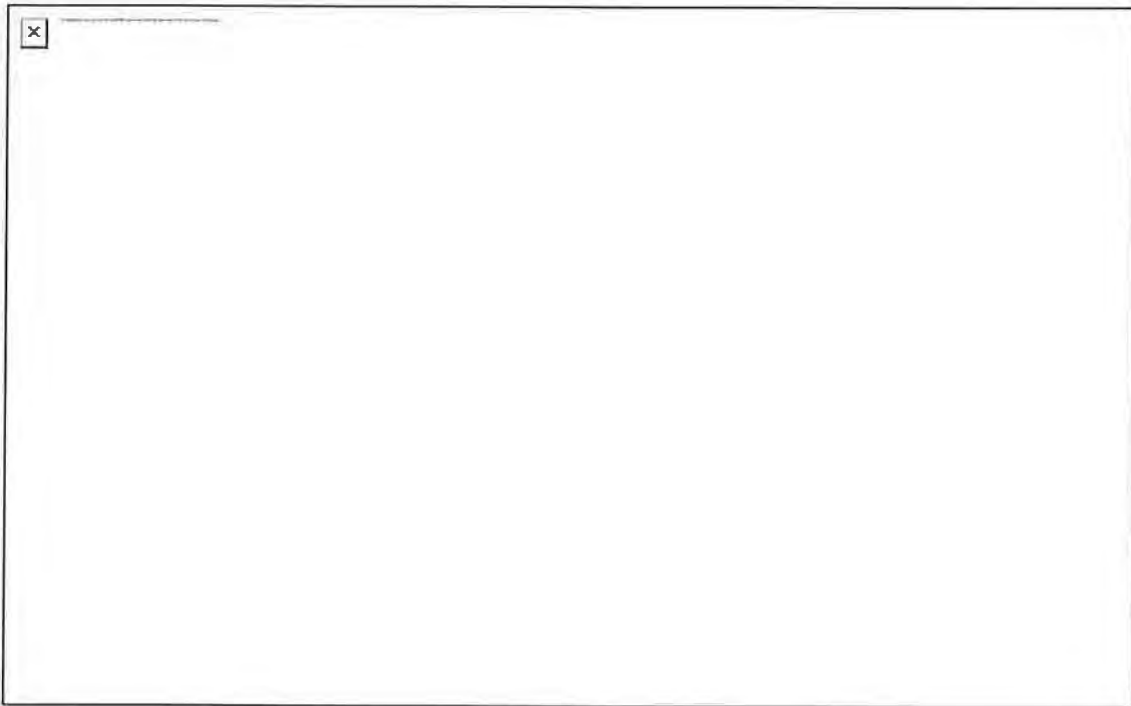
Items noted that should be rectified between the previous and current designs are:

- a) The smaller bell tower at the northern end on Lincoln should be retained....without this the northern end of this building on Lincoln will be mundane and offensively bulky with no redeeming character;
- b) The western "unit tower" along Mission must have additional articulation (this can be done with the simple addition of iron or bronze awnings, etc);
- c) The "Arcade Façade" along Mission should be a different material from the body of the main building, as this would adhere to the intended style, and compliment the overall composition, and create a more interesting, beautiful, tactile experience for residents and pedestrians;
- d) The "Arcade Façade" along Mission is a significant built form very close to the sidewalk, and continues for a long distance, so this must be articulated with elegant materials and proportions such as : limestone; granite; mosaic porcelain tile; etc.

Sincerely,



PREVIOUS DESIGN ABOVE.



CURRENT DESIGN.

STUART WELTE, AIA, LEED ap, ICC

EID ARCHITECTS

dir [REDACTED]



Noah M. Reischmann
First Vice President

415 Mission Street, Suite 4600
San Francisco, CA 94105

CBRE HMF Inc.
Capital Markets
Debt & Structured Finance | Multifamily & Healthcare

[REDACTED] Tel
[REDACTED] Fax
[REDACTED] Cell

May 13, 2021

[REDACTED]
www.cbre.com/fha

Steve Stafford
City of San Rafael - Planning Department
1400 Fifth Avenue
San Rafael, 94091

Re: Proposed Aegis Senior Housing Development – Support Letter
Mission Avenue & Lincoln Avenue, San Rafael, CA

Dear Mr. Stafford:

I am a homeowner and resident of San Rafael since 2015. I am also a commercial real estate professional and understand the challenges of developing new housing in California.

I have been informed of the revisions to the approved senior assisted living facility at 800 Mission Avenue. I understand the project proposes to utilize a code section of the San Rafael Municipal Code which allows for a 12' height bonus to projects which contribute to Affordable Housing initiative, and to which are located on lots that fit a limiting criteria.

From my review of the application, the proposed project offers a significant contribution to the City's Affordable Housing Fund (well in excess of what is required by the City, and for what has been paid by other projects of this use type). In addition, while the project is increasing in height, the building does not appear to be adding an entire level of massing. The building's character fits with the surrounding neighborhood, only rises 5' above the adjacent building, and the architecture is outstanding.

I believe Mission Avenue deserves an iconic building at the Gateway to Downtown, and from a reputable senior care provider like Aegis who can provide great benefit to San Rafael's quickly aging population. Seeing this project to fruition would greatly help in achieving numerous of San Rafael's General Plan initiatives, and contribute to the revitalization of Downtown.

Otherwise, we will likely receive a bland apartment high-rise which takes advantage of State initiatives to rise well above any height limit in place and provide tremendously more traffic and parking impacts to Downtown San Rafael. In my professional opinion, the proposed senior project is the best use for this particular site.

Please use this letter to represent my support for this project's design and the use/height bonus to once again be support by the Design Review Board AND approved by the San Rafael Planning Commission.

Best Regards

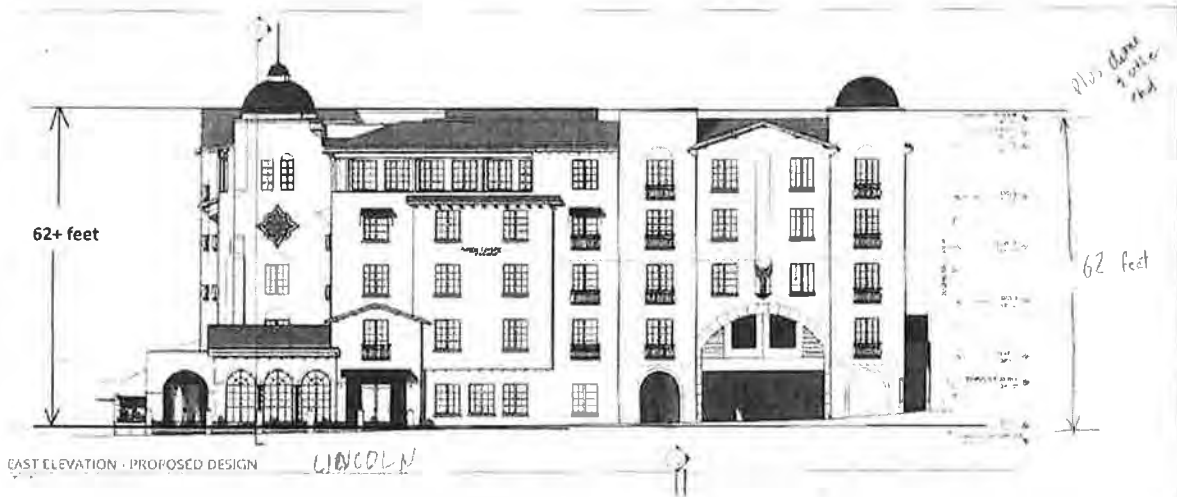
Noah M. Reischmann
First Vice President
CBRE HMF, INC

Design Review Members,

Out of the over 188 comments on this project on nextdoor and many more from direct emails maybe 2 were positive. Traffic, parking, safety, and water were all mentioned repeatedly but these seem like Planning Department issues, not Design Review. The Design Review Board's task is:

“The Board is advisory, with final permit decisions made by the Planning Division staff, the Zoning Administrator, Planning Commission or City Council, depending on the complexity of the project. The scope of the DRB authority is to review and **make recommendations on design matters such as architecture, mass, bulk, site planning, site improvements, color, materials, and landscaping.**” <https://www.cityofsanrafael.org/design-review-board/>

Should this addition be accepted, in the future when I stand on the corner of Lincoln and Mission I will see a 62 foot building. I have now come to realize the 47 foot height projection was based off a “zoning reference line” which has nothing to do with actual height. The statement in the public notices and the staff report said this “would increase the building height of the building from 36’ to 47’.” I feel representing the height using this the Zoning Reference Line is tragically misleading.



I also see now that the original approval of 2018 was based on statements this Zoning Reference height of 36 feet when the actual visual height of the building from the street would have actually been closer to 50 feet. Had I known the truth, I would have not supported this project at that time.

The public notices are sent to residents within 300 feet, not even a block away. This project affects the whole of San Rafael as it is on one of the busiest streets. There was no public notice sent to advise neighbors that the DRB meeting decision was postponed. The city website has no mention of it. “Sorry no content could be found.”

This addition is not the vision of San Rafael's residents.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael Williamsen".

Michael Williamsen, San Rafael resident since 1977.

Steve Stafford

From: Margaret Burt [REDACTED]
Sent: Friday, May 14, 2021 11:47 AM
To: Steve Stafford
Subject: 800 Mission Ave Project

Hello, Steve,

I'm writing because I'm greatly concerned about the request for an increased height allowance on this project. We own the older house at [REDACTED] that borders on 2 sides of this project, and knew of the proposed/approved plans for that corner when we bought it in 2016. We knew it would greatly detract from the light and charm of our property, but we were willing to buy and invest anyway. We have purchased and improved 3 lovely old properties in San Rafael over the last 30 years. One, at 1637 5th Av, was even awarded the top design award for improving a San Rafael property a few years ago! We love to take older buildings and make them as beautiful and useful as they deserve, because we want to be part of making our San Rafael neighborhoods lovely, preserving their history, and, well, we just love these older homes! This property at [REDACTED] from about 1906, and has a beautiful redwood paneled original lobby that we've restored, and we've put about \$300,000 into making the interior really nice. The next door neighbors have told us that prior to our ownership, there were questionable activities and persons coming and going at all hours. Two of the 4 units were really in terrible condition. And we've put in nice plantings along the mowing strip in front and are extending our plantings in the sidewalk area going down the street at 109 Laurel Pl, a vacant lot we also own, because I just want to make the neighborhood nice even for the people who walk by! But this request for increased height by the property developer is going to make our property a deep well of darkness if it goes higher. They'll be building right on the property line (no 5' setback I believe) and since it's on the south and east sides, it will greatly affect the light getting to our building's windows and the grassy/woody sitting area at the south side of our lot. As I said, we knew from the start that we'd be affected, but this added height will really detract from the residential feel of the neighborhood for us and our neighbors there.

The people who purchased this space are certainly entitled to develop it as approved by the city and with the limitations city ordinances require, but going beyond that is harmful to the sense of residential neighborhood pride and charm. Even the large apartment complexes in this neighborhood have a good sense of space and light around them, and lovely plantings, that make this a neighborhood people want to live in and walk through and enjoy. And this IS a residential neighborhood. A quite lovely one, with a good mix of private homes and apartments. Please protect that neighborhood and tell the developers they are required to stay within the original height limits. Thank you.

Peggy Burt

[REDACTED] (home); [REDACTED] (cell)

Deborah Thompson

San Rafael, CA 94901

As a resident of the Lincoln-San Rafael Hill neighborhood since 2004, I have had occasion to drive or walk past the intersection of Lincoln and Mission almost daily for the past 17 years. I remember the old apartments on the northwest corner, including the friendly plaster burro who stood out front. For many years now, my neighbors and I have awaited new construction there.

Many of us thought that condominiums (the original plan, I believe) were appropriate and expected them to be similar to the attractive, adjacent condominium development on Mission. Although a senior and memory care facility seemed less appropriate (wouldn't family and/or workplace housing be more appropriate in a primarily residential neighborhood within walking distance of downtown? and wouldn't it be more appropriate for people who are not mobile to be farther out?), I don't recall any major objections to this new project.

However, this apparently sudden, new proposal to raise the height limit of the proposed building is of concern—**major concern**—for many reasons:

1) Originally 36 feet high, the project is now projected to be 47 feet high, but actually from the street it appears to be 62 feet, not including the domes at either end. **Nothing in this neighborhood is anywhere near this height. We are a neighborhood of one and two-story homes and a few condos. This building would stand out like a sore thumb in our neighborhood.**

My understanding is that the city is not willing to deny or even discourage increasing heights of buildings because it is trying to encourage new development—because all the city seems to care about is revenue, not quality of life for our community. The people who live here do not want to be part of a high-rise neighborhood, but the city does not seem to care about the wishes and concerns of its people.

In addition, this seems very much like a bait and switch operation—promise a smaller building, then sneak in the increase to make more money for the developer and the city. I hate to sound cynical, but I can't help but be, given the way the city has behaved.

2) I have heard many complaints about the new 5-story Marriott hotel going up at 5th and B. My feeling is that San Rafael needs a nice, new hotel downtown. Who could argue this is not a good location for a hotel, near commercial 4th St and City Hall? As with Bio Marin's buildings, this seems to me entirely appropriate for downtown. **But we are not downtown—we are primarily residential and trying hard to remain so.**

3) **Traffic is already horrendous on both Lincoln (north and south) and Mission (east and west).** I understand the traffic study shows this proposed larger building will generate an estimated 320 cars in and out daily. Neither Lincoln nor Mission can absorb this increase. The SMART train and additional traffic lights have already increased traffic on Mission, which is much slower now, causing frustrating backups onto intersections on Lincoln all day long. To add to this congestion would be intolerable.

4) This is a serious matter of quality of life for our neighborhood. **This change, increasing the height and density of this building, will forever destroy not only our neighborhood, but by extension will encourage further highrise commercial growth throughout the city of San Rafael. We will no longer be a warm, friendly, people-driven city of neighborhoods but rather a nameless, faceless place from which people will flee.**

5) Can we afford to increase **water and power demands? In the past month, we have had two significant power outages. Who has studied the infrastructure issues** related to this increase? The city may choose to downplay these issues because, again, it seems to be more interested in revenue than in the quality of life for residents.

6) At a time when walkability and increased bike lanes and pedestrian zones are becoming the real wave of a sustainable future, **does the city of San Rafael really want to pursue this antiquated notion of bigger is better?**

Steve Stafford

From: Maureen Hock [REDACTED]
Sent: Sunday, May 16, 2021 9:13 AM
To: Steve Stafford
Subject: 800 Mission Ave. project 2018

Dear Mr. Stafford,

As the owner of a [REDACTED] in San Rafael I am aware of the revisions to the approved senior assisted living facility at the above-referenced address. It's my understanding the project proposes to utilize a code section of the San Rafael Municipal Code that allows for a 12' height bonus for projects that contribute to the Affordable Housing initiative and to which are located on lots that fit a limiting criteria.

This proposal will offer a significant contribution to the City's Affordable Housing Fund. The building's design is suited to the area.

Seeing this project to fruition would help contribute to the revitalization of downtown San Rafael.

I hope this letter will represent my support for this project's design and the use/height bonus to once again be supported by the Design Review Board AND approved by the San Rafael Planning Commission.

Best regards,
Maureen Hock

[REDACTED]
Kentfield, CA 94904
Landlord and San Rafael native

Steve Stafford

From: Ian McCamey [REDACTED]
Sent: Monday, May 17, 2021 7:38 PM
To: Steve Stafford
Subject: re 800 Mission Project DRB for 05/18

Hello Steve,

Please pass the following notes, questions, and feedback to the planning board.

As long time residents of the area, we are not in favor of the proposed height limit increase for several reasons:

- the stated increase is from “36’ to 47’ feet” (which is actually 48’). However, these numbers are highly misleading, making it sound as though the final height will be 47 feet’. The truth is that the pitched roofline (what a pedestrian will see as the “top of the roof” when standing on the street, facing the building), is actually 62 feet from the street level. The previous height was less than 50’. Aside from being significantly heigher, the aesthetic difference in the proposal is magnified by the fact that the towers have not increased. Thus, where there used to be more variation to the front sightline of the building, the new proposal is quite “blocky” and thus an eyesore for the area. (Attached are images to show difference between 2020 approved and 2021 DRP proposal)

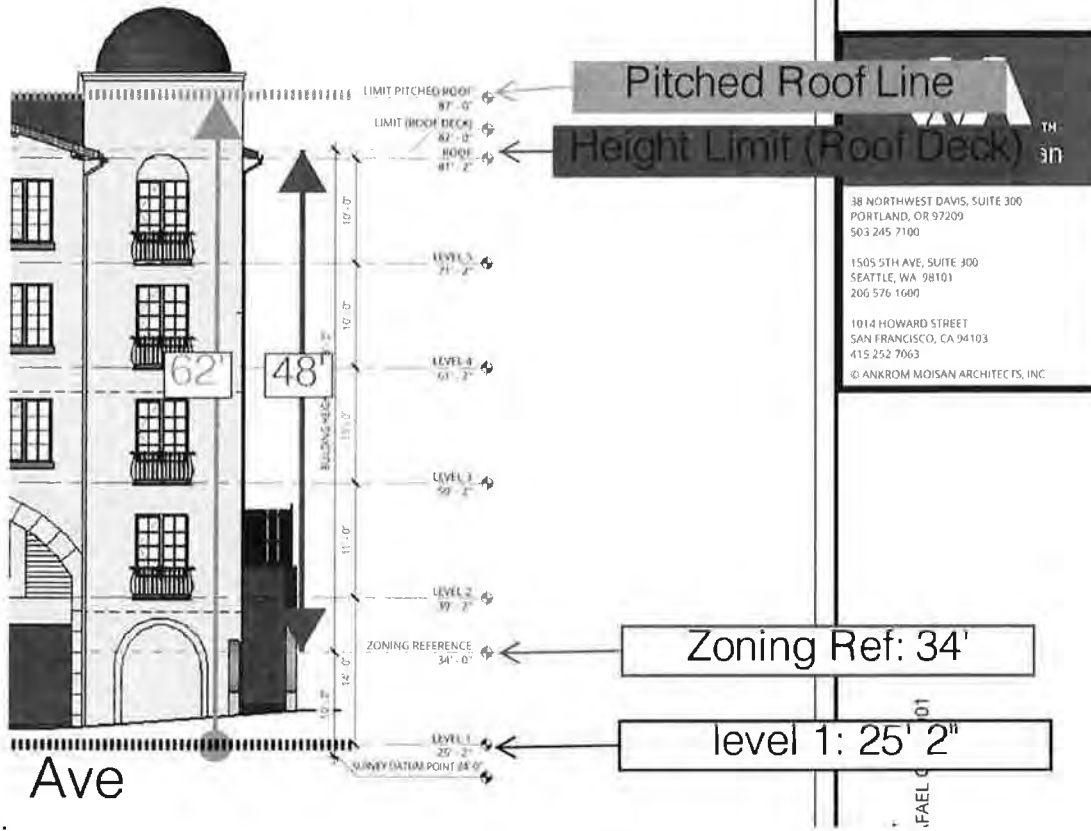
- As I understand, the proposed expansion does nothing to provide additional parking and is basing their analysis on their own studies.
 - Question 1: Has the City audited this analysis to verify the findings?
- As I understand, the proposed expansion does nothing to accomodate the increase traffic flow. Further, the current traffic study by Aegis was provided *before* Smart Train was in place which, as all San Rafal Residents in the Downtown/Lincoln Hill/Dominican/Montecito corridors can attest, has had a significant impact on traffic, resulting in gridlock and causing spillover into adjacent arterials. Any increase in residents, will in turn result in an increase in staff, visitors, vendors, and emergency services. It defies any reality to say that this proposed expansion will not result in more cars and traffic on the road.
 - Question 2: Why is the City relying on a traffic analysis that is provided by Aegis?
 - Question 3: Why is the City relying on any traffic analysis, regardless of who provided it, based on data that was supplied before Smart Train?

- Lastly, we are increasingly concerned that this project continues to expand beyond the original scope as it was presented to the City (and residents) back in 2018. At the time, it was pitched as a ‘memory care facility’ and designs were approved as such. By the time the plans were approved, Aegis had adopted a hybrid approach whereby it was a mix of assisted living and a dedicated floor of memory care. Now Aegis is seeking to expand on the quantities of residents but based on the lack of transparency so far regarding height, and parking/traffic, it seems that the project continues to simply snowball out of control with no consideration for what the public wants and desires. We realize that the city needs money, and the project will bring much needed revenue.

However, the longer they delay the building, the less revenue is actually going into the City. We highly recommend that the new plans not be approved and that Aegis move forward with their previous proposal.

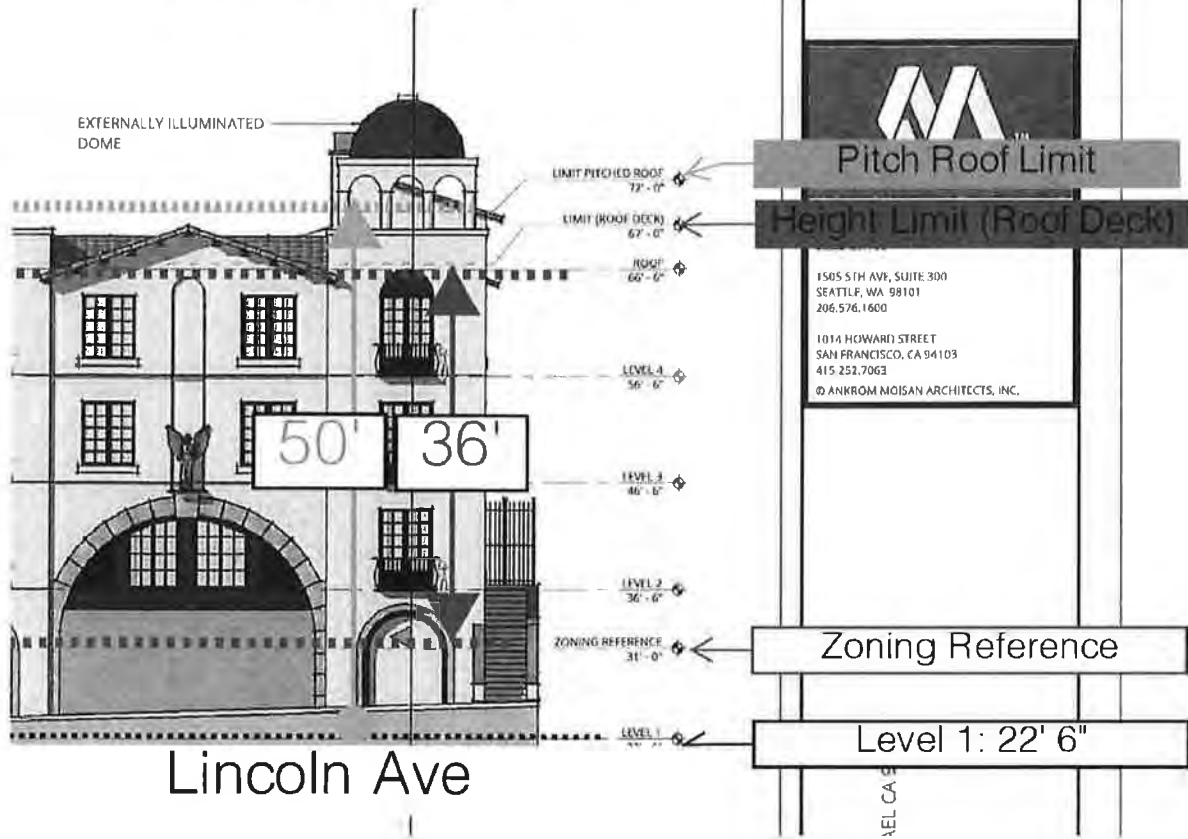
2021 DRB Proposal

**NOT FOR
CONSTRUCTION**



• feet.

2020 Approved



Steve Stafford

From: Ian McCamey [REDACTED]
Sent: Wednesday, May 19, 2021 12:07 PM
To: Distrib- City Clerk
Cc: Mayor Kate; Steve Stafford; Bill Guerin
Subject: Request for Publication of Traffic/Park Study

Dear Planning Commission, DRB, Mayor Colin, Mr. Guerin—

It is my understanding that the approved plans for the project at Lincoln/Mission Avenue, commonly known as “800 Mission”, were approved based on a parking and traffic study which was provided directly from Aegis, and approved by the City Engineer. (I am unclear if that is Mr. Guerin or not). It is also my understanding that -

- this study was furnished prior to Smart Trains completion
- this study has not been updated as part of Aegis current request for an 11’ height bonus (and increased residence capacity)

Due to the importance of this project to inject revenues to the City, in the interest of full transparency and seeking the full confidence of the community, we would like to ask that:

1. An up-to-date independent study (outside of the purview of Aegis) be conducted which takes Smart Train’s impact on the area into consideration. This would include, but not be limited to, the following:
 - any increase in gridlock patterns within an 8 block radius of Lincoln and Mission avenues since the Aegis study was conducted
 - any increase in overflow traffic (of any speed) caused by drivers attempting to circumvent the gridlock of Lincoln/Mission by using other arterial routes (Nye, Laurel, Curtis, Grand, Other) since Aegis study was conducted
 - any increase in the amount of pedestrian, bicycle, and/or vehicle accidents within an 8 block radius of Lincoln/Mission since Aegis study was conducted
 - any increase in parking/abandoned vehicle issues within an 8 block radius of Lincoln Mission since Aegis study was conducted
 - an updated assessment of how parking and traffic will be impacted by Aegis’s currently *approved* 2018 plans
 - an updated assessment of how parking and traffic will be impacted by Aegis 2021 *proposal* for an increased height bonus and residency count
2. To the extent that any approved project from Aegis causes an expected increase above the baseline, that an appropriate mitigation plan is created for light retiming, speed limit adjustments, and appropriate, parking limits and enforcements.

Many thanks,

Ian and Michelle McCamey

[REDACTED]
San Rafael, CA
[REDACTED]

Dear Mr. Stafford,

I am writing to voice my support of the Aegis project at 800 Mission Avenue. We are currently in the market for a senior home for . Most all of the facilities in the County are at capacity or are VERY dated. Additionally, I believe this beautiful building would also help alleviate housing affordability issues within Central and Southern Marin as more housing units become available due to this project.

The height and scale is appropriate for this location. I work in Downtown San Rafael and believe the setting would be ideal for this use. Traffic, parking and noise impacts are MUCH less than another residential project with 160%+ density bonus, which has been recently approved in the Downtown.

Please use this letter to represent my support for this Project's approval at both the Design Review Board **AND** the Planning Commission Hearing. This lot has sat vacant long enough!

Kindest Regards,

Colin Crotta

Account Manager / CEgrOw
Interior Plantscape Company

Mobile: [REDACTED]

Office: [REDACTED]

www.plantscapeSF.com

www.planthero.club

Steve Stafford

From: Whitney Phaneuf [REDACTED]
Sent: Thursday, June 3, 2021 7:28 PM
To: Steve Stafford
Subject: Feedback on Aegis project for Design Review Board

Hi Steve and Board,

Don't cave to big money and developers when your constituents are begging you to see that the Aegis project's increased height request is terrible for the Lincoln Hill neighborhood. We live in this peaceful residential neighborhood to get away from this kind of careless development.

This isn't a bunch of NIMBYs complaining. We understand the development is happening and we will personally cope with the construction noise and increased traffic, among many annoyances, that it will bring. Don't make this worse by approving the height increase and destroying the quality of life in this charming neighborhood for me and my neighbors.

Listen to the people who live here who are telling you this is wrong for the neighborhood and the city of San Rafael.

Whitney Phaneuf

[REDACTED]
San Rafael 94901

Steve Stafford

From: Matt Habecker [REDACTED]
Sent: Thursday, June 3, 2021 10:55 PM
To: Steve Stafford
Subject: Increased Building Height @ Corner of Mission and Lincoln

Hello,

My name is Matthew Habecker and my partner, Jeremy Bronson, and I own [REDACTED] in San Rafael. We have loved living in this wonderful neighborhood for over five years now, but as of late, we have become concerned with a developer's request to increase the building height at the corner of Mission and Lincoln from 36ft to 47ft, which means an increase from 77 units to 106.

I am happy to know that this vacant lot will finally be developed, and my partner and I have always encouraged the development of our downtown area, but the increase in residents from this building will greatly affect our residential community (which is, although close to downtown, NOT actually downtown).

Although this area is residential, it is already heavily congested with traffic in the mornings and evenings during rush hour. My partner and I both work in San Francisco and about 25 minutes of our commute time to work and home is spent getting from our house to the 101 onramp. We can only imagine how much longer this will take with many more residents in the area and increased traffic. In addition to single family homes like ours, there are already many apartments and duplexes in the neighborhood and we truly feel we are nearing the maximum number of residents before congestion gets out of control.

We are also very concerned with a height increase for this building. It will be several feet higher than anything else in the area, which will block views of Mt. Tamalpais (a wonderful benefit to living in our neighborhood) for many of our neighbors, which will most certainly affect property values.

Again, we are fully supportive of the development of this lot, but we urge you to not allow the developer's request for a height and unit increase to be approved. Please listen to the residents of this neighborhood who have devoted so much time, money and care into improving our properties not just for our own benefit, but for the benefit of the neighborhood as well.

Thank you for your time and consideration,

Matthew Habecker and Jeremy Bronson
[REDACTED] San Rafael, CA 94901

June 3, 2021

To: Design Review Board

Re: Aegis project at Mission & Lincoln Avenues

The plan that was approved last year seemed to us to be a good use of that location. The size was at the upper level of acceptability. The new version being considered now seems excessively large. A building that massive changes the character of the neighborhood.

Although we are at the edge of the downtown area, this is still a mixed residential neighborhood. It has been slowly changing over the years from single family residences to multiple units. Even the condominiums at 820 Mission were designed in such a way that they are set back on the upper floors. This keeps the height from overpowering the surrounding buildings.

The new design plan for Aegis does not do this. It is already planned to be close to the property lines on both Lincoln and Mission. The increased bulk of the building is out of character for the neighborhood, will overwhelm the nearby structures, and reduce everyone's property values.

Moreover, the increased number of residence and workers will add to the already congested traffic and parking, particularly on Laurel Place.

Thank you for your consideration in this matter.

John R. Haeuser
Mary Ann Haeuser

San Rafael, Ca 94901

Steve Stafford

From: Richard Shaffer [REDACTED]
Sent: Friday, June 4, 2021 7:21 AM
To: Steve Stafford
Subject: Aegis Project at Mission & Lincoln

Dear Mr. Stafford,

I am writing to you to weigh in on the controversy concerning the height of the proposed building on the above captioned project.

My concern is our neighborhood currently has a nice blend of single family homes and apartment complexes. I believe the additional height will protrude into our living environment in a negative way. Light to the area will be reduced and traffic patterns will be increased with an additional 29 units. The afterthought by the developer to gain more revenue at the expense of disrupting the harmony of our wonderful neighborhood is more than a little bothersome to me.

I have lived on Nye Street for almost twenty years and I can tell you that just making a left turn onto Mission Street from Nye is already challenging. I am sure that the planning department has studied the traffic patterns at the Mission and Lincoln intersection and must be aware that the proposed additional 29 units, concerning ingress-egress regulations, would become an added burden. There can be no doubt about that.

I believe that the request by the developer should be denied as its an overreach at the eleventh hour and would most assuredly be harmful to both our neighborhood and community as a whole.

Rich Shaffer
[REDACTED]

Steve Stafford

From: Paula Doubleday [REDACTED]
Sent: Friday, June 4, 2021 9:07 AM
To: Distrib- City Clerk; Steve Stafford
Subject: 1203 Lincoln Ave Comment for DRB June 8 meeting

Good morning to you both. I am writing in support of the Design Review Board approving the Aegis Living project. I reviewed the previous designs approved by the DRB, and compared them to the modified 2021 elevations which show a consistency in the architectural elements such as the dome, stained glass, archways, etc that the DRB liked. The additional floor in the middle of the building looks like it was added with design integrity in mind.

This is an excellent location at the edge of downtown that provides significant, much needed housing for seniors. There are numerous nearby multi-story structures that will accommodate the size of this development. I've read concerns from neighbors on Nextdoor about the building height. My understanding is that the height bonus requested is built into the Code based on this location /parcel size. With the various levels, insets, and landscaping, it is a beautiful building and will be enjoyable to walk by.

The San Rafael 2040 Plan encourages density in the downtown area (and this is at the edge) and near transit to increase the vibrancy of our central San Rafael business district. Residents will likely have minimal car ownership, but when their family comes to visit, it is an easy distance for a meal or entertainment in our business district. This is a great fit and opportunity for the City.

I encourage you to approve and move the project forward. This lot has been empty for too long.

Paula Doubleday
[REDACTED]
San Rafael 94901

7/2/2018 8:32:11 AM



NOT FOR CONSTRUCTION



38 NORTHWEST DAVIS, SUITE 300
PORTLAND, OR 97209
503.245.7100

1505 5TH AVE, SUITE 300
SEATTLE, WA 98101
206.576.1600

1014 HOWARD STREET
SAN FRANCISCO, CA 94103
415.252.7063

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**FILE COPY
DO NOT REMOVE**

APPROVED
SAN RAFAEL PLANNING DIVISION

By: CC DENALOF PC APPROVAL APPEAL

Date: 9/4/18

File No: AP18-002; E0110; UPIT-030

APPROVED
SAN RAFAEL PLANNING DIVISION
94901

800 MISSION AVENUE SAN RAFAEL, CA 94901

ASC SAN RAFAEL LLC

PROJECT INFORMATION

GENERAL

ZONING: HR-1
MULTIFAMILY RESIDENTIAL
(HIGH DENSITY)
1,000 SF LAND PER DWELLING UNIT

MAX. BUILDING HEIGHT: 36'
PROPOSED BUILDING HEIGHT: 35'-6"

MIN. USABLE OUTDOOR AREA: 100 SF
PROPOSED USABLE OUTDOOR AREA: 3,955 SF

AP NUMBERS: 11-184-03, -08

UNITS PROPOSED: 77

BEDS: 88

PROJECT DIRECTORY

GENERAL

APPLICANT

ML SEVEN CAPITAL PARTNERS LLC
1101 FIFTH AVENUE, SUITE #300
SAN RAFAEL, CA 94901

CONTACT: TOM MONAHAN
GEOFFREY FORNER
PHONE: (415)456-0600
EMAIL: gforner@monahanapacific.com
tmm@monahanapacific.com

ARCHITECT

ANKROM MOISAN ARCHITECTS
1505 5TH AVENUE, SUITE 300
SEATTLE, WA 98101
CONTACT: JP EMERY
JEREMY SOUTHERLAND
PHONE: (206)576-1600
EMAIL: JPE@ANKROMMOISAN.COM
JEREMY@ANKROMMOISAN.COM

DESIGN DESCRIPTION

PROPOSED OCCUPANCY: R2.1
MULTIFAMILY RESIDENTIAL
(HIGH DENSITY)

THE PROPOSED DESIGN IS AN 77 UNIT, FOUR STORY BUILDING WITH SUBTERRANEAN GARAGE. THE LOCATION IS AT THE CORNER OF MISSION AND LINCOLN IN SAN RAFAEL. IT IS WALKING DISTANCE TO DOWNTOWN, THE TRANSIT CENTER, AND FUTURE SMART RAIL STATION. THE FIRST FLOOR OF RESIDENTIAL LIVING, LOCATED ONE LEVEL ABOVE STREET, WILL HOUSE 25 UNITS DEDICATED TO MEMORY CARE RESIDENTS. THE UPPER TWO FLOORS WILL HOUSE 52 UNITS OF ASSISTED LIVING RESIDENTS. THE GROUND FLOOR PORT COCHERE WILL CONTAIN 2 ADA SPACES, 1 AEGIS VAN PARKING SPACE AND LOADING AREA. THERE ARE 2 STREET PULLOUTS PROPOSED FOR FIRE ACCESS AND LOADING. ONE AT MISSION AVE AND ONE AT LINCOLN AVE.

THE SUBTERRANEAN GARAGE WILL CONTAIN 32 SPACES TOTAL (INCLUDING 2 ADA SPACES). THE PARKING TOTAL FOR THE COMPLEX WILL INCLUDE 40 DEDICATED SPACES (INCLUDING 4 ADA SPACES). ENTRANCE AND EXIT TO SUBTERRANEAN GARAGE WILL BE LOCATED OFF MISSION. ENTRANCE AND EXIT TO GROUND LEVEL GARAGE WILL BE LOCATED OFF LINCOLN.

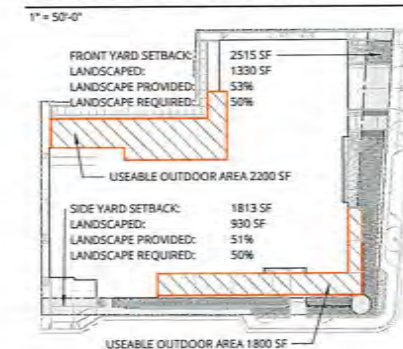
PROJECT CONTAINS A MIX OF 1 BEDROOM & STUDIO UNITS. FIRST LEVEL OF RESIDENTIAL (ONE LEVEL UP FROM STREET) WILL BE DESIGNATED FOR MEMORY CARE USE. THE UNITS ON THIS FLOOR WILL HAVE NON OPERATIONAL DOORS TO FALSE BALCONIES. THERE WILL BE ONE CONTROLLED ACCESS POINT FOR GARDENING PURPOSES ON THIS FLOOR. THE SECOND AND THIRD RESIDENTIAL FLOORS (UPPER TWO) WILL BE DESIGNATED FOR ASSISTED LIVING AND WILL HAVE EXTERIOR BALCONY ACCESS FROM DESIGNATED UNITS ON THE MISSION AND LINCOLN SIDES.

THE ARCHITECTURAL GOALS OF THE GROUND LEVEL ARE TO CREATE A VERY AESTHETICALLY RICH, INVITING ENVIRONMENT WHILE SIMULTANEOUSLY RELATING TO THE EXISTING HISTORIC ARCHITECTURE OF SAN RAFAEL. FROM THE STREET, A DEDICATED ENTRANCE FACADE, COUPLED WITH MULTI LEVEL, STAGGERED ROOFING ON EXTERIOR BALCONIES AND A FOCAL TOWER, WITH ARCHITECTURALLY SEPARATED BUILDING SECTIONS PROVIDES AN INTERESTING VIEW CONTAINING DESIRED CURB APPEAL. VISUAL DEPTH IS ACHIEVED THROUGH THE BALCONIES, THE ROOF SEPARATIONS, AND THE BUILDING SEPARATIONS FROM VERTICAL MOVEMENT POINTS. SHADOWS AND DEPTH PREVENT MONOTONOUS WALLS AND BORING PLANES, OR BORING OVERALL MASSING IN GENERAL. THE SITE WILL BE LANDSCAPED TO PROVIDE SCREENING AND NATURAL APPEAL.

SETBACKS

THE SETBACKS OF THE ORIGINAL APPROVED DESIGN ARE MAINTAINED TO INCLUDE 5' SETBACKS ON THE REAR AND SIDES OF THE FOOTPRINT, AS WELL AS A 10' SETBACK FROM MISSION AND A 15' SETBACK FROM LINCOLN. PROPOSED BUILDING FACADES/ARTICULATIONS EMULATE APPROVED DESIGN.

LANDSCAPE DIAGRAM



VICINITY MAP



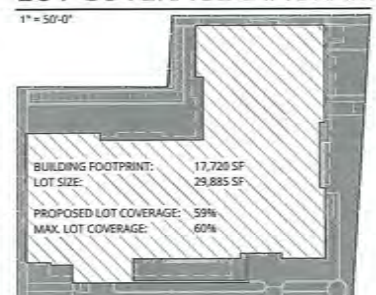
SHEET INDEX

| SHEET NUMBER | SHEET NAME |
|--------------|--------------------------------------|
| 1 | TITLE SHEET |
| 2 | LOWER GARAGE PLAN |
| 3 | MAIN LEVEL PLAN |
| 4 | FIRST FLOOR RESIDENTIAL PLAN |
| 5 | SECOND FLOOR RESIDENTIAL PLAN |
| 6 | THIRD FLOOR RESIDENTIAL PLAN |
| 7 | ROOF PLAN |
| 8 | EXTERIOR ELEVATIONS |
| 9 | EXTERIOR ELEVATIONS |
| 10 | SECTIONS |
| 11 | DETAILS |
| CIVIL | |
| C0.00 | SITE SURVEY |
| C0.01 | GRADING, DRAINAGE AND UTILITY PLAN |
| C2.00 | STORMWATER CONTROL PLAN |
| C2.01 | STORMWATER CONTROL DETAIL AND TABLES |
| LANDSCAPE | |
| L1.1 | PLANTING PLAN |
| L2.0 | PLANT - SCHEDULE |
| L2.1 | PLANTING DETAILS |

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THESE DOCUMENTS ARE INTENDED
ONLY TO ILLUSTRATE GENERAL
DESIGN ELEMENTS.

DEVIATIONS MAY EXIST BETWEEN
THESE DOCUMENTS AND
DOCUMENTS THAT HAVE BEEN
REVIEWED AND APPROVED BY THE
CITY OF SAN RAFAEL PLANNING
AUTHORITIES.

LOT COVERAGE DIAGRAM



| UNIT SCHEDULE | | |
|---------------|-------|------------|
| UNIT TYPE | COUNT | AREA TOTAL |
| LEVEL 4 | | |
| AL.1 | 3 | 2094 |
| AL.5 | 23 | 8631 |
| | 26 | 10725 |
| LEVEL 3 | | |
| AL.1 | 3 | 2036 |
| AL.5 | 23 | 8803 |
| | 26 | 10839 |
| LEVEL 2 | | |
| LNS | 25 | 8577 |
| | 25 | 8577 |
| Grand total | 77 | 30141 |

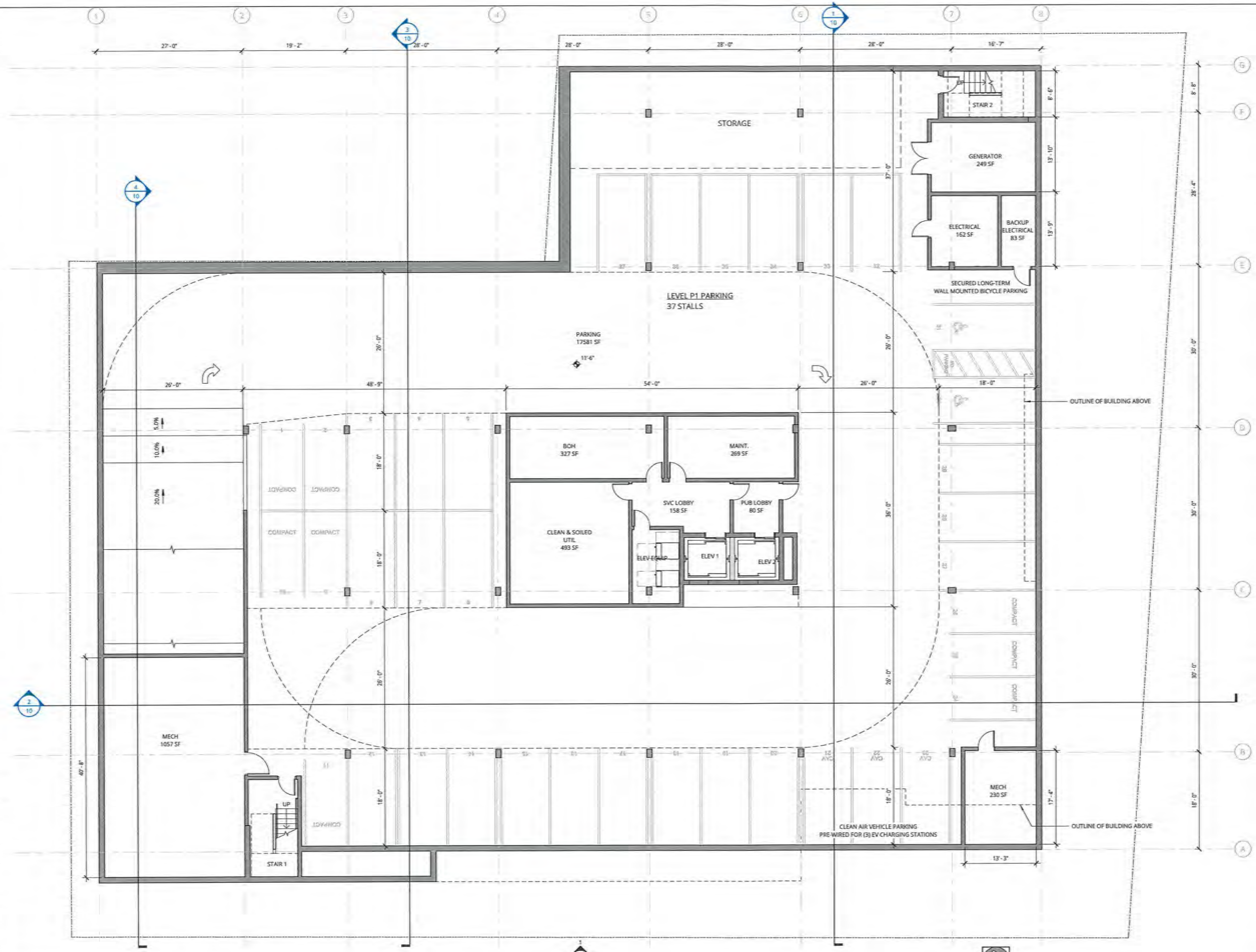
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JUL 03 2018
PLANNING
TITLE SHEET

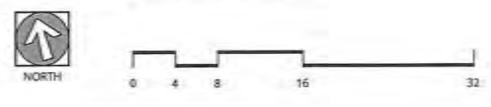
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SHEET NUMBER: 1

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7/2/2018 8:32:14 AM
 C:_Redr_Proj\053174170517_Aegis_San_Rafael\053174170517_Aegis_San_Rafael_ellabaths.dwg



1 LEVEL P1 KEY PLAN
 1/8" = 1'-0"



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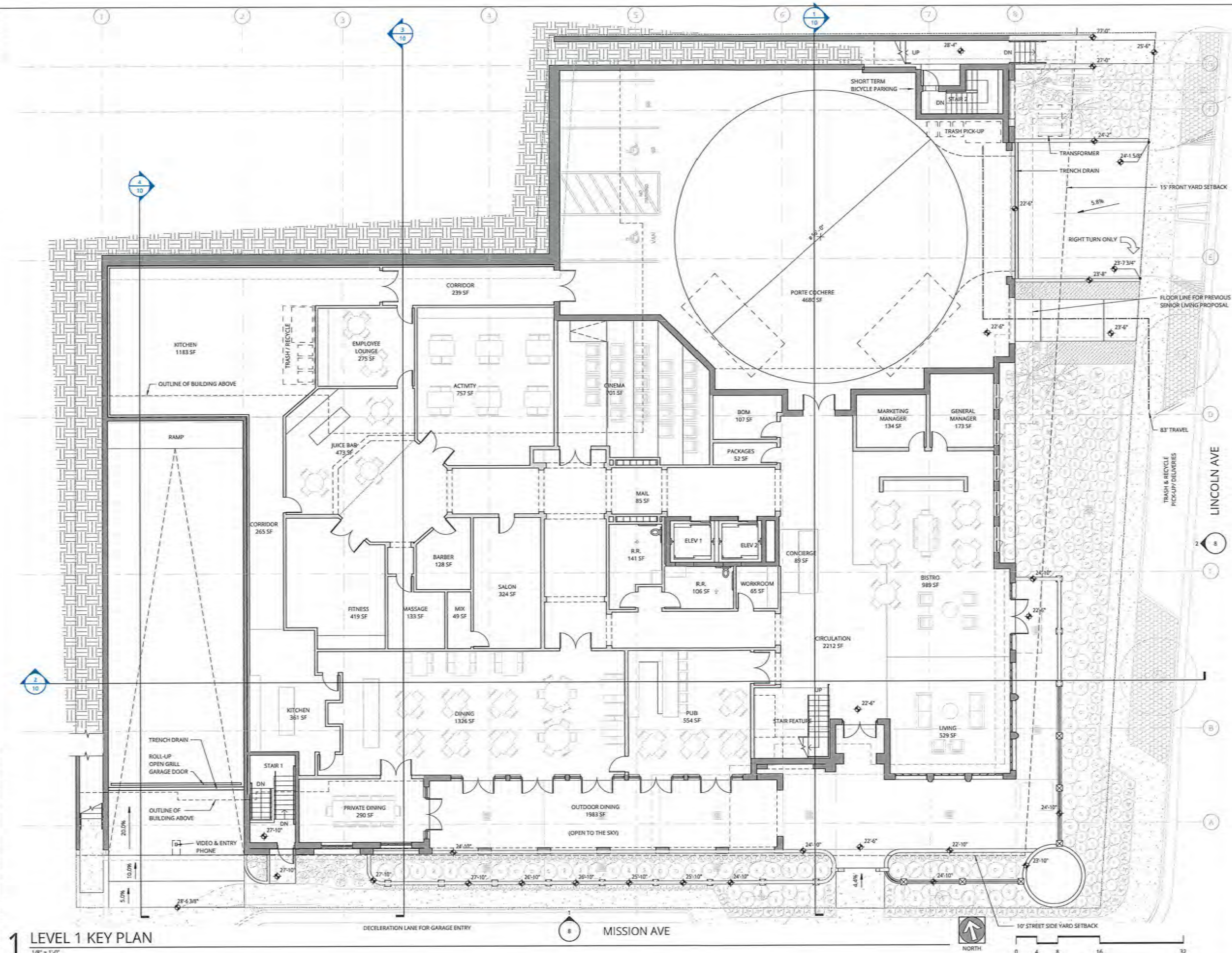
LOWER GARAGE PLAN

DATE: 05.30.2018 PROJECT NUMBER: 174170

SHEET NUMBER: **2**

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1 LEVEL 1 KEY PLAN
1/8" = 1'-0"

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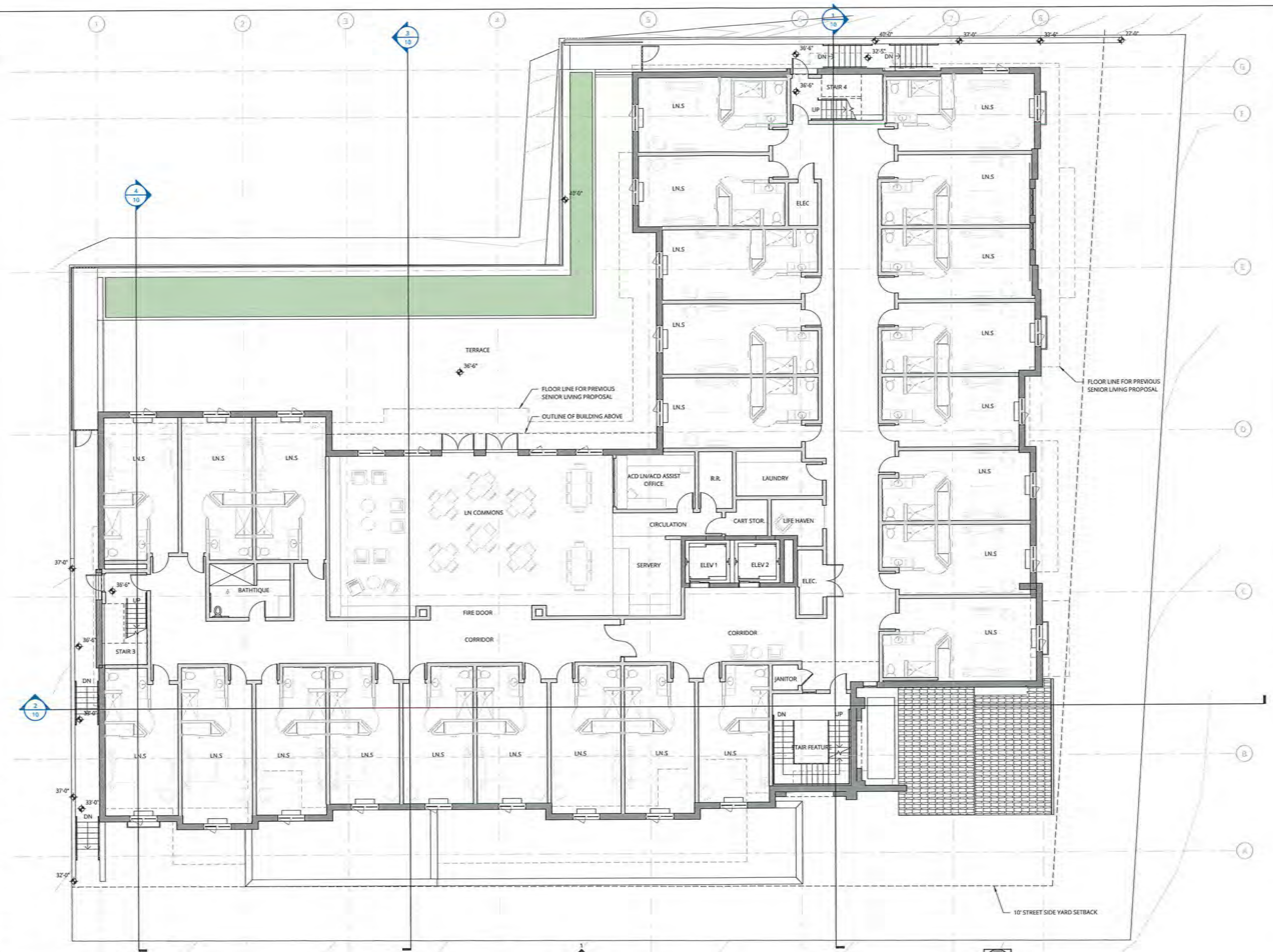
MAIN LEVEL PLAN

DATE: 05.30.2018 PROJECT NUMBER: 174170

SHEET NUMBER: **3**

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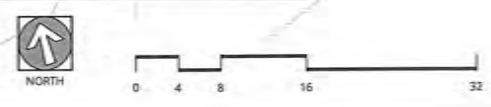
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FIRST FLOOR RESIDENTIAL PLAN

DATE: 05.30.2018 PROJECT NUMBER: 174170

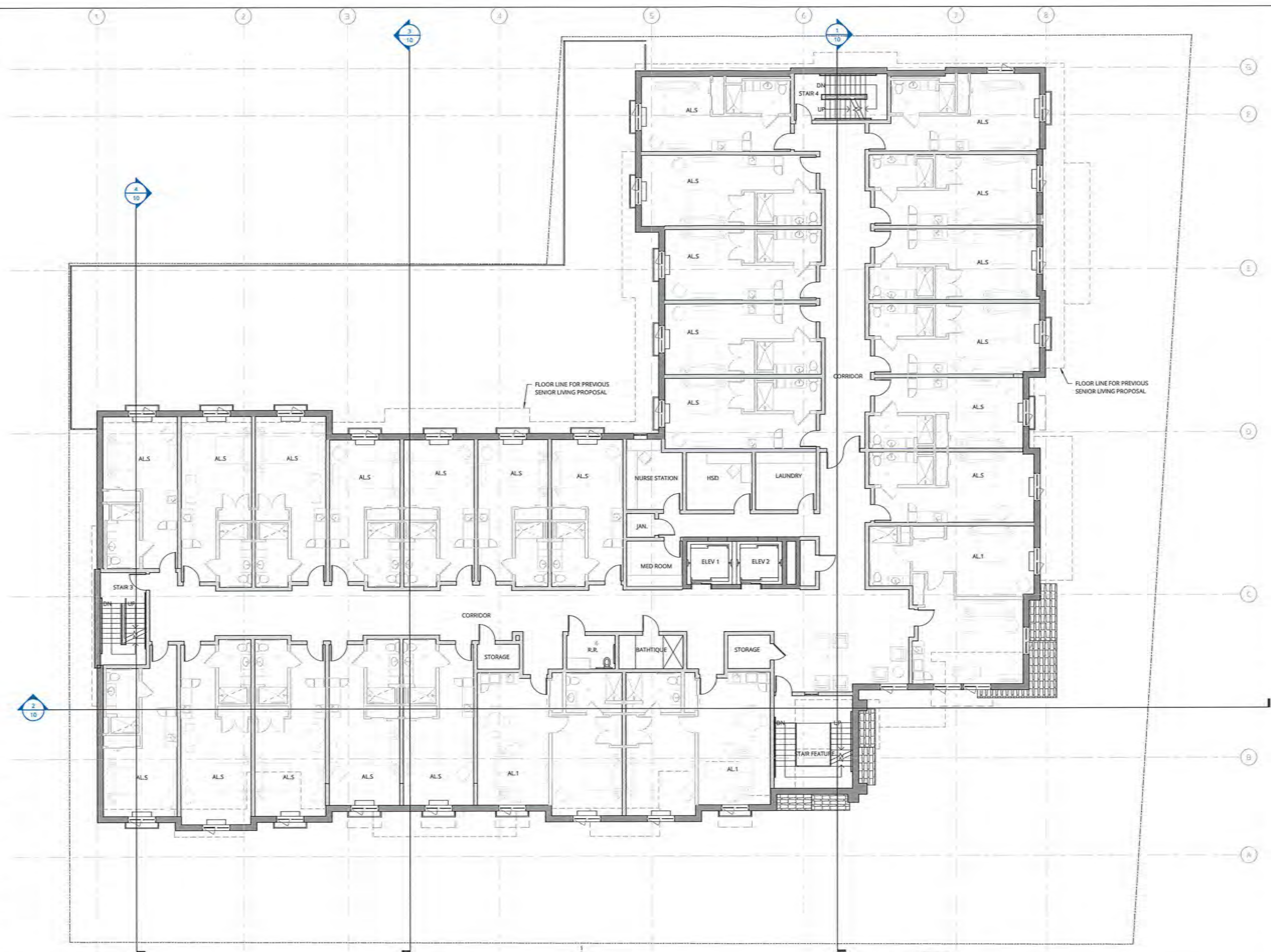
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1 LEVEL 2 KEY PLAN
 1/8" = 1'-0"



17/2018 8:32:27 AM

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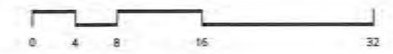
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SECOND FLOOR RESIDENTIAL PLAN

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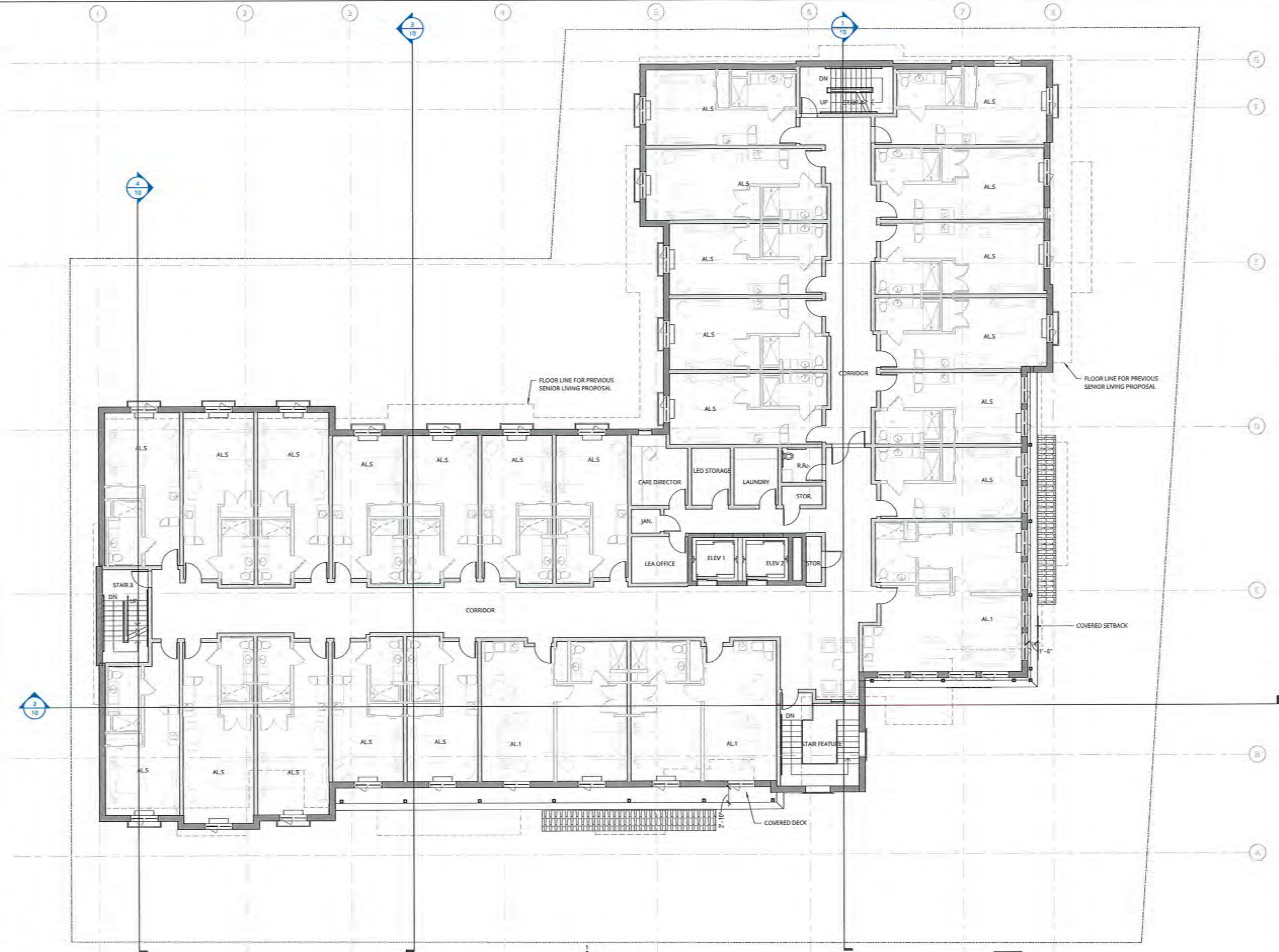
SHEET NUMBER: **5**

1 LEVEL 3 KEY PLAN / L4 SIM
 1/8" = 1'-0"



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1 LEVEL 4 KEY PLAN
1/8" = 1'-0"

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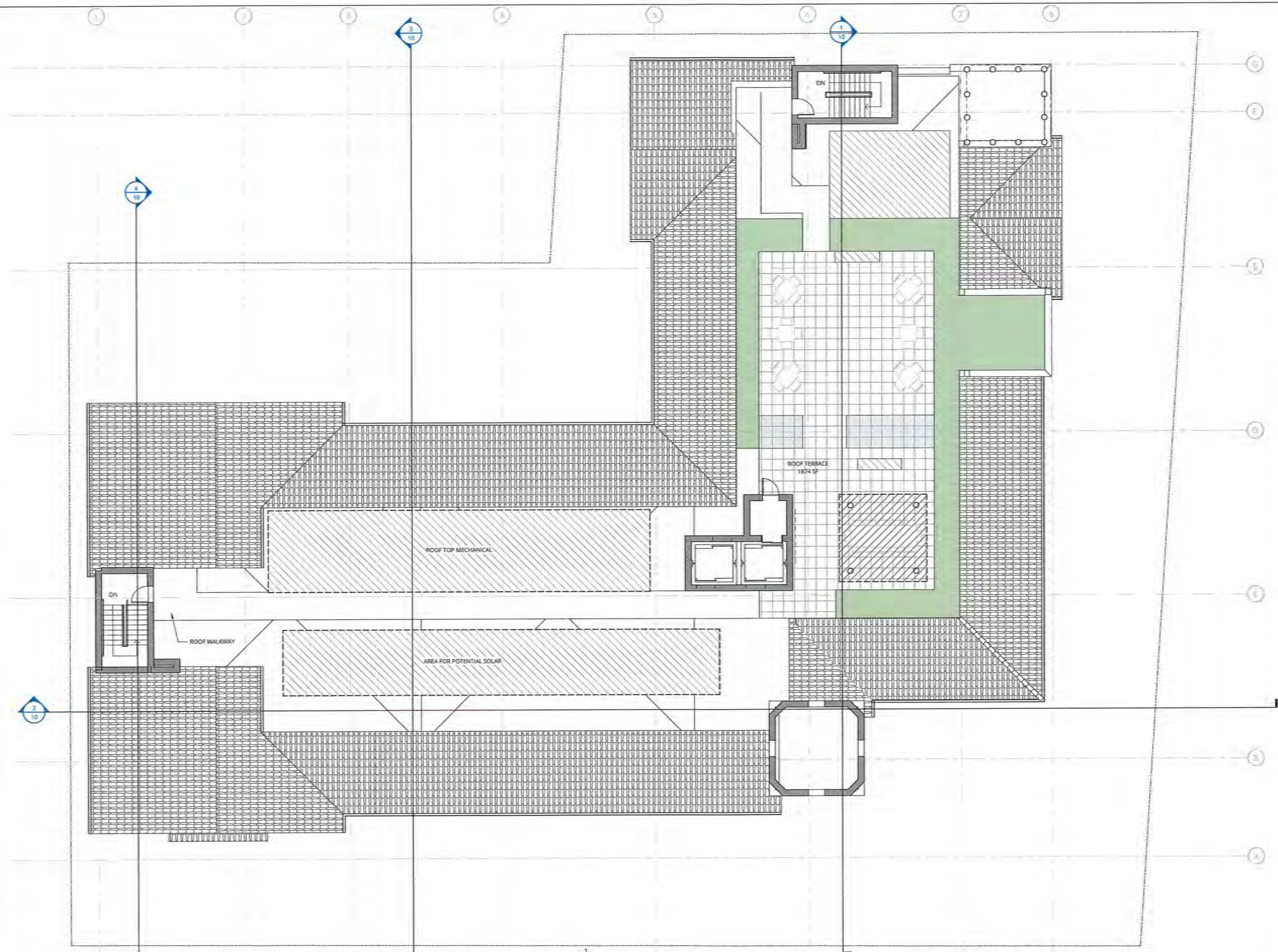
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**THIRD FLOOR
RESIDENTIAL PLAN**

DATE: 05.30.2018 PROJECT NUMBER: 174170
SHEET NUMBER

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1 ROOF KEY PLAN
1/8" = 1'-0"

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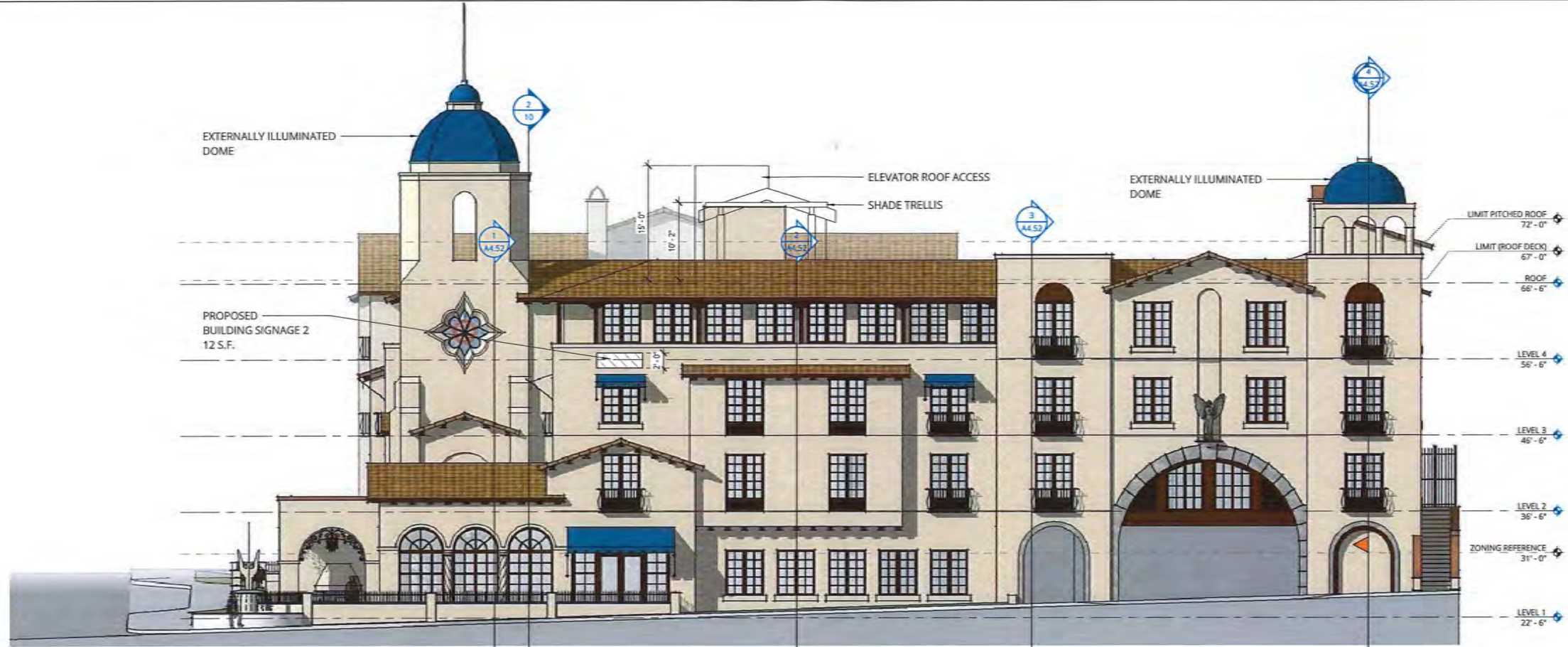
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ROOF PLAN

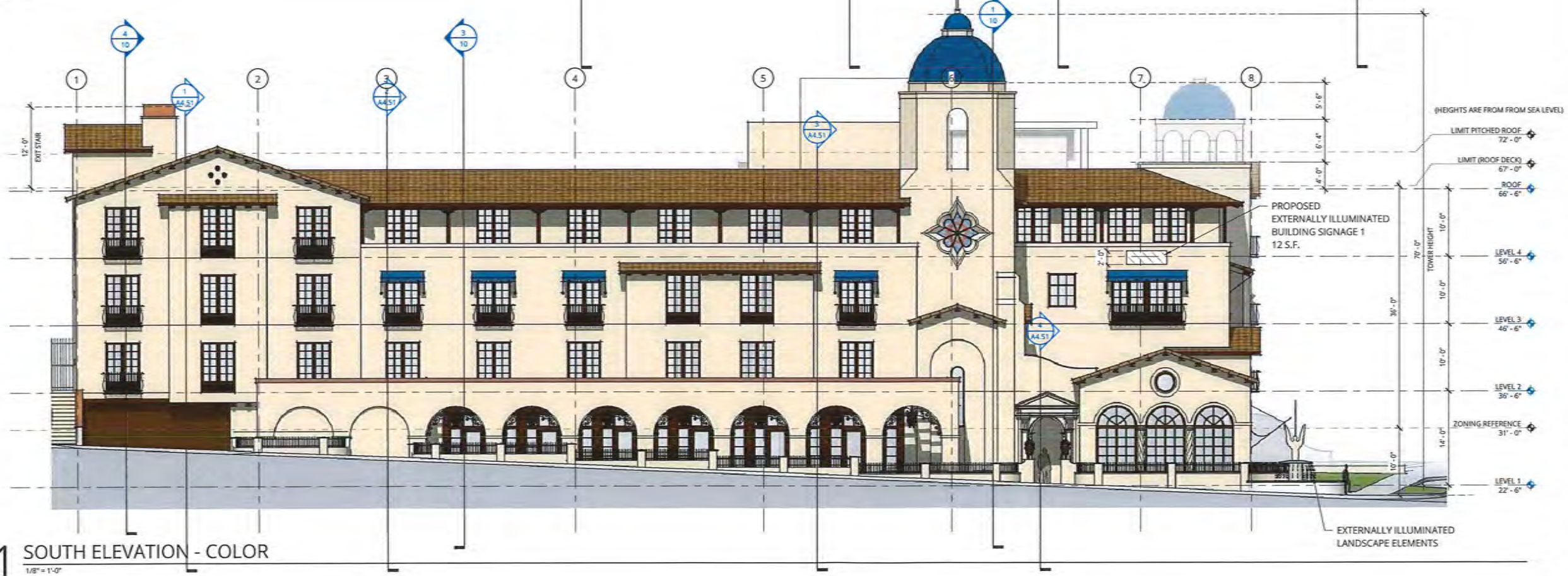
DATE 05.30.2018 PROJECT NUMBER 174170

SHEET NUMBER **7**

7/2/2018 10:32:26 AM



2 EAST ELEVATION - COLOR
1/8" = 1'-0"



1 SOUTH ELEVATION - COLOR
1/8" = 1'-0"

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EXTERIOR ELEVATIONS

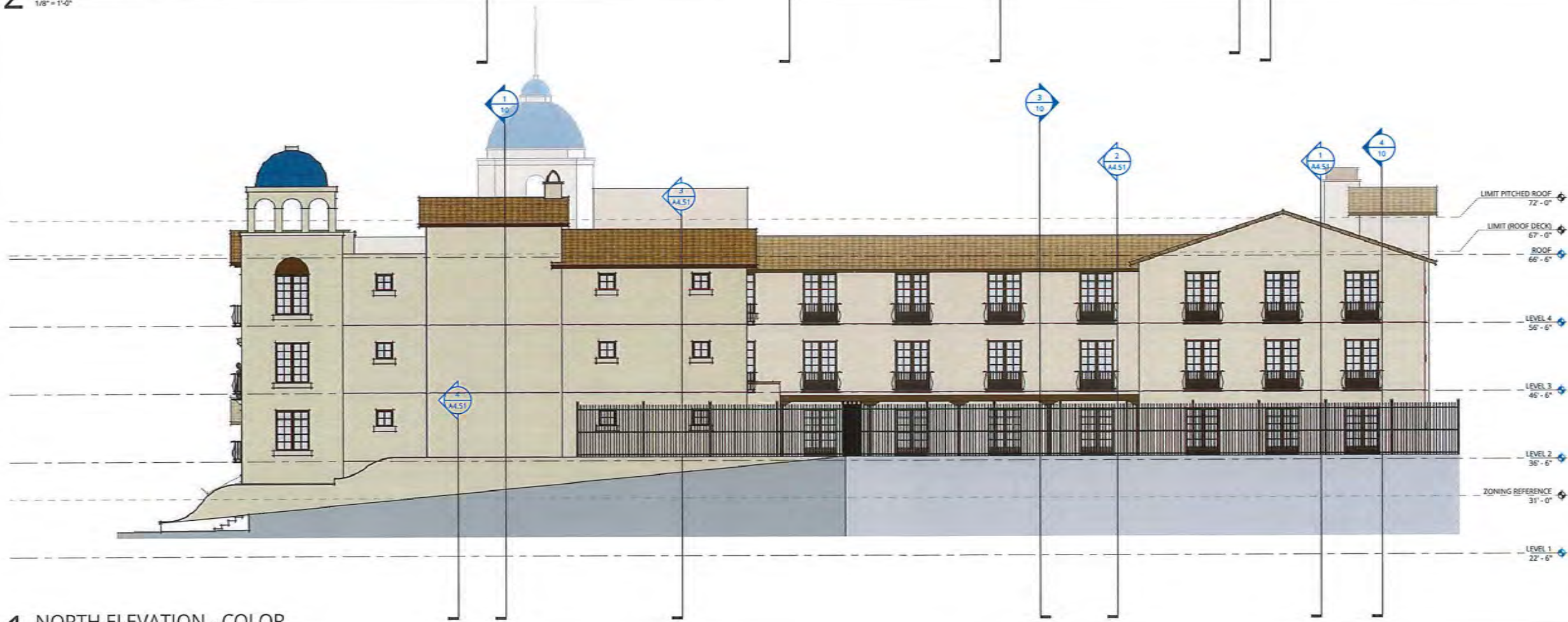
DATE 05.30.2018 PROJECT NUMBER 174170

SHEET NUMBER 8

17/2018 8:32:27 AM



2 WEST ELEVATION - COLOR
1/8" = 1'-0"



1 NORTH ELEVATION - COLOR
1/8" = 1'-0"

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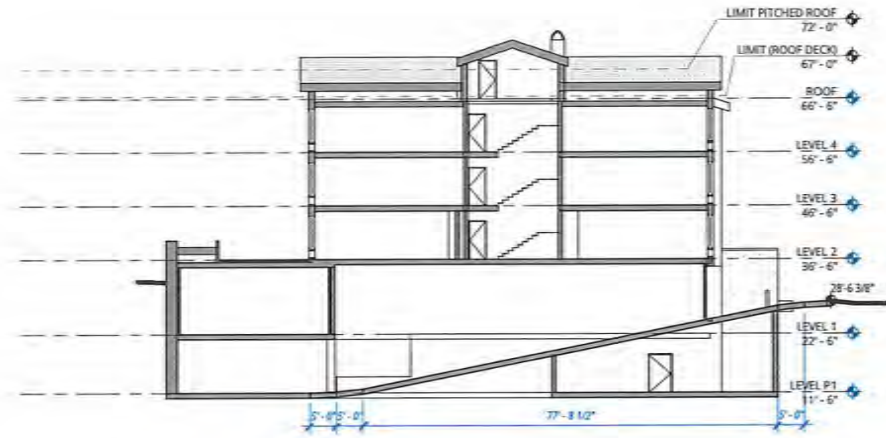
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**EXTERIOR
ELEVATIONS**

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| DATE 05.30.2018 | PROJECT NUMBER 174170 |
| SHEET NUMBER | |

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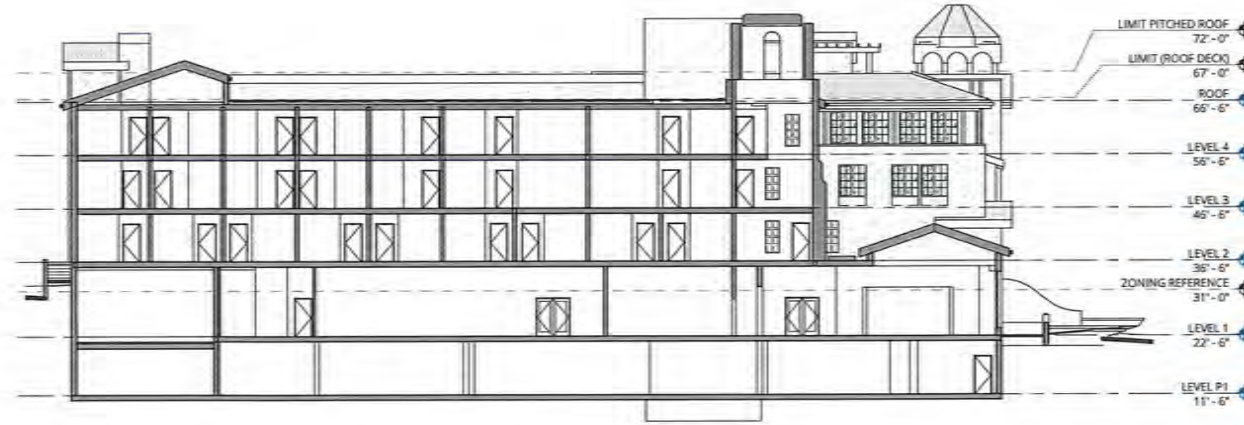
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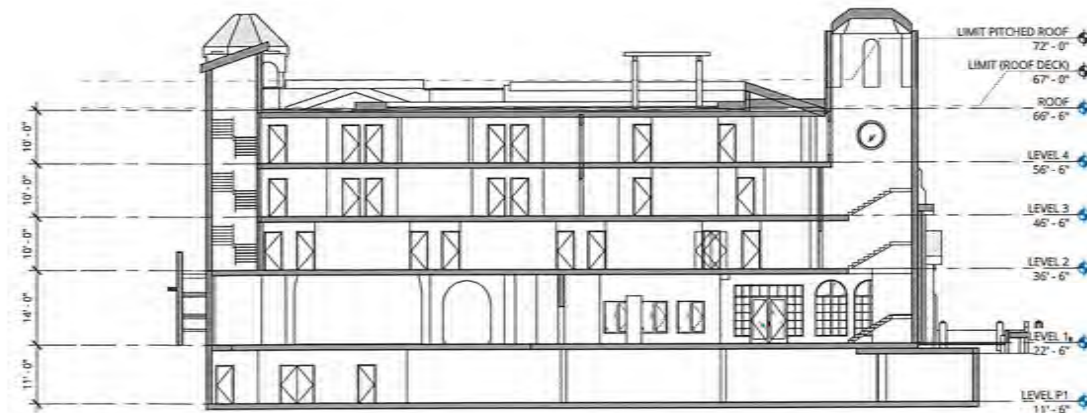
4 BUILDING SECTION AT PARKING RAMP
1/16" = 1'-0"



3 BUILDING SECTION 3
1/16" = 1'-0"



2 BUILDING SECTION 2
1/16" = 1'-0"



1 BUILDING SECTION 1
1/16" = 1'-0"

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SECTIONS

| | |
|--------------------|--------------------------|
| DATE 05.30.2018 | PROJECT NUMBER 174170 |
| SHEET NUMBER | |

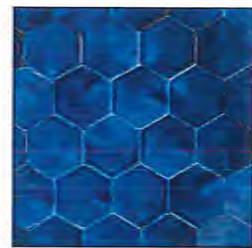
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7/2/2018 8:32:46 AM

BUILDING MATERIALS, COLOR AND DETAILS



1. TILE ROOF



2. BLUE ROOF TILE



3. TIMBER DETAILING



4. WROUGHT IRON

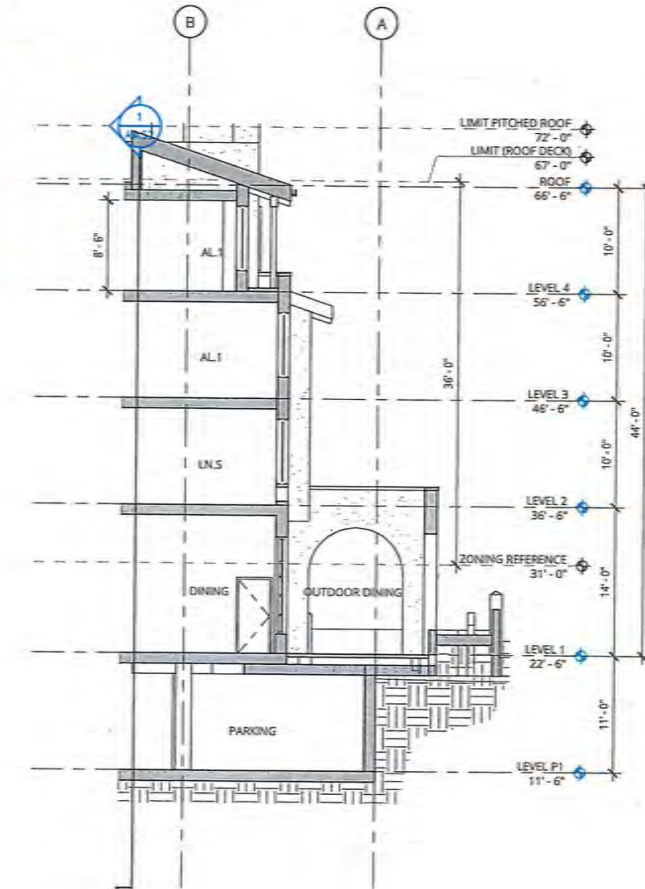


5. STUCCO

COLOR SELECTION: STUCCO SW-7569



6. FABRIC AWNINGS



1 WALL SECTION
1/8" = 1'-0"

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DETAILS

DATE 05.30.2018 PROJECT NUMBER 174170

SHEET NUMBER

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2/27/2018 2:18:04 PM

LEGEND

- PROPERTY LINE
- - - FENCE LINE
- TELEPHONE OVERHEAD LINES
- ELECTRIC LINES
- ☐ CATCH BASIN
- ☐ UTILITY BOX
- POLE GUYANCHOR LOCATION
- FOUND 1/2" IP (TAGGED LS 2738)
- D/W DRIVEWAY
- ⊙ SANITARY SEWER MH
- ⊙ STORM DRAIN MH
- TP TELEPHONE POLE
- SSCO SANITARY SEWER CLEANOUT
- (R1) 18 PM 98
- R/W RIGHT-OF-WAY

BASIS OF BEARINGS

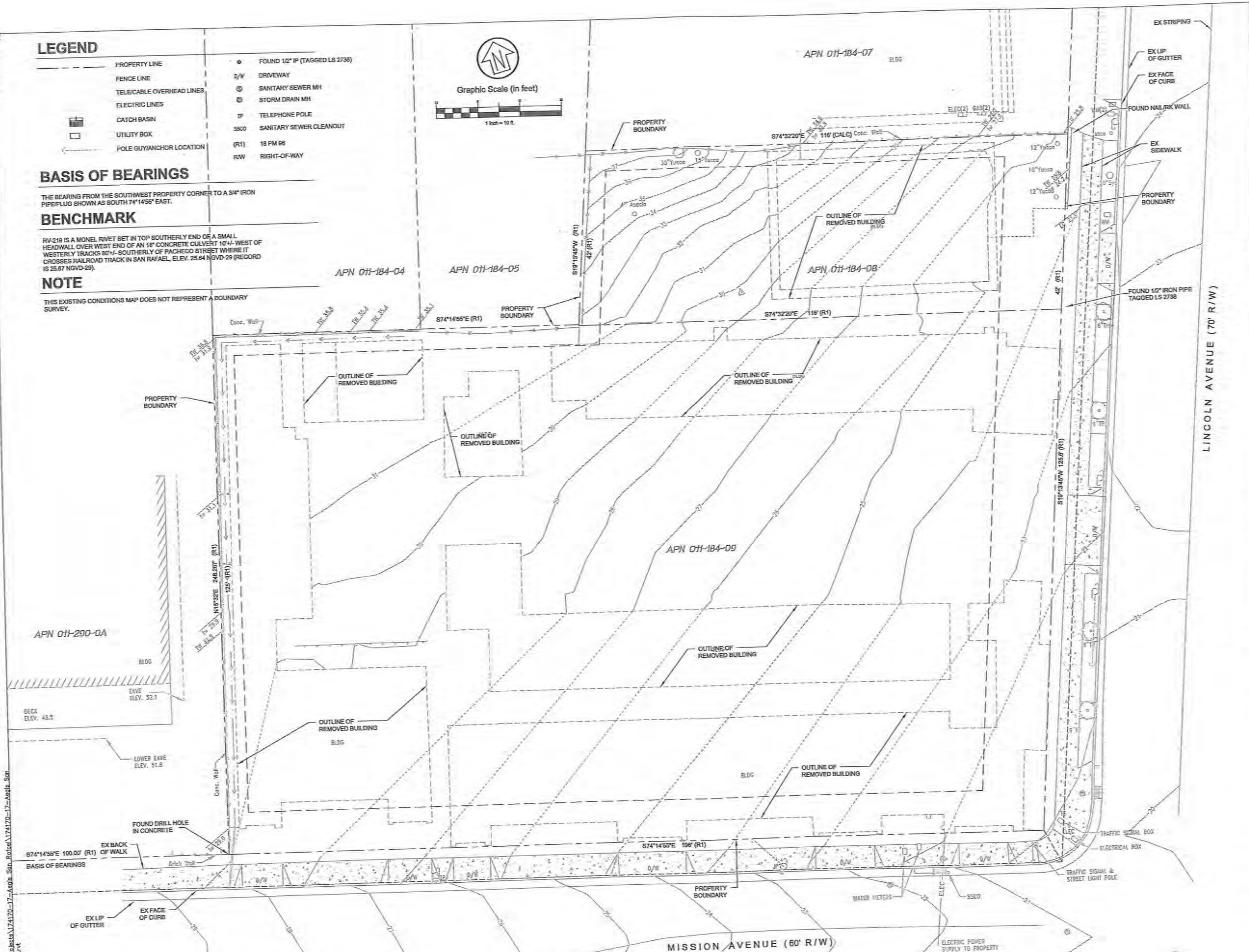
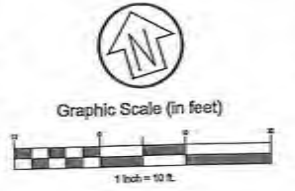
THE BEARING FROM THE SOUTHWEST PROPERTY CORNER TO A 3/4" IRON PIPEFLUG SHOWN AS SOUTH 74°14'55" EAST.

BENCHMARK

RV-218 IS A MONEL RIVET SET IN TOP SOUTHERLY END OF A SMALL HEADWALL OVER WEST END OF AN 18" CONCRETE CULVERT 10'-4" WEST OF WESTERLY TRACKS 80'-4" SOUTHERLY OF PACHECO STREET WHERE IT CROSSES RAILROAD TRACK IN SAN RAFAEL, ELEV. 25.64 NGVD-29 (RECORD IS 25.67 NGVD-29).

NOTE

THIS EXISTING CONDITIONS MAP DOES NOT REPRESENT A BOUNDARY SURVEY.



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CSW ST2

**CSW/Stuber-Stroeh
Engineering Group, Inc.**

45 General Court
Northridge, CA 91340
Tel: 415.883.9550
Fax: 415.883.9822

Civil & Structural Engineers
Surveying & Mapping
Environmental Planning
Land Planning
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|----------|---------|---|
| ▲ | 4/25/18 | RESPONSE TO COMMENTS NO CHANGES THIS SHEET |
| ▲ | 5/15/18 | NO CHANGES THIS SHEET |



PRELIMINARY

SITE SURVEY

RESUBMITTAL SET

| | |
|--------------------|--------------------------|
| DATE 03.05.2018 | PROJECT NUMBER 164890 |
| SHEET NUMBER | |

CO.00

Project: 174170-17 - Aegis San Rafael

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 User: jmm
 Plot: 174170-17-Addtl_Sol_Budget.dwg
 Plot Date: 2/27/2018 2:50:04 PM

ABBREVIATIONS

| | | | | | | | |
|---------|-----------------------|-----|---------------------|--------|--------------------------|------|--------------------------------|
| AB | AGGREGATE BASE | FC | FACE OF CURB | MH | MANHOLE | SSCO | SANITARY SEWER CLEANOUT |
| AC | ASPHALT CONCRETE | FF | FINISH FLOOR | NO. | NUMBER | SSMH | SANITARY SEWER MANHOLE |
| AD | AREA DRAIN | FG | FINISH GRADE | NTS | NOT TO SCALE | SW | SIDEWALK |
| ACR | ACCESS COMPLIANT RAMP | FH | FIRE HYDRANT | PB | PULLBOX | TG | TOP OF CURB |
| BSW | BACK OF SIDEWALK | FL | FLOWLINE | P.C.C. | PORTLAND CEMENT CONCRETE | TW | TOP OF WALL |
| CB | CATCH BASIN | FS | FINISH SURFACE | PRO | PROPOSED | TOE | TOE OF WALL |
| DI | DROP INLET | GB | GRADE BREAK | PVC | POLYVINYL CHLORIDE PIPE | UCS | UNIFORM CONSTRUCTION STANDARDS |
| DL | DAYLIGHT | GFF | GARAGE FINISH FLOOR | RW | RIGHT OF WAY | UNO | UNLESS NOTED OTHERWISE |
| DWG | DRAWING | HP | HIGH POINT | SD | STORM DRAIN | VIF | VERIFY IN FIELD |
| DWY | DRIVEWAY | INV | INVERT | SDCO | STORM DRAIN CLEANOUT | WL | WATER LINE |
| ES | EXISTING GRADE | JP | JOINT POLE | SDMH | STORM DRAIN MANHOLE | | |
| EL | ELEVATION | JT | JOINT TRENCH | SF | SQUARE FEET | | |
| EP | EDGE OF PAVEMENT | LF | LINEAR FEET | SS | SANITARY SEWER | | |
| (E), EX | EXISTING | LP | LOW POINT | | | | |

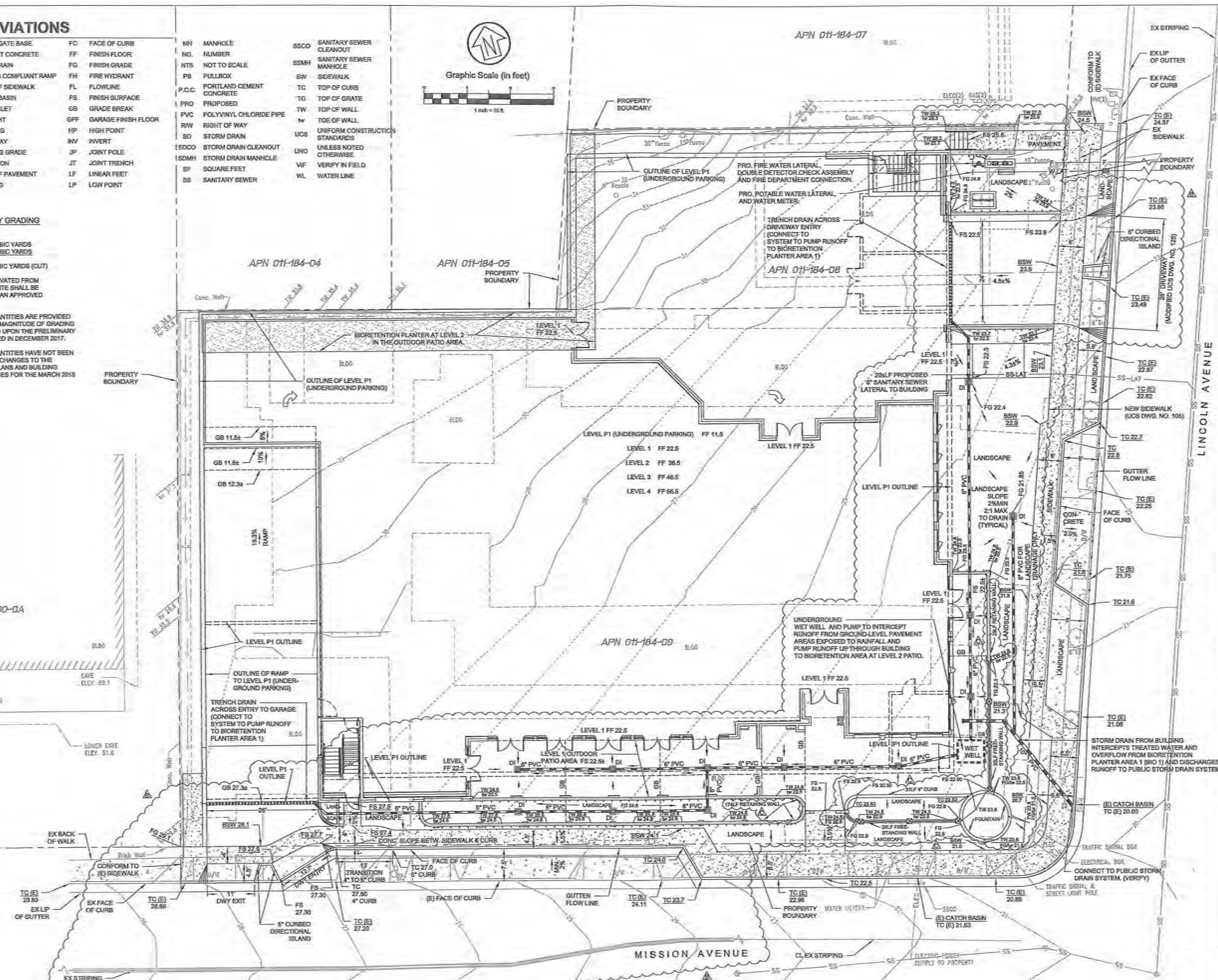
PRELIMINARY GRADING QUANTITIES:

CUT 13,100 CUBIC YARDS
 FILL 100 CUBIC YARDS
 NET 13,000 CUBIC YARDS (CUT)

MATERIAL EXCAVATED FROM THE PROJECT SITE SHALL BE OFFHAULED TO AN APPROVED FACILITY.

THE ABOVE QUANTITIES ARE PROVIDED FOR ORDER OF MAGNITUDE OF GRADING AND ARE BASED UPON THE PRELIMINARY PLANS PREPARED IN DECEMBER 2017.

THE ABOVE QUANTITIES HAVE NOT BEEN ADJUSTED FOR CHANGES TO THE PRELIMINARY PLANS AND BUILDING OUTLINE CHANGES FOR THE MARCH 2018 SUBMITTAL.



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 LLC

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|----------|---------|---------------------------|
| 1 | 4/20/18 | REVISE GARAGE ENTRY |
| 2 | 4/25/18 | RESPONSE TO COMMENTS |
| 3 | 5/15/18 | ADD SITE WALL INFORMATION |



GRADING, DRAINAGE AND UTILITY PLAN

RESUBMITTAL SET

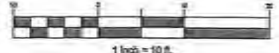
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| SHEET NUMBER | |

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 Ref:_same.rvt



Graphic Scale (in feet)

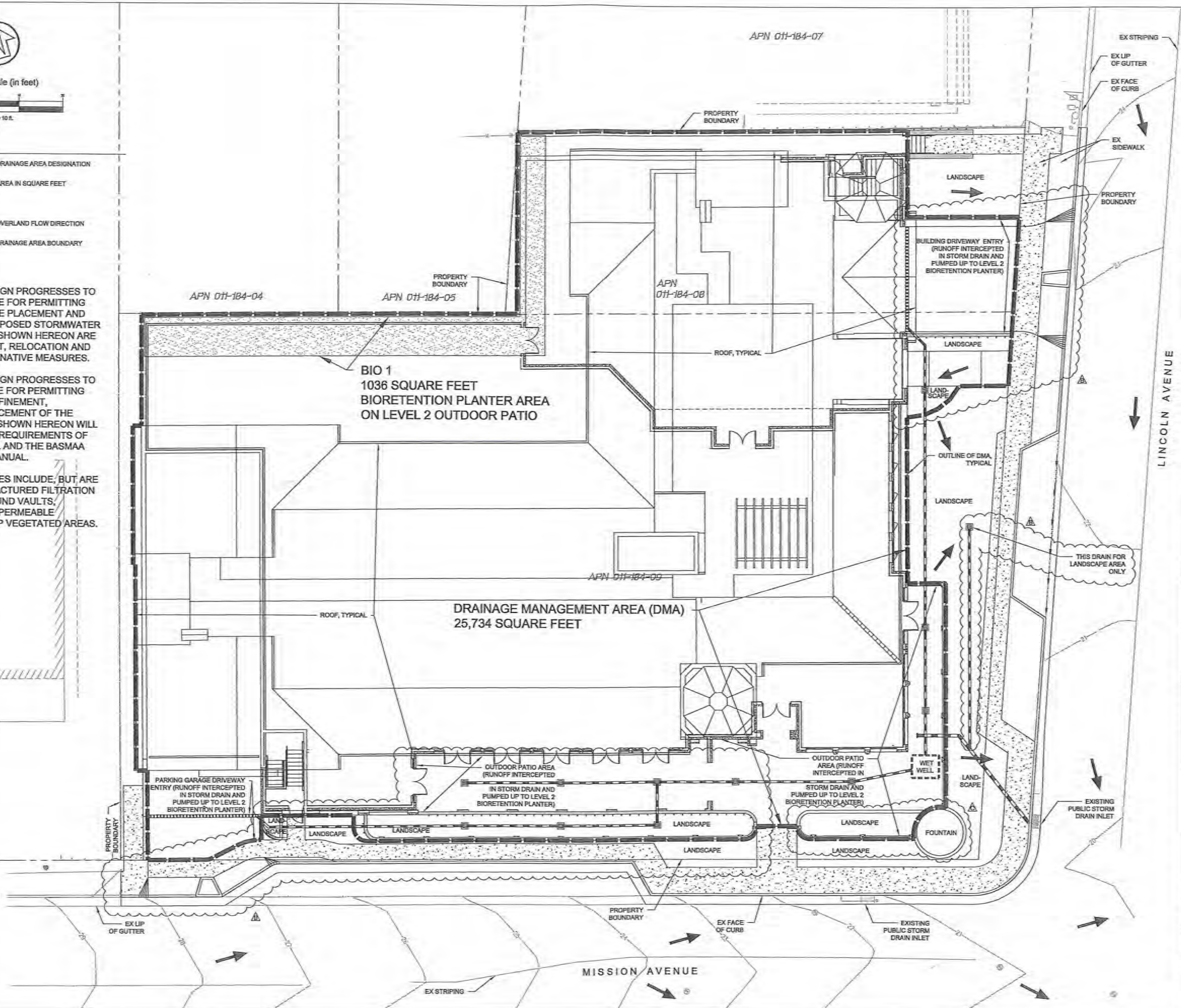


LEGEND

- DRAINAGE AREA DESIGNATION
- AREA IN SQUARE FEET
- OVERLAND FLOW DIRECTION
- DRAINAGE AREA BOUNDARY

NOTES:

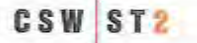
1. AS THE PROJECT DESIGN PROGRESSES TO A LEVEL COMMENSURATE FOR PERMITTING AND CONSTRUCTION, THE PLACEMENT AND CONFIGURATION OF PROPOSED STORMWATER TREATMENT MEASURES SHOWN HEREON ARE SUBJECT TO REFINEMENT, RELOCATION AND REPLACEMENT BY ALTERNATIVE MEASURES.
2. AS THE PROJECT DESIGN PROGRESSES TO A LEVEL COMMENSURATE FOR PERMITTING AND CONSTRUCTION, REFINEMENT, RELOCATION AND REPLACEMENT OF THE TREATMENT MEASURES SHOWN HEREON WILL CONTINUE TO MEET THE REQUIREMENTS OF THE CITY OF SAN RAFAEL AND THE BASMAA POST-CONSTRUCTION MANUAL.
3. ALTERNATIVE MEASURES INCLUDE, BUT ARE NOT LIMITED TO, MANUFACTURED FILTRATION SYSTEMS IN UNDERGROUND VAULTS, SELF-RETAINING AREAS, PERMEABLE PAVEMENT AND ROOFTOP VEGETATED AREAS.



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 1014 HOWARD STREET
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 CSW|Stuber-Stroop
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 Surveying & Mapping
 Environmental Planning
 Land Planning
 Construction Management

AEGIS SAN RAFAEL
 800 MISSION AVENUE, SAN RAFAEL CA
 94549

ASC SAN RAFAEL
 LLC

| REVISION | DATE | REASON FOR ISSUE |
|----------|---------|---------------------------|
| ▲ | 4/20/18 | REVISE GARAGE ENTRY |
| ▲ | 4/25/18 | RESPONSE TO COMMENTS |
| ▲ | 5/15/18 | ADD SITE WALL INFORMATION |



STORMWATER CONTROL PLAN

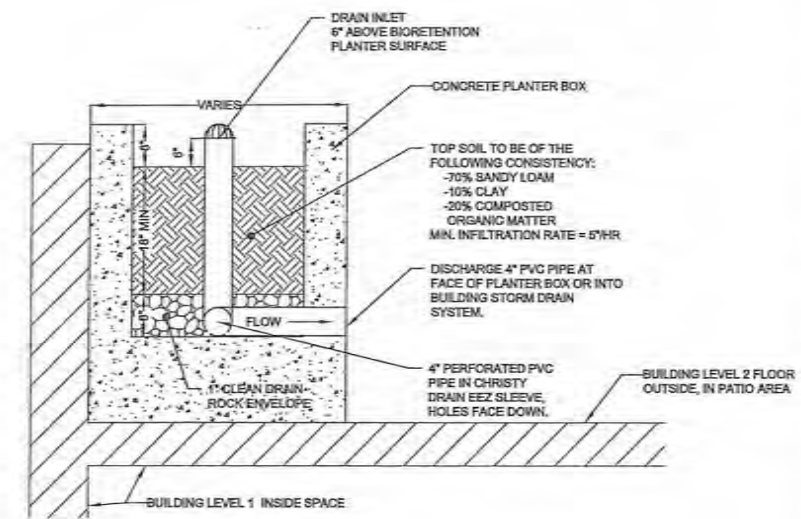
RESUBMITTAL SET

| | |
|--------------------|--------------------------|
| DATE 03.05.2018 | PROJECT NUMBER 164890 |
| SHEET NUMBER | |

C2.00

2/27/2018 2:40:04 PM

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2 BIORETENTION PLANTER DETAIL
SCALE: 1"=1'

BIORETENTION SIZING TABLE

| DMA | DMA AREA (SF) | POST-PROJECT SURFACE TYPE | DMA RUNOFF FACTOR | (DMA AREA) x (RUNOFF FACTOR) | FACILITY NAME | | |
|-------|---------------|---------------------------|-------------------|------------------------------|-----------------------------|---------------|-----------------------------|
| | | | | | BIORETENTION AREA 1 (BIO 1) | SIZING FACTOR | PROPOSED FACILITY AREA (SF) |
| DMA 1 | 21,746 | ROOF | 1.0 | 21,746 | 0.04 | 1,000 | 1,038 |
| | 3,183 | PAVEMENT | 1.0 | 3,183 | | | |
| | 805 | LANDSCAPE | 0.1 | 81 | | | |
| TOTAL | 25,734 | | | 25,010 | | | |

AND

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Surveying & Mapping
Environmental Planning
Land Planning
Construction Management

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94549

ASC SAN RAFAEL
LLC

| REVISION | DATE | REASON FOR ISSUE |
|----------|---------|--------------------------------------|
| △ | 4/20/18 | ADJUST PAVEMENT AREA |
| △ | 4/25/18 | RESPONSE TO COMMENTS |
| △ | 5/15/18 | REVISED TABLE DUE TO ADDED LANDSCAPE |



PRELIMINARY

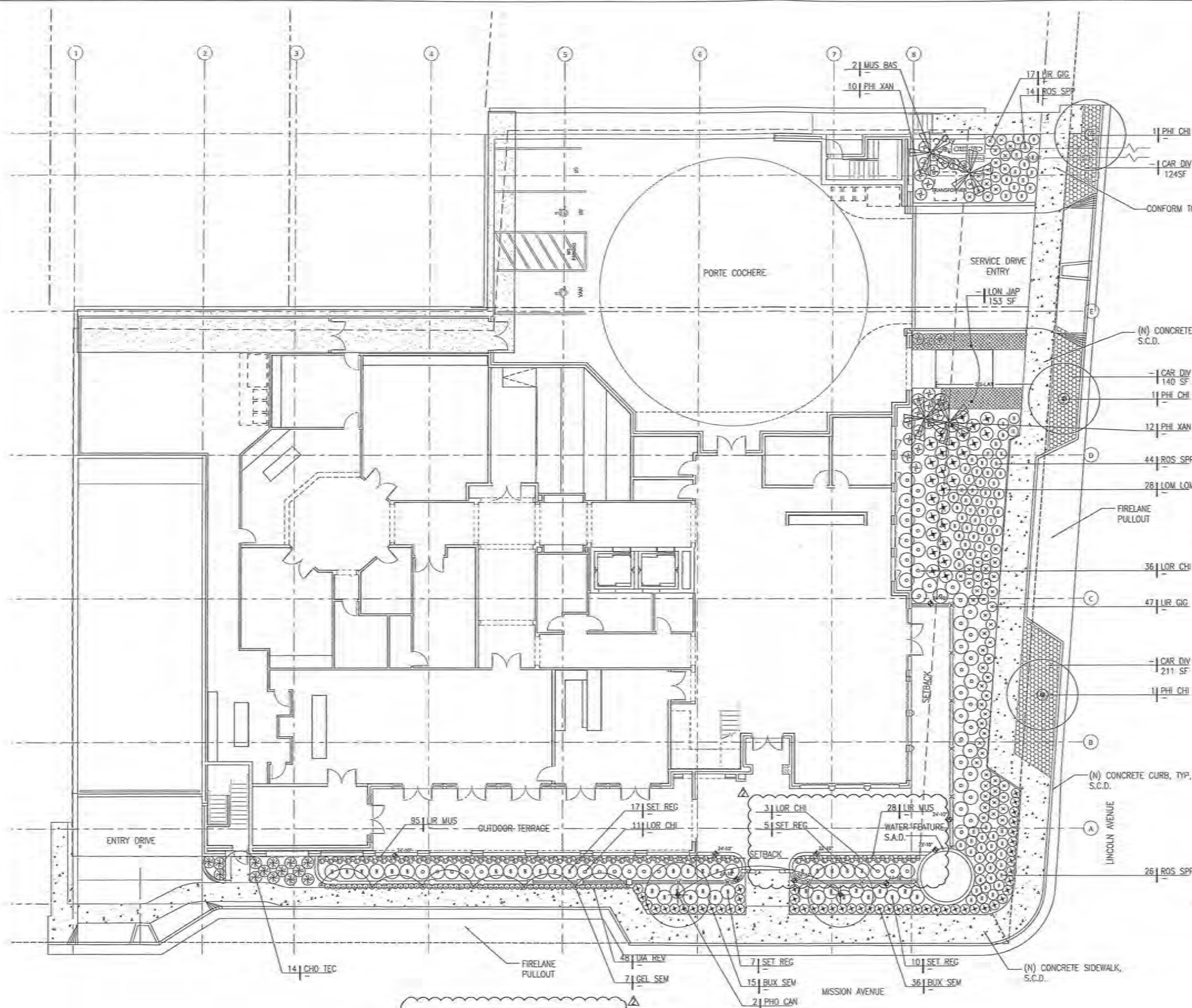
STORMWATER CONTROL DETAIL AND TABLES

RESUBMITTAL SET

DATE: 03.05.2018 PROJECT NUMBER: 164890

SHEET NUMBER: C2.01

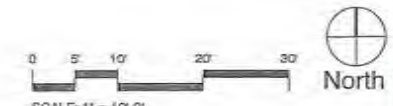
02727018 2/19/2018 RJA



LINCOLN AVENUE LANDSCAPE:
 FRONT YARD SETBACK: 2,513SF
 LANDSCAPE AREA: 1,330SF
 LANDSCAPE PERCENTAGE PROVIDED: 53%
 LANDSCAPE PERCENTAGE PROVIDED: 50%

MISSION AVENUE LANDSCAPE:
 SIDE YARD SETBACK: 1,813SF
 LANDSCAPE AREA: 930SF
 LANDSCAPE PERCENTAGE PROVIDED: 51%
 LANDSCAPE PERCENTAGE PROVIDED: 50%

NOTE:
 1. SEE SHEET L2.0 FOR PLANTING SCHEDULE & PROJECT NOTES.
 2. SEE SHEET L2.1 FOR PLANTING DETAILS ASSOCIATED TO GROUND LEVEL PLANTING



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| REVISION | DATE | REASON FOR ISSUE |
|----------|-----------|----------------------|
| 1 | 4/25/2018 | RESPONSE TO COMMENTS |
| 2 | 5/10/2018 | RESPONSE TO COMMENTS |

SHEET TITLE
PLANTING PLAN
 RESUBMITTAL SET

DATE
 03.05.2018
 PROJECT NUMBER
 164890



PLANTING SCHEDULE

| ABBREV | BOTANICAL | COMMON NAME | SIZE | SPACING | MATURE SIZE/ PLANT TYPE | WUCOLS RATING |
|-----------------------------|------------------------------------|--------------------------------|---------|-----------|----------------------------|---------------|
| TREES | | | | | | |
| MUS BAS | MUSA BASJOO | JAPANESE BANANA | 25 GAL | 4' O.C. | 12' HERBACEOUS | MEDIUM |
| PHO CAN | PHOENIX CANARIENSIS | CANARY ISLAND DATE PALM | 36" BOX | 30' O.C. | 30'+ / EVERGREEN | MEDIUM |
| PIS CHI | PISTACIA CHINENSIS | CHINESE PISTACHE | 36" BOX | PER PLANS | 30' DECIDUOUS | LOW |
| SHRUBS & GRASSES | | | | | | |
| BUX SEM | BUXUS SEMPERVIRENS 'SUFFRUTICOSA' | DWARF BOXWOOD | 1 GAL | 1'-0" | 2' EVERGREEN | MEDIUM |
| CAR DIV | CAREX DIVULSA | BERKELEY SEDGE | 1 GAL | 1'-8" | 12" EVERGREEN | VERY LOW |
| CHO TEC | CHONDRPETALUM TECTORUM | SMALL CAPE RUSH | 1 GAL | 2'-0" | 2' / EVERGREEN | LOW |
| DIA REV | DIANELLA REVOLUTA 'LITTLE REV' | LITTLE REV FLAX LILY | 1 GAL | 1'-6" | 18" / EVERGREEN | LOW |
| LIR GIG | LIRIOPE GIGANTEA | GIANT LILY TURF | 1 GAL | 1'-6" | 18" EVERGREEN | MEDIUM |
| LIR MUS | LIRIOPE MUSCARI | BLUE LILY TURF | 1 GAL | 1'-0" | 12" EVERGREEN | MEDIUM |
| LOM LON | LOMANDRA LONGIFOLIA 'BREEZE' | DWARF MAT RUSH | 1 GAL | 2'-6" | 2' / EVERGREEN | LOW |
| LON JAP | LONICERA JAPONICA | JAPANESE HONEYSUCKLE | 1 GAL | 3'-0" | 2' / EVERGREEN | MEDIUM |
| LOR CHI | LOROPETALUM CHINENSE | FRINGE FLOWER | 5 GAL | 4'-6" | 3'-6' / EVERGREEN | LOW |
| PHI XAN | PHILODENDRON XANADU | PHILODENDRON | 1 GAL | 3'-0" | 2' / EVERGREEN | MEDIUM |
| ROS SPP | ROSA SPECIES | GROUNDCOVER CARPET ROSE 'PINK' | 1 GAL | 3'-0" | 18" TO 2' / SEMI-EVERGREEN | MEDIUM |
| STR REG | STRELITZIA REGINAE | BIRD OF PARADISE | 5 GAL | 4' | 4' TO 6' / EVERGREEN | MEDIUM |
| VINES | | | | | | |
| GEL SEM | GELSEMIUM SEMPERVIRENS 'MARGARITA' | HARDY CAROLINA JASMINE | 1 GAL | 4'-0" | 6'-8" TRAILING/EVERGREEN | MEDIUM |

PLANT CHARACTER IMAGERY

TREES



MUSA BASJOO



PHOENIX CANARIENSIS



PISTACIA CHINENSIS

SHRUBS



BUXUS SEMPERVIRENS 'SUFFRUTICOSA'



CAREX DIVULSA



CHONDRPETALUM TECTORUM



DIANELLA REVOLUTA 'LITTLE REV'



LIRIOPE GIGANTEA



LOMANDRA LONGIFOLIA 'BREEZE'



LONICERA JAPONICA



LOROPETALUM CHINENSE



PHILODENDRON XANADU



ROSA SPECIES



STRELITZIA REGINAE



LIRIOPE MUSCARI

VINES



GELSEMIUM SEMPERVIRENS 'MARGARITA'

PLANTING NOTES

- Plant list provided is for the convenience of the Contractor. In case of discrepancies, the plan shall govern.
- Unless otherwise noted, all groundcover and shrubs shall be spaced triangularly.
- All plants shall conform to standards set in the American Standards for Nursery Stock by the American Association of Nurserymen. All plants to be container stock, healthy, vigorous, pest and disease-free, and without fresh abrasions to the bark or excessive abrasions or disfigurements. All plants shall have well-developed branch systems and fibrous root systems which are not pot-bound. All plants shall be of the species, variety, size and condition as specified on the drawings.
- All plants brought onto the site shall be watered and protected from excessive wind, sun, physical damage, or theft until planting.
- All plants shall be placed in approximate locations on plan. Final adjustment shall be made by the Landscape Architect prior to planting. The Landscape Architect reserves the right to make deletions, additions, or substitutions to the planting plan in the field as necessary, with adjustments in the contract as appropriate.
- Areas with 1 gallon or smaller pots shall have a soil amendment. Rototill the amendment to a depth of 8". Take care not to rototill within the drip line of existing trees to remain; instead, perform the work by hand to protect roots. Amend with 'Walt Whitman' or equal amendment at a rate of 6 cu yds per 1000sq ft.
- Areas with 5 gallon or larger size containers shall be planted by plant pit. When pits have been backfilled approximately 2/3 their depth, water thoroughly with a hose before installing remainder of planting mix to top of pit. When backfilling is partially completed, extra care should be taken to see that planting mix is worked around root ball. Eliminate air pockets. Backfilling shall be completed by a tamping process. Do not allow root balls to dry out before planting. Do not allow soil or dense mulch to build up around stem of plant.
- A mound of earth shall be formed around each tree or shrub to produce a shallow basin to retain water, located on the backfill such that water will be forced throughout the root ball. Plants shall be watered in place during and after backfilling.
- Shrub and tree backfill mix shall be a ratio of 70% native soil to 30% amendment.
- All trees shall be staked. Stakes shall be lodgepole pine, copper naphanate treated 10"x2" diameter with chamfered top. Stakes shall be driven 2' into firm ground and fastened securely with ties. All stakes to be set plumb.
- All 1 gallon or larger size trees and shrubs shall have BestPak or equal fertilizer packets set at the midpoint of the backfill, amount and size according to the manufacturer's recommendations. All smaller size containers shall be fertilized with Osmocote or equal at the manufacturer's recommended application rate.
- All areas shall be treated with pre-emergent herbicide by a Certified Applicator. Applications shall be to pre-dampened soil within three days of planting, after having been thoroughly watered in and before mulch has been applied. After this initial application, weed seed germination may be controlled by subsequent applications of pre-emergent on March 1st and September 15th.
- The Contractor is responsible for maintenance of the landscape until final approval.
- Trees and shrubs shall be under warranty for a period of 9 months, all other planting for 90 days from the date of final project approval by the Owner. Upon determination by Landscape Architect, replacement shall require plants of the same species, variety, and size and will be at the Contractor's expense.
- Per MMWD Ordinance 421, Contractor to cover all planting areas with 3" layer of bark mulch on all exposed soils (except turf areas) provide samples to Landscape Architect for final approval.
- Per MMWD Ordinance 421, Contractor to provide compost or natural fertilizer to all planting areas at a rate of 6 cubic yards per 1000 sq ft. with a min depth of 8". A min of 8" of non-mechanically compacted soil shall be available for water absorption & root growth in planted areas.

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| REVISION | DATE | REASON FOR ISSUE |
|----------|----------|----------------------|
| 1 | 4/6/2018 | RESPONSE TO COMMENTS |
| 2 | 5/8/2018 | RESPONSE TO COMMENTS |

**SHEET TITLE
PLANTING
SCHEDULE**

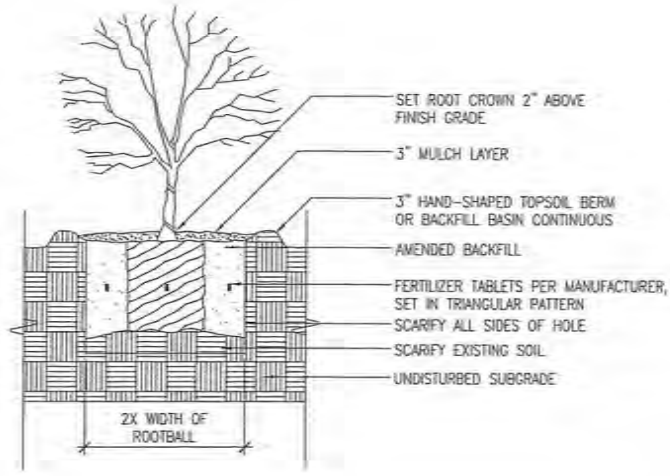
RESUBMITTAL SET

DATE: 03.05.2018 PROJECT NUMBER: 164890

SHEET NUMBER

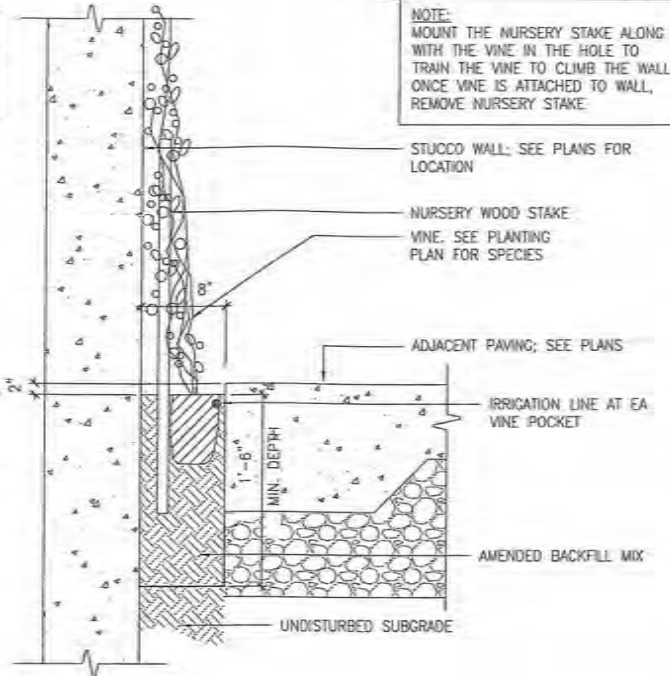
2022/01/24/2018.dwg
 C:\Users\jordan\OneDrive\Documents\Projects\2018\2018-01-24\2018-01-24.dwg

NOTES:
 1. REMOVE CONTAINER BEFORE INSTALLING; LOOSEN & SCARIFY THE ROOTBALL.
 2. HAND-COMPACT SOIL AROUND ROOTBALL.
 3. THOROUGHLY SOAK PLANT WITH A FINE MIST AFTER INSTALLATION.



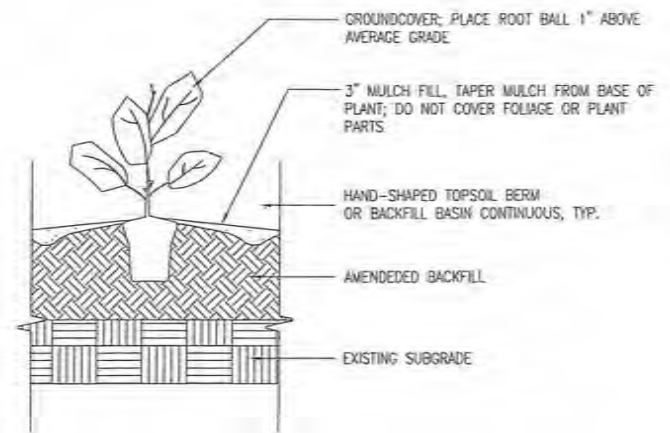
○ SHRUB PLANTING ON NATURAL GRADE
 SCALE: N15

NOTE:
 MOUNT THE NURSERY STAKE ALONG WITH THE VINE IN THE HOLE TO TRAIN THE VINE TO CLIMB THE WALL. ONCE VINE IS ATTACHED TO WALL, REMOVE NURSERY STAKE.

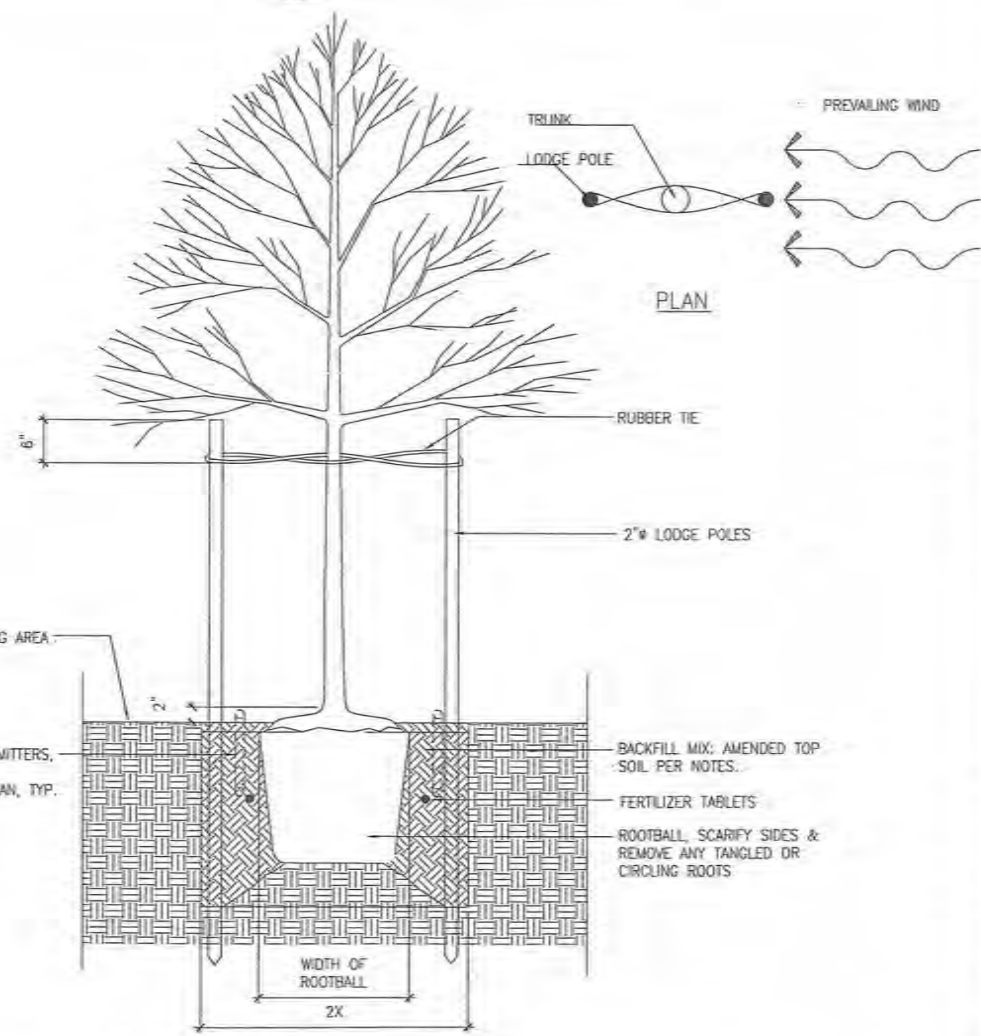


○ VINE POCKET @ WALL
 SCALE: 1/2"=1'-0"

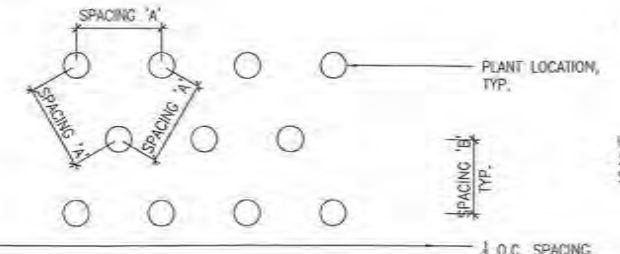
NOTE:
 1. REMOVE CONTAINER BEFORE INSTALLING; LOOSEN & SCARIFY THE ROOTBALL.
 2. COMPACT SOIL AROUND ROOT BALL.
 3. THOROUGHLY SOAK PLANT WITH A FINE MIST AFTER INSTALLATION UNTIL IRRIGATION IS INSTALLED.



○ GROUNDCOVER PLANTING
 SCALE: N15



○ TREE PLANTING & STAKING
 SCALE: N15



USE DIAGRAM FOR WHEN PLANTS ARE SPACED EQUAL DISTANCE FROM EACH OTHER AS IN ALL SAME GROUND COVER PLANTINGS AND SAME MASSED SHRUB PLANTINGS.

○ PLANT SPACING DIAGRAM
 SCALE: NOT TO SCALE

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| REVISION | DATE | REASON FOR ISSUE |
|----------|-----------|----------------------|
| ▲ | 4/25/2018 | RESPONSE TO COMMENTS |
| ▲ | 5/16/2018 | RESPONSE TO COMMENTS |

SHEET TITLE
 PLANTING
 DETAILS

RESUBMITTAL SET

DATE: 03.05.2018
 PROJECT NUMBER: 164890



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| REVISION | DATE | REASON FOR ISSUE |
|----------|------|------------------|
| | | |
| | | |
| | | |

TITLE SHEET

PLANNING

| | |
|---------------------|--------------------------|
| DATE MAR 3, 2021 | PROJECT NUMBER 174170 |
|---------------------|--------------------------|

SHEET NUMBER

PROJECT INFORMATION

GENERAL

ZONING: HR-1
MULTIFAMILY RESIDENTIAL
(HIGH DENSITY)
1,000 SF LAND PER DWELLING UNIT

MAX. BUILDING HEIGHT: 48'
PROPOSED BUILDING HEIGHT: 47'

MIN. USABLE OUTDOOR AREA: 100 SF
PROPOSED USABLE OUTDOOR AREA: 3,970 SF

AP NUMBERS: 11-184-09, -08

UNITS PROPOSED: 106

BEDS: 114

PROJECT DIRECTORY

GENERAL

APPLICANT

AEGIS SENIOR COMMUNITIES
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laurieg@ankrommoisan.com

DESIGN DESCRIPTION

PROPOSED OCCUPANCY: R2.1

MULTIFAMILY RESIDENTIAL
(HIGH DENSITY)

THE PROPOSED DESIGN IS AN 106 UNIT, FIVE STORY BUILDING WITH SUBTERRANEAN GARAGE. THE LOCATION IS AT THE CORNER OF MISSION AND LINCOLN IN SAN RAFAEL. IT IS WALKING DISTANCE TO DOWNTOWN, THE TRANSIT CENTER, AND FUTURE SMART RAIL STATION. THE FIRST AND SECOND FLOORS OF RESIDENTIAL LIVING, LOCATED ONE LEVEL ABOVE STREET, WILL HOUSE 54 UNITS DEDICATED TO MEMORY CARE RESIDENTS. THE UPPER TWO FLOORS WILL HOUSE 52 UNITS OF ASSISTED LIVING RESIDENTS. THE GROUND FLOOR PORT COCHERE WILL CONTAIN 2 ADA SPACES, 1 AEGIS VAN PARKING SPACE AND LOADING AREA. THERE ARE 2 STREET PULLOUTS PROPOSED FOR FIRE ACCESS AND LOADING. ONE AT MISSION AVE AND ONE AT LINCOLN AVE.

THE SUBTERRANEAN GARAGE WILL CONTAIN 32 SPACES TOTAL (INCLUDING 2 ADA SPACES). THE PARKING TOTAL FOR THE COMPLEX WILL INCLUDE 40 DEDICATED SPACES (INCLUDING THE 4 ADA SPACES). ENTRANCE AND EXIT TO SUBTERRANEAN GARAGE WILL BE LOCATED OFF MISSION. ENTRANCE AND EXIT TO GROUND LEVEL GARAGE WILL BE LOCATED OFF LINCOLN.

PROJECT CONTAINS A MIX OF 1 BEDROOM & STUDIO UNITS. FIRST AND SECOND LEVELS OF RESIDENTIAL (ONE LEVEL UP FROM STREET), WILL BE DESIGNATED FOR MEMORY CARE USE. THE UNITS ON THIS FLOOR WILL HAVE NON OPERATIONAL DOORS TO 'FALSE BALCONY'S'. THERE WILL BE ONE CONTROLLED ACCESS POINT FOR GARDENING PURPOSES ON THIS FLOOR. THE FORTH AND FIFTH RESIDENTIAL FLOORS (UPPER TWO) WILL BE DESIGNATED FOR ASSISTED LIVING AND WILL HAVE EXTERIOR BALCONY ACCESS FROM DESIGNATED UNITS ON THE MISSION AND LINCOLN SIDES.

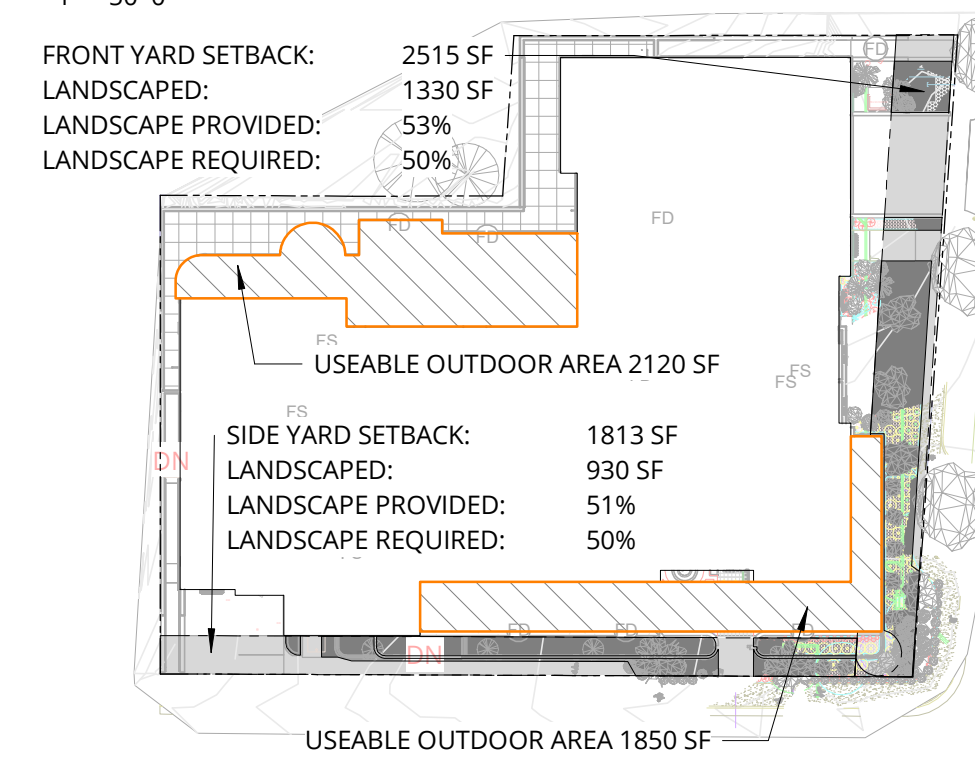
THE ARCHITECTURAL GOALS OF THE GROUND LEVEL ARE TO CREATE A VERY AESTHETICALLY RICH, INVITING ENVIRONMENT WHILE SIMULTANEOUSLY RELATING TO THE EXISTING HISTORIC ARCHITECTURE OF SAN RAFAEL FROM THE STREET, A DEDICATED ENTRANCE FACADE, COUPLED WITH MULTI LEVEL, STAGGERED ROOFING ON EXTERIOR BALCONIES AND A FOCAL TOWER, WITH ARCHITECTURALLY SEPARATED BUILDING SECTIONS PROVIDES AN INTERESTING VIEW CONTAINING DESIRED CURB APPEAL. VISUAL DEPTH IS ACHIEVED THROUGH THE BALCONY'S, THE ROOF SEPARATIONS, AND THE BUILDING SEPARATIONS FROM VERTICAL MOVEMENT POINTS, SHADOWS AND DEPTH PREVENT MONOTONOUS WALLS AND BORING PLANES, OR BORING OVERALL MASSING IN GENERAL. THE SITE WILL BE LANDSCAPED TO PROVIDE SCREENING AND NATURAL APPEAL.

SETBACKS

THE SETBACKS OF THE ORIGINAL APPROVED DESIGN ARE MAINTAINED TO INCLUDE 5' SETBACKS ON THE REAR AND SIDES OF THE FOOTPRINT, AS WELL AS A 10' SETBACK FROM MISSION AND A 15' SETBACK FROM LINCOLN. PROPOSED BUILDING FACADES/ARTICULATIONS EMULATE APPROVED DESIGN.

LANDSCAPE DIAGRAM

1" = 50'-0"



SHEET INDEX

| SHEET NUMBER | SHEET NAME |
|--------------|--|
| 1 | TITLE SHEET |
| 2.1 | LEVEL P1 FLOOR PLAN |
| 3 | MAIN LEVEL FLOOR PLAN |
| 4.1 | SECOND FLOOR - RESIDENTIAL PLAN |
| 4.2 | THIRD FLOOR PLAN |
| 5.1 | FOURTH FLOOR PLAN - FORMERLY L3 |
| 6.1 | FIFTH FLOOR PLAN - FORMERLY L4 |
| 7.1 | ROOF PLAN |
| 8.1 | EXTERIOR ELEVATIONS |
| 8.2 | EXTERIOR ELEVATIONS - DESIGN EVOLUTION |
| 9.1 | EXTERIOR ELEVATIONS |
| 9.2 | EXTERIOR ELEVATIONS - DESIGN EVOLUTION |
| 10 | SECTIONS |
| 11 | DETAILS |
| 12 | MAIN LEVEL - PLANTING PLAN |
| 13 | SECOND FLOOR LANDSCAPE PLAN |
| 15 | PLANT MATERIAL SCHEDULE |
| 16 | PLANT MATERIAL IMAGERY |
| 17 | SITE PLAN - LIGHTING |
| 18 | SECOND FLOOR PLAN - LIGHTING PLAN |
| 19 | OVERALL ROOF - LIGHTING PLAN |

VICINITY MAP



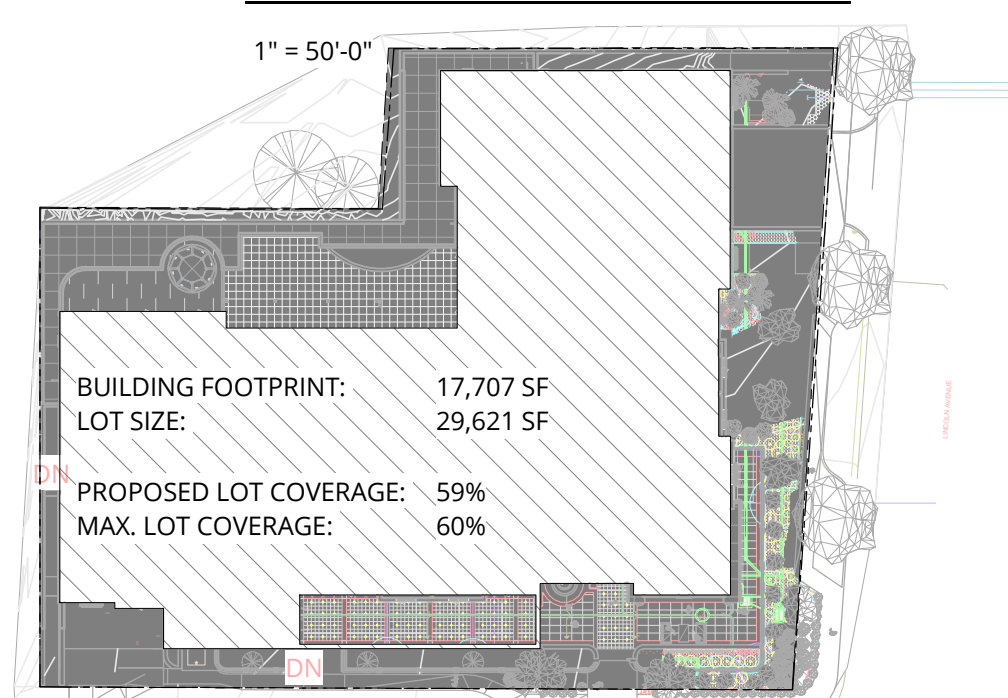
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THESE DOCUMENTS ARE INTENDED ONLY TO ILLUSTRATE GENERAL DESIGN ELEMENTS.

DEVIATIONS MAY EXIST BETWEEN THESE DOCUMENTS AND DOCUMENTS THAT HAVE BEEN REVIEWED AND APPROVED BY THE CITY OF SAN RAFAEL PLANNING AUTHORITIES.

| UNIT SCHEDULE | | |
|---------------|-------|------------|
| UNIT TYPE | COUNT | AREA TOTAL |
| LEVEL 5 | | |
| AL.1 | 3 | 2004 |
| AL.S | 24 | 8747 |
| | 27 | 10751 |
| LEVEL 4 | | |
| AL.1 | 2 | 1388 |
| AL.S | 25 | 9652 |
| | 27 | 11040 |
| LEVEL 3 | | |
| LN.S | 26 | 8931 |
| | 26 | 8931 |
| LEVEL 2 | | |
| LN.S | 26 | 8969 |
| | 26 | 8969 |
| Grand total | 106 | 39691 |

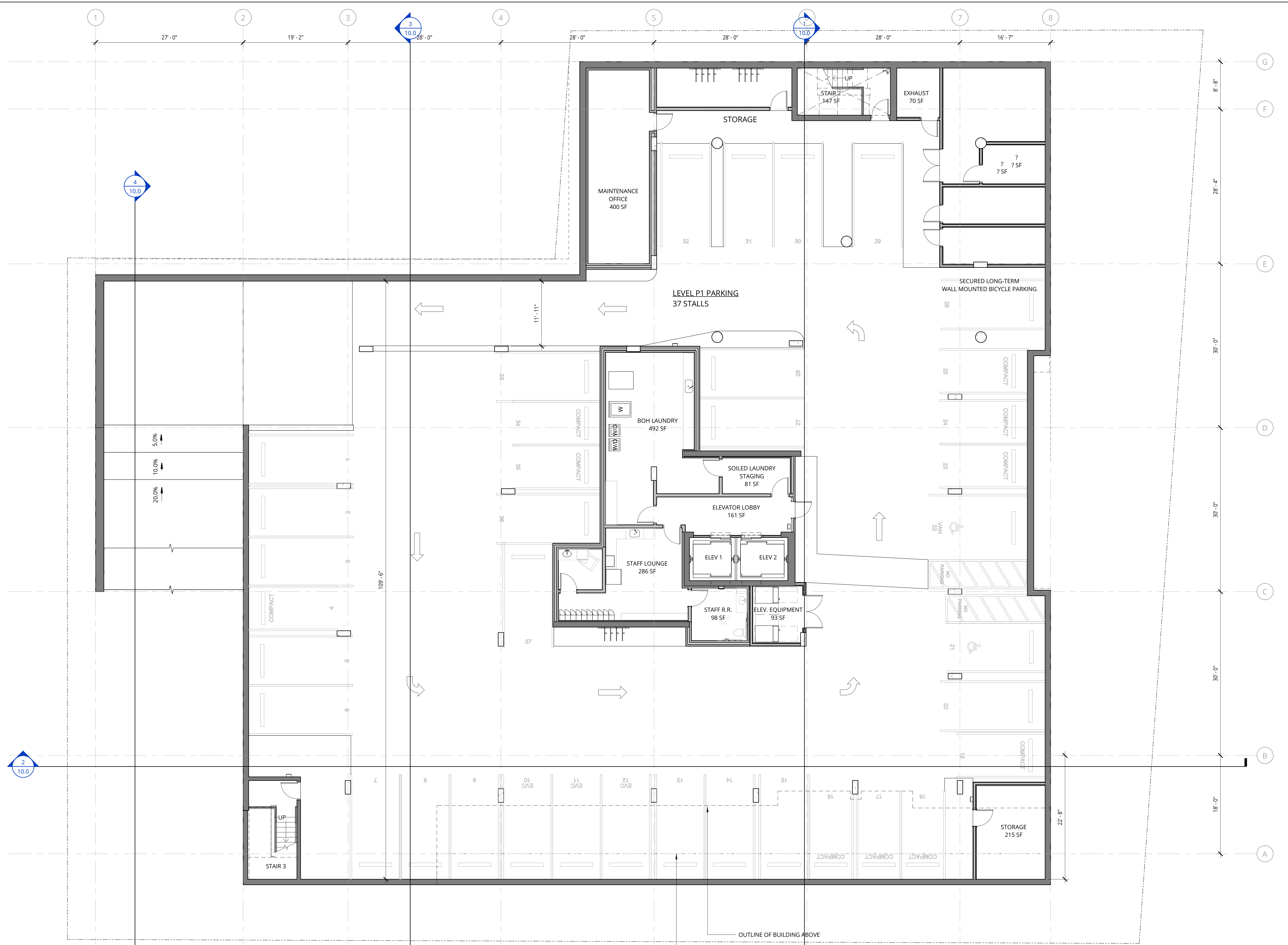
LOT COVERAGE DIAGRAM

1" = 50'-0"

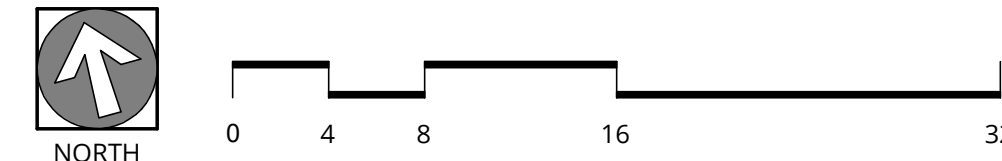


3/6/2021 11:23:59 AM

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1 LOWER GARAGE PLAN
1/8" = 1'-0"



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206.576.1600

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LOWER GARAGE PLAN

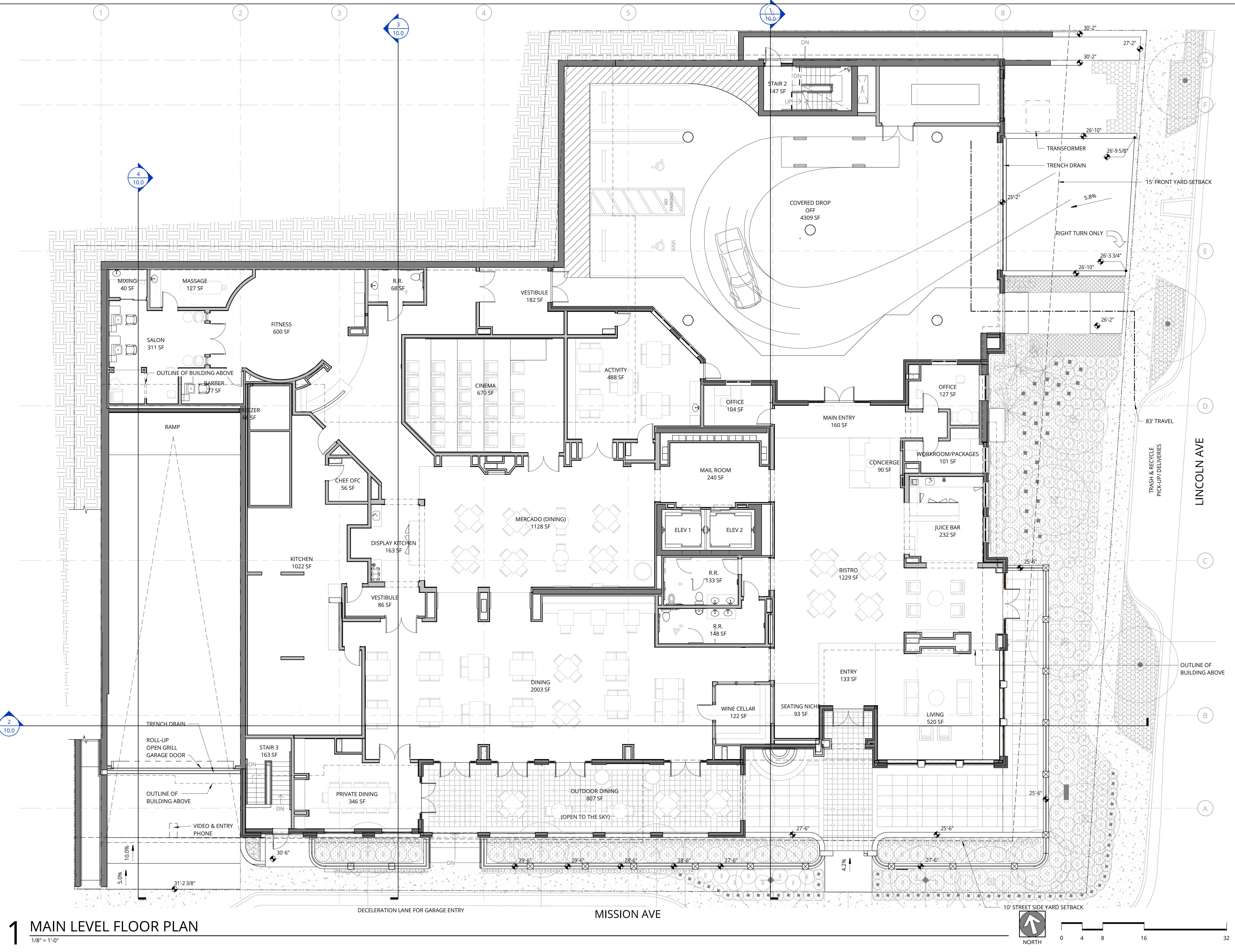
PLANNING

DATE: MAR 3, 2021 PROJECT NUMBER: 174170

SHEET NUMBER: 2.1

3/8/2021 11:26:05 AM

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1 MAIN LEVEL FLOOR PLAN
1/8" = 1'-0"

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MAIN LEVEL FLOOR PLAN

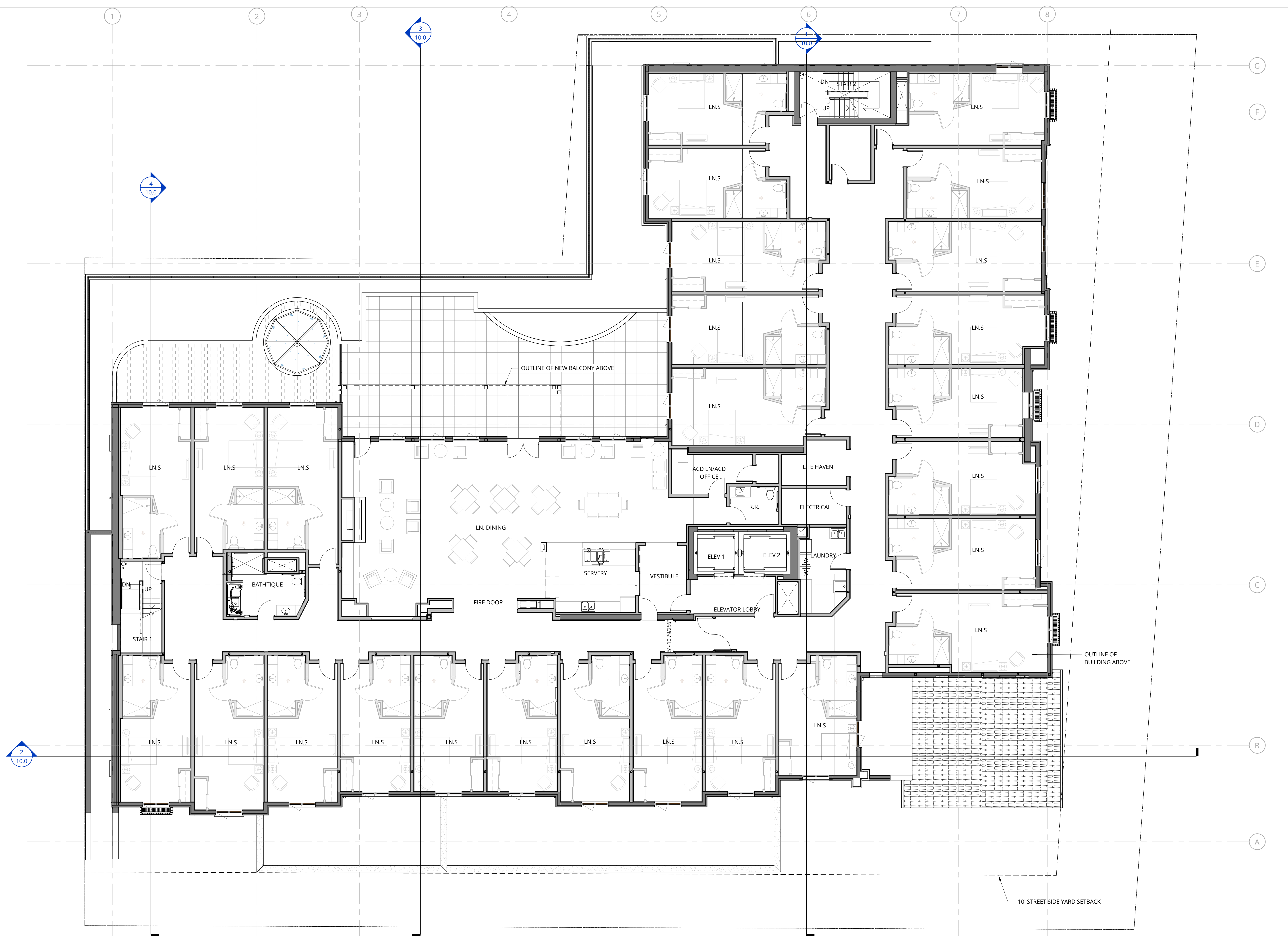
PLANNING

DATE: MAR 3, 2021 PROJECT NUMBER: 174170

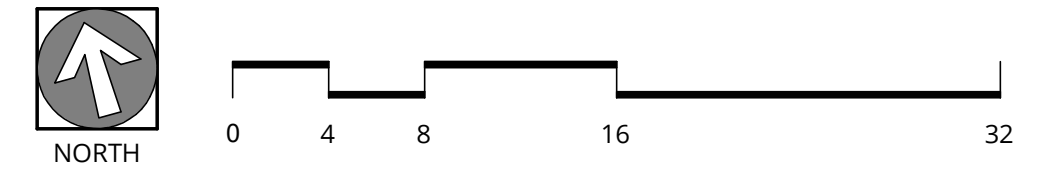
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3/8/2021 11:24:10 AM

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1 SECOND FLOOR - RESIDENTIAL PLAN
1/8" = 1'-0"



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SECOND FLOOR - RESIDENTIAL PLAN

PLANNING

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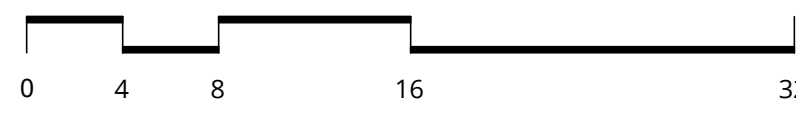
SHEET NUMBER: **4.1**

3/8/2021 11:26:16 AM

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1 L3 FLOOR PLAN
1/8" = 1'-0"



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L3 FLOOR PLAN

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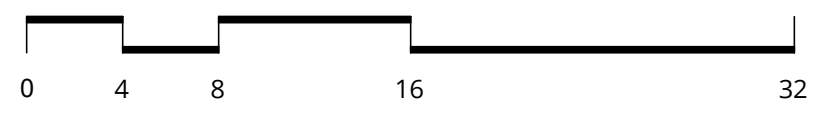
SHEET NUMBER: **4.2**

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1 L4 FLOOR PLAN
1/8" = 1'-0"



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L4 FLOOR PLAN

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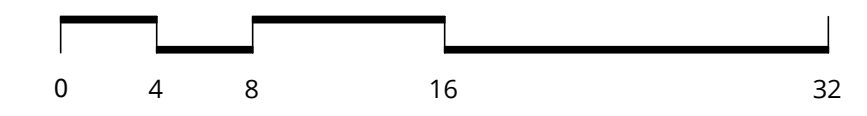
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1 L5 FLOOR PLAN
1/8" = 1'-0"



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L5 FLOOR PLAN

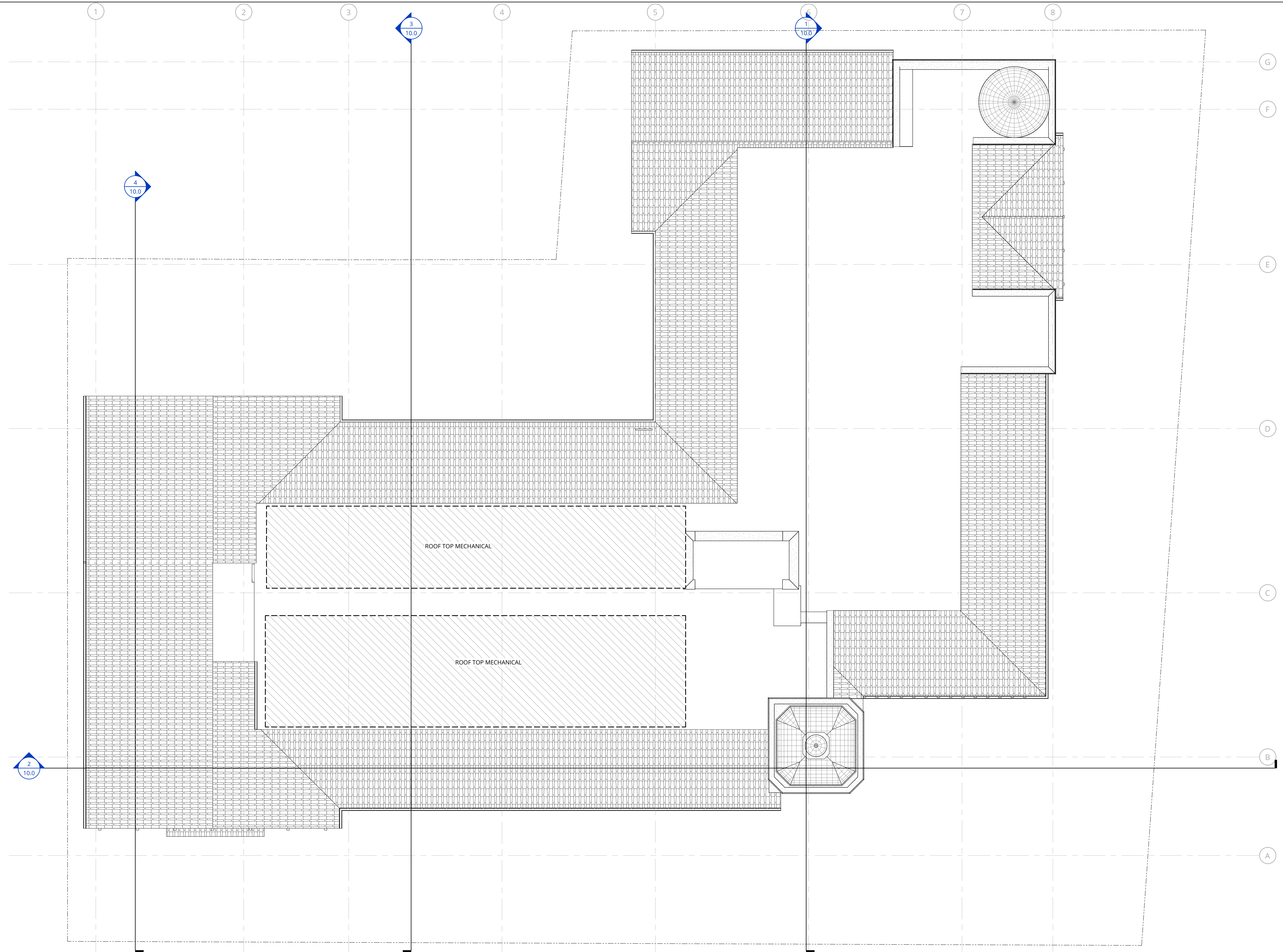
PLANNING

DATE: MAR 3, 2021 PROJECT NUMBER: 174170

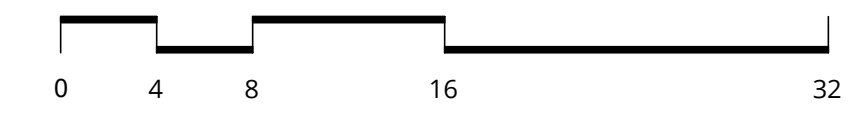
SHEET NUMBER: **6.1**

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1 ROOF PLAN
1/8" = 1'-0"



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ROOF PLAN

PLANNING

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EXTERIOR ELEVATIONS

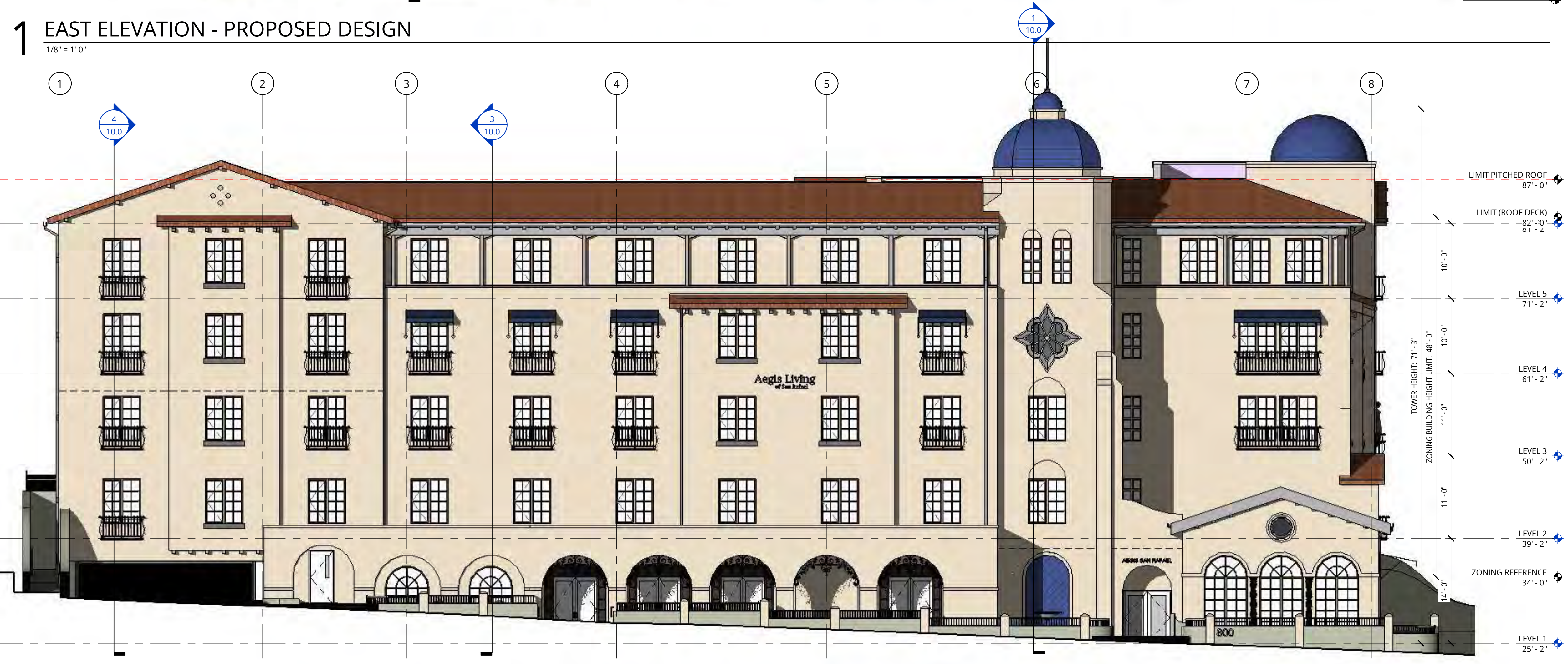
PLANNING

DATE: MAR 3, 2021 PROJECT NUMBER: 174170

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1 EAST ELEVATION - PROPOSED DESIGN
1/8" = 1'-0"



2 SOUTH ELEVATION - PROPOSED DESIGN
1/8" = 1'-0"



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1 EAST ELEVATION - APPROVED BY DRB IN 2019
1/16"=1'-0"



SOUTH ELEVATION - APPROVED BY DRB IN 2019
1/16"=1'-0"



2 EAST ELEVATION - BUILDING PERMITTED IN 2020
1/16"=1'-0"



SOUTH ELEVATION - BUILDING PERMITTED IN 2020
1/16"=1'-0"



3 EAST ELEVATION - PROPOSED DRB DESIGN
1/16"=1'-0"



SOUTH ELEVATION - PROPOSED DRB DESIGN
1/16"=1'-0"

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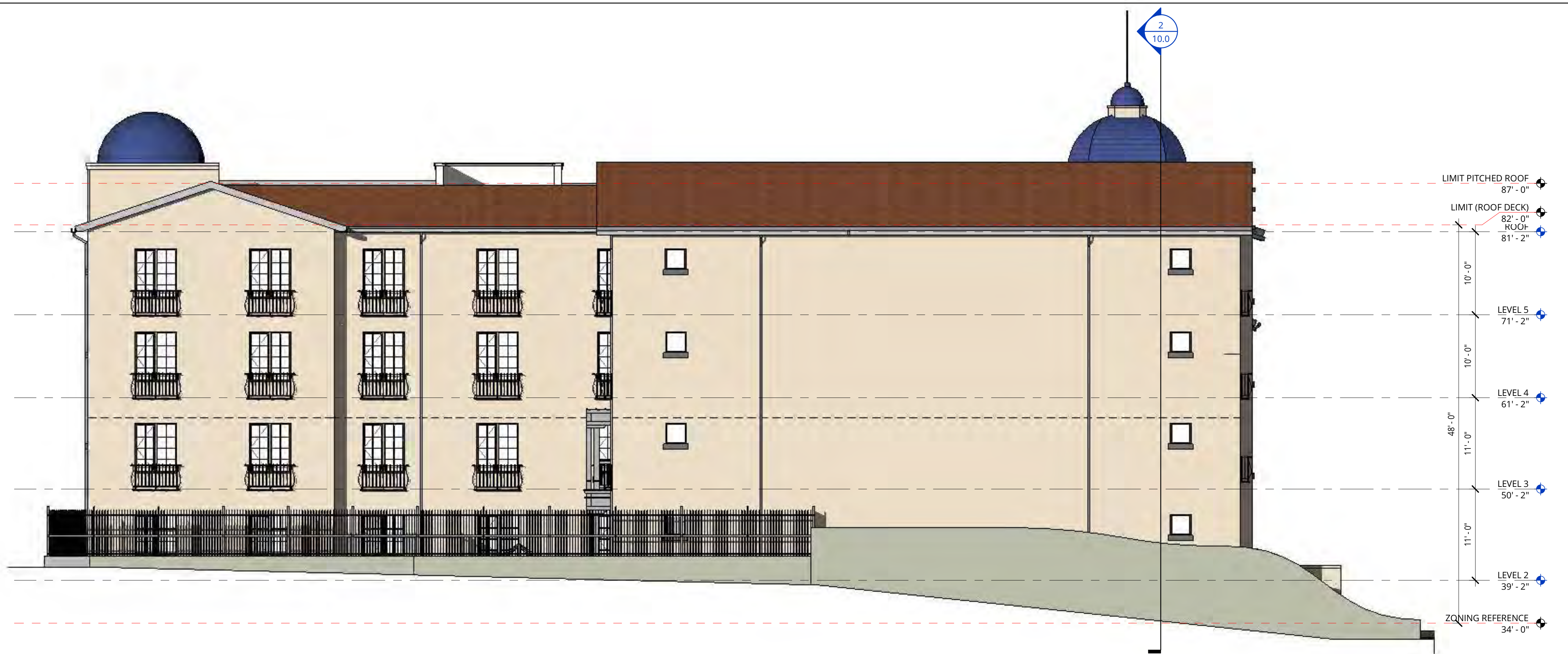
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EXTERIOR ELEVATIONS - DESIGN EVOLUTION PLANNING

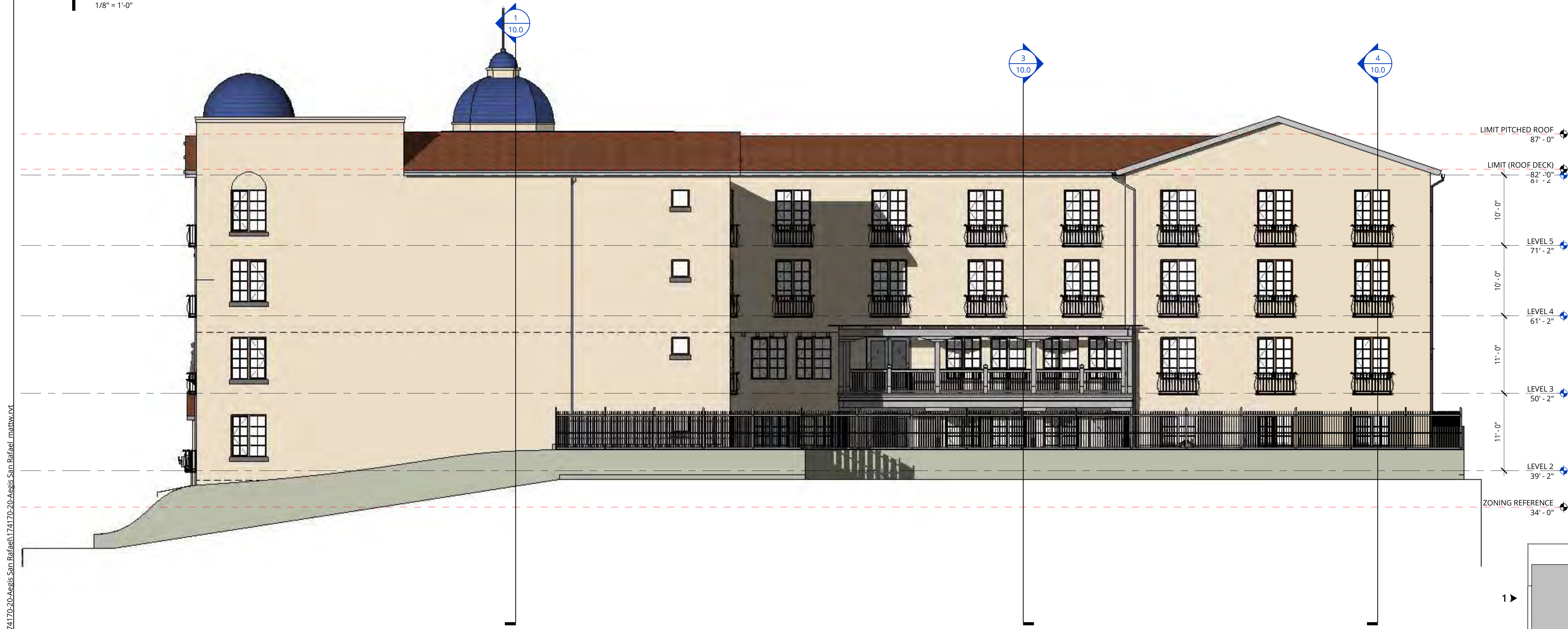
DATE MAR 3, 2021 PROJECT NUMBER 174170

SHEET NUMBER

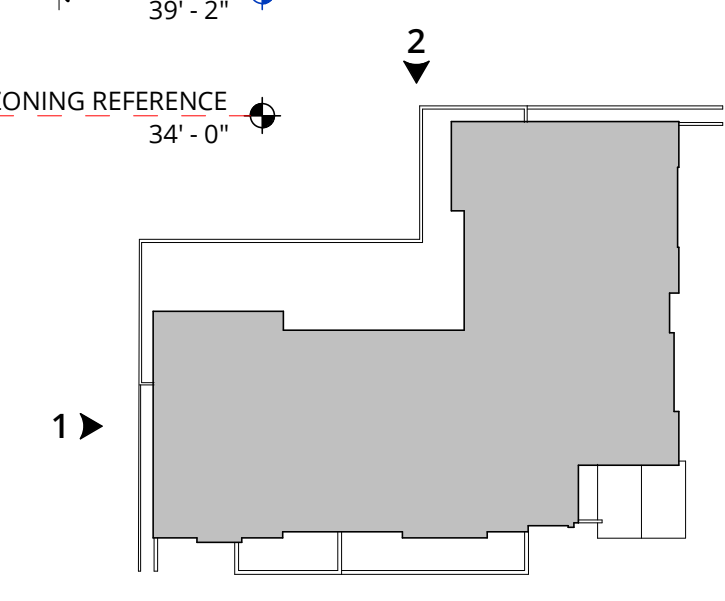
3/8/2021 11:26:42 AM



1 WEST ELEVATION - PROPOSED
1/8" = 1'-0"



2 NORTH ELEVATION - PROPOSED
1/8" = 1'-0"



KEY MAP

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EXTERIOR ELEVATIONS

PLANNING

DATE
MAR 3, 2021

PROJECT NUMBER
174170

SHEET NUMBER

9.1

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1 WEST ELEVATION - APPROVED BY DRB IN 2019
1/16"=1'-0"



4 NORTH ELEVATION - APPROVED BY DRB IN 2019
1/16"=1'-0"



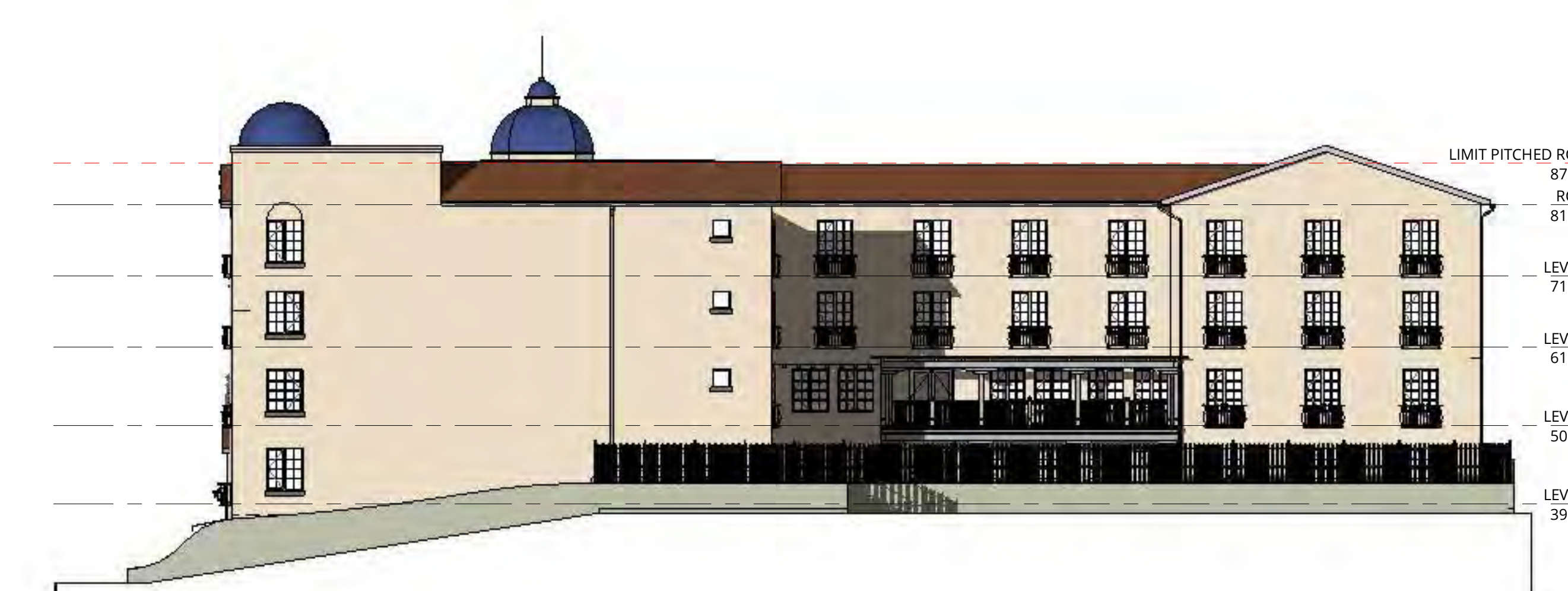
2 WEST ELEVATION - PERMITTED IN 2020
1/16"=1'-0"



5 NORTH ELEVATION - PERMITTED IN 2020
1/16"=1'-0"



3 WEST ELEVATION - PROPOSED DRB DESIGN
1/16"=1'-0"



6 NORTH ELEVATION - PROPOSED DRB DESIGN
1/16"=1'-0"

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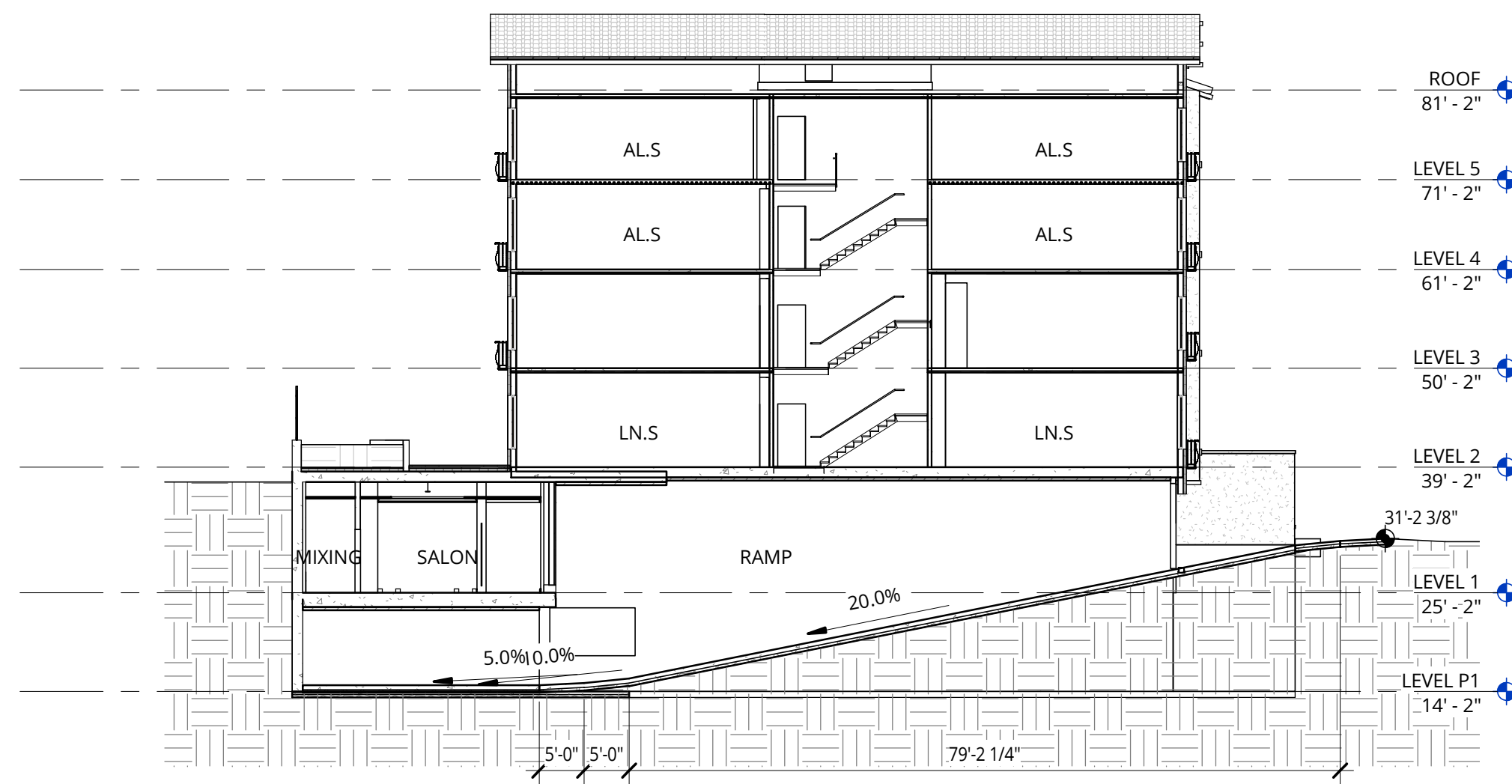
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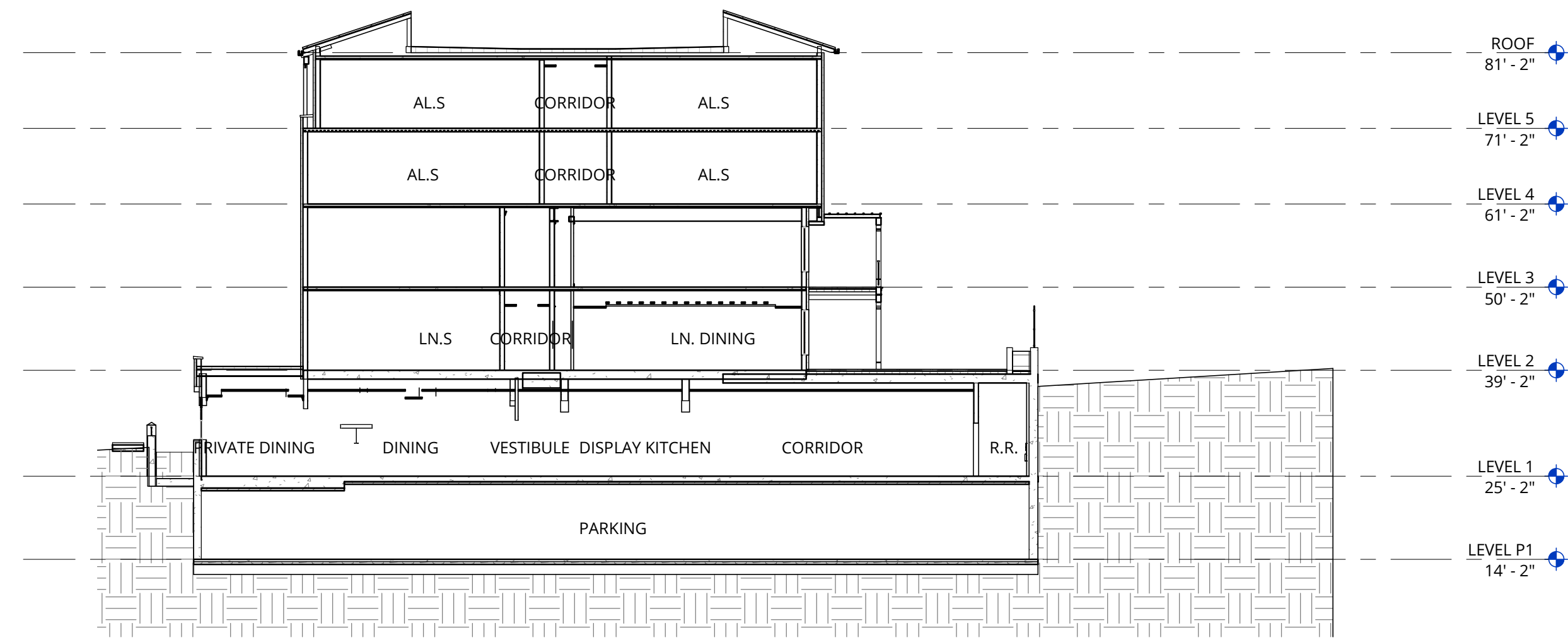
EXTERIOR ELEVATIONS - DESIGN EVOLUTION PLANNING

DATE: MAR 3, 2021 PROJECT NUMBER: 174170

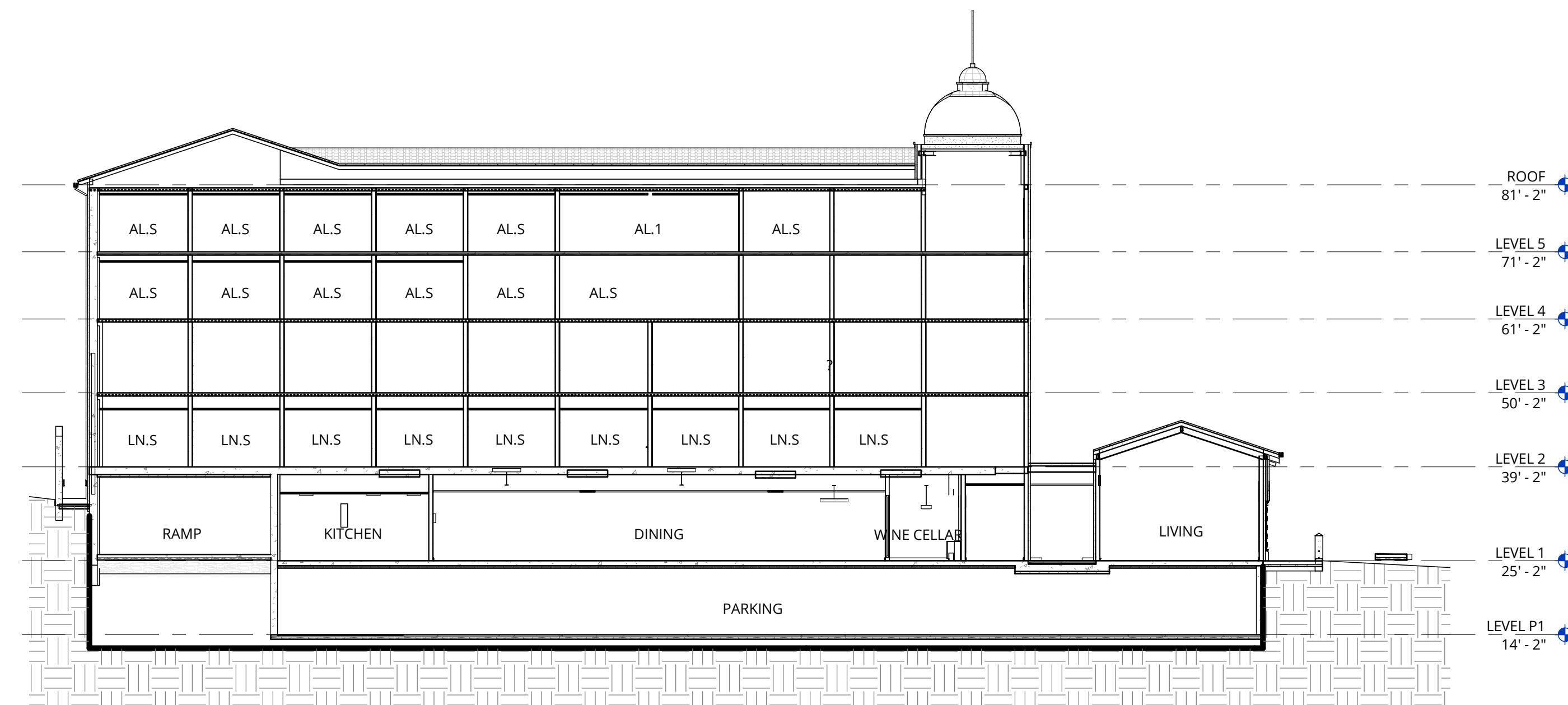
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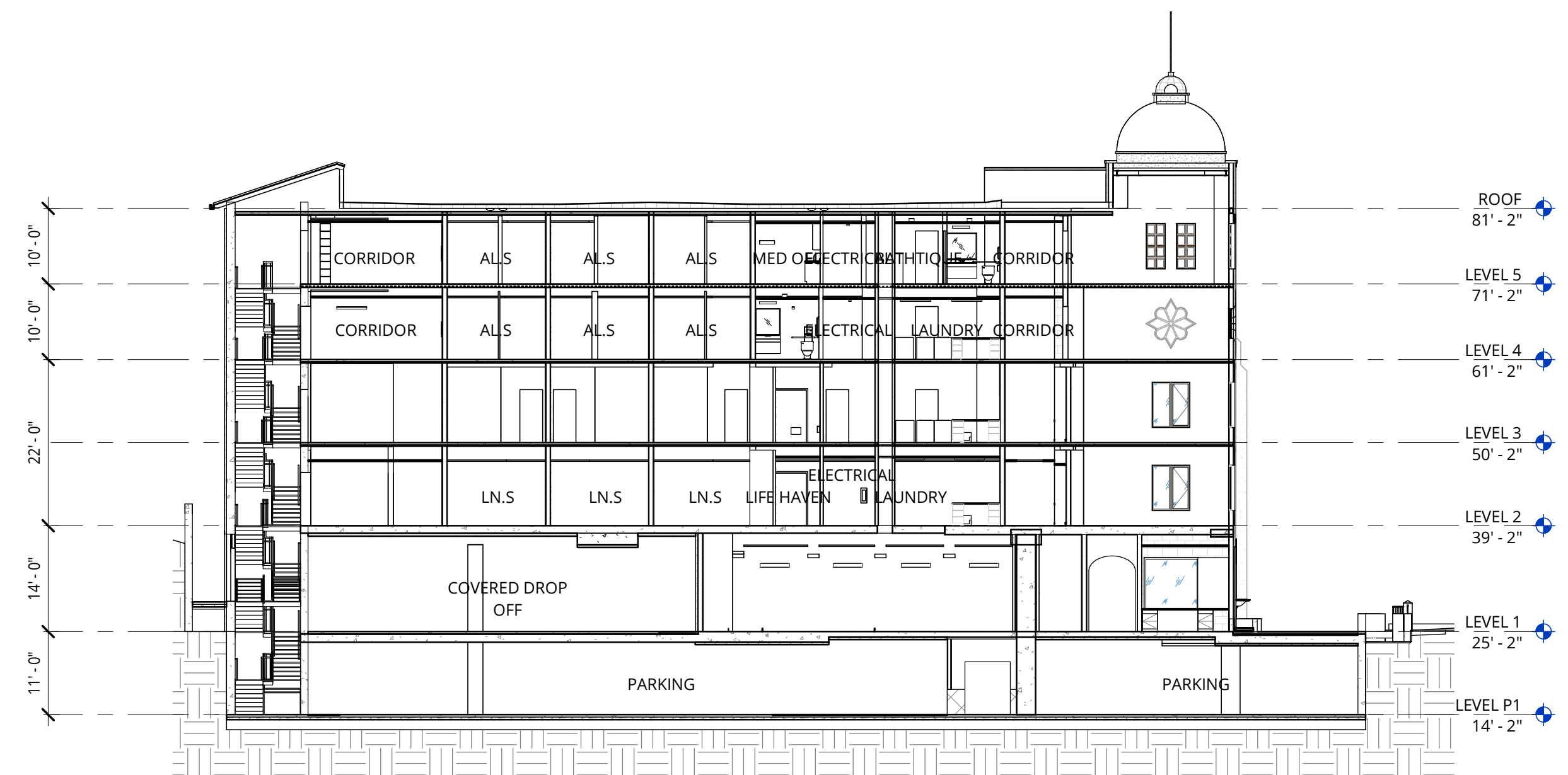
4 BUILDING SECTION AT PARKING RAMP
1/16" = 1'-0"



3 BUILDING SECTION 3
1/16" = 1'-0"



2 BUILDING SECTION 2
1/16" = 1'-0"



1 BUILDING SECTION 1
1/16" = 1'-0"

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SECTIONS

PLANNING

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MAR 3, 2021

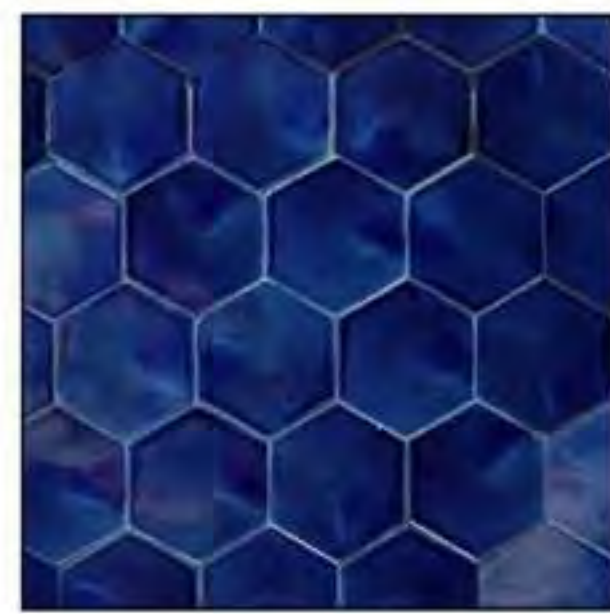
PROJECT NUMBER
174170

SHEET NUMBER

10.0



1. TILE ROOF



2. BLUE ROOF TILE



3. TIMBER DETAILING



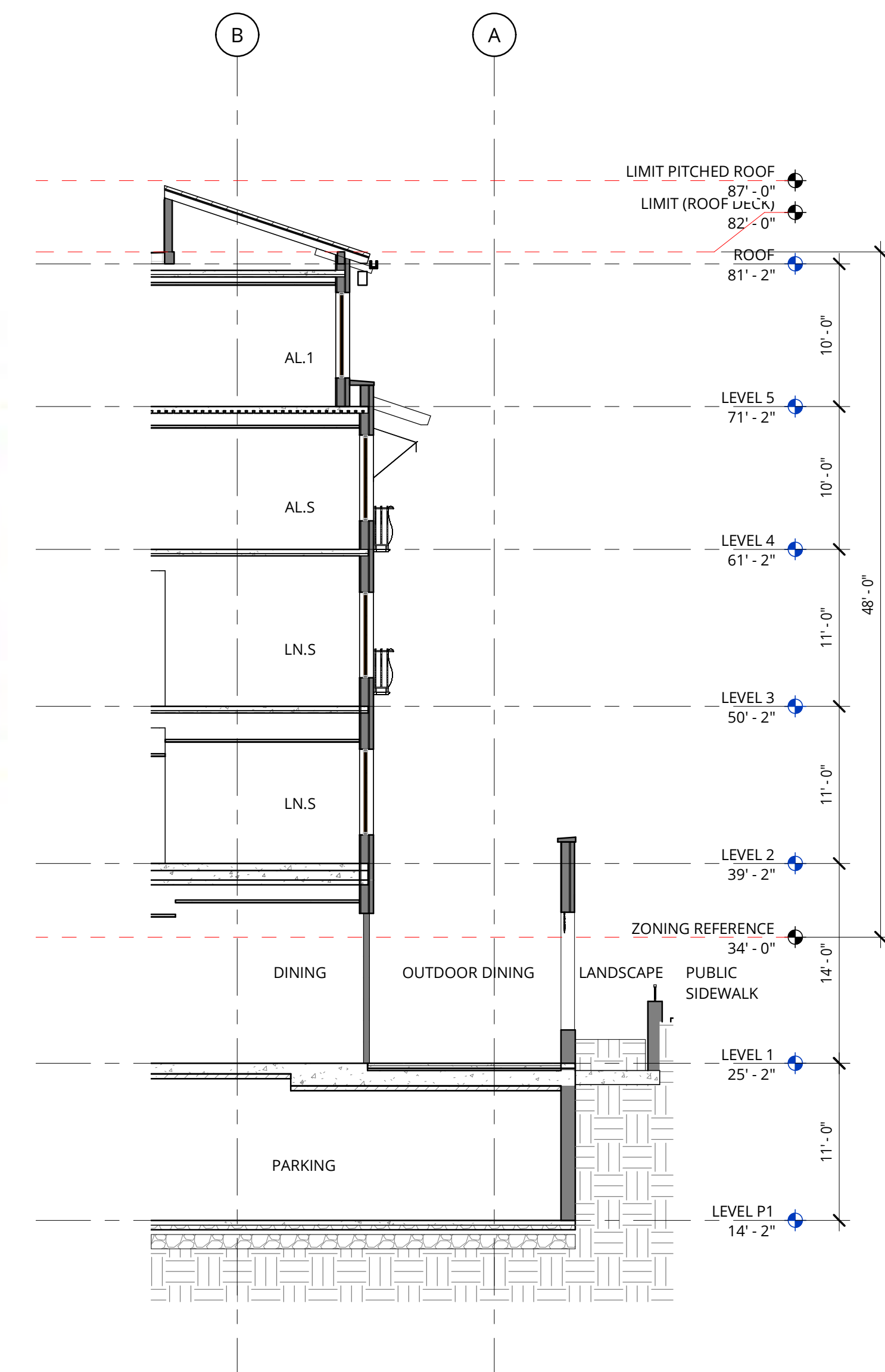
4. WROUGHT IRON



5. STUCCO



6. FABRIC AWNINGS



1 WALL SECTION
1/8" = 1'-0"

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DETAILS

PLANNING

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| DATE MAR 3, 2021 | PROJECT NUMBER 174170 |
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SHEET NUMBER

11.0

PLANT MATERIAL SCHEDULE

| ABBREV | BOTANICAL NAME | COMMON NAME | SIZE | SPACING | MATURE SIZE/ PLANT TYPE | WUCOLS RATING |
|---|---------------------------------------|--------------------------------|---------|-----------|----------------------------|---------------|
| TREES | | | | | | |
| ACE APO | ACER SACCHARUM 'APOLLO' | APOLLO MAPLE | 36" BOX | PER PLANS | 30'/ DECIDUOUS | LOW |
| MUS BAS | MUSA BASJOO | JAPANESE BANANA | 24" BOX | 4' O.C. | 12'/ HERBACEOUS | MEDIUM |
| OLE EUR | OLEA EUROPAEA 'SWAN HILL' | FRUITLESS OLIVE - TREE FORM | 36" BOX | PER PLANS | 25'+ / EVERGREEN | VERY LOW |
| PHO DAC | PHOENIX DACTYLIFERA | DATE PALM | 12' BTH | 30' O.C. | 30'+ / EVERGREEN | LOW |
| PIS CHI | PISTACIA CHINENSIS | CHINESE PISTACHE | 36" BOX | PER PLANS | 30'/ DECIDUOUS | LOW |
| SHRUBS, GROUNDCOVERS & VINES | | | | | | |
| BUX GRE | BUXUS M. VAR JAPONICA 'GREEN BEAUTY' | DWARF BOXWOOD | 5 GAL | 1'-0" | 2'/ EVERGREEN | LOW |
| CAR DIV | CAREX DIVULSA | BERKELEY SEDGE | 1 GAL | 1'-8" | 12' / EVERGREEN | VERY LOW |
| DIA REV | DIANELLA REVOLUTA 'LITTLE REV' | LITTLE REV FLAX LILY | 1 GAL | 1'-6" | 18" / EVERGREEN | LOW |
| GEL SEM | GELSEMIUM SEPERVIRENS 'MARGARITA' | CAROLINA JESSIMINE | 1 GAL | PER PLANS | 12' + / EVERGREEN | LOW |
| GER MAC | GERANIUM MACRORRHIZUM | BIG ROOT GERANIUM | 1 GAL | 1'-6" | 8" / SEMI-EVERGREEN | MEDIUM |
| LAM WHI | LAMIUM MACULATUM 'WHITE NANCY' | WHITE NANCY DEADNETTLE | 1 GAL | 1'-6" | 6" / SEMI-EVERGREEN | MEDIUM |
| LIR MUS | LIRIOPE MUSCARI | BLUE LILY TURF | 1 GAL | 1'-0" | 12'/ EVERGREEN | MEDIUM |
| LOM BRE | LOMANDRA LONGIFOLIA 'BREEZE' | DWARF MAT RUSH | 1 GAL | 2'-6" | 2' / EVERGREEN | LOW |
| LOM PLA | LOMANDRA LONGIFOLIA 'PLATINUM BEAUTY' | VARIEGATED DWARF MAT RUSH | 1 GAL | 2'-6" | 2' / EVERGREEN | LOW |
| LON JAP | LONICERA JAPONICA | JAPANESE HONEYSUCKLE | 1 GAL | 3'-0" | 2' / EVERGREEN | MEDIUM |
| LOR CHI | LOROPETALUM CHINENSE | FRINGE FLOWER | 5 GAL | 4'-6" | 3'-6' / EVERGREEN | LOW |
| PHI XAN | PHILODENDRON XANADU | PHILODENDRON | 5 GAL | 3'-0" | 2' / EVERGREEN | MEDIUM |
| RHA CAL | RHAMNUS CALIFORNICA | COFFEEBERRY | 5 GAL | PER PLANS | 6'-8' / EVERGREEN | LOW |
| ROS SPP | ROSA SPECIES CARPET ROSE | GROUNDCOVER CARPET ROSE 'PINK' | 1 GAL | 3'-0" | 18" TO 2' / SEMI-EVERGREEN | LOW |
| STR REG | STRELITZIA REGINAE | BIRD OF PARADISE | 5 GAL | 4' | 4' TO 6' / EVEGREEN | LOW |
| BIOFILTRATION PLANTS | | | | | | |
| ACE CIR | ACER CIRCINATUM | VINE MAPLE | 15 GAL | PER PLANS | 10'+ / DECIDUOUS | LOW |
| ACH MIL | ACHILLEA MILLEFOLIUM | COMMON YARROW | 1 GAL | 2'-0" | 1'-6" / PERENNIAL | LOW |
| CAR DIV | CAREX DIVULSA | BERKELEY SEDGE | 1 GAL | 1'-6" | 12" / EVERGREEN | LOW |
| CHO TEC | CHONDRPETALUM TECTORUM | SMALL CAPE RUSH | 1 GAL | 2'-0" | 2' / EVERGREEN | LOW |
| IRI DOU | IRIS DOUGLASIANA | DOUGLAS IRIS | 1 GAL | 2'-0" | 2' / EVERGREEN | LOW |
| LOB CAR | LOBELIA CARDINALIS | CARDINAL FLOWER | 1 GAL | 2'-0" | 3' / PERENNIAL | LOW |
| RHA CAL | RHAMNUS CALIFORNICA | COFFEEBERRY | 5 GAL | PER PLANS | 6'-8' / EVERGREEN | LOW |

NOTE: PLANTER MATERIAL IN THE LEVEL 2 INDIVIDUAL PLANTER POTS WILL BE SEASONAL AND CONSIST MAINLY OF FLOWERING PLANTS. THIS PLANTING AREA HAS BEEN ADDED TO THE IRRIGATION AND IS PART OF THE WATER USE CALCS.

PLANT MATERIAL IMAGERY TREES



ACER SACCHARUM 'APOLLO'



MUSA BASJOO



OLEA EUROPAEA 'SWAN HILL'



PHOENIX DACTYLIFERA



PISTACIA CHINENSIS (Street Trees)

SHRUBS, GROUNDCOVERS & VINES



BUXUS M. VAR JAPONICA 'GREEN BEAUTY'



CAREX DIVULSA



DIANELLA REVOLUTA 'LITTLE REV'



GELSEMIUM SEMPERVIRENS 'MARGARITA'



GERANIUM MACRORRHIZUM



LAMIUM MACULATUM 'WHITE NANCY'



LIRIOPE MUSCARI



LOMANDRA LONGIFOLIA 'BREEZE'



LOMANDRA LONGIFOLIA 'PLATINUM BEAUTY'



LONICERA JAPONICA



LOROPETALUM CHINENSE



PHILODENDRON XANADU



RHAMNUS CALIFORNICA



ROSA SPECIES



STRELITZIA REGINAE

BIOFILTRATION PLANTS



ACER CIRCINATUM



ACHILLEA MILLEFOLIUM



CAREX DIVULSA



CHONDRPETALUM TECTORUM



IRIS DOUGLASIANA



LOBELIA CARDINALIS



RHAMNUS CALIFORNICA



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PLANT MATERIAL SCHEDULE & IMAGERY

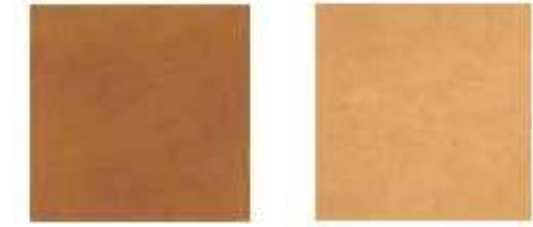
PLANNING

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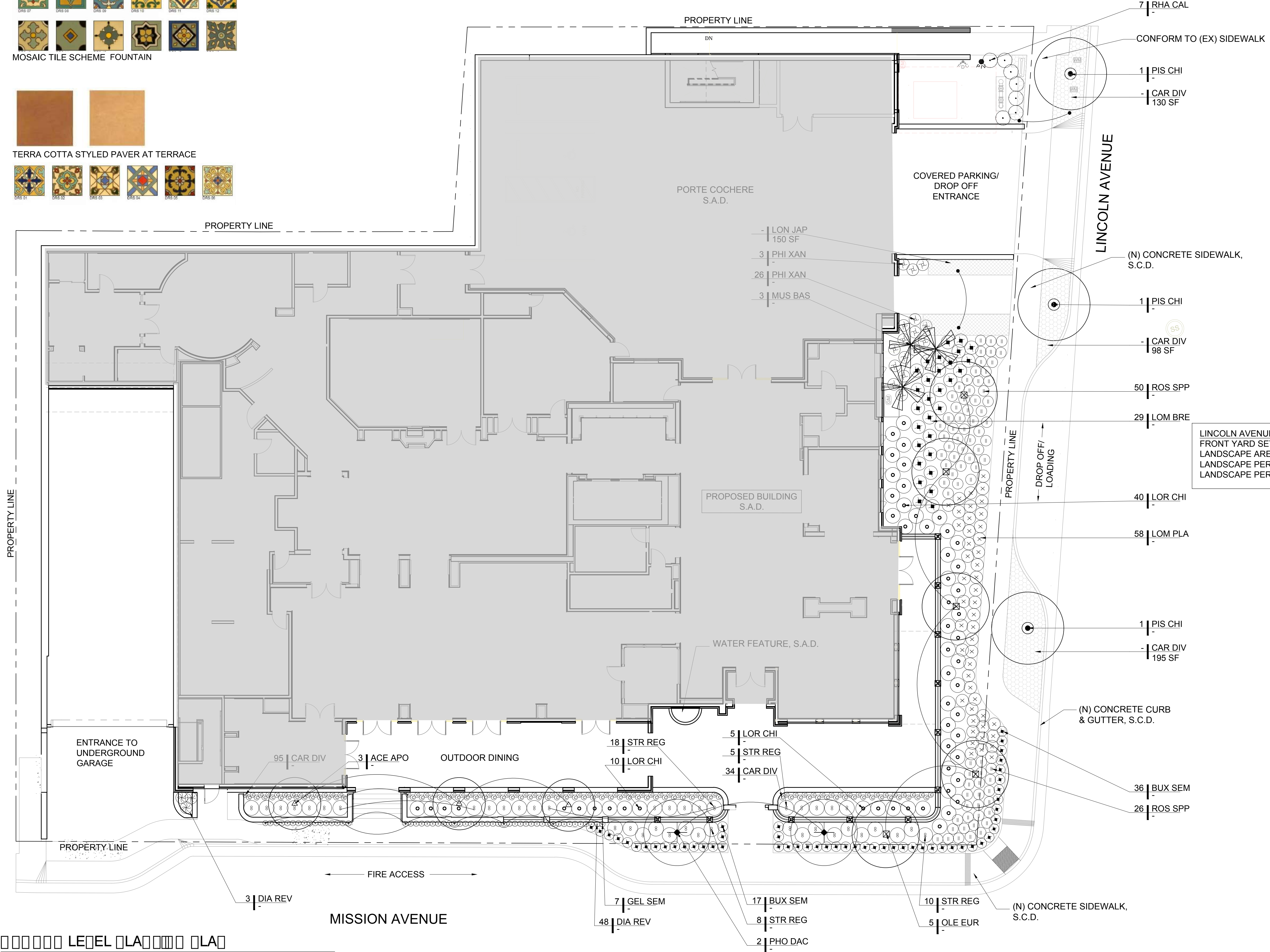
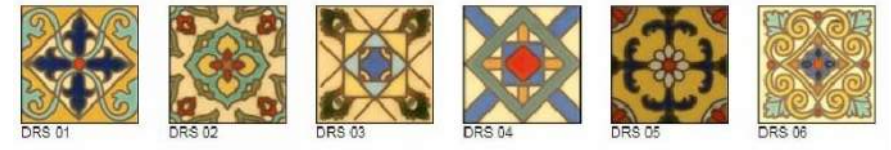
SHEET NUMBER



MOSAIC TILE SCHEME FOUNTAIN



TERRA COTTA STYLED PAVER AT TERRACE



LINCOLN AVENUE LANDSCAPE:
FRONT YARD SETBACK AREA: 2,515 SF
LANDSCAPE AREA: 1,299 SF
LANDSCAPE PERCENTAGE PROVIDED: 52%
LANDSCAPE PERCENTAGE REQUIRED: 50%

MISSION AVENUE LANDSCAPE:
SIDE YARD SETBACK AREA: 1,813 SF
LANDSCAPE AREA: 910 SF
LANDSCAPE PERCENTAGE PROVIDED: 50%
LANDSCAPE PERCENTAGE REQUIRED: 50%

01 LEVEL LA LA



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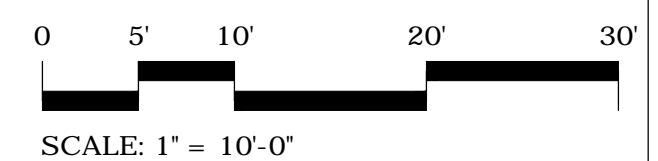
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GROUND LEVEL PLANTING PLAN

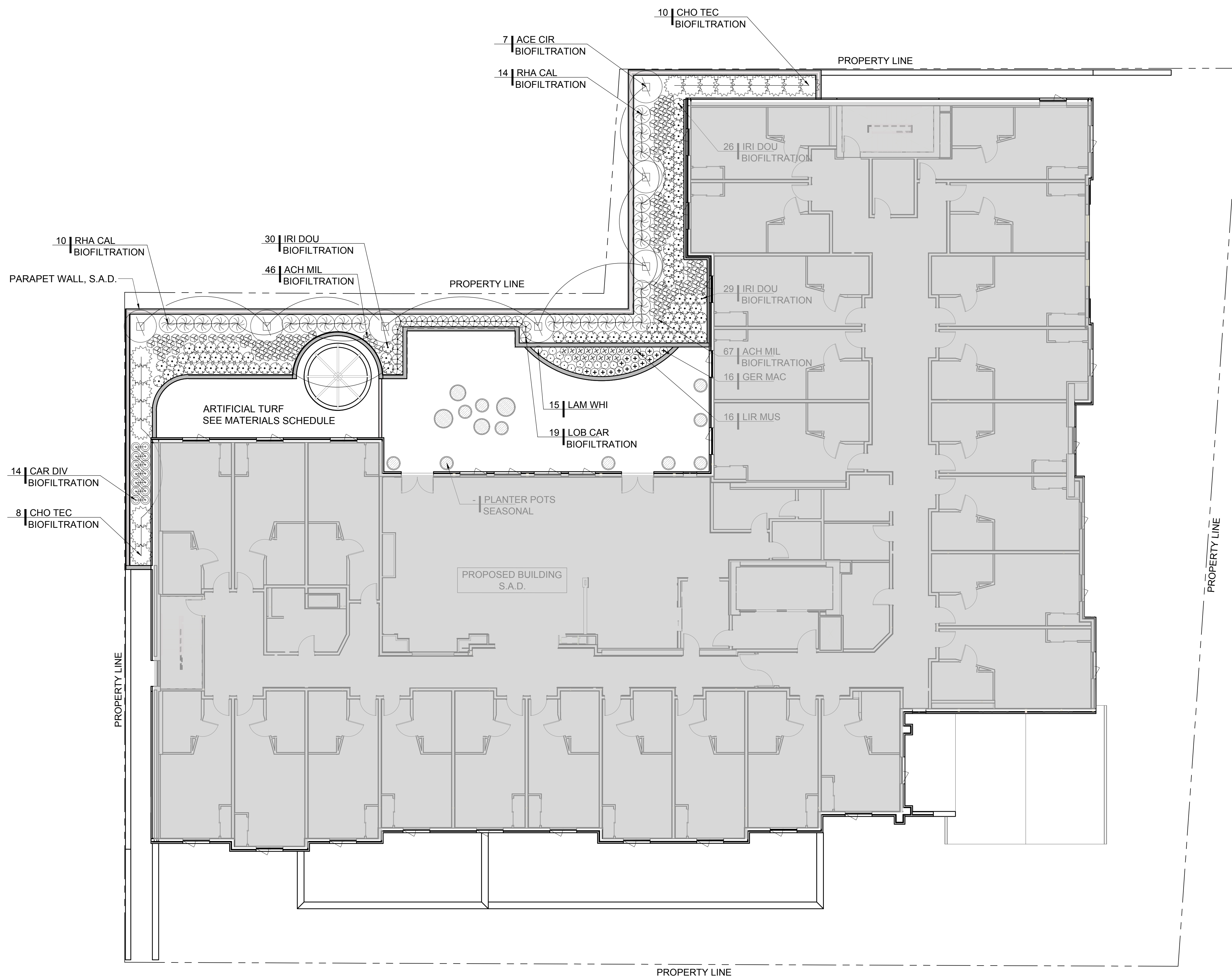
PLANNING

DATE: MAR 3, 2021 PROJECT NUMBER: 174170

SHEET NUMBER: 12



NOTE:
1. SEE SHEET 16 FOR PLANT MATERIAL SCHEDULE & IMAGERY.



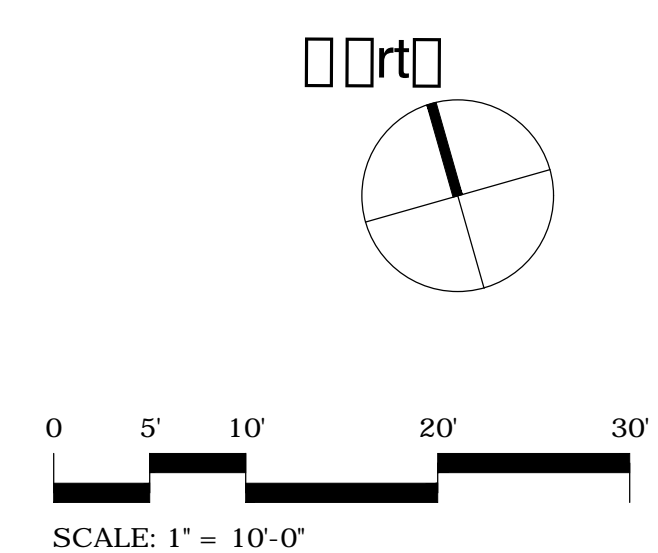
PEDESTAL PAVING SYSTEM- NEUTRAL COLORS TO COMPLIMENT THE MISSION STYLE OF THE ARCHITECTURE



WOOD TRELLIS WITH BRONZE HARDWARE

01 LEVEL 2 PLANTING PLAN

NOTE:
1. SEE SHEET 16 FOR PLANT MATERIAL SCHEDULE & IMAGERY.



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**LEVEL 2
PLANTING PLAN**

PLANNING

DATE: **MAR 3, 2021** PROJECT NUMBER: **174170**

SHEET NUMBER: **13**

| PLANT MATERIAL SCHEDULE - AEGIS LIVING | | | | | | |
|--|------------------------------------|--------------------------------|-----------------|-----------|----------------------------|---------------|
| ABBREV | BOTANICAL | COMMON NAME | SIZE | SPACING | MATURE SIZE/ PLANT TYPE | WUCOLS RATING |
| TREES | | | | | | |
| CAR BET | CARPINUS BETULUS 'FASTIGIATA' | AMERICAN HORNBEAM | 24" BOX | | "BLEACHED"/DECIDUOUS | MEDIUM |
| MUS BAS | MUSA BASJOO | JAPANESE BANANA | 25 GAL | 4' O.C. | 12'/ HERBACEOUS | MEDIUM |
| OLE EUR | OLEA EUROPAEA 'SWAN HILL' | SWAN HILL OLIVE TREE | 36" BOX | | 15'+/EVERGREEN | LOW |
| PHO DAC | PHOENIX DACTYLIFERA | DATE PALM | 10' BROWN TRUNK | 30' O.C. | 30'+ /EVERGREEN | MEDIUM |
| PIS CHI | PISTACIA CHINENSIS | CHINESE PISTACHE | 36" BOX | PER PLANS | 30'/ DECIDUOUS | LOW |
| SHRUBS & GRASSES | | | | | | |
| ALS SPP. | ALSTROEMERIA SPECIES | PERUVIAN LILY | 1 GAL | 1' | | |
| ANG SPP. | ANIGOZANTHOS SPECIES | KANGAROO PAWS | 1 GAL | 2'-0" | | |
| AST SPP. | ASTER SPECIES | ASTER | 1 GAL | 1'-0" | | |
| BUX SEM | BUXUS SEMPERVIRENS 'SUFFRUTICOSA' | DWARF BOXWOOD | 1 GAL | 1'-0" | 2'/ EVERGREEN | MEDIUM |
| BUX TOP | BUXUS SEMPERVIRENS 'TOPIARY' | TOPAIRY BOXWOOD | 15 GAL + | - | | |
| CAR DIV | CAREX DIVULSA | BERKELEY SEDGE | 1 GAL | 1'-8" | 12'/ EVERGREEN | VERY LOW |
| DIA REV | DIANELLA REVOLUTA 'LITTLE REV' | LITTLE REV FLAX LILY | 1 GAL | 1'-6" | 18" / EVERGREEN | LOW |
| ERY SPP. | ERYSIMUM 'BOWLES'S MAUVE' | WALLFLOWER | 1 GAL | 1'-6" | | |
| IRI SPP. | IRIS SPECIES | BEARDED IRIS | 1 GAL | 1'-6" | | |
| LIR GIG | LIRIOPE GIGANTEA | GIANT LILY TURF | 1 GAL | 1'-6" | 18'/ EVERGREEN | MEDIUM |
| LIR MUS | LIRIOPE MUSCARI | BLUE LILY TURF | 1 GAL | 1'-0" | 12'/ EVERGREEN | MEDIUM |
| LOM LON | LOMANDRA LONGIFOLIA 'BREEZE' | DWARF MAT RUSH | 1 GAL | 2'-6" | 2' / EVERGREEN | LOW |
| LON JAP | LONICERA JAPONICA | JAPANESE HONEYSUCKLE | 1 GAL | 3'-0" | 2' / EVERGREEN | MEDIUM |
| LOR CHI | LOROPETALUM CHINENSE | FRINGE FLOWER | 5 GAL | 4'-6" | 3'-6' / EVERGREEN | LOW |
| LYC COR | LYCHNIS CORONARIA | ROSE CAMPION | 1 GAL | 1'-0" | | |
| NIC SPP. | NICOTIANA SPECIES | TOBACCO PLANT | 1 GAL | 1'-0" | | |
| PAP BOL | PAPAVER ORIENTALE 'BOLERO' | ORIENTAL POPPY | 1 GAL | 1'-0" | | |
| PAP BUR | PAPAVER ORIENTALE 'BURNING HAERT' | ORIENTAL POPPY | 1 GAL | 1'-0" | | |
| PHI XAN | PHILODENDRON XANADU | PHILODENDRON | 1 GAL | 3'-0" | 2' / EVERGREEN | MEDIUM |
| ROS SPP. | ROSA SPECIES | GROUNDCOVER CARPET ROSE 'PINK' | 1 GAL | 3'-0" | 18" TO 2' / SEMI-EVERGREEN | MEDIUM |
| STR REG | STRELITZIA REGINAE | BIRD OF PARADISE | 5 GAL | 4' | 4' TO 6' / EVERGREEN | MEDIUM |
| TEU LUC | TEUCRIUM X LUCIDRYS | GERMANDER | 1 GAL | 1' | | |
| VINES | | | | | | |
| GEL SEM | GELSEMIUM SEMPERVIRENS 'MARGARITA' | HARDY CAROLINA JASMINE | 1 GAL | 4'-0" | 6'-8' TRAILING/EVERGREEN | MEDIUM |

| BIO-FILTRATION PLANT SCHEDULE - AEGIS LIVING | | | | | | |
|--|--------------------------------|----------------------|-------|---------|-------------------------|---------------|
| ABBREV | BOTANICAL | COMMON NAME | SIZE | SPACING | MATURE SIZE/ PLANT TYPE | WUCOLS RATING |
| BIO-FILTRATION | | | | | | |
| ACE CIR | ACER CIRCINATUM | VINE MAPLE | 5 GAL | - | DECIDUOUS | MEDIUM |
| ACH MIL | ACHILLEA MILLEFOLIUM | COMMON YARROW | 1 GAL | 1'-0" | PERENNIAL | MEDIUM |
| CHO TEC | CHONDROPETALUM TECTORUM | SMALL CAPE RUSH | 1 GAL | 2'-0" | 2' / EVERGREEN | LOW |
| CAR DIV | CAREX DIVULSA | BERKELEY SEDGE | 1 GAL | 1'-6" | EVERGREEN | LOW |
| FRA CHI | FRAGARIA CHILOENSIS | BEACH STRAWBERRY | 1 GAL | 1' | EVERGREEN PERENNIAL | MEDIUM |
| IRI CAN | IRIS DOUGLASIANA 'CANYON SNOW' | DOUGLAS IRIS | 1 GAL | 1'-0" | PERENNIAL | MEDIUM |
| IRI DOU | IRIS DOUGLASIANA | DOUGLAS IRIS | 1 GAL | 1' | PERENNIAL | MEDIUM |
| LOB CAR | LOBELIA CARDINALIS | CARDINAL FLOWER | 1 GAL | 1'-0" | | MED |
| RHA CAL | RHAMNUS CALIFORNICA 'EVE CASE' | COFFEEBERRY | 5 GAL | 4'-0" | EVERGREEN | LOW |
| ROS CAL | ROSA CALIFORNICA | CALIFORNIA WILD ROSE | 1 GAL | 1' | DECIDUOUS | MEDIUM |

*PLANT LIST PER THE MARIN COUNTY STORMWATER POLLUTION PREVENTION PROGRAM , BIORETENTION FACILITY PLANT MATRIX, JUNE,2014

| TYPICAL SEASONAL ANNUALS & PERENNIALS @ L2 & ROOF DECK PLANTERS | | | | | | |
|---|-----------------------------------|-----------------|-------|---------|-------------------------|---------------|
| ABBREV | BOTANICAL | COMMON NAME | SIZE | SPACING | MATURE SIZE/ PLANT TYPE | WUCOLS RATING |
| ALS SPP. | ALSTROEMERIA SPECIES | PERUVIAN LILY | 1 GAL | | | |
| BAC SPP. | BACOPA SPECIES | BACOPA | 1 GAL | | | |
| DIG SPP. | DIGITALIS SPECIES | COMMON FOXGLOVE | 1 GAL | | | |
| LOB SPP. | LOBELIA SPECIES | LOBELIA | 1 GAL | | | |
| PAP BOL | PAPAVER ORIENTALE 'BOLERO' | ORIENTAL POPPY | 1 GAL | | | |
| PAP BUR | PAPAVER ORIENTALE 'BURNING HEART' | ORIENTAL POPPY | 1 GAL | | | |
| PRI SPP. | PRIMULA SPECIES | PRIMROSE | 1 GAL | | | |
| VIO SPP. | VOILA SPECIES | VIOLA | 1 GAL | | | |

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| | 09.17.19 | LANDSCAPE LIGHTING |
| | | |
| | | |

PLANT MATERIAL SCHEDULE

SHEET TITLE

PLANNING

| | |
|--------------------|--------------------------|
| DATE 05.30.2018 | PROJECT NUMBER 164890 |
| SHEET NUMBER | |

PLANT CHARACTER IMAGERY

TREES & PALMS



CARPINUS BETULUS 'FASTIGIATA'



MUSA BASJOO



PHOENIX DACTYLIFERA



PISTACIA CHINENSIS (STREET TREE ALONG LINCOLN)



OLEA EUROPAEA

SHRUBS & GROUNDCOVER



BUXUS SEMPERVIRENS 'SUFFRUTICOSA'



BUXUS SEMPERVIRENS 'TOIARY'



CAREX DIVULSA



DIANELLA REVOLUTA 'LITTLE REV'



LIRIOPE GIGANTEA



LIRIOPE MUSCARI



LOMANDRA LONGIFOLIA 'BREEZE'



LONICERA JAPONICA



LOROPETALUM CHINENSE



PHILODENDRON XANADU



ROSA SPECIES



STRELITZIA REGINAE



TEUCRIUM X LUCIDRYS



ALSTROEMERIA SPECIES



ANIGOZANTHOS SPECIES



ASTER SPECIES



ERYSIMUM 'BOWLES'S MAUVE'



IRIS SPECIES



LYCHNIS CORONARIA



NICOTIANA SPECIES



PAPAVER ORIENTALE 'BOLERO'



PAPAVER ORIENTALE 'BURNING HAERT'

VINES



GELSEMIUM SEMPERVIRENS 'MARGARITA'



ACER CIRCINATUM



ACHILLEA MILLEFOLIUM



CHONDROPETALUM TECTORUM



CAREX DIVULSA



FRAGARIA CHILOENSIS



IRIS DOUGLASIANA 'CANYON SNOW'



IRIS DOUGLASIANA



LOBELIA CARDINALIS



RHAMNUS CALIFORNICA 'EVE CASE'



ROSA CALIFORNICA

BIO-FILTRATION PLANT MATERIAL

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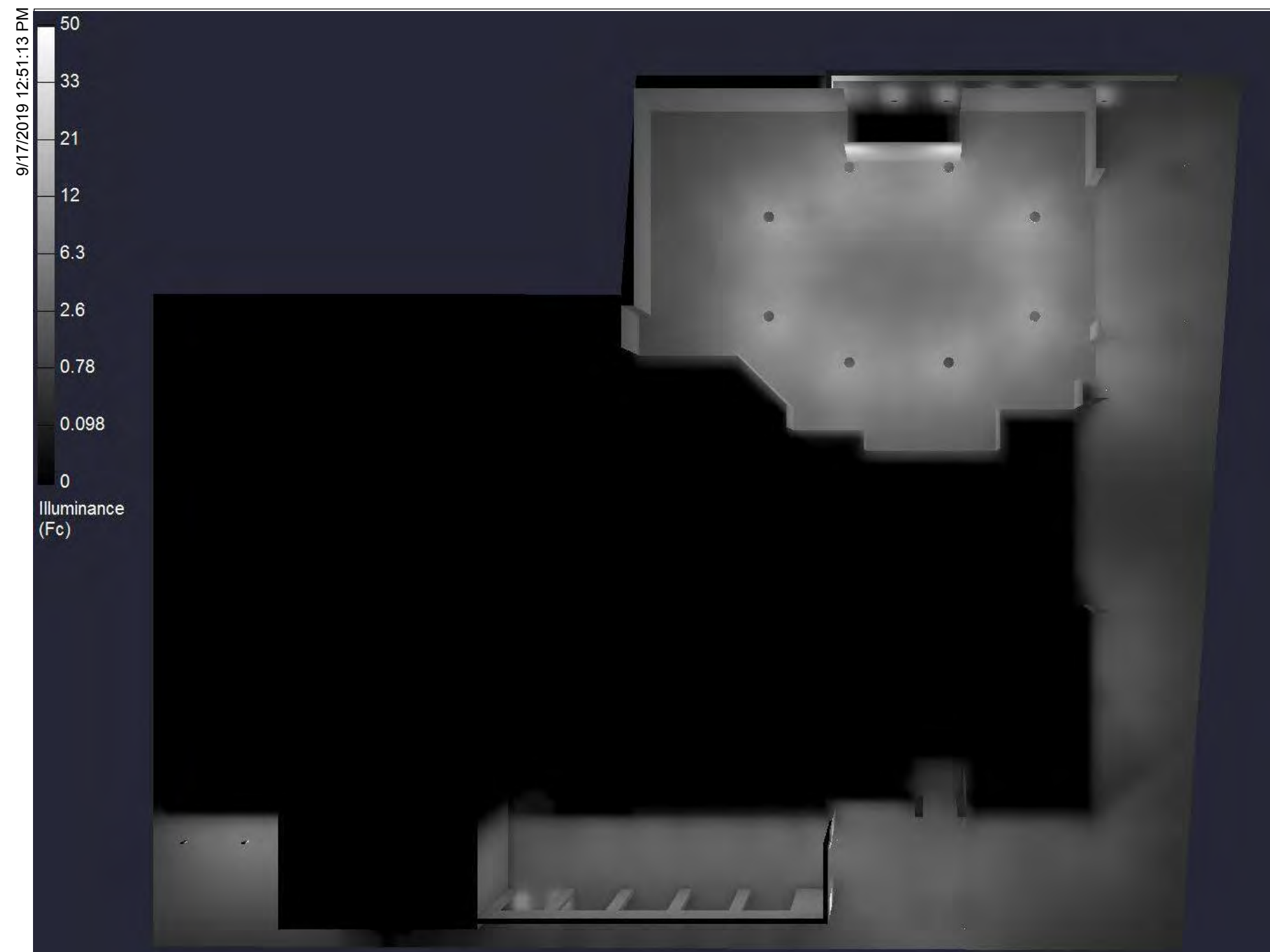
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| | 09.17.19 | LANDSCAPE LIGHTING |
| | | |
| | | |

PLANT MATERIAL IMAGERY

SHEET TITLE

PLANNING

| | |
|--------------------|--------------------------|
| DATE 05.30.2018 | PROJECT NUMBER 164890 |
| SHEET NUMBER | |



SP1, SP2
30" AND 19" TALL DECORATIVE POLE-TOP LUMINAIRES WITH LED CANDELABRA BASE LAMPS IN WARM WHITE COLOR TEMPERATURE(2700K) AT MAIN ENTRY AND DRIVE ENTRY TO COVERED PARKING



SS1
RECESSED STEPLIGHT AT PATHWAYS



SW1, SW2
19" AND 30" TALL DECORATIVE WALL SCNCES WITH LED CANDELABRA BASE LAMPS IN WARM WHITE COLOR TEMPERATURE(2700K)



SF1
CEILING MOUNTED LIGHTING FOR COVERED PARKING AREA



SW3
WALL PACK FOR SECURITY AND EGRESS LIGHTING AT BUILDING EXITS

1 SITE PLAN - LIGHTING
SCALE: 1" = 10'-0"

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Project Manager: Adam Leingang
Job No.: 05-19-00126

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| | 09.17.19 | LANDSCAPE LIGHTING |

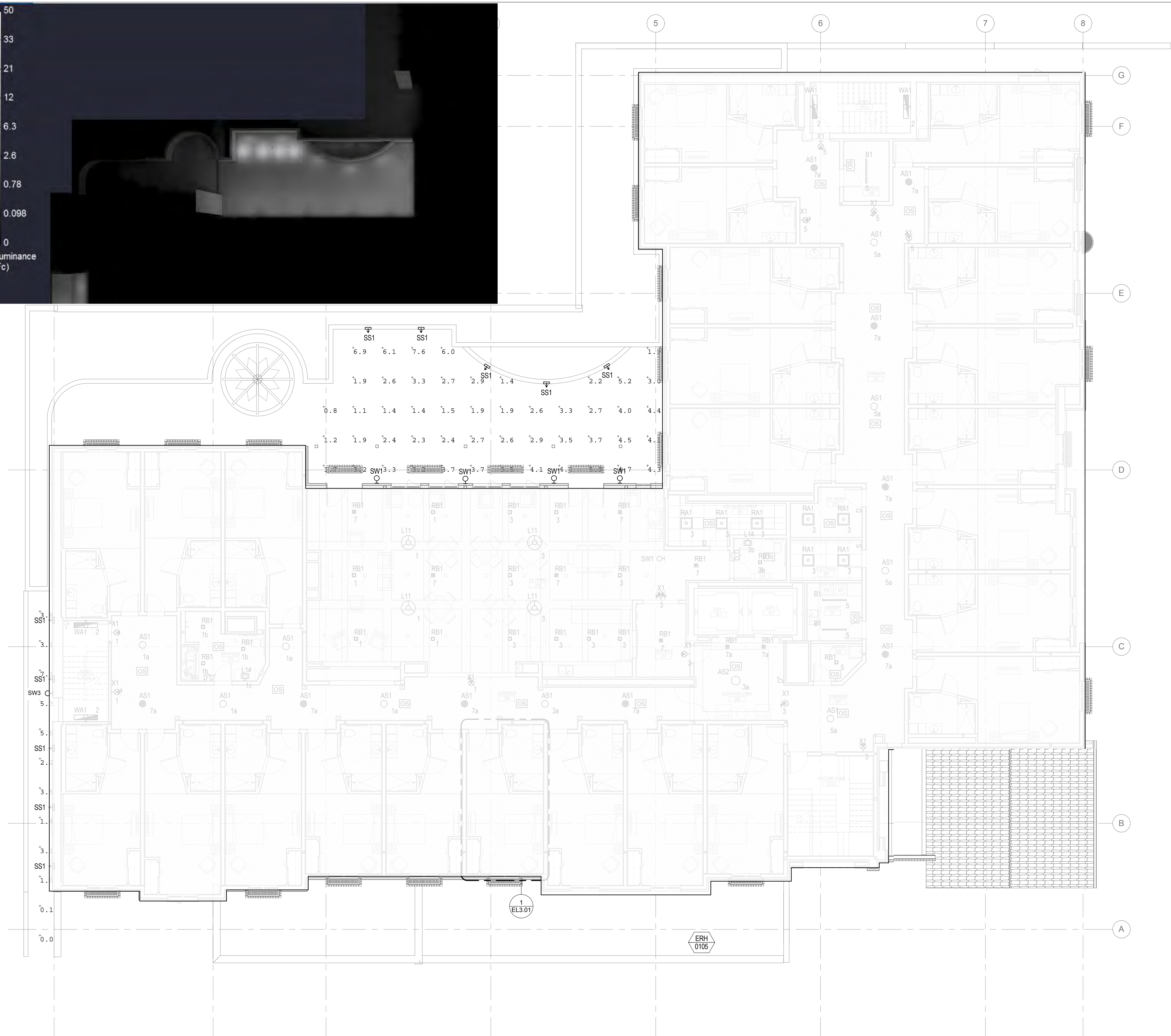
SITE PLAN - LIGHTING

PLANNING

| | |
|--------------------|--------------------------|
| DATE 05.30.2018 | PROJECT NUMBER 174170 |
|--------------------|--------------------------|

SHEET NUMBER

9/17/2019 11:15:44 AM



SW4
TRELLIS-MOUNT DOWNLIGHT
SCONCE



SS1
RECESSED STEPLIGHT



SW1
19" TALL DECORATIVE WALL
SCONCES WITH LED
CANDELABRA BASE LAMPS IN
WARM WHITE COLOR
TEMPERATURE(2700k)

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| REVISION | DATE | REASON FOR ISSUE |
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| | 09.17.19 | LANDSCAPE LIGHTING |

**LEVEL 2 FLOOR
PLAN - LIGHTING
PLAN**

PLANNING

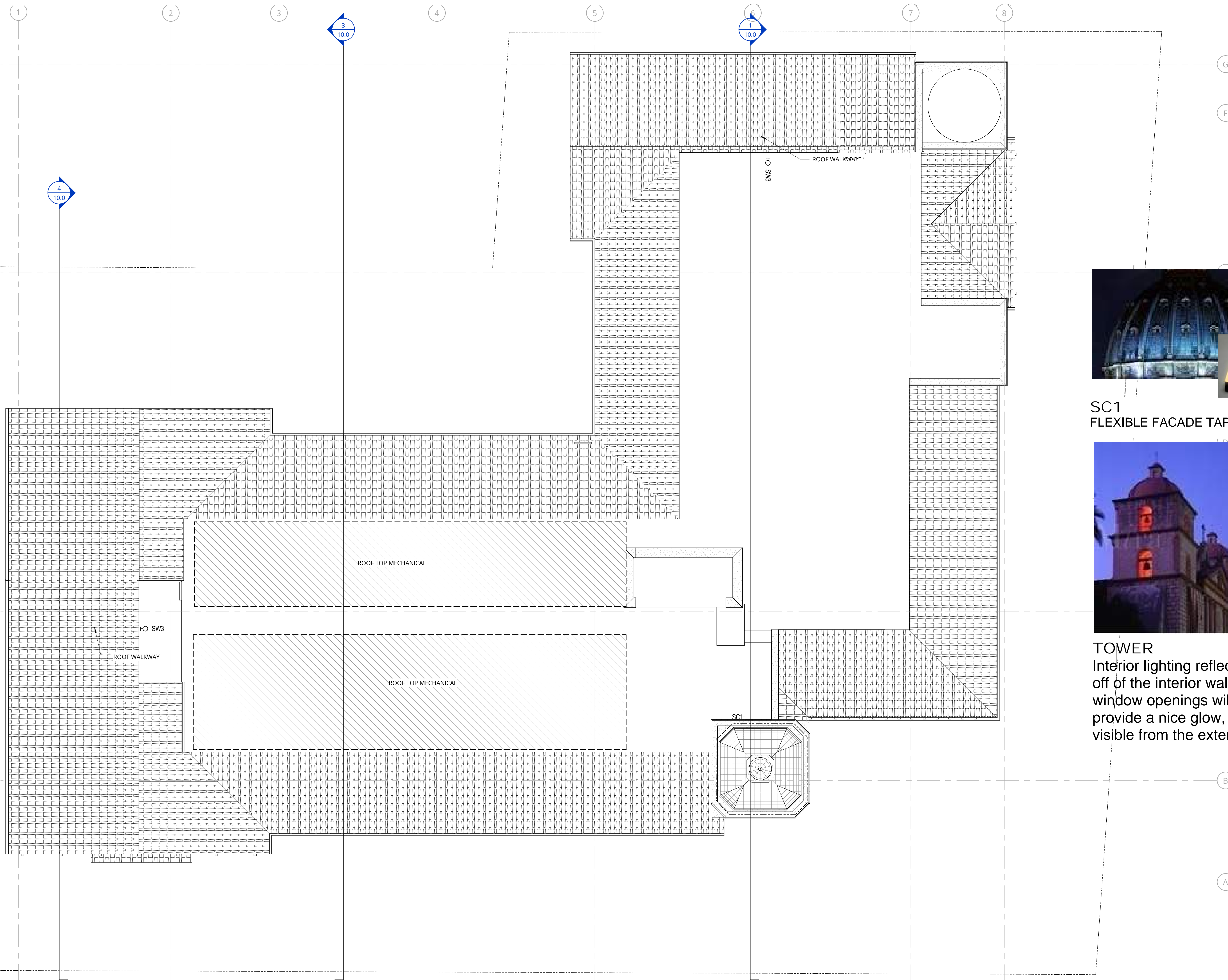
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|--------------------|--------------------------|
| DATE 05.30.2018 | PROJECT NUMBER 174170 |
|--------------------|--------------------------|

SHEET NUMBER
18

1 LEVEL 2 - FLOOR PLAN - LIGHTING
SCALE: 1/8" = 1'-0"



BIM 360://05.19.00126 Agis San Rafael MEP Narrative/174170-17-Agis San Rafael MEP_v17.rvt



SC1
FLEXIBLE FACADE TAPELIGHT



TOWER
Interior lighting reflecting off of the interior walls and window openings will provide a nice glow, visible from the exterior.

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| | 09.17.19 | LANDSCAPE LIGHTING |

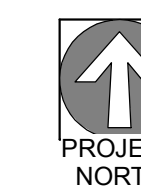
OVERALL ROOF
PLAN - LIGHTING
PLAN

PLANNING

| | |
|--------------------|--------------------------|
| DATE 05.30.2018 | PROJECT NUMBER 174170 |
|--------------------|--------------------------|

SHEET NUMBER

19



1 ROOF - FLOOR PLAN - LIGHTING

SCALE: 1/8" = 1'-0"



REPORT TO DESIGN REVIEW BOARD

SUBJECT: 16 De Luca Place - Request for Conceptual Design Review to demolish an existing one-story industrial building and construct a new two-story, 7,774 square foot building. The building will contain primarily storage/factory spaces with ancillary office space not exceeding 25 percent of the overall building square footage.; APN: 013-081-04; Industrial (I), Zoning District; Mark and Kathleen Barger, Owner; Stewart Summers, SKS Architects, Applicant; File No.: CDR21-001

PROPERTY FACTS

| <u>Location</u> | <u>General Plan</u> | <u>Zoning</u> | <u>Existing Land Use</u> |
|----------------------|---------------------|-------------------|---|
| Project Site: | Industrial | Industrial | Industrial (Allied Heating & AC) |
| North: | Industrial | Industrial | Industrial building |
| South: | Industrial | Industrial | Industrial building |
| East: | Industrial | Industrial | Automotive services |
| West: | Industrial | Industrial | Automotive services/manufacturing |

Lot Size

Required: 6,000 s.f.
Proposed: 20,611 s.f. (no change)

Maximum Lot Coverage

Standard: NR
Proposed: 19.7% (4,080 s.f.)

Height

Allowed: 36 feet
Proposed: 31 feet

Max Floor Area Ratio

Allowed: .38 (7,832 s.f.)
Proposed: .37 (7,774 s.f.)

Parking

Required: Industrial: 1/500 s.f. (12)
Office: 1/250 s.f. (8)
Total: 20
Proposed: 20 spaces

Min. Lot Width (New lots)

Required: 60 feet
Proposed: 62 feet (no change)

Minimum Landscape Area

Required: 10% (2,061 s.f.)
Proposed: 4.2% (866 s.f.)

Setbacks

| | <i>Required</i> | <i>Proposed</i> |
|---------------------|-----------------|-----------------|
| <i>Front</i> | NR | 52' 9" |
| <i>Side - North</i> | NR | +/-20' |
| <i>Side - South</i> | NR | 5' |
| <i>Rear</i> | NR | +/-160' |

SUMMARY

The project is being referred to the Design Review Board (Board) for conceptual review of a proposed demolition and rebuild of an existing 4,974 square foot industrial building. The project site is approximately 20,611 square feet with frontage on De Luca Place to the west.

The applicant is seeking the Board's recommendations on the proposed project design which will be the basis for submittal of a formal application. With the Board's recommendation, the applicant will submit a formal application for an Environmental and Design Review Permit.

Once a formal application has been submitted, the project will be scheduled to return to the Board for a formal recommendation on site and building design, which will be forwarded to the Planning Commission for final decision.

Staff is seeking the Board's evaluation of the project's consistency with design criteria contained in the applicable design-related General Plan policies, Zoning Ordinance regulations, and San Rafael Design Guidelines for non-residential development, discussed further below. Staff is requesting that the Board provide recommendations on how to effectively address the following:

- *Site Plan* - Whether the proposed site plan demonstrates efficient use of the site.
- *Architecture* - Whether the design proposed for this project is appropriate given surrounding development.
- *Colors and Materials* - Whether the colors and materials are appropriate.
- *Landscaping* - Whether the proposed landscaping is adequate in location, type and proportion.

BACKGROUND

Site Description & Setting:

The project site is approximately 20,611 square feet and is currently developed with a one-story, 4,970 square-foot building which has historically been used for industrial operations and is currently occupied by Allied Heating and Air Conditioning. The site is surrounded by a variety of other industrial uses that feature a mixture of one and two-story buildings with primarily metal building facades.

The site is designated as Industrial (I) in the City's General Plan Land Use and Zoning Ordinance which provides for motor vehicle services, contractor uses and yards, manufacturing, storage uses, wholesale, incidental employee-serving retail and service uses, specialty retail uses consistent with industrial uses, rock, sand and gravel plants, solid waste management and recycling facilities, trucking yards or terminals, and ancillary and small offices.

PROJECT DESCRIPTION

Use. The conceptual design proposes demolition of the existing one-story industrial building which will be reconstructed as a two-story structure and will continue to be operated by Allied Heating and Air Conditioning. The project proposes primarily storage/manufacturing space on the first floor with a small ancillary office and storage and office space on the second floor. The proposed office spaces will occupy approximately 25% of the total building floor area.

Site Plan: Pursuant to Section 14.05.030 of the San Rafael Municipal Code (SRMC), the Industrial Zoning District does not have a maximum limit on lot coverage nor does the district have minimum setback requirements. As proposed, the project will provide approximately 20% lot coverage. The proposed structure provides the greatest setbacks from the front and rear property line, with side setbacks of approximately 20-feet from the northern property line and five-feet from the southern property line.

Architecture: The overall height of the building is approximately 31-feet which is consistent with the requirements of the Industrial Zoning District. Proposed materials include metal ribbed siding and roofing, composite panel awnings, and metal framed windows.

Building elevations are provided on Sheet A2 of the Conceptual Design Review submittal and are further described below.

West (Front). The front elevation, facing De Luca Place, includes a substantial amount of glazing including an overhead garage door which includes paneled windows separated by metal panes, four metal framed windows at the second floor, and a glass front entry door which is flanked by two vertically oriented windows. A projecting composite panel awning is located above the entry door and windows providing a sense of pedestrian entry. A similar awning is located on the second floor above the four metal windows. Vertical landscaping on a wood trellis is located adjacent to the front entry door.

East (Rear). The rear elevation contains similar architectural features as the front elevations including an entry door with projecting awning above, four evenly spaced metal framed windows at the second floor, and two additional windows on either side of the entry door.

South and North (Side). The south side elevation also includes an overhead garage door, windows with composite panel awnings on the second floor, and a vertical landscape feature. The north elevation includes metal framed windows and light fixtures.

Landscaping: As shown on the preliminary landscape plan submitted with the Conceptual Design Review application, the project proposes to install landscaping along the north, east, and west property lines and will include trees, shrubs, and groundcovers. Additionally, the project proposes to install vertical landscaping at the southwest corner of the new building. The project proposes a total of 866 square feet of landscaping, excluding the vertical landscape wall. As proposed, the landscaping does not meet the minimum 10% required by the zoning ordinance.

Lighting: Plans submitted for conceptual review include lighting details on Sheet A3. As proposed, the project would install downcast black LED wall sconces along all building elevations.

ANALYSIS

Conceptual Design Review provides an opportunity for feedback on the design, color, and material concept of a proposed project prior to formal application submittal. The conceptual review seeks feedback from the Design Review Board, City Staff, and the public and provides comments to the applicant on appropriateness of design and compliance with design review criteria. Staff has reviewed the proposed project and provided preliminary feedback and questions regarding the design approach for the Board to consider in providing its comments. Below is a general analysis of the project's consistency with the City of San Rafael General Plan 2020, Zoning Ordinance, and Design Guidelines.

General Plan 2020 Consistency:

In general, the project is consistent with the applicable design-related San Rafael General Plan policies. A full consistency review will be conducted upon formal project submittal. The site is designated Industrial (I) on the General Plan 2020 Land Use Map. Design-related policies applicable to the project at a conceptual stage and how the project complies with these policies are described below along with specific areas where staff is seeking feedback from the Board. It should be noted that the updated General Plan and General Plan EIR are in the process of being reviewed by the Planning Commission and City Council. Should the General Plan be formally adopted prior to formal review of the proposed project, the discussion of the project's consistency with the updated General Plan will be included as applicable.

Land Use Policy LU-12 (Building Heights) Exhibit 7 of the General Plan identifies maximum building height limits in Central San Rafael. The area of the proposed project allows buildings to be a maximum of 36 feet. The project proposes a height of 31-feet, which is consistent with the maximum allowable height for the site.

Community Design Policy CD-3 (Neighborhoods) seeks to preserve and enhance the positive qualities that are unique to each neighborhood. The area immediately surrounding the project site contains a variety of industrial buildings. The Board is being asked to provide feedback on the proposed design and recommend additional design qualities that fit within the context of the neighborhood, as appropriate.

Community Design Policy CD-12 (Industrial Areas) recognizes the economic importance of industrial areas and seeks to design them in such a way that creates a visually comfortable and welcoming appearance. As proposed, the project appears to be improving the visual appearance of the site by providing a building with increased transparency oriented toward the public right-of-way, increased sense of pedestrian entry as compared to the existing building, and increased landscaping. The Board is being asked to provide feedback on the proposed design and recommend design qualities that are consistent with this General Plan policy.

Zoning Ordinance Consistency:

The following development and performance standards are applicable to the project. As noted in the development summary table earlier in the staff report, the project proposes to comply with the majority of development standards of the Industrial Zoning District. The following items are applicable to the project. As noted, some items will need to be addressed or clarified upon submittal of a formal application:

Height

The applicant proposes to comply with the maximum height permitted by the District. Surrounding development is similar in scale to the proposed project.

Landscaping

The Industrial Zoning District requires a minimum landscaped area of 10% of the project site, which is equivalent to 2,061 square feet for the project. Plans submitted for conceptual review are inconsistent with this requirement as the total landscaped area provided is 866 square feet (excluding the vertical landscape feature), which equates to 4.2% of the total site. Staff is seeking feedback from the Board relative to the placement, type, and size of proposed landscaping as well as recommendations for modifications to the site design that will accommodate an increase to the landscaped area in order to meet the minimum requirements, as appropriate.

Refuse

Pursuant to Section 14.16.025 of the SRMC, the proposed project will be required upon formal submittal to provide an area on-site suitable for collection of trash and recyclable materials. Plans submitted for conceptual design review indicate that a 10-foot x 12-foot covered refuse enclosure will be located at the northeast corner of the site. As noted in comments provided by Marin Sanitary Service on the proposed project, the enclosure will need to be enlarged to accommodate an 18-yard bin which measures 13-feet x 9-feet.

Parking

The total parking obligation for the project is one space per 500 square feet of building area for industrial uses and one space per 250 of office space. Based on the proposed square footage, the project is required to provide a total of 20 parking spaces. As presented, the conceptual design complies with the minimum parking requirement. Parking is primarily located at the rear of the building, with two spaces located near the front entrance along De Luca Place. Staff is seeking feedback and recommendations from the Board on the appropriate location of required onsite parking.

Bicycle Parking

Section 14.18.090 of the Zoning Ordinance provides requirements for bicycle parking in new

non-residential developments. The number of short-term bicycle parking spaces required is equal to five percent (5%) of the required automobile spaces with a minimum of one rack that can accommodate two bicycles. As such, the project is required to provide one rack accommodating two bicycles. Plans submitted for conceptual design review do not indicate bicycle parking. Plans submitted for formal review will need to demonstrate how bicycle parking will be accommodated and shall comply with design standards pursuant to section 14.18.090(E) of the SRMC.

Parking Facility Dimensions and Design

As proposed, non-compact parking stalls do not meet the minimum length requirements set forth in Section 14.18.130 of the SRMC. Specifically, the SRMC requires non-compact parking stalls to measure 9-feet wide by 19-feet long. As proposed, the non-compact parking spaces measure 9-feet wide by 18-feet long. Additionally, the minimum required drive aisle width is 26-feet whereas the project proposes 25-feet 6-inches.

Off-street Loading and Unloading

Industrial uses are required to provide off-street loading and unloading spaces at a ratio of one space per 20,000 square feet of gross building area and measuring a minimum of 12-foot wide, 165-foot long, and a 14-foot height clearance. The project proposes a total of 5,830 square feet of gross industrial building area and is therefore required to provide one loading and unloading space. As proposed, the project provides two loading and unloading spaces at the front and side of the proposed building, however, it does not appear that the loading spaces meet the minimum dimensional requirements set forth in the Municipal Code.

Fencing and Screening

As proposed, the project will install an 8-foot in-swing gate between the proposed building and the northern property line. Material details of the gate are not provided. Staff is seeking the Board's feedback and recommendations on the location and design of the proposed gate.

Light and Glare

Pursuant to Section 14.16.227 of the SRMC, colors, materials, and lighting shall be designed to avoid creating unique offsite light and glare. The proposed colors, materials, and lighting appear to be consistent with this requirement.

Shading

The proposed building will be 31-feet and will be located approximately 5-feet from the southern property line. Based on the height of the building located south of the project site, it is not anticipated that the project would result in shade impacts to the adjacent building. Similarly, the project is not anticipated to result in shade impacts to the building to the north as the new building will be located approximately 20-feet from the northern property line.

San Rafael Design Guidelines:

The San Rafael Design Guidelines serve as a guide for evaluating development. The project proposes demolition and re-construction of an industrial building, and therefore needs to demonstrate compliance with the Design Guidelines for non-residential development. Criteria applicable to the project are as follows:

Parking

- A logical sequence of entry and arrival as part of the site's design should be provided.
- Where possible, design entrances from the street to direct views towards the building entry.
- Parking should be distributed to provide easy access to building entrances.

- Where possible, parking should be located to the rear or side of a building in order to reduce the visual impact of parking areas.
- Design for adequate vehicle maneuverability in parking areas. Vehicles should not back out from a parking space onto the street.
- Parking areas should be screened from the street with hedges, walls, fences or berms, subject to security considerations.
- Auto and pedestrian entrances into the development should be easy to find. For example, special entry treatments, such as colored concrete, special planting and signage should be located at the entries to the site.
- Shade trees should be provided in parking lots per the zoning ordinance.

Landscaping

- Landscaped areas should be planned as integral parts of the development and to create a strongly landscaped character for the site.
- Trees should be planted in a variety of locations, such as along the side property lines, clustered in planting areas, or distributed throughout the parking lot, consistent with the zoning ordinance.
- Pedestrian areas should be made visually attractive with special planting and flowering trees.
- Where feasible, landscape the area between the building and the property line even when a building is located at the minimum required side or rear yard setback.
- Retain and maintain existing public street trees and add additional street trees where practical.

Lighting

- Limit the intensity of lighting to provide for adequate site security and for pedestrian and vehicular safety.
- Shield light sources to prevent glare and illumination beyond the boundaries of the property.
- Lighting fixtures should complement the architecture of the project.
- Consider pedestrian orientation when designing building entries, windows, signage and doors.
- Include a well-defined pedestrian walkway between the street and building entries.
- Clearly define pedestrian movement through the parking lot. For example, provide changes in pavement or separate landscaped walkways.
- Adequate facilities should be provided for bicycle parking, consistent with zoning requirements.

Building Form

- A continuity of design, materials, color, form and architectural details is encouraged for all portions of a building and between all the buildings on the site.
- Consider the development's visual and spatial relationship to adjacent buildings and other structures in the area

Materials and Colors

- Use articulation, texturing and detailing on all concrete exposed to exterior view.
- Exterior materials should minimize reflectivity.
- Use color to provide appropriate accents on a building.

In general, the project appears to be consistent with most criteria included in the guidelines. Where information is lacking from the Conceptual Design Review application, staff has noted

the need for information and is also seeking the Board's feedback with regard to all design elements.

Staff seeks the Boards guidance regarding the following:

- *Site Plan* - Whether the proposed site plan demonstrates efficient use of the site.
- *Architecture* - Whether the design proposed for this project is appropriate given surrounding development.
- *Colors and Materials* - Whether the colors and materials are appropriate.
- *Landscaping* - Whether the proposed landscaping is adequate in location, type and proportion.

NEIGHBORHOOD CORRESPONDENCE

Notice of the Design Review Board meeting for the project was conducted in accordance with noticing requirements contained in Chapter 29 of the Zoning Ordinance. A Notice of Public Meeting was mailed to all property owners and occupants within a 300-foot radius of the project site, the appropriate neighborhood groups (the Bret Harte Community Association and the Federation of San Rafael Neighborhoods), and all other interested parties (applicant and planner), a minimum of 15 calendar days prior to the Board meeting. Additionally, notice was posted on the project site along the De Luca Place frontage, also a minimum of 15 calendar days prior to the Board meeting.

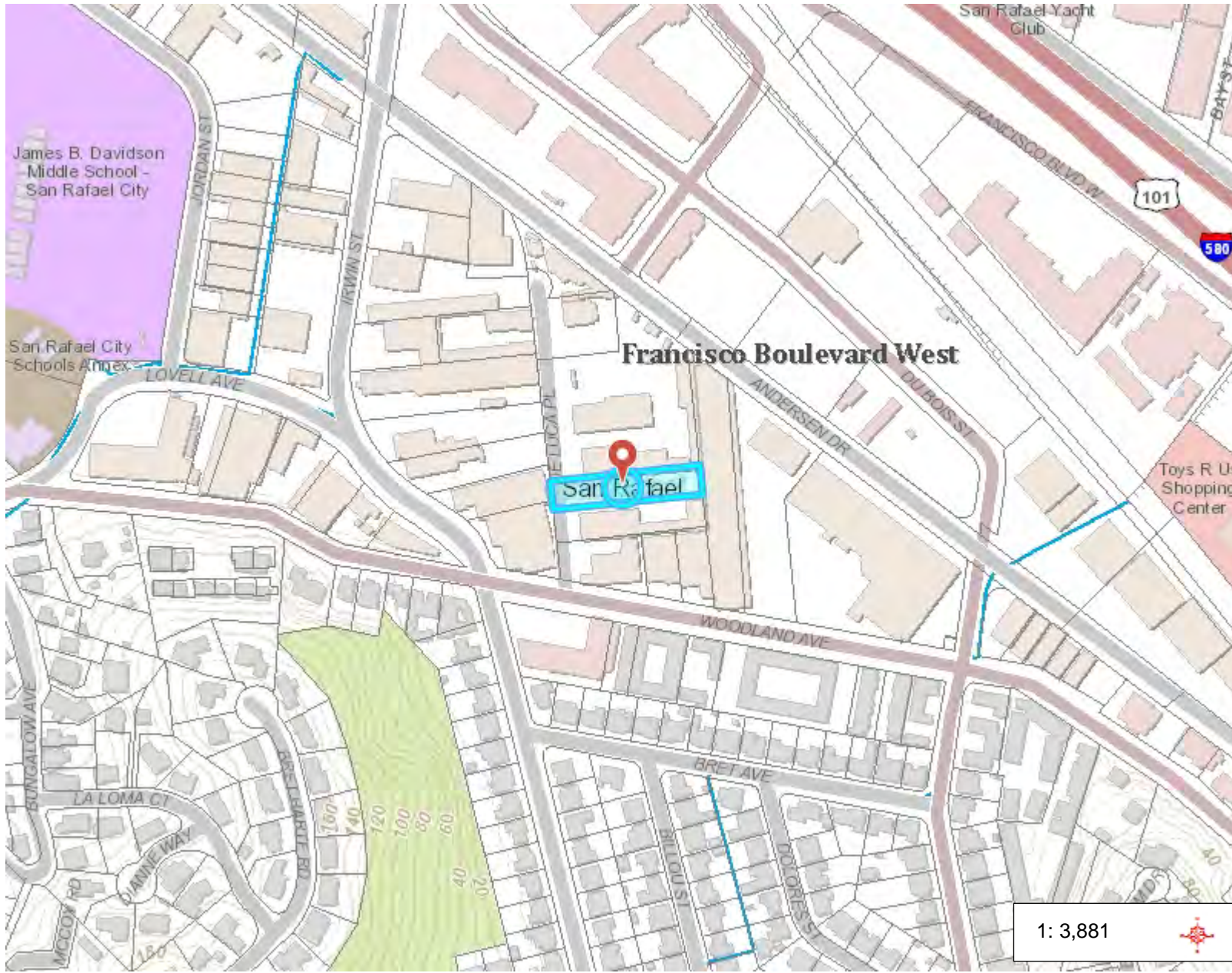
As of the publishing of this staff report, no public comments on the project have been received.

CONCLUSION

As stated above, the applicant has submitted an application for Conceptual Design Review seeking input from the Board with regard to architectural design, site design, and adequacy of landscaping. With the Board's recommendation, the applicant will be able to submit a formal application for an Environmental and Design Review Permit, which will return to the Board for a formal recommendation to be forwarded to the Planning Commission for a final action.

EXHIBITS

1. Vicinity Map
2. Site Plans



Legend

- Parcel Note
 - easement
 - centerline
- Address
 - Parcel
 - Condominium Common Area
 - Mobile Home Pad
 - City
 - Community
 - Marin County Legal Boundary
 - Other Bay Area County
 - Stream - Perennial (NHD)

Notes

646.8 0 323.38 646.8 Feet

ALLIED HEATING + AC COMPANY, INC.

NEW STEEL BUILDING

16 DeLUCA PLACE

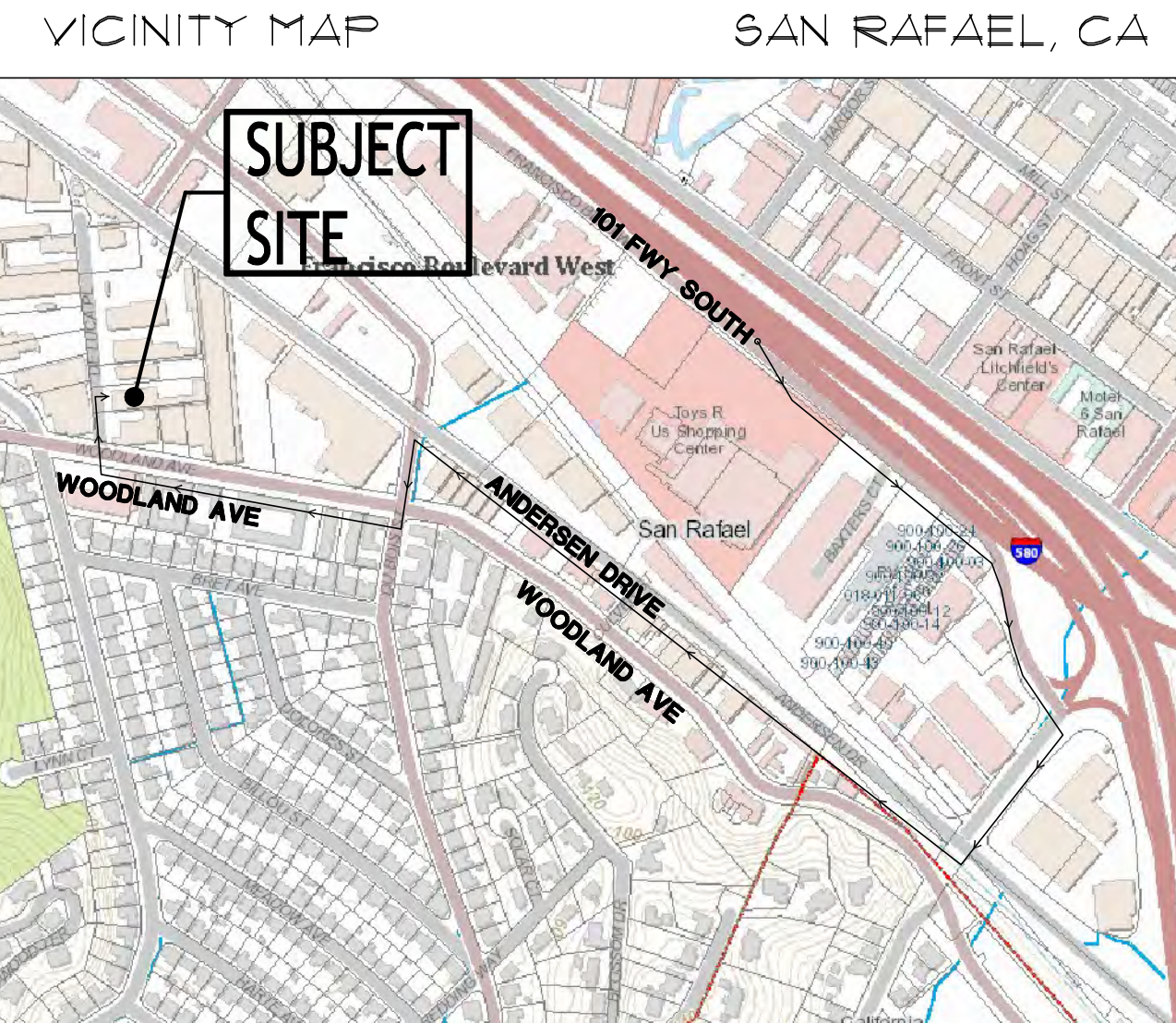
SAN RAFAEL, CA 94901

PROJECT DATA

| | |
|--------------------------|--|
| PARCEL (BLOCK/LOT) | 013-081-04 |
| ZONING | I |
| OCCUPANCY CLASSIFICATION | S1 / F1 / B |
| DESCRIPTION OF USE | STORAGE, MANUFACTURE & ASSEMBLY, OFFICES |
| CONSTRUCTION TYPE | V-B |
| STORIES | TWO |
| SPRINKLERS | YES |

SITE & BLDG. DATA

| | |
|--|-------------------------------|
| LOT AREA | 20,616 SF. |
| EXISTING BUILDING AREA | |
| EXISTING BUILDING TOTAL FLOOR AREA (BLDG TO BE REMOVED) | 4,913.8 SF. |
| EXISTING F.A.R. | 24.1% |
| NEW BUILDING AREAS | |
| NEW BUILDING FIRST FLOOR (STORAGE, FACTORY, STAIRS, BATH) | 3,923.9 SF. |
| NEW BUILDING FIRST FLOOR (OFFICE) | 156.1 SF. |
| TOTAL NEW BUILDING FIRST FLOOR | 4,080.0 SF. |
| NEW BUILDING SECOND FLOOR (STORAGE, FACTORY, BATH) | 1,306.8 SF. |
| NEW BUILDING SECOND FLOOR (OFFICES) | 1,781.2 SF. |
| TOTAL NEW BUILDING SECOND FLOOR | 3,088.0 SF. |
| TOTAL NEW BUILDING FLOOR AREA | 7,174.0 SF. |
| NEW BUILDING FLOOR AREA PERCENTAGE BY USE | |
| TOTAL NEW BUILDING STORAGE, FACTORY, STAIRS, BATHS | 5,507.3 SF. / 500 = 12 SPACES |
| TOTAL NEW BUILDING OFFICES | 1,943.3 SF. / 250 = 8 SPACES |
| NEW BUILDING FLOOR AREA RATIO | |
| TOTAL NEW BUILDING FLOOR AREA | 7,174.0 SF. |
| TOTAL NEW BUILDING FLOOR AREA RATIO (38% ALLOWED) | 37.1% |
| LANDSCAPED AREA | |
| PLANTERS (EXCLUDES LIVING WALL AREA) | 866 SF. / 20,616 = 4.2% |
| PARKING (THESE FLOOR AREAS DO NOT INCLUDE STAIRS & BATHS) | |
| STORAGE & FACTORY (1 PER 500) | 5,507.3 SF. / 500 = 12 SPACES |
| OFFICES (1 PER 250) | 1,943.3 SF. / 250 = 8 SPACES |
| TOTAL PARKING REQUIRED & PROVIDED | 20 SPACES |



PROJECT PRINCIPLES

OWNER
ALLIED HEATING & AC CO., INC.
12 DeLUCA PLACE
SAN RAFAEL, CA 94901
(415) 459-5232
ATTN: ERIK BARGER

ARCHITECT
SKS ARCHITECTS
1852 FOURTH STREET
SAN RAFAEL, CA 94901
(415) 382-1656
ATTN: STEWART SUMMERS

SURVEYOR
I031 SURVEY, INC.
1857 RAINIER CIRCLE
PETALUMA, CA 94954
(707) 827-6370
ATTN: G.J. HARMINA

CIVIL ENGINEER
LTD ENGINEERING, INC.
1050 NORTHGATE DRIVE
SAN RAFAEL, CA 94903
(415) 446-7402
ATTN: GLENN DEARTH

GEOTECHNICAL ENGINEER
MILLER PACIFIC ENGINEERING GRP
504 REDWOOD BLVD, SUITE 220
NOVATO, CA 94941
(415) 382-3444
ATTN: RUSTY AREND

STRUCTURAL ENGINEER
NISSEN ENGINEERING
530-C ALAMEDA DEL PRADO #333
NOVATO, CA 94949
(415) 382-1190
ATTN: PETER NISSEN

ELECTRICAL ENGINEER
ENGINEERING ENTERPRISES, INC.
613 4TH STREET, STE 206-B
SANTA ROSA, CA 95404
(707) 544-1115
ATTN: MIKE JOHNSTON

MECHANICAL ENGINEER
ALLIED HEATING & AC CO., INC.
12 DeLUCA PLACE
SAN RAFAEL, CA 94901
(415) 459-5232
ATTN: ERIK BARGER

GENERAL NOTES

- ALL MATERIALS AND WORKMANSHIP TO CONFORM TO THESE PLANS THE STANDARD SPECIFICATIONS OF THE CURRENT ADOPTED EDITION 2019 CALIFORNIA BUILDING CODE INCLUDING THE 2019 CFC, 2019 CMC, 2019 CPC, 2019 CEC, 2019 CALIFORNIA ENERGY EFFICIENCY STANDARDS CODE (CEES), 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE (CGBS OR CALGREEN) & ALL OTHER APPLICABLE CODES, ORDINANCES, AND STANDARDS FOR RESIDENTIAL CONSTRUCTION AND SPECIFICALLY FOR THE CONSTRUCTION OF THIS STRUCTURE IN THE CITY OF SAN RAFAEL.
- ALL MATERIALS AND WORKMANSHIP TO MEET OR EXCEED THE BEST STANDARDS OF THE TRADE. ON-SITE VERIFICATION OF DIMENSIONS, ELEVATIONS, AND OTHER CONDITIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ANY DISCREPANCIES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE ARCHITECT.
- NOTED DIMENSIONS TAKE PRECEDENCE. DO NOT SCALE DRAWINGS. ON-SITE VERIFICATION OF DIMENSIONS, ELEVATIONS, AND OTHER CONDITIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ANY DISCREPANCIES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE ARCHITECT.
- PROTECTION OF OWNER'S PROPERTY AND ALL ADJACENT PROPERTIES, AS WELL AS THE GENERAL PUBLIC ARE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE MAINTAINED AT ALL TIMES.
- ALL PAINTS, FINISHES, AND ADHESIVES, CAULKING, AND SEALANTS SHALL BE LOW VOC.
- G.C. SHALL APPLY FOR AND PROCURE ALL DEMOLITION PERMITS AS REQUIRED BY LOCAL AUTHORITIES INCLUDING OBTAINING A "J-NUMBER" FROM THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT
- PROVIDE FREQUENT AND THOROUGH DUST CONTROL AND CLEAN-UP DURING ALL PHASES OF DEMOLITION & CONSTRUCTION.
- (E) SANITARY SEWER LATERAL TO BE TELEVIEWED & RESULTS SUBMITTED TO THE CITY OF SR PRIOR TO PERMIT ISSUANCE. REPLACEMENT OF SEWER LATERAL OR PORTIONS THEREOF SHALL BE CONDUCTED BASED ON FINDINGS OF CITY OF SAN RAFAEL.

SHEET INDEX

ARCHITECTURAL

A0 COVER SHEET, SITE PLAN PROJECT DATA

1 EXISTING SITE SURVEY

A1 NEW BUILDING FLOOR PLANS

A2 NEW BUILDING ELEVATIONS

A3 NEW BUILDING ROOF PLAN, BUILDING SECTION & TRASH ENCLOSURE PLANS

CIVIL

C1 CIVIL COVER SHEET (DATA/INFO)

C2 CONCEPTUAL GRADING & DRAINAGE PLAN

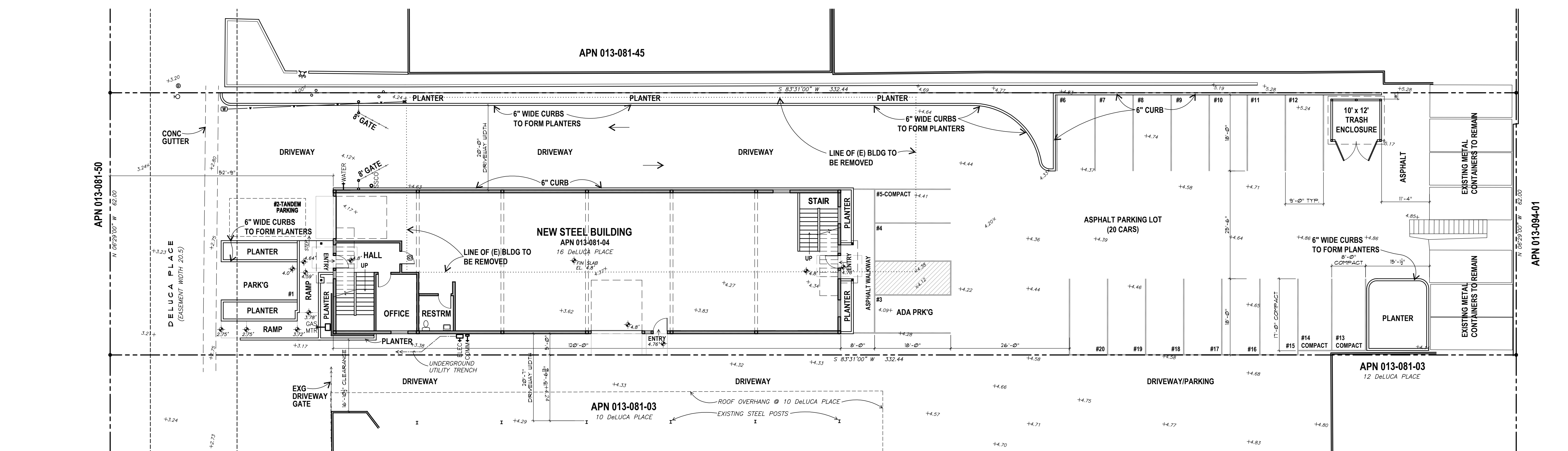
C3 CIVIL DETAILS

LANDSCAPE

L1 LANDSCAPE PLAN

PROJECT DESCRIPTION

REMOVE EXISTING BUILDING AND SITE AMENITIES - CONSTRUCT NEW TWO-STORY PRE-FAB METAL BUILDING ON CONCRETE SLAB - CONSTRUCT SITE IMPROVEMENTS TO INCLUDE PARKING, LANDSCAPING, ACCESSIBLE ENTRIES, SITE DRAINAGE, & NEW UTILITY SERVICES



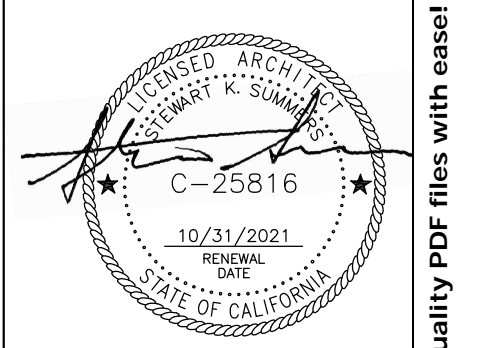
NEW SITE PLAN
SCALE: 1" = 12'
0' 3' 6' 12' 24' 48'



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| REVISIONS | DATE | BY |
|-----------|------|----|
| | | |
| | | |
| | | |
| | | |
| | | |

New Steel Building for:
Allied Heating & AC Company, Inc.
16 DeLuca Place
San Rafael, CA 94901
APN#: 013-081-04



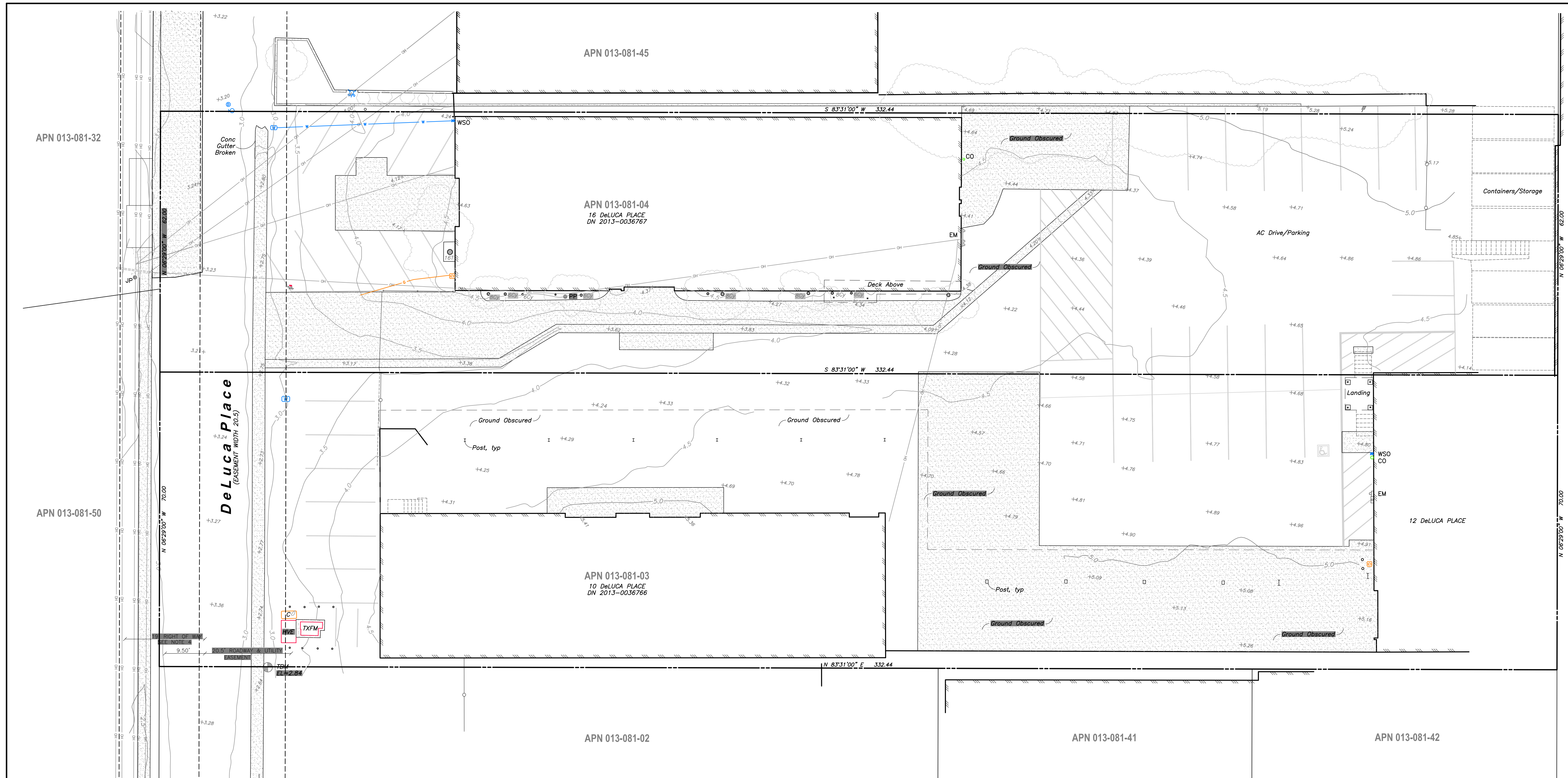
COVER SHEET, SITE PLAN & PROJECT DATA

REVIEW THE DRAWINGS CAREFULLY. DO NOT SCALE THE DRAWINGS. ANY DISCREPANCIES IN DIMENSIONS AND DETAILS SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF STEWART K. SUMMERS, ARCHITECT

DATE: 01/28/2021
SCALE: AS NOTED
DRAWN: SKS
JOB NO.
SHEET NO:

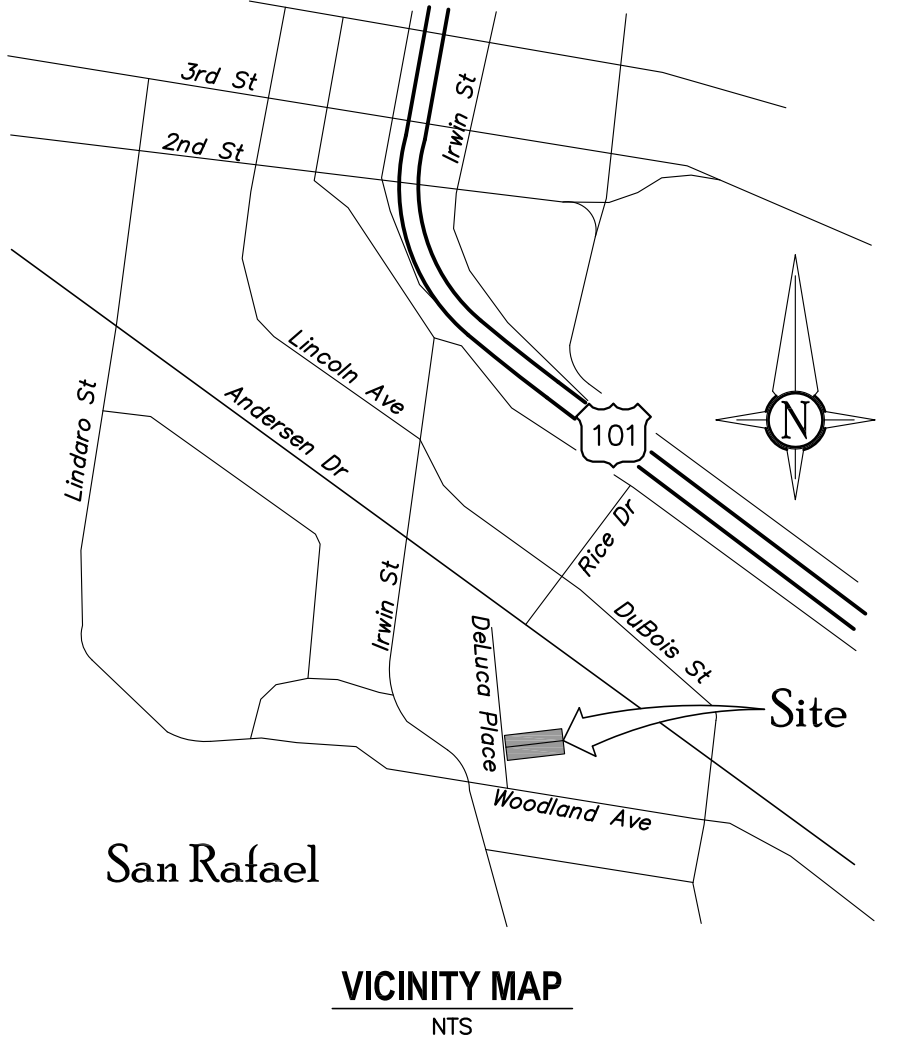
A0

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NOTES

- TOPOGRAPHIC INFORMATION SHOWN HERE IS BASED UPON A FIELD SURVEY PERFORMED BY 1031SURVEY, INC. IN APRIL 2020 USING TERRESTRIAL LIDAR.
- VERTICAL DATUM: PRIMARY SMART RAILROAD CONTROL POINT #155 AS SHOWN ON THAT RECORD OF SURVEY FILED IN BOOK 2010, AT PAGE 96 BEING A 2-INCH DISK SET IN TOP OF A BOX CULVERT LEADING TO THE SAN RAFAEL CREEK, LOCATED SOUTHWESTERLY OF THE RAILROAD LYING APPROXIMATELY 320 FEET NORTHEASTERLY OF THE INTERSECTION OF ANDERSEN DRIVE AND DuBOIS STREET, ELEVATION=3.44, NAVD88 DATUM. A LOCAL BENCHMARK BEING A MAGNAIL & SHINER IS SET APPROXIMATELY 10 FEET SOUTHWESTERLY OF THE TRANSFORMER ON DeLUCA PLACE, ELEVATION=2.84, NAVD88 DATUM.
- BOUNDARY IS BASED ON A RESOLUTION AS PREPARED BY RECORD OF SURVEY, CURRENTLY IN THE REVIEW PROCESS AT THE COUNTY SURVEYOR'S OFFICE.
- THE 19 FOOT WIDE RIGHT OF WAY AS STATED FOR CONSTRUCTION AND MAINTENANCE OF A RAILROAD SPUR TRACT MAY HAVE EXTINGUISHED DUE TO THE REMOVAL OF THE RAILROAD TRACT. UNWRITTEN RIGHTS MAY EXIST FOR CONTINUED INGRESS AND EGRESS.
- TREES WERE MEASURED AT BRESTH HEIGHT ABOVE THE GROUND WHERE PRACTICAL. TREE SPECIES ARE LABELED IF IDENTIFIABLE. IT IS RECOMMENDED THAT AN ARBORIST REPORT BE OBTAINED TO DETERMINE TREE SPECIES, HEALTH AND HERITAGE STATUS.
- NO TITLE REPORT WAS REVIEWED IN CONJUNCTION WITH THIS MAPPING. IT IS RECOMMENDED THAT A TITLE REPORT BE RECEIVED FROM THE OWNER TO VERIFY THE EXISTENCE OF ANY ADDITIONAL EASEMENTS OF RECORD OR LOT LINE ADJUSTMENTS THAT MAY HAVE ALTERED THE INFORMATION SHOWN HEREON PRIOR TO ANY DESIGN AND/OR CONSTRUCTION.
- NUMEROUS OBSTRUCTIONS ARE ON SITE THAT OBSCURED THE GROUND IN MULTIPLE LOCATIONS. NO ELEVATION DATA IS AVAILABLE IN AREAS NOTED HEREON AS "GROUND OBSCURED."
- UNDERGROUND UTILITIES WERE PLOTTED USING SURFACE EVIDENCE. UNDERGROUND UTILITIES MAY EXIST THAT ARE NOT SHOWN HEREON. UNDERGROUND UTILITIES MAY NOT BE LOCATED AS SHOWN HEREON. IT IS RECOMMENDED THAT AN UNDERGROUND UTILITY LOCATION COMPANY MARKS THE UTILITIES PRIOR TO ANY CONSTRUCTION. ONLY BY POTHOLES FOR EXISTING UTILITIES CAN THEIR LOCATION BE KNOWN.
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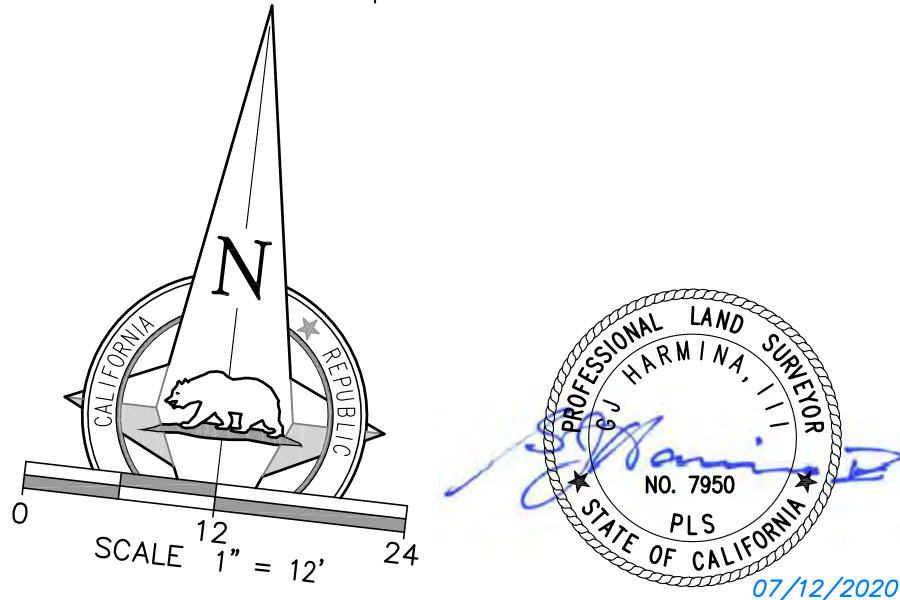
LEGEND

| | |
|--|--|
| | BUILDING |
| | FENCE, CHAIN LINK |
| | OVERHEAD UTILITIES |
| | WATER SERVICE |
| | CONCRETE |
| | DROP INLET |
| | ELECTRIC MAIN |
| | GAS METER |
| | TEMPORARY BENCHMARK |
| | TREE, TO SCALE, WITH DRIPLINE, DIAMETER & TYPE |
| | WATER METER |
| | WATER VALVE |
| | FIRE HYDRANT |

FLOOD INFORMATION
 PARCELS ARE WITHIN THE FEMA FLOOD HAZARD AREA, ZONE AE WITH BASE FLOOD ELEVATION (BFE) 10 AS SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 0604100459F, DATED MARCH 16, 2016

ABBREVIATIONS

| | |
|------|-----------------------------|
| AC | ASPHALTIC CONCRETE |
| APN | ASSESSORS PARCEL NUMBER |
| C | COMMUNICATIONS |
| CY | CYPRESS, ITALIAN |
| CO | SANITARY SEWER CLEAN OUT |
| CONC | CONCRETE |
| EM | ELECTRIC METER |
| G | GAS |
| HVE | HIGH VOLTAGE ELECTRIC VAULT |
| JP | JOINT POLE |
| MCR | MARIN COUNTY RECORDS |
| OH | OVERHEAD UTILITY LINES |
| PP | POWER POLE |
| NTS | NOT TO SCALE |
| T | TREE |
| TBM | TEMPORARY BENCHMARK |
| TXFM | TRANSFORMER |
| W | WATER |
| WSO | WATER SHUT OFF |



LANDS OF BARGER TRUST
 10 & 12 DeLUCA PLACE
 APN 013-081-03 & 04
 SAN RAFAEL, MARIN COUNTY, CALIFORNIA

Topographic Map
1031Survey, Inc.
 HIGH DEFINITION SURVEYING
 1857 Rainier Circle, Petaluma, California 94954
 415-827-6370 www.1031survey.com

DATE: 2020.07.12 SURVEY DATE: APRIL2020
 SCALE: 1" = 12' SHEET: 1 OF 1
 FILE: 20223Topo



STREETSCAPE - 10 & 16 DeLUCA PLACE, SAN RAFAEL



16 DeLUCA PLACE EXISTING BUILDING (TO BE REMOVED)



10 DeLUCA PLACE EXISTING BUILDING (SIMILAR EXTERIOR MATERIALS USED FOR NEW BUILDING)



METAL ROOFING, METAL TRIM & COMPOSITE AWNINGS
COLOR: GRAY

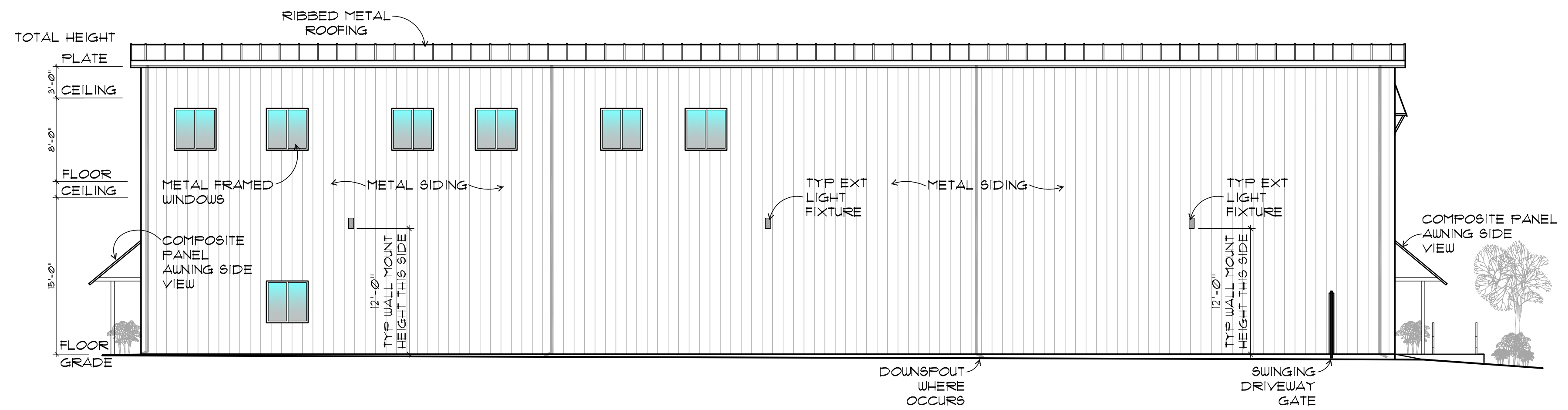
METAL RIBBED SIDING
COLOR: "BUFF"

NOTE: ALL NEW BUILDING MATERIALS TO MATCH EXISTING ALLIED BUILDING NEXT DOOR AT 10 DeLUCA PLACE

SIDING, ROOFING, TRIM, FEATURES

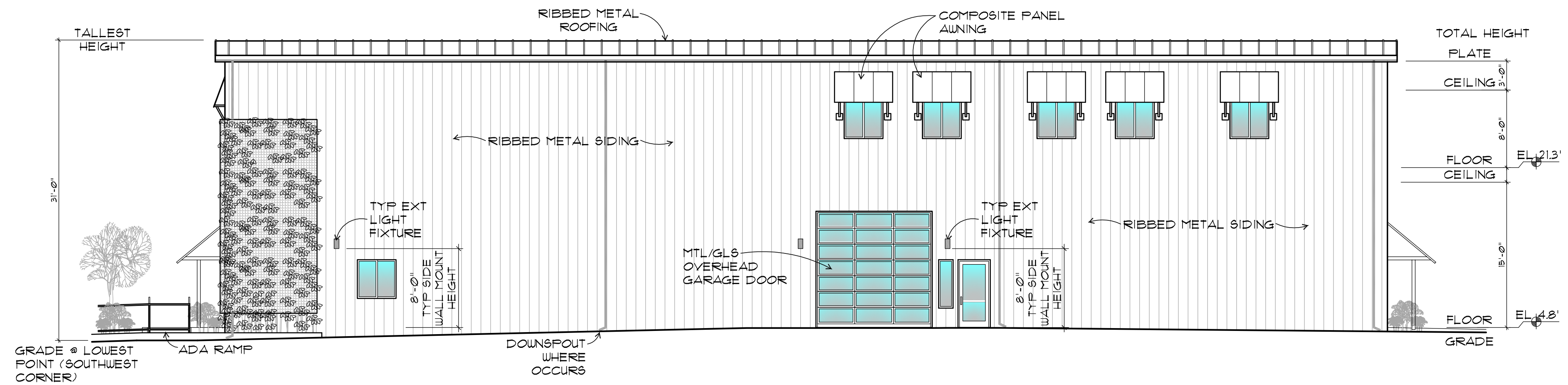
PHOTOGRAPHS & EXTERIOR MATERIALS

NO SCALE



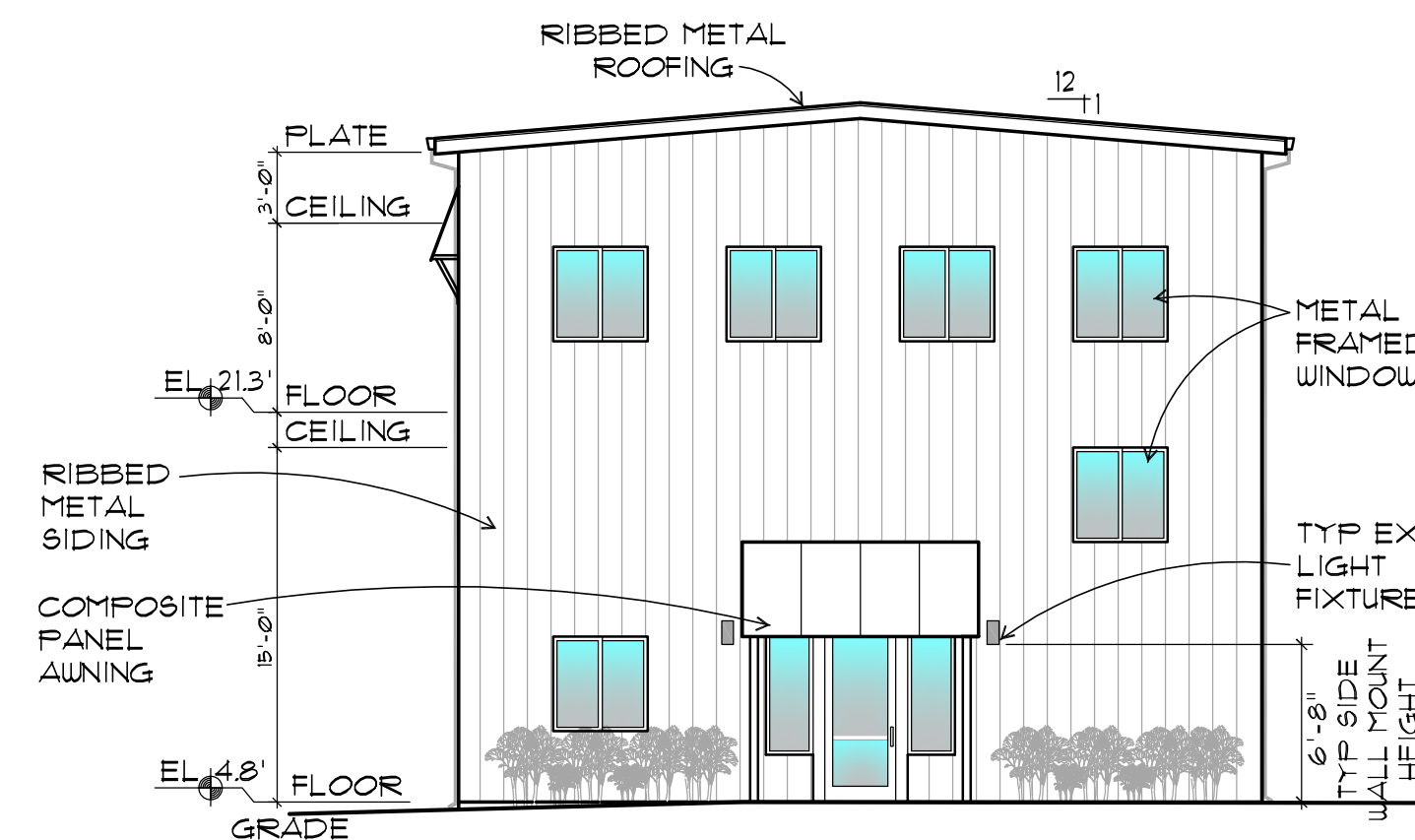
NEW SIDE (NORTH) EXTERIOR ELEVATION

SCALE: 1/8" = 1'-0"

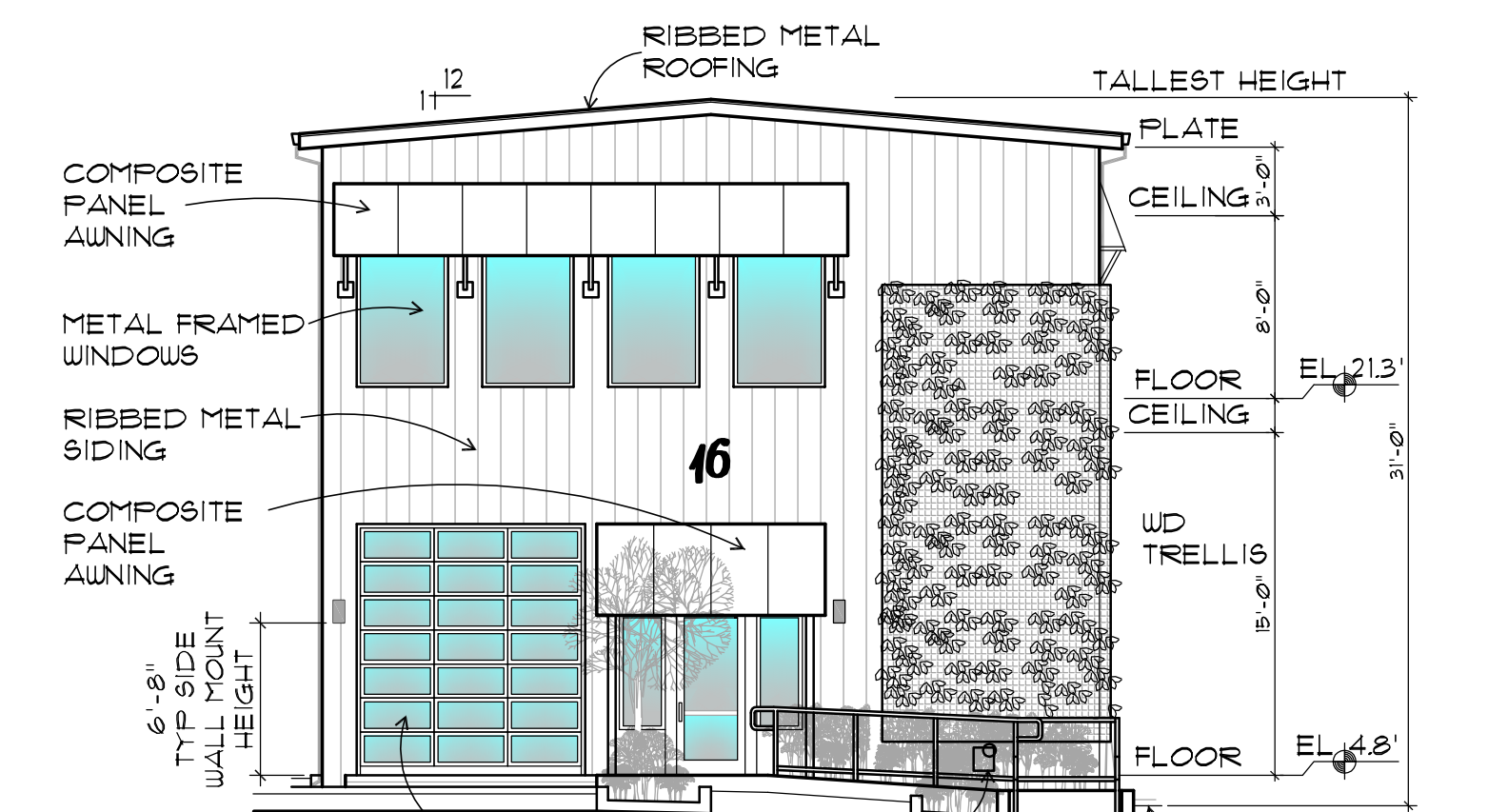


NEW SIDE (SOUTH) EXTERIOR ELEVATION

SCALE: 1/8" = 1'-0"



REAR (EAST)



FRONT (WEST)

NEW FRONT & REAR EXTERIOR ELEVATIONS

SCALE: 1/8" = 1'-0"

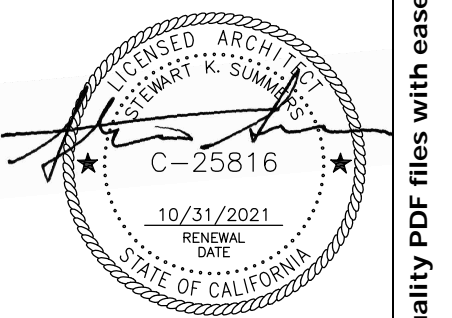
NOTE: SEE SHEET A3 FOR EXTERIOR LIGHT FIXTURE INFO



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| REVISIONS | DATE | BY |
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New Steel Building for:
Allied Heating & AC Company, Inc.
16 DeLuca Place
San Rafael, CA 94901
APN#: 013-081-04



NEW EXTERIOR ELEVATIONS & MATERIALS

DATE: 01/28/2021
SCALE: AS NOTED
DRAWN: SKS

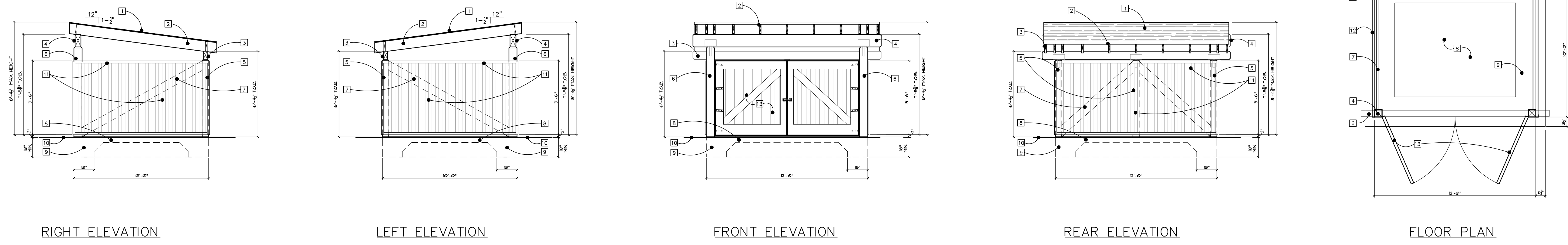
JOB NO.
SHEET NO:

A2

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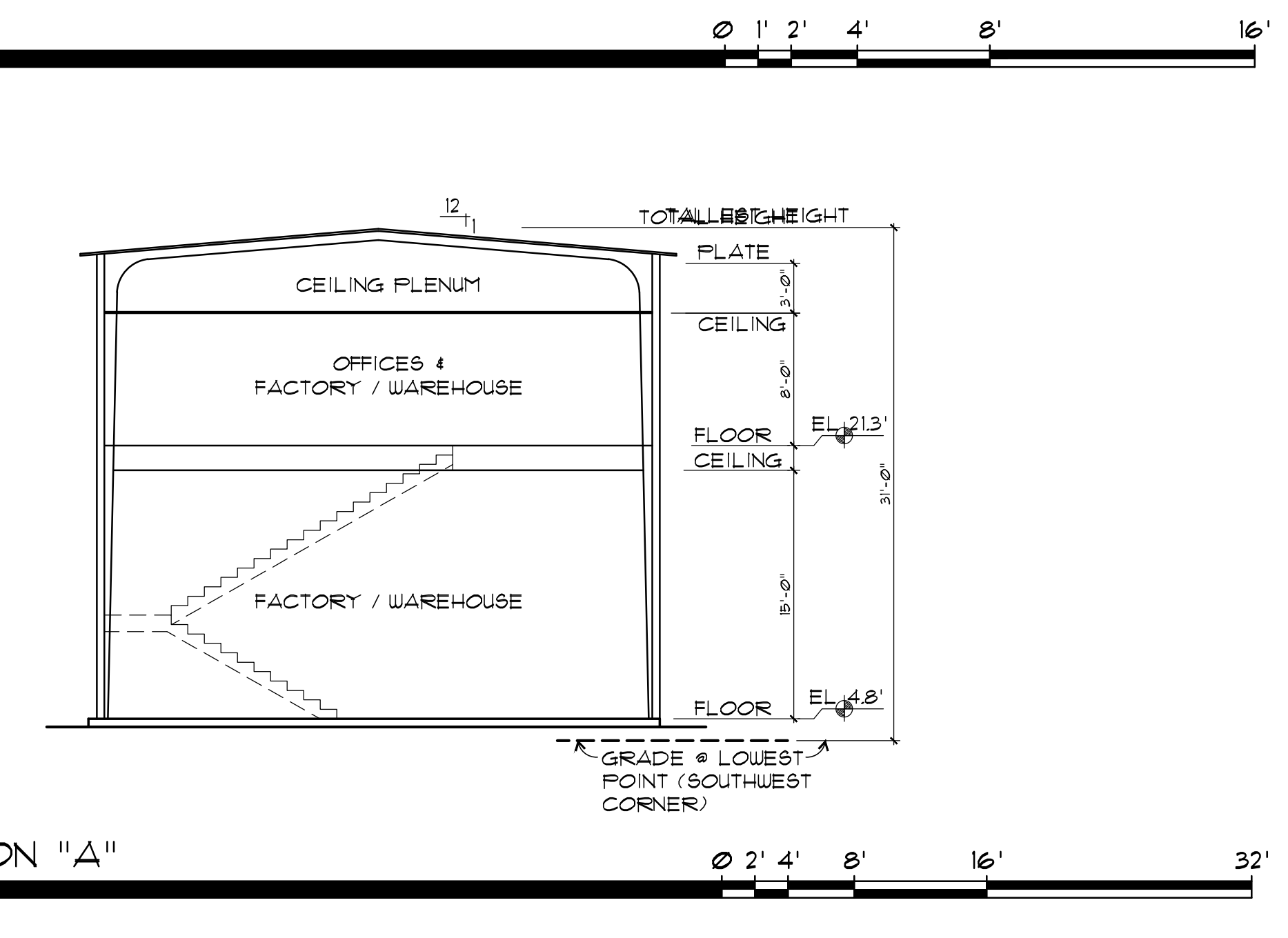


TRASH ENCLOSURE PLANS

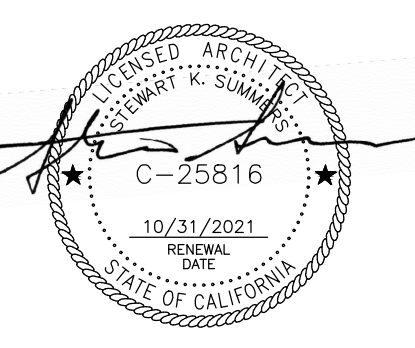
SCALE: 1/4" = 1'-0"

TRASH ENCLOSURE CONSTRUCTION NOTES #

1. CLASS "A" COMPO SHINGLES ROOFING OVER 2-LAYERS 30LB PAPERS OVER 5/8" STRUCT #1 PLY SHTG - 2" PAINTED EDGE METAL
2. 2x10 CEDAR RAFTERS 24" O.C. - SANDWICH CENTER POST W/ (2) 3/4" MB'S PER ELEVS EACH END OF ENCLOSURE - 2x CEDAR BLOCKS EACH END - SIMPSON H2 ANCHOR RAFTERS TO BEAM
3. 4x8 CEDAR BEAM W/ SIMPSON CC46 CAP & CB66 BASE
4. 6x12 CEDAR BEAM W/ SIMPSON CC68 CAP & CB88 BASE
5. 6x6 CEDAR POSTS @ REAR (3 THIS)
6. 8x8 CEDAR POSTS @ FRONT (2 THIS)
7. 2x8 P.T.D.F. DIAGONAL BRACE EACH CORNER
8. 5" THICK CONCRETE SLAB W/ #4 BARS EACH WAY - EXTEND DOWN INTO FOOTINGS
9. 18" DEEP x 18" WIDE CONCRETE FOOTING W/ (2) #4 CONT. BARS - NOTE PROVIDE MIN 2" EDGE CLEARANCE FOR ALL BARS
10. GRADE - SLOPE PER CIVIL
11. PREPARED SUB-GRADE PER GEOTECH REPORT
12. RIBBED METAL SIDING TO MATCH MAIN BUILDING - PROVIDE 2" METAL "L" ADN "CHANNEL" TRIM AT SIDES, TOP, & BOTTOM EDGES
13. WOOD GATES - 2x8 P.T.D.F. FRAMES & DIAGONAL BRACES W/ 1x6 IPE FINISH (STAINED) - PROVIDE (4) HEAVY DUTY HINGES PER DOOR - PROVIDE GATE LATCH



New Steel Building for:
Allied Heating & AC Company, Inc.
16 Deluca Place
San Rafael, CA 94901
APN#: 013-081-04



NEW ROOF PLAN, BUILDING SECTION, & TRASH ENCLOSURE


REVIEW THE DRAWINGS CAREFULLY. DO NOT SCALE THE DRAWINGS. ANY DISCREPANCIES IN DIMENSIONS AND DETAILS SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF STEWART K. SUMMERS, ARCHITECT

DATE: 01/28/2021
SCALE: AS NOTED
DRAWN: SKS
JOB NO.
SHEET NO:

A3



WDGE3 LED
Architectural Wall Sconce

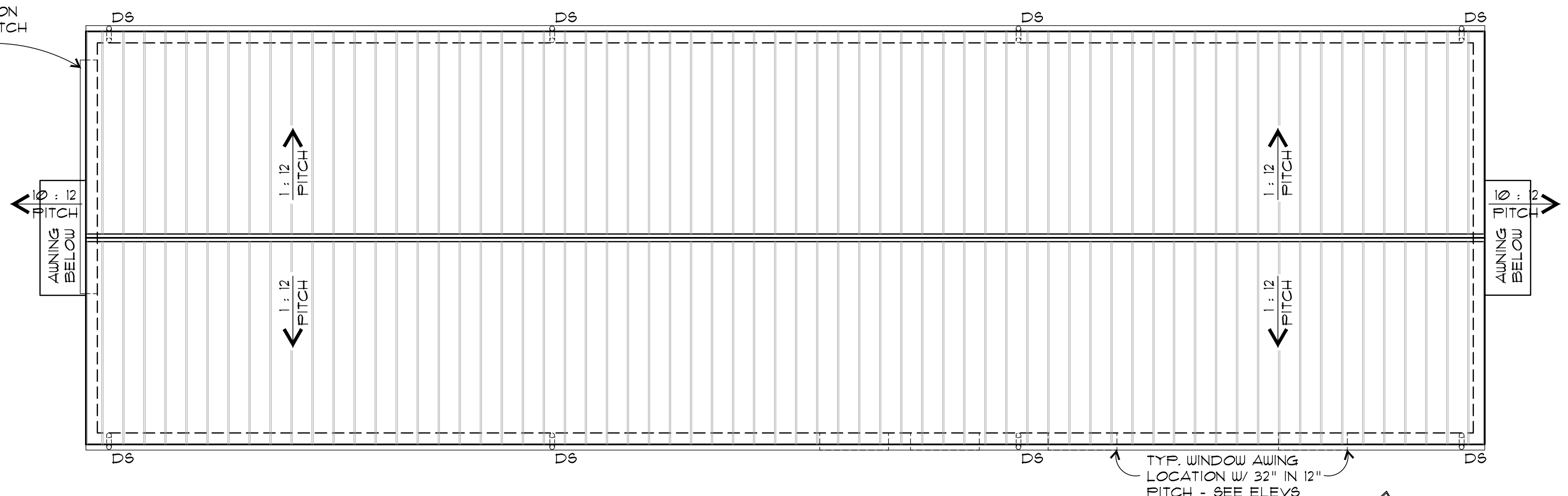


Specifications

Depth (D1): 8"
Depth (D2): 1.5"
Height: 9"
Width: 18"
Weight: 19.5 lbs (without options)

LITHONIA LIGHTING
OUTDOOR WALL LIGHT
LAMP: LED
COLOR: BLACK
STYLE: SHIELDED,
DOWNLIGHT

TYP. WINDOW AWING LOCATION W/ 32" IN 12" PITCH - SEE ELV6

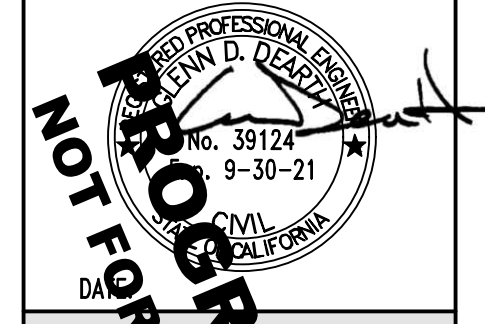


EXTERIOR LIGHT FIXTURE

SCALE: NONE

NEW ROOF PLAN

SCALE: 1/8" = 1'-0"



ISSUED FOR REVIEW & REVISIONS
NOT FOR CONSTRUCTION

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ALLIED HEATING & A.C.
NEW OFFICE/WAREHOUSE
APN 013-081-04
10 & 12 DELUCA PLACE
SAN RAFAEL, CALIFORNIA

| REVISIONS | | |
|-----------|---------|-------------------|
| NO. | DATE | DESCRIPTION |
| △ | 2/11/21 | ISSUED FOR REVIEW |
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DESIGNED BY: G. DEARTH
DRAWN BY: E. HAYDEN
APPROVED BY:
SCALE: NA
DATE: 2/11/2021 PROJECT NO. 651.001

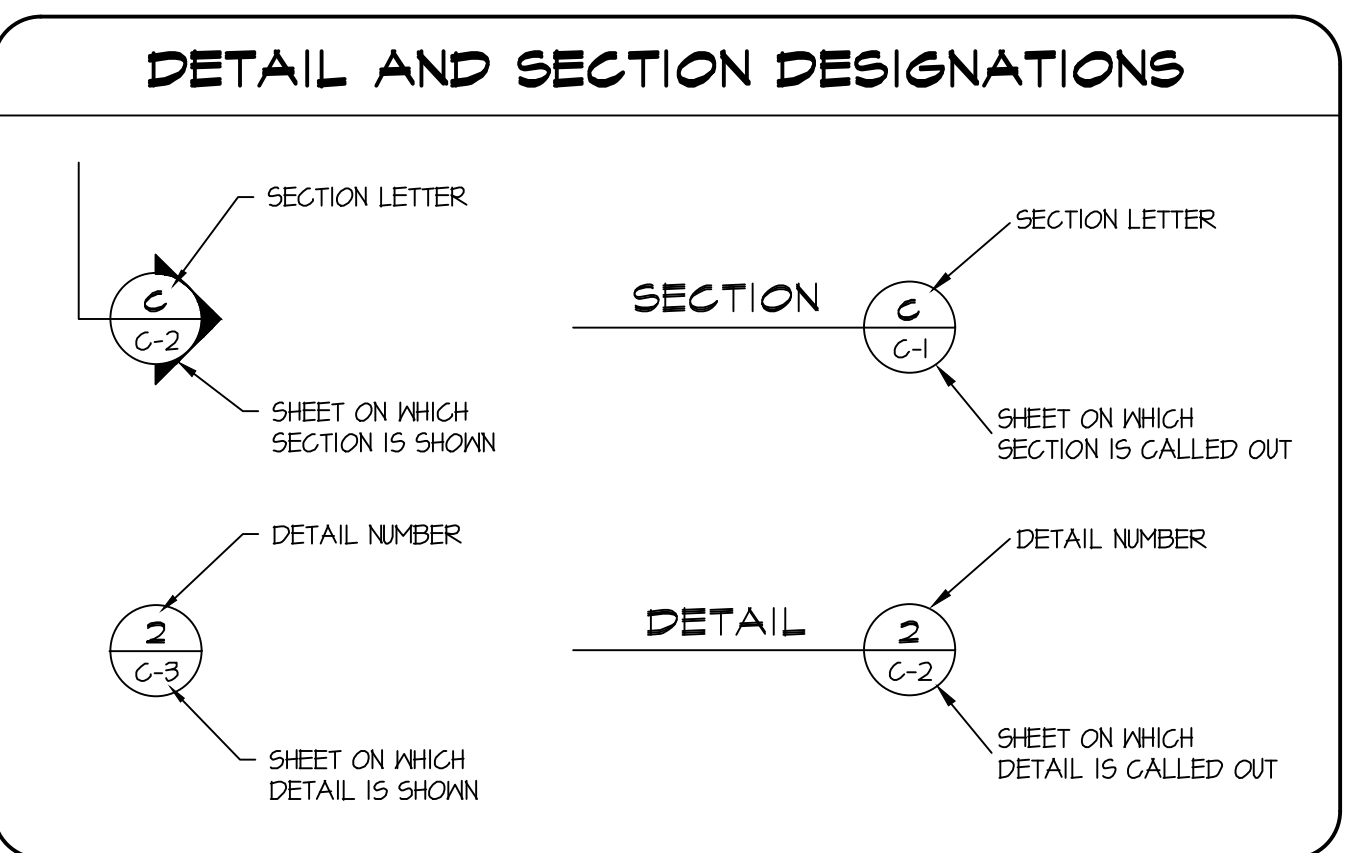
COVER SHEET
REVISION: 0
SHEET NO. 1 OF 3
DRAWING: C-1

| INDEX OF DRAWINGS | |
|-------------------|--------------------------------------|
| DRAWING NO. | DESCRIPTION |
| C-1 | COVER SHEET |
| C-2 | CONCEPTUAL GRADING AND DRAINAGE PLAN |
| C-3 | DETAILS |

| ABBREVIATIONS | |
|---------------|--|
| AB | AGGREGATE BASE |
| AC | ASPHALT CONCRETE |
| AD | AREA DRAIN |
| ADA | AMERICANS WITH DISABILITIES ACT |
| APN | ASSESSOR'S PARCEL NUMBER |
| APPROX | APPROXIMATE |
| ASTM | AM. SOCIETY OF TESTING MATERIALS |
| BM | BENCH MARK |
| BPD | BACKWATER PREVENTION DEVICE |
| CMP | CORRUGATED METAL PIPE |
| CO | CLEANOUT |
| COM | COMMUNICATION |
| COM/OH | COMMUNICATION OVERHEAD |
| COMMUG | COMMUNICATION UNDERGROUND |
| CONC | CONCRETE |
| CY | CUBIC YARDS |
| DI | DRAINAGE INLET |
| DIA | DIAMETER |
| E | ELECTRICAL |
| E/OH | ELECTRICAL OVERHEAD |
| E/UG | ELECTRICAL UNDERGROUND |
| EG | EXISTING GROUND |
| EL or ELEV | ELEVATION |
| EX | EXISTING |
| FD | FLOOR DRAIN |
| FF | FINISHED FLOOR ELEVATION |
| FL | FLOW LINE |
| Fg | FINISHED GRADE ELEVATION |
| FT | FEET or FOOT |
| G | NATURAL GAS |
| GALV | GALVANIZED |
| GM | GAS METER |
| GPM | GALLONS PER MINUTE |
| H | HEIGHT OF EXPOSED WALL FACE |
| HB | HOSE BIB |
| HDPE | HIGH DENSITY POLYETHYLENE PIPE |
| HP | HIGH POINT |
| INV | INVERT ELEVATION |
| JP | JOINT UTILITY POLE |
| JT | JOINT UTILITY TRENCH |
| LLFF | LOWER LEVEL FINISHED FLOOR ELEV |
| LPFF | LOW POINT FINISHED FLOOR ELEV |
| MAX | MAXIMUM |
| MH | MANHOLE |
| MIN | MINIMUM |
| MLFF | MAIN LEVEL FINISHED FLOOR ELEV |
| MMWD | MARIN MUNICIPAL WATER DISTRICT |
| OH | OVERHEAD |
| Pg+E | PACIFIC GAS AND ELECTRIC |
| PVC | POLYVINYL CHLORIDE PIPE |
| R | RADIUS |
| RIM | ELEV. AT MH COVER OR DI GRATE |
| RL | ROOF LEADER |
| ROW | RIGHT-OF-WAY |
| S | SLOPE |
| SGH | SCHEDULE |
| SIM | SIMILAR |
| SDMH | STORM DRAIN MANHOLE |
| SS | SANITARY SEWER |
| SSMH | SANITARY SEWER MANHOLE |
| SDR | STANDARD DIMENSION RATIO |
| TC | TOP OF CURB ELEVATION |
| TW | TOP OF WALL ELEVATION |
| TYP | TYPICAL |
| UCS | UNIFORM CONSTRUCTION STANDARDS, MARIN COUNTY |
| ULFF | UPPER LEVEL FINISHED FLOOR ELEV |
| VB | VALVE BOX |
| W | WATER |
| WM | WATER METER |
| WV | WATER VALVE |

| STORMWATER PLAN SUMMARY | | |
|----------------------------|---------------|--------------------------------|
| | EXISTING SITE | PROPOSED SITE DEVELOPMENT PLAN |
| IMPERVIOUS SURFACES | 20,483 SF | 19,550 SF |
| CONCRETE PAVERS (PERVIOUS) | 0 SF | 0 SF |
| LANDSCAPE (PERVIOUS) | 175 SF | 1,108 SF |
| TOTAL LOT AREA | 20,658 SF | 20,658 SF |

STORMWATER NOTES:
1. IMPERVIOUS SURFACES INCLUDE ROOF, DRIVEWAY AND PARKING. FOR DRAINAGE PURPOSES, IMPERVIOUS AREA INCLUDES ROOF EAVE OVERHANG AREA.
2. NEW OR REPLACEMENT IMPERVIOUS AREA IS 16,849 SF.



UTILITY CONNECTION NOTES:

- THE PROPOSED ALIGNMENT FOR UTILITY SERVICE CONNECTIONS HAS NOT BEEN APPROVED BY SERVICE PROVIDERS. CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH UTILITY SERVICE PROVIDERS TO DETERMINE UTILITY ROUTES AND REQUIRED SERVICE UPGRADE DETAILS. REVIEW ALL PROPOSED UTILITY ROUTES AND UPGRADE DETAILS WITH THE ENGINEER PRIOR TO CONSTRUCTION.
- UTILITY SERVICES TO THE PROJECT SITE ARE PROVIDED BY:
WATER: MARIN MUNICIPAL WATER DISTRICT
SEWER: SAN RAFAEL DEPARTMENT OF PUBLIC WORKS
ELECTRIC POWER: PACIFIC GAS AND ELECTRIC (PG&E)
GAS: PACIFIC GAS AND ELECTRIC (PG&E)
TELEPHONE: AT&T
CABLE: COMCAST
- INSTALL NEW WATER SERVICE PIPE BETWEEN THE EXISTING WATER METER AND THE HOUSE. SIZE THE WATER SERVICE PIPE FOR THE REQUIRED FIRE SPRINKLER FLOW RATE. REPLACE THE WATER METER IF IT HAS INADEQUATE CAPACITY FOR THE MAXIMUM FIRE SPRINKLER FLOW RATE.
- CONDUCT A VIDEO INSPECTION OF THE EXISTING SEWER LATERAL. REPAIR OR REPLACE THE LATERAL IF THE INSPECTION RESULTS SHOW THAT THE PIPE IS NOT IN SATISFACTORY CONDITION OR IF THE LATERAL DOES NOT COMPLY WITH CURRENT ROSS VALLEY SANITARY DISTRICT NO. 1 STANDARDS.

| ESTIMATED EARTHWORK QUANTITIES | |
|--------------------------------|---------|
| EXCAVATION | 120 CY |
| FILL | 0 CY |
| EXCESS | 120 CY |
| MAX. EXCAVATION DEPTH | 2 FT |
| MAX. FILL DEPTH | 0 FT |
| DISTURBED AREA | 0.41 AC |

EARTHWORK NOTES:

- QUANTITIES ARE "IN-PLACE" ESTIMATES AND DO NOT INCLUDE AN ALLOWANCE FOR SHRINK OR SWELL. ESTIMATES ARE FOR PERMITTING PURPOSES ONLY. CONTRACTOR IS RESPONSIBLE FOR INDEPENDENTLY DETERMINING QUANTITIES FOR CONSTRUCTION PURPOSES.
- LEGALLY DISPOSE OF EXCESS MATERIAL OFF-SITE.
- SITE GRADING IS NOT PERMITTED BETWEEN OCTOBER 15 AND APRIL 15 UNLESS PERMITTED IN WRITING BY THE BUILDING OFFICIAL/ DIRECTOR OF PUBLIC WORKS.

GREEN BUILDING STANDARDS

- THE GRADING AND DRAINAGE PLAN SHOWN ON THE DRAWINGS COMPLIES WITH CALIFORNIA GREEN BUILDING CODE STANDARDS SECTION 4.106.3 REQUIRING MANAGEMENT OF SURFACE WATER FLOWS TO KEEP WATER FROM ENTERING BUILDINGS.
- THE CONTRACTOR IS RESPONSIBLE FOR MANAGING STORMWATER DRAINAGE DURING CONSTRUCTION TO PREVENT FLOODING OF ADJACENT PROPERTY, PREVENT EROSION AND RETAIN RUNOFF ON THE SITE AS REQUIRED BY CALIFORNIA GREEN BUILDING CODE STANDARDS SECTION 4.106.2.

| LEGEND | | | |
|---|-------------------------------------|----------------------------------|----------------------------------|
| EX NEW | ASPHALT PAVING (IMPERVIOUS) | PROPERTY LINE | CONC RETAINING WALL |
| CONCRETE PAVING (IMPERVIOUS) | EASEMENT LINE | SUBDRAIN (PERFORATED PIPE) | STORM DRAIN PIPE |
| NEW FLAGSTONE PAVING (IMPERVIOUS) | EX WOODEN RET WALL | ELECTRICAL OVERHEAD LINE | ELECTRICAL UNDERGROUND |
| NEW CONCRETE PAVERS (SEMI-PERVIOUS) | DRAINAGE DITCH/ BIO-SWALE | COMMUNICATION OVERHEAD LINE | COMMUNICATION UNDERGROUND |
| NEW WOOD DECK (PERVIOUS) | UNDISTURBED SOIL | JOINT TRENCH | SANITARY SEWER |
| PERVIOUS PAVING | COMPACTED FILL MATERIAL | WATER LINE | GAS LINE |
| PLANTED, LANDSCAPED AREA | GEOTEXTILE | EDGE OF ROAD | ROOF EAVE |
| GRAVEL OR DECOMPOSED GRANITE (PERVIOUS) | EROSION CONTROL BLANKET | EX FENCE | NEW WIRE FENCE |
| EROSION CONTROL BLANKET | TURF REINFORCING MAT | NEW WOOD FENCE | EXISTING GRADE ELEVATION CONTOUR |
| BUILDING ADDITION | STRAW WATTLE | FINISHED GRADE ELEVATION CONTOUR | FINISHED GRADE ELEVATION |
| AREA DRAIN | RUNOFF FLOW DIRECTION | REMOVE EX TREE | |
| DRAINAGE INLET | SMALE FLOW DIRECTION | | |
| ROOF LEADER | STORMWATER LEVEL SPREADER | | |
| FIRE HYDRANT | BUBBLE-UP DRAINAGE EMITTER | | |
| JOINT POLE | POP-UP DRAINAGE EMITTER | | |
| GAS METER, ELECTRIC METER | SUBDRAIN END CAP | | |
| WATER METER | SUBDRAIN OR STORMWATER CLEANOUT | | |
| EX TREE | SUBDRAIN OUTLET | | |
| EX TREE DRIPLINE | HIDDEN FOUNDATION OR RETAINING WALL | | |
| | TREE PROTECTION FENCING | | |

GENERAL NOTES:

- SITE SURVEY AND TOPOGRAPHIC BASE MAP PREPARED BY HIGH DEFINITION SURVEYING 1051 RAINIER CIRCLE, PETALUMA, CALIFORNIA 94454. 415-821-6370 www.1031survey.com. DATED 2020/07/12. VERTICAL DATUM: PRIMARY SMART RAILROAD CONTROL POINT #155 AS SHOWN ON THAT RECORD OF SURVEY FILED IN BOOK 2010, AT PAGE 46 BEING A 2-INCH DISK SET IN TOP OF A BOX CULVERT LEADING TO THE SAN RAFAEL CREEK, LOCATED SOUTHWESTERLY OF THE RAILROAD LYING APPROXIMATELY 320 FEET NORTHEASTERLY OF THE INTERSECTION OF ANDERSEN DRIVE AND DUBOIS STREET, ELEVATION=3.44, NAVD88 DATUM. A LOCAL BENCHMARK BEING A MAGNAIL & SHINER IS SET APPROXIMATELY 10 FEET SOUTHWESTERLY OF THE TRANSFORMER ON DELUCA PLACE, ELEVATION=2.84, NAVD88 DATUM. BOUNDARY IS BASED ON A RESOLUTION AS PREPARED BY RECORD OF SURVEY, CURRENTLY IN THE REVIEW PROCESS AT THE COUNTY SURVEYOR'S OFFICE.
- THE LOCATION OF EXISTING UNDERGROUND UTILITIES OR IMPROVEMENTS HAS NOT BEEN VERIFIED BY THE ENGINEER AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF INFORMATION SHOWN ON THE DRAWINGS. THE CONSTRUCTION CONTRACTOR MUST NOTIFY UTILITY COMPANIES AT LEAST TWO WORKING DAYS BEFORE EXCAVATION AND REQUEST FIELD LOCATION OF ALL UNDERGROUND UTILITIES. CALL UNDERGROUND SERVICE ALERT (USA) AT 811 OR 800-221-2600. ANY UTILITIES DAMAGED DURING CONSTRUCTION SHALL BE COMPLETELY RESTORED TO THE SATISFACTION OF THE LOCAL UTILITY ENGINEER, AT THE SOLE EXPENSE OF THE CONTRACTOR. ANY PROPERTY DAMAGE OR DAMAGE TO CONSTRUCTED FACILITIES SHALL BE REPAIRED TO THE SATISFACTION OF THE ENGINEER AND OWNER AT THE SOLE EXPENSE OF THE CONTRACTOR.

EROSION CONTROL PLAN

AN APPROVED EROSION CONTROL PLAN IS REQUIRED FOR ALL PROJECTS INVOLVING EXCAVATION, DRILLING, OTHER EARTHWORK OR EXPOSED BARE SOIL. THE PLAN MUST BE SUBMITTED TO THE TOWN ENGINEER AND APPROVED PRIOR TO STARTING WORK. IMPLEMENT EROSION CONTROL MEASURES YEAR ROUND AS APPROPRIATE. REGULARLY MONITOR EROSION CONTROL MEASURES AND PROMPTLY REPAIR OR REPLACE ANY DAMAGED OR INEFFECTIVE EROSION CONTROL MEASURES AS REQUIRED BY THE EROSION CONTROL PLAN. A SIGNED COPY OF THE EROSION CONTROL PLAN MUST BE POSTED AT THE WORK SITE.

DRAINAGE CONSTRUCTION REVIEW

THE CONTRACTOR SHALL CONTACT THE ENGINEER AND REQUEST REVIEW OF ALL SUBSURFACE DRAINAGE PIPING AND STORMWATER DRAINAGE PIPING AT LEAST 2 DAYS BEFORE PLACING BACKFILL MATERIAL.

FOUNDATION ELEVATIONS

BUILDING FOOTING, GRADE BEAM AND FOUNDATION WALL ELEVATIONS ARE SHOWN ON THE ARCHITECTURAL AND STRUCTURAL DRAWINGS. CONTACT THE ENGINEER IF ACTUAL SITE ELEVATIONS DIFFER FROM THE TOPOGRAPHY SHOWN ON THE GRADING PLAN. CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL FOUNDATION ELEVATIONS WITH THE GRADING PLAN, ARCHITECTURAL PLANS, STRUCTURAL PLANS AND LANDSCAPE PLANS. CONTACT THE ENGINEER AND ARCHITECT TO RESOLVE ANY CONFLICTS BETWEEN FOUNDATION ELEVATIONS AND THE SITE TOPOGRAPHY.

EXISTING UTILITY LOCATION

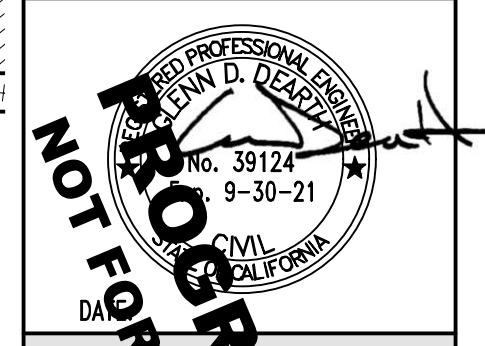
CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL EXISTING UTILITIES PRIOR TO STARTING WORK. CONTACT THE ENGINEER TO REVIEW UTILITY LOCATION AND ANY CONFLICTS WITH THE PROPOSED WORK PRIOR TO STARTING WORK. UTILITY LOCATIONS SHOWN ON THIS DRAWING ARE ASSUMED LOCATIONS BASED ON VISIBLE FEATURES AND MAY NOT INCLUDE ALL EXISTING UTILITIES.



MATCH LINE - SHEET C-3

LTD Engineering, Inc.
 1050 Northgate Drive, Suite 450
 San Rafael, CA 94903
 Tel. 415.446.7402 Cell 415.717.8719
 gdearth@LTDEngineering.com

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 12 DE LUCA PLACE
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ALLIED HEATING & A.C.
 NEW OFFICE/WAREHOUSE

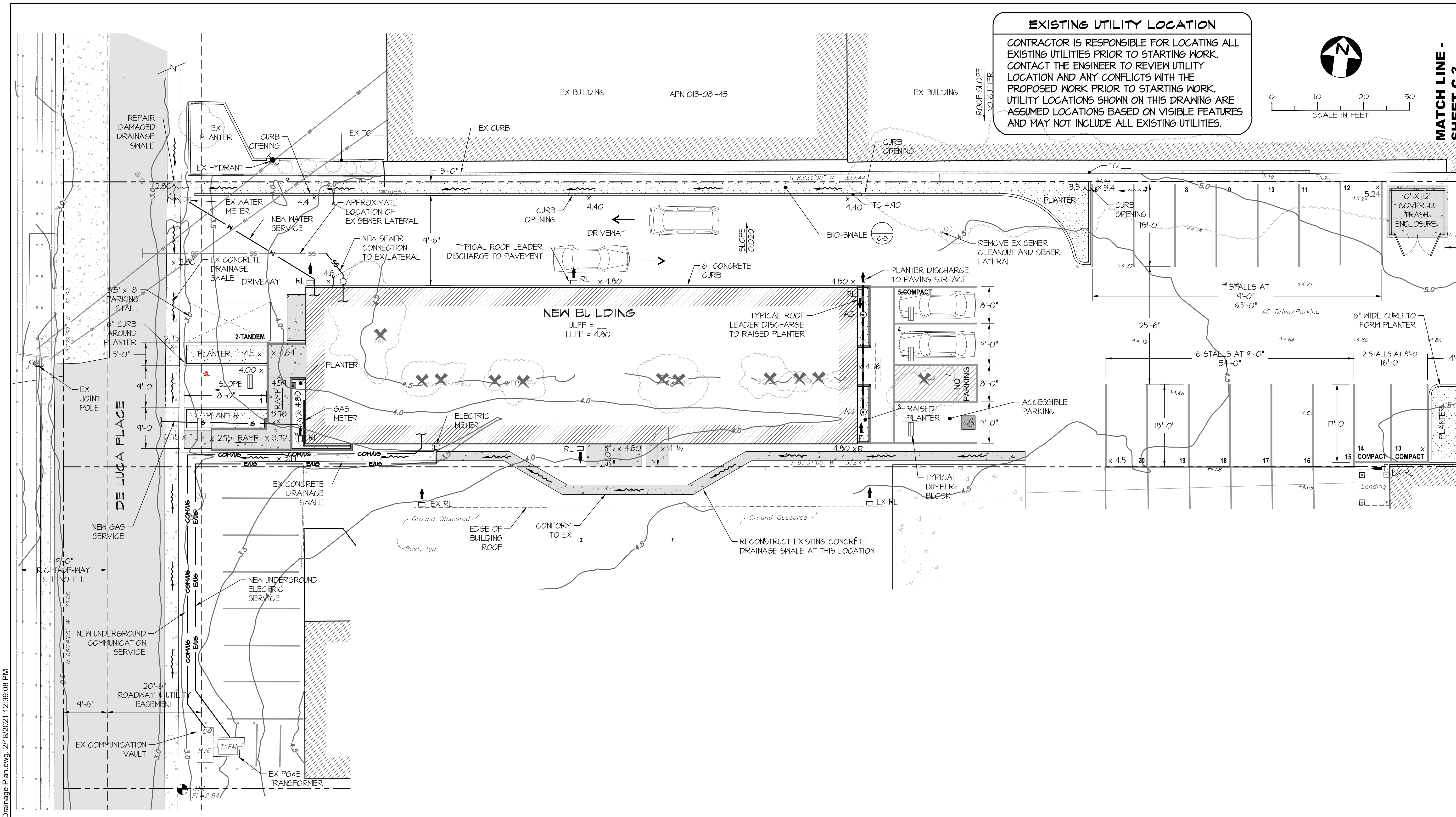
APN 013-081-04
 10 & 12 DELUCA PLACE
 SAN RAFAEL, CALIFORNIA

| REVISIONS | | |
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| NO. | DATE | DESCRIPTION |
| △ | 2/17/21 | ISSUED FOR REVIEW |
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DESIGNED BY: G. DEARTH
 DRAWN BY: E. HAYDEN
 APPROVED BY:
 SCALE: 1" = 10'-0"
 DATE: 2/17/2021
 PROJECT NO: 651.001

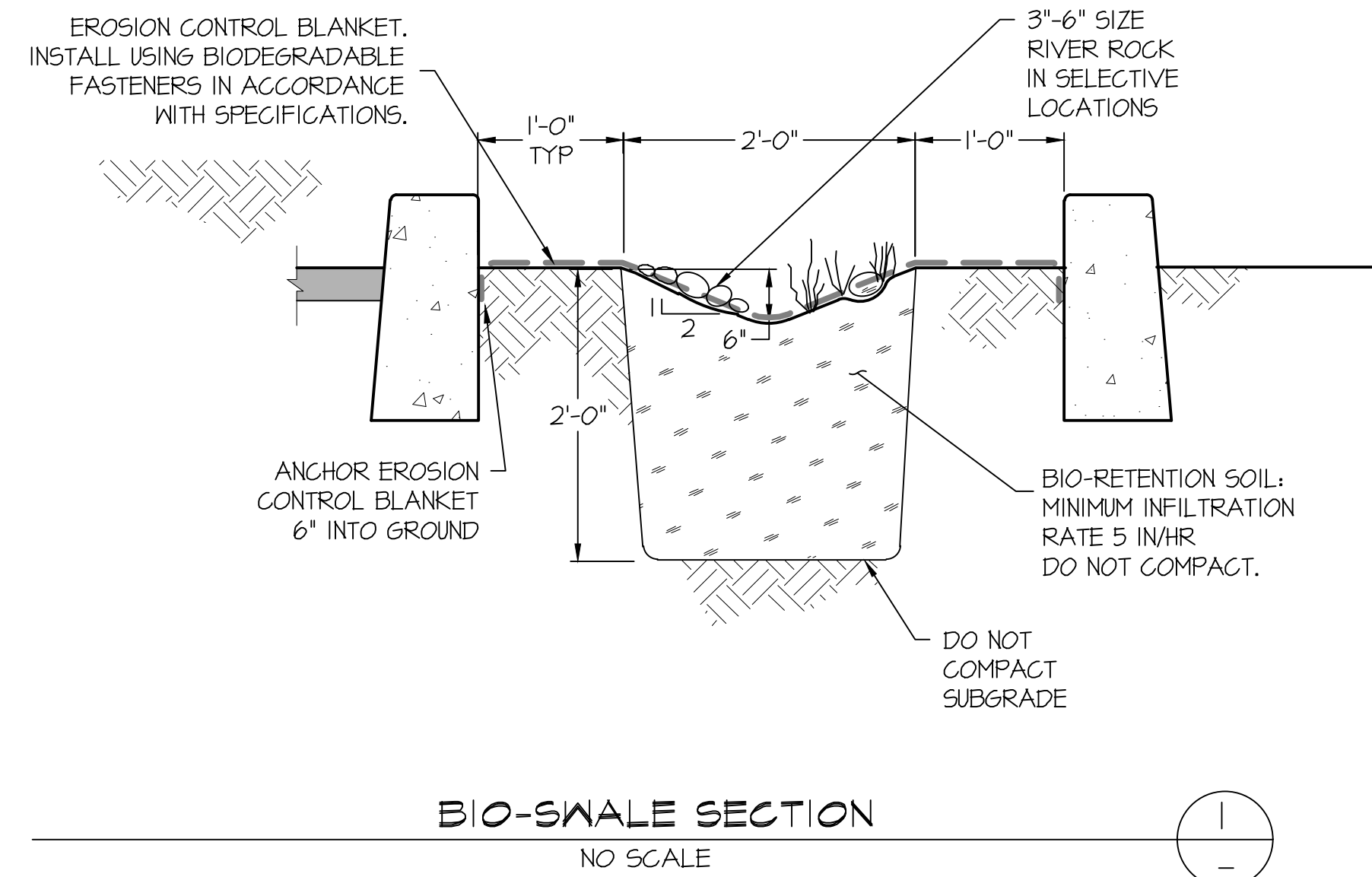
CONCEPTUAL GRADING AND DRAINAGE PLAN

REVISION: 0
 SHEET NO: 2 OF 3
 DRAWING: C-2



- NOTES:**
- THE 14 FOOT WIDE RIGHT OF WAY AS STATED FOR CONSTRUCTION AND MAINTENANCE OF AV RAILROAD SPUR TRACT MAY HAVE EXTINGUISHED DUE TO THE REMOVAL OF THE RAILROAD TRACT. UNWRITTEN RIGHTS MAY EXIST FOR CONTINUED INGRESS AND EGRESS.

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DESIGN REVIEW NOTES

STORMWATER DRAINAGE PLAN

1. THE CONCEPTUAL STORMWATER DRAINAGE PLAN IS DESIGNED TO COMPLY WITH THE CITY REQUIREMENTS FOR ON-SITE STORMWATER MANAGEMENT AND CONTROL OF STORMWATER RUNOFF TO MINIMIZE OFF-SITE IMPACTS AND IMPROVE STORMWATER QUALITY.
2. THE EXISTING DEVELOPMENT ON THE SITE TOTALS 20,483 SQUARE FEET (SQ FT) OF IMPERVIOUS AREA. THIS INCLUDES ROOF AREA, IMPERVIOUS PARKING LOT AREA AND THE STREET. THE TOTAL LOT AREA IS 20,650 SQ FT. THE EXISTING IMPERVIOUS AREA AMOUNTS TO 99 PERCENT OF THE TOTAL LOT AREA.
3. THE PROPOSED DEVELOPMENT PLAN REMOVES 849 SQ FT OF EXISTING IMPERVIOUS AREA, GIVING A TOTAL OF 19,634 SQ FT OF IMPERVIOUS AREA. THE PROPOSED TOTAL IMPERVIOUS AREA AMOUNTS TO 95 PERCENT OF THE LOT AREA.
4. RUNOFF FROM IMPERVIOUS AREA WILL BE DIRECTED TO PLANTERS IN THE PARKING LOT AND A BIO-SWALE ALONG THE NORTH SIDE OF THE MAIN DRIVEWAY. THE IMPERVIOUS AREA DIRECTED TO THE BIO-SWALE AND PLANTERS INCLUDES THE ENTIRE ROOF AREA OF THE BUILDING AND A LARGE PART OF THE PARKING LOT.

EROSION CONTROL

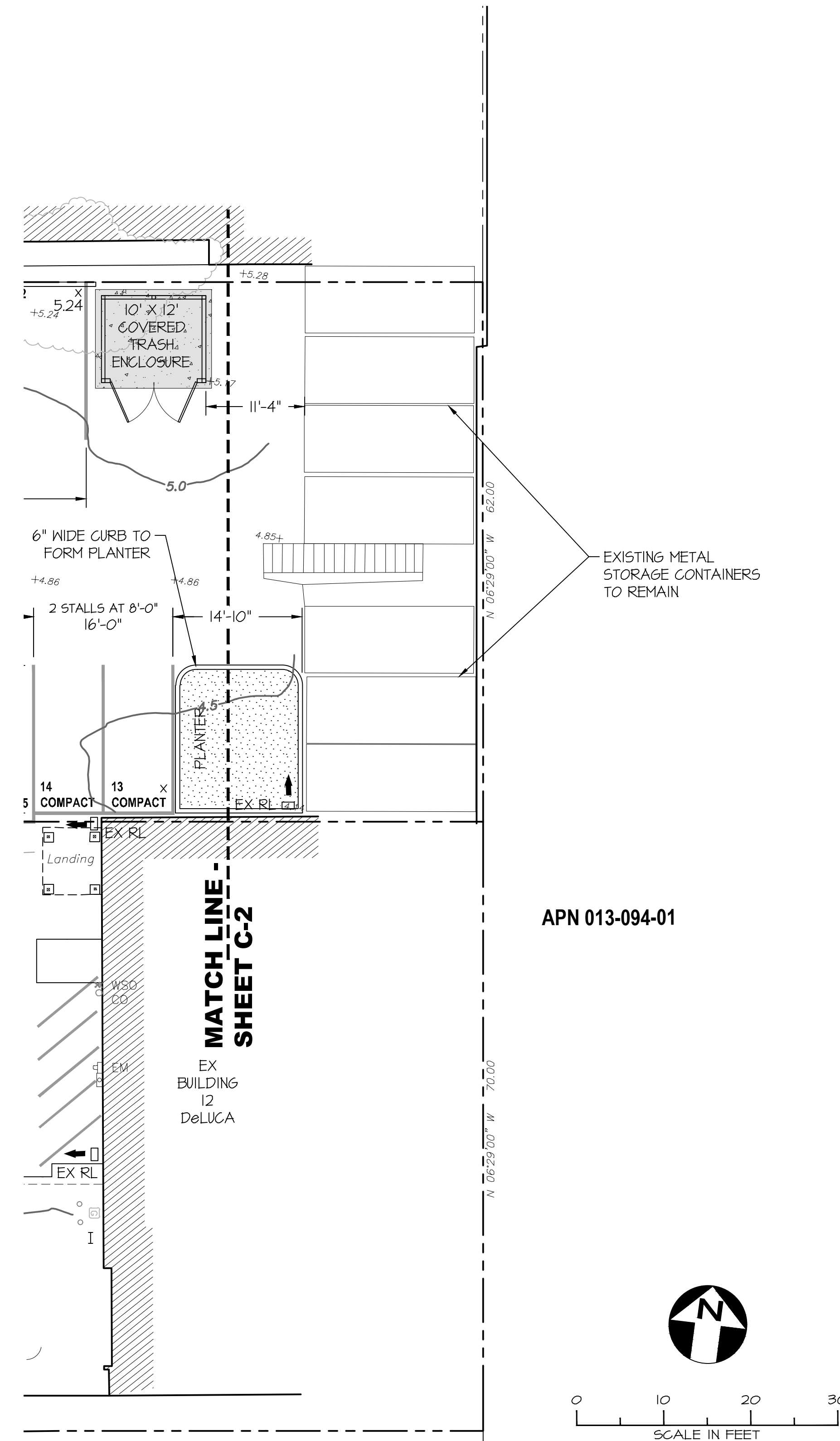
1. EROSION CONTROL MEASURES WILL BE INCORPORATED INTO THE PROJECT DURING CONSTRUCTION AND IMPLEMENTED BY THE CONSTRUCTION CONTRACTOR. STRAW WATTLES WILL BE PLACED AROUND THE DOWN-SLOPE PERIMETER OF THE DISTURBED AREA. EXCAVATED AREAS AND SOIL STOCKPILES WILL BE COVERED WITH PLASTIC TARPS TO MINIMIZE EROSION. AREAS DISTURBED DURING CONSTRUCTION WILL BE RESTORED BY SEEDING AND INSTALLATION OF EROSION CONTROL BLANKET AND STRAW WATTLES.
2. PERMANENT EROSION CONTROL WILL BE PROVIDED BY LANDSCAPING THE BIO-SWALE AND PLANTERS AFTER COMPLETION OF THE WORK.

STORMWATER POLLUTION PREVENTION

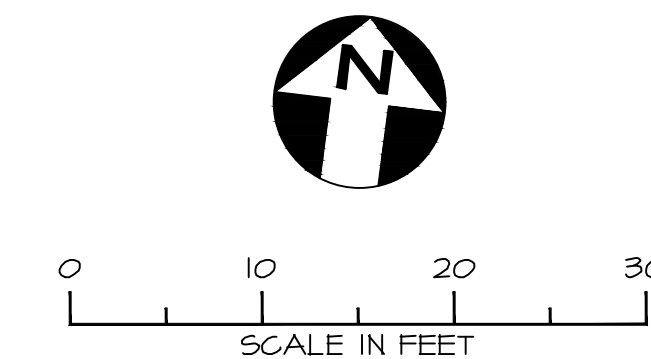
1. SPECIFICATIONS WILL BE INCLUDED ON THE PROJECT DRAWINGS OUTLINING CONSTRUCTION PRACTICES THAT MUST BE FOLLOWED TO PREVENT STORMWATER POLLUTION. CONSTRUCTION WORKERS WILL BE ADVISED OF REQUIRED CONSTRUCTION MEASURES FOR AVOIDING STORMWATER POLLUTION. THESE MEASURES WILL INCLUDE PROCEDURES FOR MATERIAL STORAGE, USE AND DISPOSAL OF HAZARDOUS MATERIALS (PAINT, SOLVENTS, ADHESIVES, ETC.), WASTE DISPOSAL PROCEDURES, CONCRETE WASHOUT REQUIREMENTS AND OTHER CONSTRUCTION PRACTICES.

UTILITY PLAN

1. WATER: THE EXISTING WATER METER WILL BE REPLACED WITH AN APPROPRIATELY SIZED METER FOR THE NEW HOUSE. A NEW PIPE WILL BE INSTALLED FROM THE METER TO THE BUILDING FOLLOWING THE ALIGNMENT SHOWN ON DRAWING C-2. ALL WATER SYSTEM IMPROVEMENTS WILL BE COMPLETED IN CONFORMANCE WITH MARIN MUNICIPAL WATER DISTRICT STANDARDS.
2. ELECTRIC POWER: THE EXISTING OVERHEAD ELECTRIC SERVICE AND METER WILL BE RELOCATED UNDERGROUND AS SHOWN ON DRAWING C-2. ALL ELECTRIC POWER SYSTEM IMPROVEMENTS WILL BE COORDINATED WITH PACIFIC GAS AND ELECTRIC (PG&E) AND COMPLETED IN CONFORMANCE WITH PG&E STANDARDS.
3. COMMUNICATION: THE EXISTING OVERHEAD PHONE AND CABLE SERVICE WILL BE RELOCATED UNDERGROUND AS SHOWN ON DRAWING C-2. ALL COMMUNICATION SYSTEM IMPROVEMENTS WILL BE COORDINATED WITH AT&T AND COMCAST. THE WORK WILL BE COMPLETED IN CONFORMANCE WITH THEIR STANDARDS.
4. NATURAL GAS: THE EXISTING GAS METER AND SERVICE LINE WILL BE RELOCATED AS SHOWN ON DRAWING C-2. ALL GAS SYSTEM IMPROVEMENTS WILL BE COORDINATED WITH PACIFIC GAS AND ELECTRIC (PG&E) AND COMPLETED IN CONFORMANCE WITH PG&E STANDARDS.
5. SANITARY SEWER: A VIDEO INSPECTION OF THE EXISTING SEWER LATERAL WILL BE CONDUCTED. IF THE LATERAL DOES NOT PASS INSPECTION, IT WILL BE REPLACED WITH A NEW LATERAL AND BACK FLOW PREVENTION DEVICE CONFORMING TO ROSS VALLEY SANITARY DISTRICT STANDARDS AS SHOWN ON DRAWING C-2. MOST OF THE EXISTING LATERAL BENEATH THE EXISTING BUILDING WILL BE REMOVED AND A SHORT SECTION OF NEW LATERAL CONSTRUCTED TO CONNECT THE NEW BUILDING TO THE EXISTING LATERAL AS SHOWN ON DRAWING C-2.



APN 013-094-01



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LLIED HEATING & AC
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ISSUED FOR REVIEW
NOT FOR CONSTRUCTION

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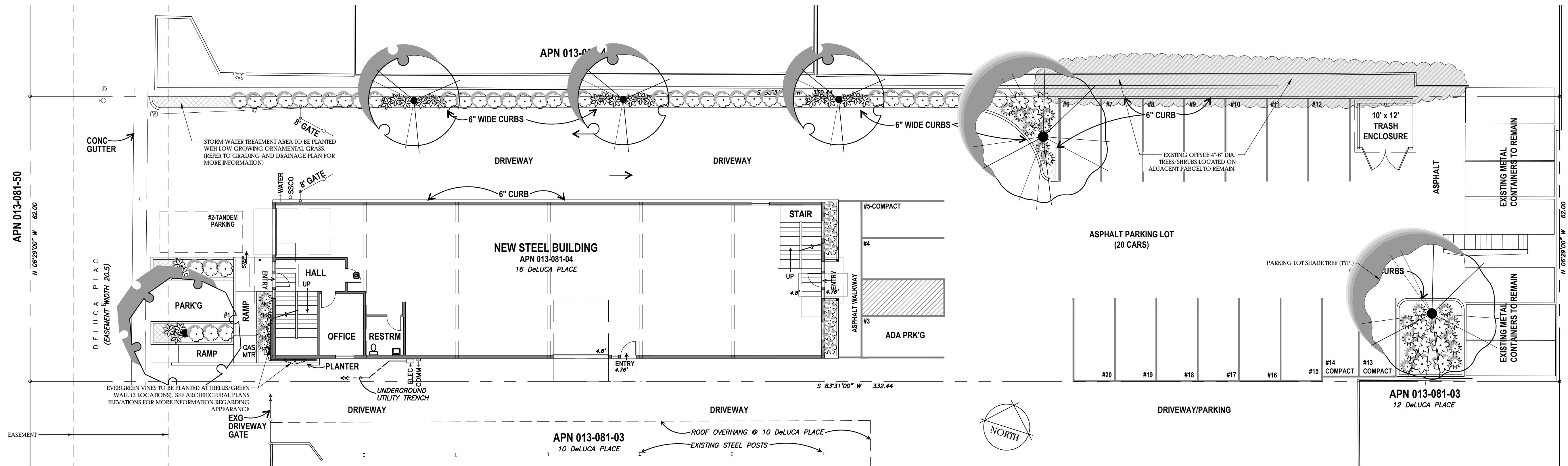
ALLIED HEATING & A.C.
NEW OFFICE/WAREHOUSE
APN 013-081-04
10 & 12 DELUCA PLACE
SAN RAFAEL, CALIFORNIA

| REVISIONS | | |
|-----------|---------|-------------------|
| NO. | DATE | DESCRIPTION |
| △ | 2/17/21 | ISSUED FOR REVIEW |
| △ | | |
| △ | | |
| △ | | |
| △ | | |

DESIGNED BY: G. DEARTH
DRAWN BY: E. HAYDEN
APPROVED BY:
SCALE: AS SHOWN
DATE: 2/17/2021
PROJECT NO.: 651.001

DETAILS

REVISION: 0
SHEET NO.: 3 OF 3
DRAWING: C-3



PLANT SCHEDULE

| TYPES | QTY | BOTANICAL / COMMON NAME | CONT | WUCOLS | |
|-----------------|-----|---|---------|----------|----------|
| | 2 | Acer rubrum 'October Glory' / October Glory Red Maple | 15 gal. | Moderate | |
| | 1 | Arbutus x 'Marina' / Marina Strawberry Tree Standard | 15 gal. | Low | |
| | 3 | Cercis canadensis / Eastern Redbud Multi-trunk | 15 gal. | Low | |
| SHRUBS | QTY | BOTANICAL / COMMON NAME | CONT | WUCOLS | |
| | 8 | Agave x 'Blue Flame' / Blue Flame Agave | 5 gal. | Low | |
| | 24 | Phormium tenax 'Tom Thumb' / Dwarf Green Flax | 5 gal. | Low | |
| | 9 | Phormium x 'Dark Delight' / Dark Delight Purple Flax | 5 gal. | Low | |
| | 45 | Rhaphtolepis indica 'Ballerina' / Ballerina Indian Hawthorn | 5 gal. | Low | |
| | 22 | Yucca x 'Bright Star' / Variegated Spanish Dagger | 5 gal. | Low | |
| VINES/ESPALLERS | QTY | BOTANICAL / COMMON NAME | CONT | WUCOLS | |
| | 3 | Lonicera sempervirens / Coral Honeysuckle | 5 gal. | Moderate | |
| GROUND COVERS | QTY | BOTANICAL / COMMON NAME | CONT | WUCOLS | SPACING |
| | 39 | Echeveria x 'Imbricata' / Hen and Chicks | 4" pot | Low | 16" o.c. |
| | 36 | Festuca ovina glauca 'Elijah Blue' / Blue Fescue Native | 1 gal. | Low | 18" o.c. |
| | | EXISTING OFFSITE TREES/SHRUBS TO REMAIN (TYP.) | | | |

GENERAL NOTES

- All landscape planting areas shall receive a minimum 3"-4" layer of organic mulch top dressing. Mulch in Bio-Retention basin shall include 3-4 inches of composted, non-floatable arbor mulch in areas between plantings and side slopes.
- All trees, shrubs and groundcover shall be irrigated with a drip system, smart controller, weather sensor, etc. and shall meet Marin Municipal Water District's Water Efficient standards/regulations.
- All new trees located within 7' of pavement or permanent structure shall have a root barrier.



Maximum Applied Water Allowance

Enter Zip Code **94901** 37.33 Residential? **No**

Enter Project Information

| | |
|---------------------|---------------------------------------|
| Project Name: | Allied Heating and A.C. Company, Inc. |
| Address: | 16 De Luca Place |
| Meter Number: | |
| Location/Sheet No.: | |
| Date: | 2/16/2021 |

Maximum Applied Water Allowance (MAWA)

Landscaped Area: **1,309** sqft

Special Landscaped Area: **0** sqft

MAWA = **18** units

Estimated Total Water Use (ETWU)

Low water use plant **1,244** sqft

Moderate water use plant **65** sqft

High water use plant sqft

| Efficiency Factor | 0.85 |
|--|------------------------------|
| % of Total Landscape Irrigated with Drip | Irrigation Efficiency Factor |
| 0-33% | select 0.75 |
| 34-66% | select 0.80 |
| 67-100% | select 0.85 |

ETWU = **15** units

Water Use Table

| ETWU | Gallons: | 11,220 | Units: | 15 | AF: | 0.03 |
|-----------------|----------|---------|----------|---------|---------|---------|
| Baseline Period | Jan/Feb | Mar/Apr | May/June | Jul/Aug | Sep/Oct | Nov/Dec |
| Baseline Units | 0 | 1 | 5 | 5 | 4 | 0 |

1 unit or CCF (hundred cubic feet) = 748 gallons; 1 AF = 435.6 units

For more information please contact 415.945.1497 or see our website at MarinWater.org

6/16

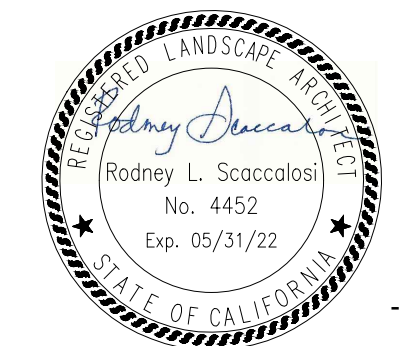
OLIVE STREET
LANDSCAPE ARCHITECTURE
PO Box 2083
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707-280-8990
OliveStreetLandscape.com
rod@olivestreetlandscape.com

| Rev | Date | Description | Designed | Drawn | Checked |
|-----|---------|-------------|----------|-------|---------|
| | 2/10/21 | PLANNING | RLS | RLS | RLS |

ALLIED HEATING AND A.C. COMPANY, INC.
LANDSCAPE PLAN
16 DE LUCA PLACE
SAN RAFAEL, CA 94901

City Of
San Rafael
County Of
Marin
State Of
California

Prepared Under the Direction of:



Sheet
L1
Scale: 1"=10'
Date: 2/5/21
Project Number:
Plan File: