

AEGIS SENIOR COMMUNITIES LLC  
1 BELVEDERE PLACE  
MILL VALLEY, CA

August 31, 2021

City of San Rafael  
Community Development Department,  
Attn: Planning Commission  
1400 Fifth Ave. San Rafael, CA 94901

RE: 800 Mission Avenue San Rafael – 103 Unit Senior Assisted Living Facility, ED21-022 and UP21-006

Dear Members of the Planning Commission,

We are pleased to present the amended design of the 800 Mission Avenue project: a Senior Assisted Living Community on the Northwest corner of Mission & Lincoln Avenue, in Downtown San Rafael. As you may know, this site retains an active Use Permit for an 88-bed senior assisted living facility which was approved by Planning Commission in 2018. In a minor plan revision from the currently approved building design, the applicant is proposing an increase of 17 beds utilizing the standards of Section 14.16.190.B of the San Rafael Municipal Code. This allows for a 48' building height with a contribution to the City's affordable housing initiatives. The project shall contribute to the City's Affordable Housing In-Lieu Fee Fund by way of a fee payment which is more than 54% greater than the required by the City. Additionally, the San Rafael City Council recently adopted the Downtown Precise Plan which allows for up to 50' height on this parcel. The proposed project is 47'-2" and meets all development standards within Chapter 14 of the San Rafael Municipal Code. The building has been reviewed and conditionally approved by the Design Review Board. A design response to comments from DRB recommendations has been incorporated in the packet provided to Planning Commission, and final DRB review for unconditional approval will occur before building permit issuance.

This parcel has been vacant for more than fifteen years and is an ideal location for Assisted Living of the proposed scale. As noted in the Precise Plan, the site is between the higher density businesses and housing projects of Downtown & the multi-family buildings to the north. This location lends itself well as a Senior Assisted Living Facility, as this use functions as a supply of housing with a commercial component. This use provides a variety of direct & indirect jobs, stimulates economic commerce, contributes to an active community, and helps activate Downtown. All while being one of the lowest generators of impacts from traffic, parking, and noise. We are confident the residents, visitors, community staff, Downtown San Rafael businesses and the neighbors will all benefit from the addition of this project which serves the growing need for care for seniors in a residential setting.

1. Building Design

Through careful thought and consideration, the building design has been revised to incorporate a fifth level. This was a holistic approach to the design and was focused on minimizing building impacts while making a feasible design. Setbacks and common area rooftop terraces were maximized while still accommodating livable units. All sides of the building were assessed to ensure façade articulation and interest to adjacent owners. Please see design narrative from Ankrom Moisan Architects for further details.

2. Building Height

Section 14.16.190.B of the San Rafael Municipal Code states that parcels on a portion of Lincoln Avenue, with very specific lot criteria (20,000 sq.ft. and 150' in width) may receive a 12-foot height bonus if a contribution to affordable housing is met. The subject parcel is one of the few applicable parcels on Lincoln Avenue, and the only vacant parcel which fits these criteria. Our significant contribution to affordable housing is noted in the subsequent section.

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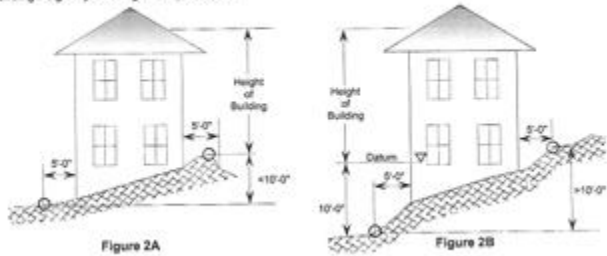
Additionally, On August 2<sup>nd</sup>, the San Rafael City Council adopted the Downtown Precise Plan which allows for up to 50' height on this parcel, per Figure 4.8/Table 4D on pg. 65, and encourages the densification of Downtown parcels.

To put the location into context, per Figure 4.8, parcels across the street on the North side of Fifth Avenue are allowed a 20' height bonus on top of a 70' base height, for up to 90' building height. Our building height is 47'-2".

Per the San Rafael General Plan, this building is located within the San Rafael Downtown and within a High-Density-Residential Zoning District. The surrounding uses to the West are all similar scale, and the Downtown Core immediately to the South contains much denser buildings.

The building height is measured per San Rafael Zoning Code to be 47'-2". The building is measured per Universal Building Code methodology, and as stated in San Rafael Municipal Code Section 14.03.030, Figure 2.

Figure 2  
Building height by Building Code provisions



In the design modification of the building in 2021, significant consideration of the neighboring properties was considered.

- a. By moving the outdoor terrace from the rooftop to the fifth level corner, the tower element retained its visual prominence. Also, a significant amount of height and massing was eliminated by minimizing the rooftop elevator and stair overruns associated with the rooftop deck location.
- b. Massing of the upper level is minimized by way of setbacks, significant articulation, and other lowered architectural elements to achieve a reduction in size and mass (such as cornice element at level four)
- c. Building corners have been eroded by including patios to create additional articulation and reduction in massing.
- d. We have added a landscaped wall on the North and West elevations of our building to create additional visual interest towards the neighboring properties.
- e. Due to the natural slope of the site, approximately four levels of the building will be exposed along the western property line. The deck of the roof of the proposed 800 Mission Ave building is at elevation only 5' higher than that of the existing four-story 820 Mission Ave building. ~~which was built several decades prior.~~

### 3. Affordable Housing Contribution

In 2018 San Rafael Planning applied the City's Affordable Housing In-Lieu Fee to this project, and to another project (3773 Redwood Highway) which was approved a few months prior. The calculation was as follows:

$$64,054 \text{ sq.ft.} \times 0.015 \text{ units per 1ksf} = 0.96 \text{ units}$$
$$0.96 \text{ units} \times \$330,070/\text{unit} = \$318,095.96$$

To further contribute to the City's Affordable Housing Initiatives, the applicant offered to increase the Affordable Housing In-Lieu Fee to \$500,000.

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The new project is 75,489 square feet.

As the \$500,000 was a figure offered by applicant in good faith, it is not directly tied to any methodology of calculation. Additionally, the applicant is currently evaluating the possibility of combining four studio apartments into two 1-bedrooms, thus decreasing the impact fee if it were calculated per-unit.

A building square footage methodology is best appropriate for this matter:

$$\$500,000/64,054 \text{ sq.ft.} = \$7.81/\text{sq.ft.}$$

The current proposal's Affordable Housing In-Lieu Fee shall be 75,489 sq.ft. x \$7.81= \$589,569. **In a continued effort of good faith, the applicant is willing to increase the contribution to the City's Affordable Housing In-Lieu Fee Fund to \$600,000.**

If the applicant were to abide by the City's original calculation for the Affordable Housing In-Lieu Fee, the rate would be:

$$75,489 \text{ sq.ft.} \times 0.015 \text{ units per 1ksf} = 1.13 \text{ units}$$

$$1.13 \text{ units} \times \$343,969/\text{unit} = \$388,684$$

Significant Public Benefit is provided by this project by way of a large contribution of funds to the City's Affordable Housing In-Lieu Fee Fund. The proposed fee exceeds the City's methodology for this type of land use by way of a 54% larger fee contribution.

#### 4. Housing Demand

Senior Housing is an identified need within the 2020 and 2040 San Rafael General Plans. As noted in the 2020 Housing Element's Housing Needs Assessment, San Rafael's 57,713 residents (2010 census) include 9,136 seniors or 16% of the population.

- These seniors account for 5,972, or 25%, of San Rafael's households.
- 4,351 of these households are owned by seniors, and 1,700 are occupied by a senior citizen living alone.
- Half of San Rafael's senior population is age 75, or older.
- San Rafael's senior population is aging-in-place, and older residents are an increasing proportion of the population, as the baby-boomer generation ages.

The report published by the 2017-2018 Marin County Civil Grand Jury's, Marin is Aging: Are we Ready? (April 27, 2018) reiterates the statements on demographics of the San Rafael Housing Element. The report noted that Marin has the oldest population in the state; currently 27% of Marin residents are age 60 or older. The population is continuing to age and seniors are projected to be 34% of the population by the year 2030. The Board of Supervisors has declared 2018 as '**The Year of the Older Adult,**' in which the County needs to take action to prepare for the population aging at hand.

San Rafael's existing Residential Care Facilities for the elderly provide capacity for 899 seniors. There is currently an unmet demand for seniors in need of care. This unmet demand is anticipated to increase as the population ages. Currently, there are no assisted living facilities located in Downtown San Rafael. A majority of the senior communities in San Rafael are located near the freeway in Terra Linda; an area which does not provide seniors and their visitors the livelihood nor amenities of Downtown San Rafael. All the facilities in San Rafael are significantly older and are experiencing lengthy waitlists for new residents. There is clearly a need for senior assisted living in Downtown San Rafael.

As noted below by Marin Economic Forum, this project provides a recurring supply of 'unlocked' housing units. Upon commencement of operations, ~105 seniors in San Rafael will vacate their residences to move into the facility. This frees-up single family homes, condos, townhomes, and apartments to be available for younger generations. Considering the average

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stay in an Aegis facility is 2-3 years, the supply of unlocked housing units is recurring in perpetuity. The attached analysis from Marin Economic Forum notes an assumed 488 housing units will be unlocked within the first ten years of operation, and approx. 122 ADU's can be expected to be built by new homeowners.

5. General Plan Compliance

The 2040 General Plan has identified numerous land use policies which support senior assisted living:

Policy LU-2.8: Senior and Disabled Care Facilities.

Encourage facilities and services to meet the needs of older and disabled residents, including senior housing, assisted living, and convalescent care facilities; and facilities providing adult day care and social services, and health care for older adults and people with disabilities.

Policy LU-1.14: FAR Exemptions

Provide the following exemptions from FAR requirements:

b) Any portion of a building or development project devoted to childcare or senior care may be subtracted from the total building area when calculating that building's FAR.

Policy LU-1.18: Height Bonuses

Allow the granting of height bonuses for development that provides one or more of the amenities listed in Table 3-2, provided that the building's design is consistent with applicable design guidelines and standards.

Per the policies above, San Rafael has identified the need to senior housing, and supports the use. Additionally, San Rafael is in support of increases in FAR and building height throughout the Downtown.

6. Economic Stimulus to Downtown:

*Marin Economic Forum* completed an Economic Impacts Analysis to compare the proposed senior assisted living facility to a multifamily use of similar size. The following findings were made:

- **7.3x greater total economic benefit** than a multi-family use by Yr. 5 of operations
- 8.0x jobs supported.
- 5.0x revenues to State and Local taxes.

In addition to the greater economic benefit created by this project, *Marin Economic Forum* notes the project creates a substantial reoccurring pipeline of housing unit inventory within the community. This directly addresses housing affordability by increasing supply to the market.

7. Traffic

A detailed Traffic Impact Analysis (TIA) has been completed and approved by the San Rafael Department of Public Works (DPW). Senior housing generates less traffic than commercial, retail, or multi-family residential uses. Most senior residents do not drive. The staff shift changes occur at non-peak commute hours. Visitors predominately visit during non-peak commute hours. Deliveries are during non-peak commute hours.

The Traffic Impact Analysis (TIA) evaluated the trip generation of the proposed project by surveying travel patterns at similar-sized facilities providing the same type of care. This was done to generate a rate for vehicle trips based on the number of beds at each site. As stated in the approved TIA, the observed rate during the weekday PM peak hour is the same as the Institute of Transportation Engineers (ITE) Trip Generation Manual's rate for the *Nursing Home* Land Use; thus, the trip rate for the Nursing Home Land Use from ITE was also used to estimate weekday AM peak hour trips. With the building's

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proximity to numerous alternative modes of transportation (SMART Train, San Rafael Transit Center, & bike paths/routes), it is likely vehicle trips to the site will be less than the estimated trips in the study.

**This data is current to Downtown San Rafael traffic conditions as of Spring 2021. Project trips are input into the City's Syncro Model which analyzes impacts based on current traffic conditions within the City.**

Through coordination and analysis with DPW, the project's trip generation was assigned to the street network of 19 intersections around the project. The following scenarios were studied for both the weekday AM and PM peak hours:

- a) Existing Traffic Volumes: Existing traffic volumes, as obtained from DPW.
- b) Existing Plus Project Traffic Volumes: Trip generation from the proposed project was added to existing conditions.
- c) Baseline Traffic Volumes: Existing traffic volumes were grown by an annual background growth rate (1.5%).
- d) Baseline Plus Project Traffic Volumes: Trip generation from the proposed project was added to the Baseline Traffic Volume model for the anticipated year of opening.
- e) Cumulative Traffic Volumes: The traffic volumes anticipated for the 2040 horizon year were analyzed based on annual growth rates from the City's model.
- f) Cumulative Plus Project Traffic Volumes: Trip generation from the proposed project was added to Cumulative Traffic Volumes and were analyzed.

#### Traffic Summary

Traffic operations at every signalized intersection within Downtown which could be impacted by a single trip were analyzed. Nineteen Downtown San Rafael intersections were studied surrounding the project and neighborhood during the weekday AM and PM peak hours.

This analysis concluded that all intersections are anticipated to meet the City's Level of Service thresholds during each of the scenarios analyzed.

San Rafael Department of Public Works has approved the Traffic Impacts Analysis and concludes no intersection's Level of Service will be materially impacted by the traffic generated by this project.

#### 8. Parking and Circulation

Per the approved Parking Demand Analysis which is based upon data provided by the Institute of Transportation Engineers (ITE) and has been approved by the San Rafael Department of Public Works, parking demand is determined by a rate applied to the bed count. This parking includes demand calculations for residents, visitors, staff and vendors based on analysis from other operating assisted living and memory care communities. Below is the comparison between the 2018 submittal and the current proposal.

- 2018: 88 beds x 0.35 parking spaces per bed= **31 spaces required at peak period. 40 spaces provided.**
- 2021: 105 beds x 0.35 parking spaces per bed= **37 spaces required at peak period. 40 spaces provided.**

The parking demand analysis calculates the peak parking demand for the site as 37 parking spaces. Our residents do not drive. This rate encompasses demand from staff, visitors, deliveries, vendors, etc. Similar to the trip generation, it is anticipated the parking demand could be lower than this average rate due to Staff's ability to utilize numerous train, bus, carpool, bike path and other public transportation modes in close proximity to the facility.

Additionally, the applicant has a Transportation Management Plan approved by the City which includes financial incentive to encourage our staff to use alternative modes of transit.

The facility's proposed parking of 40 spaces exceeds the peak parking demand of 37 spaces.

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9. Sustainability

Sustainable practices are highly prioritized by Aegis Living.

Notable items implemented within the design include:

- Transit-oriented design, which encourages staff & visitor use of public transit & alternative modes of transportation.
- Employer program to provide financial incentives for use of alternative modes of transportation by employees.
- Electrical vehicle charging stations.
- Pre-wiring for future roof solar.
- Stormwater Biofiltration.
- Charging sources for electric bicycles.
- Secure bicycle storage room & racks for employees and visitors.

10. Operator/Employment

The Operator is a renowned Senior Housing Operator and voted one of *Glassdoor's* Best Places to Work, as well as *Fortune's* "100 Best Companies to Work For.". The Operator has a high priority on hiring local staff. Staff proximity to the facility is important for flexibility and in the event of an emergency. The Operator will hire from the local community, providing employment with exceptional benefits to a diverse staff of:

- Nurses/Caregivers
- Facility Administrators & Business Managers
- Culinary Staff
- Marketing Team
- Concierge
- Activity Directors
- Facility Maintenance Staff
- Housekeeping Staff

It is with great pleasure that we present this iconic building to serve the growing senior population in Downtown San Rafael. We are confident the quality of this project will result in public benefits throughout the entire San Rafael Community.

We respectfully ask the Planning Commissioners to approve the Conditional Use Permit.

Sincerely,



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