



## REPORT TO DESIGN REVIEW BOARD

**SUBJECT:** **88 Vivian Street (70-unit Residential Development)** – ED21-042; UP21-017; TS21-004; for demolition of the existing Country Club Bowl and construction of 70 for-sale residential units including six available to low income households, in 14 separate buildings.; APN: 008-092-02; Neighborhood Commercial (NC) Zone; Matt Ashton of Ashton 3, LLC Applicant; Charlie Kinstler, Owner; Canal Neighborhood.

### SUMMARY

The project is being referred to the Design Review Board as it proposes demolition of an existing bowling alley and construction of 70 residential condominiums, which is defined as a major physical improvement under San Rafael Municipal Code (SRMC) Section 14.25.040. As provided therein, major physical improvements require Board recommendation to the Planning Commission, who is the ultimate decision-making body for the project. Staff is seeking feedback from the Board regarding applicable design guidelines and regulations and requests that the Board review this report, make a determination on the project's compliance with applicable design-related guidelines and regulations, and take one of the following actions based on the project consistency determination:

- Provide recommendations to the applicant and direct that the project return to the Board for additional review prior to scheduling the project for consideration by the Planning Commission; or
- Forward a recommendation of approval to the Planning Commission, with conditions of approval as applicable

### REQUESTED ENTITLEMENTS

The proposed project is subject to review and approval of the following entitlements:

- **Environmental and Design Review (ED21-042).** Chapter 14.25 (Environmental and Design Review Permits) of the San Rafael Municipal Code (SRMC) sets forth regulations for types of development activities subject to environmental and design review within the City of San Rafael. As specified in Section 14.25.040, new construction is classified as a Major Physical Improvement, which is subject to review and approval by the City's Planning Commission. As detailed in Section 14.25.070, the Design Review Board (DRB) is responsible for reviewing and providing recommendations to the Planning Commission on all major physical improvements. The project proposes new construction and as such is defined as a major physical improvement subject to review by the DRB and approval by the Planning Commission.
- **Use Permit (UP21-017).** Section 14.05.020 of the SRMC sets forth land use regulations for the City's commercial and office zoning districts, including the NC district in which the site is located. As shown in Table 14.05.020, multi-family residential uses are listed as "A", which indicates the requirement for an administrative conditional use permit. Though the use is listed as requiring an administrative use permit, as noted previously, where a single development project seeks multiple approvals, the highest decision-making body is responsible for review and approval, conditional approval, or denial of all requested entitlements. The project proposes construction of 70 multi-family residences and as such requires approval of a conditional use permit.

- **Tentative Subdivision (TS21-004).** The project proposes development of 70 for-sale residential units and as such will result in condominium development. Pursuant to Section 15.12.030 (Subdivision map) of the SRMC, all condominiums of two or more units are subject to Planning Commission approval of a tentative map.

**WAIVERS PURSUANT TO STATE DENSITY BONUS LAW**

As provided for in Government Code Section 65915(e), the project is requesting waivers of development standards<sup>1</sup>, as identified below. The requested waivers of development standards would not result in an adverse impact on public health, safety, or the physical environment and complies with applicable state law. As such, there are no findings for denial that can be made for the requested waivers.<sup>2</sup>

- Increase in maximum height from 30-feet to 35-feet 6-inches
- Eliminate requirement for community/recreational building as set forth in Section 15.12.060 of the SRMC.

In considering the proposed project, the Design Review Board (DRB) should focus on providing design-related comments and recommendations to the Planning Commission, and in particular should provide recommendations on the requested Environmental and Design Review Permit as it relates to the proposed colors, materials, articulating features, and proposed landscaping. Consistent with Section 14.02.020(J), where a single development project seeks multiple approvals, the highest decision-making body, in this case the Planning Commission, shall review and approve, conditionally approve, or deny the requested entitlements.

**PROPERTY FACTS**

The following tables provide an overview of General Plan and Zoning designations for the project site and immediately surrounding area as well as existing developed land uses. In addition, this section provides an overview of the project’s compliance with applicable development standards set forth in Table 14.04.050 of the San Rafael Municipal Code.

<b>Table 1: Designations and Existing Uses</b>			
<b>Location</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>	<b>Existing Land-Use</b>
<b>Project Site:</b>	<b>NC</b>	<b>NC</b>	<b>Country Club Bowl</b>
North:	HDR	HR1/HR1.5	Multi-family developments
South:	CC	GC	76 Gas/service station; SureStay Hotel
East:	LI/O	CCI/O	Automobile Services
West:	NC	NC	Mixed retail/commercial

NC = Neighborhood Commercial; HDR = High Density Residential; HR1/HR1.5 = Multifamily Residential Districts; CC = Community Commercial; GC = General Commercial; LI/O = Light Industrial/Office; CCI/O = Core Canal Industrial/Office

<b>Table 2: Development Standards Summary</b>			
<b>Development Standard</b>	<b>Required/Permitted</b>	<b>Proposed</b>	<b>Consistent</b>
<b>Lot Requirements</b>			
Minimum lot area	6,000 s.f.	104,980 s.f. (no change)	Yes
Minimum lot width	60 feet	160 feet (no change)	Yes
<b>Max Residential Intensity</b>	1800 sf/unit (104,980/1800 = 58 units)	1500 sf/unit (104,980/1500 = 70 units)	Yes <sup>1</sup>
<b>Minimum Yards</b>			

<sup>1</sup> “Development standard” includes a site or construction condition, including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an onsite open-space requirement, or a parking ratio that applies to a residential development pursuant to any ordinance, general plan element, specific plan, charter, or other local condition, law, policy, resolution, or regulation.

<sup>2</sup> Pursuant to Government Code Section 65915(d)(4), the city shall bear the burden of proof for denial of a requested concession or incentive.

**Table 2: Development Standards Summary**

Development Standard	Required/Permitted	Proposed	Consistent
Front	NR	4 feet	Yes
Side	NR	5 feet	Yes
Side (Street)	NR	4 feet	Yes
Rear	NR	4 feet 6 inches	Yes
<b>Maximum Height</b>	30 feet (if residential only)	Bldg 100/400/500: 34' 6" " Bldg 200/300: 35' 6"	Yes <sup>2</sup>
<b>Maximum Lot Coverage</b>	NR	46,494 s.f. (44%)	Yes <sup>3</sup>
<b>Minimum Landscaping</b>	10%	13,103 s.f. (12.5%)	Yes
<b>Parking (Vehicular)</b>	105	144 (140 cov.; 4 uncov.)	Yes <sup>4</sup>
<b>Parking (Bicycle)</b>	5	8	Yes

<sup>1</sup>Consistent with State Density Bonus, the applicant is seeking a 20% density bonus, allowing an increase in the maximum residential density

<sup>2</sup>As defined in SRMC Section 14.03.030 height is measured to the average height of the highest pitched roof. As a project providing onsite affordable housing units, provisions of State Density Bonus apply. As provided in subdivision (e) of Section 65915 of the California Government Code, projects requesting density bonus may request a waiver or reduction of development standards, including height limitations. As such, increased height beyond the 30-foot maximum for residential only developments in the NC zone is permitted.

<sup>3</sup>No lot coverage maximums apply, calculation provided for information only

<sup>4</sup>As provided in subdivision (p) of Section 65915 of the California Government Code, projects requesting density bonus are subject to the following parking ratios: 0-1 bedroom = 1 parking space; 2-3 bedrooms = 1.5 parking spaces; 4+ bedrooms = 2.5 parking spaces.

## SITE DESCRIPTION AND SETTING

The project site is located between Highway 101 to the south and Canal Street/San Rafael Creek to the north, at 88 Vivian Street on an approximately 2.4-acre site with frontage on Vivian Street to the west and Belvedere Street to the north (Figure 1). The site features generally flat topography and is located within an area designated by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) as Special Flood Hazard Area (SFHA) AE, which corresponds to the 1-percent annual chance flood, also referred to as the base or 100-year flood. The site is currently developed with an approximately 38,400-square-foot bowling alley, known as Country Club Bowl, which is no longer operational and will be demolished as part of the project. The site also contains ancillary improvements including a small outdoor soccer area and large surface parking lot, both of which will be removed to accommodate the proposed project. The project site is identified in the 2015-2023 Housing Element as an opportunity site.

Surrounding uses include multifamily residences to the north, and a mix of retail, commercial, and light industrial uses to the east, west, and south. In addition, there is a small four-unit multi-family development adjacent to the site's eastern boundary.

**Figure 1: Project Location**



## PROJECT DESCRIPTION

*Site Plan*

The project proposes to demolish the existing, approximately 38,400 square foot bowling alley and associated site improvements and will construct 70 residential units in 14 three-story buildings ranging in size from approximately 2,000 to 4,000 square feet. The residential buildings are setback a minimum of 4-feet from the front property line (Belvedere St), 4.5-feet from the rear, 5-feet from the interior side, and 4-feet from the street side property line (Vivian St). As proposed, the project includes five building types, including Building 100 (Buildings 6, 7, and 8), Building 200 (Building 9), Building 300 (Buildings 10, 11, 12, and 13), Building 400 (Buildings 1, 2, 3, and 4), and Building 500 (Buildings 5 and 14). As shown in Table 2 above, Buildings 100, 400, and 500 have an approximate height of 34-feet 6-inches, and Building 200 and 300 have an approximate height of 35-feet 6-inches as measured from grade to the midpoint of the pitched roof.

**Figure 2: Proposed Site Plan**



**Floor Plans**

The project proposes five plan types, details of which are summarized below. All plan types include three levels with two-car garages on the first level, kitchen, dining, living, half bath, and decks on the second level, and bedrooms and bathrooms on the third level. In addition, Plan 5 includes an accessible restroom on the first level.

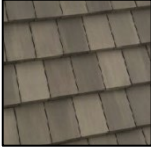







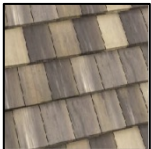

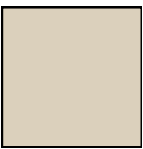
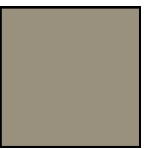




Plan 1	Plan 2	Plan 3	Plan 4	Plan 5
▪ 18 units	▪ 10 units	▪ 6 units	▪ 17 units	▪ 19 units
▪ 1,415 s.f.	▪ 1,450 s.f.	▪ 1,600 s.f.	▪ 1,496 s.f.	▪ 1,588 s.f.
▪ 2 bed, 2.5 bath	▪ 3 bed, 2.5 bath	▪ 3 bed, 2.5 bath	▪ 2 bed, 2.5 bath	▪ 3 bed, 2.5 bath
				▪ ADA bath

**Architecture, Colors, and Materials**

The project features a contemporary architectural style with concrete tile roofs, lap siding, vinyl windows, and metal roll-up garage doors. As proposed, the project includes two color palettes, utilizing primarily natural colors as shown in in the table below. Staff is requesting that the Board provide feedback to the applicant regarding application of colors and materials. As indicated in Table 3, Building type 200, 400, and 500, which are primarily located adjacent to the public right-of-way will be comprised of colors and materials from palette 1 and Building type 100 and 300 which are located in the interior portion of the property will be comprised of colors and materials from palette 2.

**Table 3: Colors and Materials**

	Roof	Fascia Body Color 1	Body Color 2	Body Color 3	Accent Colors	Siding	Railings
	<i>Eagle Slate Range</i>	<i>SW Extra White</i>	<i>SW Gossamer Veil</i>	<i>SW Tin Lizzie</i>	<i>SW Still Water SW Oak Moss</i>	<i>SW Web Gray</i>	<i>SW Caviar</i>

			Body Color 2				
<b>Palette 1 (Bldg 200, 400, 500)</b>					 		
<b>Palette 2 (Bldg 100, 300)</b>	<i>Eagle Tacoma Blend</i>	<i>SW Extra White</i>	<i>SW Oyster Bar</i>	<i>SW Zeus</i>	<i>SW Sea Serpent</i> <i>SW Rookwood</i> <i>Dark Red</i>	<i>SW Burnished Brandy</i>	<i>SW Black Fox</i>
					 		

**Access and Circulation**

Vehicular access to the site will be provided through installation of a new driveway on Vivian Street located between Buildings 4 and 5, and approximately 80 feet north of the site’s southwestern corner as well as a new driveway located on Belvedere Street between Buildings 1 and 14, and approximately 65 feet from the centerline of the Vivian Street/Belvedere Street intersection. Vehicular access throughout the site is primarily provided by a north-south oriented two-way drive aisle measuring approximately 26-feet in width and spanning the entire length of the site. In addition to the main north-south drive aisle, the project also includes seven motor courts with 20-foot drive aisles. These motor courts provide access to covered parking for Buildings 6-14 and measure 26-feet wide from opposing garage doors.

**Landscaping, Lighting, and Fencing**

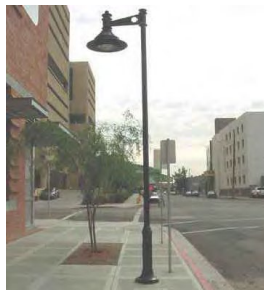
As discussed above, the project proposes landscaped areas along the perimeter of the site, adjacent to residential buildings, and in the common open space area between Buildings 6 and 7. Proposed plantings include a mix of trees, shrubs, groundcovers, and vines with low to moderate water use requirements. As proposed, the project’s Preliminary Stormwater Control Plan requires revisions to ensure compliance with the requirements for a regulated project as detailed in the BASMAA post-construction manual.

Lighting is proposed throughout the site and includes fixtures for downlighting in the common open space area (Figure 5), pole lights (Figure 6), wall mounted light fixtures (Figure 7), and down- and up-lighting fixtures (Figure 8).

**Figure 3: Downlight Fixture**



**Figure 4: Pole Lights**



**Figure 5: Wall-mounted Fixtures**



**Figure 6: Down- and Up-light Fixtures**



Proposed fencing is minimal and includes installation of a 6-foot stucco, concrete masonry unit (CMU) with 6-inch stucco cap along the entire length of the south and east property lines as well as between the proposed Vivian Street driveway and Building 3, between Buildings 2 and 3, and Buildings 1 and 2 (see Figure 9).

**Figure 7: Proposed Fence/Wall**



### *Grading/Drainage*

As proposed, the project includes grading throughout the site and is estimated to result in a net export of 2,810 cubic yards.

### *Density Bonus*

Based on the proposal to provide 10% of the residential units (6 units) as below market rate affordable to low-income households, the project is eligible for a density bonus pursuant to Government Code Section 65915. Based on the size of the lot (104,980 square feet) and the maximum density permitted under the NC Zoning District (1,800 square feet per unit), the project site has a base density of 58 units ( $140,980/1,800 = 58.32$ ). By providing 10% of the units as below market rate affordable to low-income households, the project qualifies for a 20% density bonus, or 12 units, for a total of 70 units (58 base units + 12 density bonus units = 70 units). To accommodate the density bonus units, the project proposes to increase the height of the buildings from 30-feet to 35-feet 6-inches (Buildings 200/300) and 34-feet 6-inches (Buildings 100/400/500) and proposes to eliminate the community/recreation building that would otherwise be required for a condominium project. As stated previously, these waivers in development standards are permissible through Government Code Section 65915(e).

## **PROJECT BACKGROUND**

### Conceptual Design Review

The project previously received Conceptual Design Review (CDR19-001) by the Board on February 20, 2019, consistent with SRMC Section 14.25.030(B) which requires conceptual review for developments subject to Major Environmental and Design Review. The Board provided the comments listed below at the February 2019 meeting. Each Board recommendation is shown in **bold**, followed by a brief discussion of the project as it relates to the recommendation. Though the overall development is similar to that presented in 2019 with regard to use and the number of proposed residential units, the applicant is no longer the same and the project proposes a differing site layout and building design as compared to the project reviewed by the Board in 2019. Where available, side-by-side graphic comparisons of the Conceptual Review proposal and the proposed project are provided to assist the Board in providing comments relative to what was previously discussed.

**1. The site design is too busy, too tight. Provide greater landscaped setbacks, widen driveway widths, comply with sight distance triangle where driveways meet.**

As shown in Figure 7 and Figure 8, the project's site plan is similar to the site plan presented for Conceptual Design Review including building coverage, drive aisles, and driveways. Components of each site plan are provided in a bulleted list below. As proposed, setbacks along Vivian Street and

Belvedere Street are less than what was previously proposed and, correspondingly, landscaping appears to be reduced along the project site's frontage. The two proposed driveways are 26-feet wide, which is greater than the 20-foot driveway widths previously proposed, however, a sight distance exhibit has not been proposed and it is unclear whether the project complies with the sight distance requirement. Based on prior comments provided by the Board, staff will be requesting feedback with regard to the proposed site plan. Where feasible, staff requests that the Board provide targeted feedback and recommendations to the applicant on how to address changes to the site plan, if being recommended by the Board. Note that comments provided on the site plan should address practical modifications that would not result in a decrease in the proposed density.

**Conceptual Design Review Site Plan:**

- Number of Buildings: 12
- Lot Coverage: 49,900 s.f. (47.5%)
- Usable Outdoor Area: 23,300 s.f.
- Drive Aisle Width: 20-feet

**Formal Design Review Site Plan:**

- Number of Buildings: 14
- Lot Coverage: 46,494 s.f. (44%)
- Usable Outdoor Area: 3,000 s.f.
- Drive Aisle Width: 26-feet

**Figure 8: Conceptual Design Review Site Plan**



**Figure 9: Proposed Project Site Plan**



**2. Consider dividing the common outdoor area more evenly by reducing the size of the 'square' and increasing the size of the two paseos.**

As proposed, the size of the common outdoor area is substantially reduced from that presented during Conceptual Design Review, where approximately 23,300 square feet was previously proposed and the project is proposing approximately 3,000 square feet. In addition, the Conceptual Design Review proposed common outdoor areas distributed across three locations of the site including one larger common area and two smaller paseos centrally located, whereas the proposed project provides common outdoor area in one location, between Buildings 7 and 8 near the southeast portion of the

site. Staff is requesting that the Board provide feedback on the appropriateness of the proposed size, location, and design of the common outdoor area.

**3. Elevate entrances to units along street fronts by adding entrance stoops or stairs.**

As proposed, entrances to residential units along Vivian Street and Belvedere Street are flush or minimally elevated above the adjacent sidewalks. Staff is requesting that the Board provide feedback and recommendations on the proposed entrances along the two public rights-of-way.

**4. Need well-developed landscape plan with bioswales, if required. Consider permeable pavers to meet drainage requirements.**

Plans submitted for Conceptual Design Review did not include calculations of the total landscaping provided, however, plans showed landscaping areas adjacent to public rights-of-way, along interior property lines, between interior units, and in the proposed common open space area.

As proposed, the project provides a similar approach to landscaping, where landscaped areas are provided along the perimeter of the site, adjacent to residential buildings, and in the common open space area between Buildings 6 and 7. Proposed plantings include a mix of trees, shrubs, groundcovers, and vines (see page L-4 of Exhibit 1). The project is considered a regulated project pursuant to the Bay Area Stormwater Management Agencies Association (BASMAA) Post Construction Manual and as such the applicant submitted a Preliminary Stormwater Control Plan for the project. The Plan shows one, approximately 117-square-foot bio-filtration area at the northwest portion of the site. Staff would like to note that the City's Department of Public Works has requested revisions to the stormwater control plan to ensure compliance with the BASMAA post-construction manual. In addition, the Stormwater Control Plan Exhibit included on page 12 of the Preliminary Stormwater Control Plan will need to be revised to include the adjusted site layout. Staff requests that the Board provide feedback on the overall landscape plan as well as specific recommendations on the proposed post-construction stormwater control measures.

*General Plan and Zoning Designations*

The project site has a General Plan Land Use of Neighborhood Commercial (NC) which corresponds to neighborhood-serving retail and services uses, with residential and ancillary office uses permitted subject to established conditions. The corresponding Zoning Designation for the site is Neighborhood Commercial (NC), which provides for convenient retail and personal service uses to serve residents in the vicinity and conditionally permits residential uses, such as the proposed 70-unit residential project.

**ANALYSIS**

Staff is seeking feedback and recommendations from the DRB on the following design-related standards of review. A complete analysis of both design and non-design related standards of review will be included in staff's report to the Planning Commission:

- San Rafael General Plan 2040
- San Rafael Design Guidelines
- San Rafael Municipal Code
  - Title 14 – Zoning
  - Title 15 – Subdivisions

*General Plan 2040 Consistency:*

The following design-related General Plan policies are applicable to the proposed project. Following each General Plan policy is a brief consistency analysis. An analysis of the project's consistency with all applicable General Plan policies will be included in staff's report to the Planning Commission, which will be scheduled for a later date pending the Board issuing a recommendation on the project



**Policy NH-3.20:** Improve the physical appearance of the Canal neighborhood, including the addition of greenery and green space, street trees and landscaping, maintenance of buildings and property, enforcement of illegal dumping regulations, abatement of code violations, and more regular street cleaning.

The site is currently developed with a bowling alley, and large surface parking lot. The project would redevelop the site with 14 three-story buildings, containing a total 70 residential units. The project would improve the physical appearance of the site by de-emphasizing parking areas and introducing landscaping along the Vivian and Belvedere public rights-of-way. As such, the project is consistent with General Plan Policy NH-3-20.

**Policy CDP-4.1:** Use design guidelines and standards to strengthen the visual and functional qualities of San Rafael's neighborhoods, districts, and centers. Guidelines and standards should ensure that new construction, additions, and alterations are compatible with the surrounding neighborhoods while still allowing for innovative, affordable design.

The project's consistency with the City's Design Guidelines for Residential Development are discussed below. In general, staff finds the project to be consistent with applicable design guidelines. In addition, staff is seeking targeted feedback and recommendations from the Board related to the proposed design.

**Policy CDP-4.3:** Encourage creative architecture while respecting the context of each site.

The site's context has driven the proposed architectural design, in that, buildings have been designed to reach a maximum of 30-feet, as defined under the fire code, to eliminate the need for aerial apparatus fire access, which if required, would reduce the site's residential development potential. In addition, due to the site's location within the 100-year floodplain, the project has been designed to elevate habitable space above the base flood elevation to ensure protection of future residents during a 100-year flood event. The site's design de-emphasizes the automobile by orienting internal parking and circulation areas inward, and residential entrances, and private outdoor areas toward the street, creating an active pedestrian environment. As such, the architectural and site design are reflective of the site context, consistent with General Plan Policy CDP-4.3.

**Policy CDP-4.7:** Design larger scale buildings to reduce their perceived mass. Encourage the incorporation of architectural elements such as towers, arcades, courtyards, and awnings to create visual interest, provide protection from the elements, and enhance orientation.

**Policy CDP-4.8:** Require sensitive scale and height transitions between larger and smaller structures. In areas where taller buildings are allowed, they should be designed to minimize shadows, loss of privacy, and dramatic contrasts with adjacent low-scale structures. Exceptions may be made where taller buildings are also permitted on the adjoining site.

Overall, the project has been designed to break up the massing of residential structures and appears to be compatible with surrounding development. The architectural design of the proposed buildings is fairly minimal, with greater articulation of buildings along Vivian Street and Belvedere Street. Buildings feature gable roof forms, with smaller articulating gables and projecting building facades which serve to break up the overall massing. Adjacent structures are smaller in scale than the proposed project, however, the shading study prepared for the project indicates shading of adjacent structures would be minimal. In addition, the project will provide a six-foot wall and landscaping along the eastern property line, which will provide screening to reduce the impact of the proposed project to adjacent developments. As such, the project design generally appears to be consistent with General Plan Policies CDP-4.7 and CDP-4.8.

**Policy CDP-4.11:** Encourage lighting for safety and security while preventing excessive light spillover and glare. Lighting should complement building and landscape design.

In general, proposed lighting is consistent with the City's regulations which specify that lighting shall be shielded to conceal light sources from view off-site, avoid spillover onto adjacent properties, and shall be of minimum intensity to provide a sense of security. Section 14.16.227 of the SRMC specifies that the foot-candle intensity should fall below one at the property lines. Though lighting along the Vivian Street frontage will exceed the lighting intensity identified in the SRMC, this portion of the project is along a public right-of-way with commercial and retail uses across the street. As such, though the lighting intensity exceeds one foot-candle along the property line, the intensity will not result in impacts to sensitive uses. Furthermore, proposed lighting is complementary to the building and landscape design, and will provide a sense of security for residence with frontage along Vivian Street. In addition, conditions of approval would be imposed on the project, providing for a 90-day post installation inspection to allow for adjustment and assure compliance with the standards set forth in the SRMC. As such, the project is consistent with General Plan policy CDP-4.11.

#### *San Rafael Design Guidelines for Residential Development:*

In general, the project appears to be consistent with and incorporates design recommendations and guidelines contained in the City's Design Guidelines for residential development. A bulleted list of applicable design guidelines is included under each subheading below, followed by a brief analysis of the project's consistency with each design area (e.g. building design, scale, etc.).

#### Building Design

- **Where there is an existing pattern, particular attention should be given to maintaining a consistent streetscape.** The area surrounding the project site is predominately built up. Though many sites include expansive parking areas, nearby multi-family developments employ a similar layout to the proposed project, where units are oriented toward the street, with parking and circulation located internally. As such, the project is consistent with this guideline.
- **All building facades should be varied and articulated. Long monotonous walls should be avoided.** Buildings located along Vivian Street and Belvedere Street provide articulation through projecting building facades, windows, second floor decks with metal railings, and varied applications of siding colors and materials. In general, the project avoids long monotonous walls, however, staff is seeking recommendations from the Board on how to further articulate building facades, particularly for buildings facing the public rights-of-way.

#### Scale

- **Where necessary to replicate existing patterns or character of development, design techniques should be used to break up the volume of larger buildings into smaller units. For example, a building can be articulated through architectural features, setbacks and varying rooflines to appear more as an aggregation of smaller building components.**
- **Transitional elements, such as stepped facades, roof decks and architectural details that help merge larger buildings into an existing neighborhood should be used.**

The project incorporates projecting wall features, stepped facades, and second floor decks with metal railings that serve to break up the overall building mass and provide articulation that assists in identifying individual residential units in the overall buildings. As such, the project incorporates elements that break up the volume of large building into smaller units as well as transitional elements that blend the new development with existing development in the neighborhood, consistent with these guidelines.

#### Building Height

- **Adjacent buildings should be considered and transitional elements included to minimize apparent height differences.** The project provides screening along the eastern property line in

the form of a six-foot wall and landscaping along the interior property line, which serves as a transition between the proposed project and adjacent developments. However, staff is seeking feedback and recommendations from the Board on additional elements that could be incorporated to further minimize height differences between the project and adjacent structures.

### Roof Shapes

- **Where possible, relate new roof form to those found in the area.** Predominate roof forms in the surrounding area include flat, gable, and hip roofs. The project proposes gable roofs, consistent with surrounding development and this guideline.
- **Roof top equipment should be screened from view and integrated into the building architecture.** As proposed, the project does not include information on roof top equipment. Upon recommendation of project approval, conditions would be imposed on the project requiring screening of mechanical equipment, consistent with the City's guidelines and regulations.

### Building Entrances

- **There should be a clear, well-defined sense of entry from the street to the building.** The project incorporates clearly defined pedestrian paths from Vivian Street and Belvedere Street to residential entrances along these right-of-way. As such, the project is consistent with this guideline.
- **Where possible, the entrances of street front units should be oriented towards the street rather than to the interior of the lot or to the parking lot.** Entrances are oriented toward Vivian Street and Belvedere Street, consistent with this guideline.
- **Examples of elements that can be used to define the primary entrance and to further define the street facade are a usable front porch or verandas, an overhead trellis canopy, or other similar feature.** During conceptual review of the project, the Board recommended incorporating elevated entrances to units along street fronts, suggesting the addition of entrance stoops or stairs. As proposed, the project does not include such elements. However, the project does include second floor decks facing Vivian Street and Belvedere Street, which helps to define primary entrances by orienting activity toward the street. Staff is seeking feedback and recommendations from the Board on the appropriateness of the design of entrances along Vivian Street and Belvedere Street, including additional design elements that could further assist in defining the primary entrances.

### Windows

- **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 are evenly sized and spaces across building facades, except where the number of windows has been reduced to account for privacy along shared property lines. The project incorporates horizontal- and vertical-format windows which complement the various building facades consistent with these guidelines.
- **Windows should overlook the street, parking and public areas to permit surveillance and increased safety.** Windows provided in Buildings 1 through 5 along Vivian Street are oriented toward the street along the front, and the parking area along the rear. Similarly, interior buildings (6 through 14) include windows facing the primary north-south drive aisle as well as motor courts. As such, the project appears to be consistent with this guideline.

- **Window placement along rear and side elevations should consider privacy needs of adjacent neighbors.** As proposed, Building 6 through 14, along the eastern property line incorporate minimal windows facing existing developments. Where windows are provided, they are primarily located on the second floor. As such, the project appears to be consistent with this guideline.

#### Driveways and Parking Areas

- **Driveway cuts and widths should be minimized, in compliance with zoning.**
- **Where possible, ground level parking areas should be recessed or placed to the rear of buildings.** Parking is provided at the rear of Buildings 1 through 5, de-emphasizing parking and reducing visibility from the public right-of-way. In addition, parking for Buildings 6 through 14 are generally oriented toward motor courts, also de-emphasizing parking when traveling through the interior portions of the project. Three units including one unit in Building 6, 7, and 8 provide parking adjacent to the main north-south project drive aisle. However, garages are recessed to further de-emphasize their presence. As such, the project is consistent with this guideline.
- **Design for adequate vehicle maneuverability in parking areas. Vehicles should not back out from a parking space onto the street.** The design of proposed parking has been reviewed by the City's Department of Public Works and is consistent with established regulations. Furthermore, vehicles are not required to back out onto the street and as such the project is consistent with this guideline.
- **Minimize large paved areas, for example by using alternative materials (i.e., turf block, stamped concrete or pavers).** The project utilizes minimal stamped concrete or decorative pavers. Staff requests that the Board provide feedback and guidance related to alternative paving materials, as deemed appropriate.

#### Front Landscaping and Fences

- **Landscaped front yards should contribute to the overall visual quality of the neighborhood and to create a strong landscaped character for the site.; Landscaped areas adjacent to sidewalks are encouraged.** The project includes minimal landscaping along the street frontage. Staff is seeking targeted feedback and recommendations from the Board on the proposed landscape design, including recommendations on increasing landscaping along Vivian Street and Belvedere Street, if deemed appropriate.

#### 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.** With the exception of increased lighting intensity along Vivian Street, the project is generally consistent with the lighting standards set forth in the City's municipal code. The project incorporates screening along the eastern property line, which shields light sources and prevents glare and light spillover onto adjacent properties. In addition, proposed light fixtures are complementary to the proposed architectural design. As such, the project is consistent with design guidelines related to lighting.

## *San Rafael Municipal Code*

### Title 14 – Zoning

In general, the project is consistent with the applicable development standards of the NC Zoning District in which the site is located. Due to the applicability of State Density Bonus to the project, certain development standards that would apply to residential project's in the NC Zoning District, including parking and building height have been modified to accommodate the proposed project, consistent with state law. A full consistency analysis and discussion of the project's compliance with Title 14 will be provided in Staff's report to the Planning Commission, including a discussion of the applicable Environmental and Design Review Findings contained in Section 14.25.090 of the SRMC.

### Title 15 – Subdivisions

As discussed previously in the staff report, the project is requesting a waiver, consistent with state density bonus law, from the provisions of the Title 15, which requires all residential condominium developments to provide recreational facilities including a community/recreational center building, bicycle and pedestrian paths through the open, common areas of the development, and common outdoor areas for active and passive recreation in central locations throughout the development. The project does not include a community/recreation center building and as such is requesting a waiver from the requirements of the SRMC. As stated previously, the waiver would not result in adverse impacts on public health, safety, or the physical environment and complies with applicable state law. As such, there are no findings for denial that can be made for the requested waivers.

## **NEIGHBORHOOD CORRESPONDENCE**

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

No public comments have been received as of the publishing of this staff report.

## **CONCLUSION**

In conclusion, staff recommends that the Board review the project and determine whether the comments provided at the Conceptual Design Review meeting on February 20, 2019, have been adequately addressed to ensure the project design is appropriate given the proposed use and setting and should determine if there are any additional recommendations that should be incorporated into the project design. If the Board determines that recommendations and revisions to the proposed project are minimal, the Board should provide a recommendation to the Planning Commission on the project. If revisions to the project would require additional review prior to Planning Commission review of the project, the Board should provide detailed and targeted recommendations to the applicant, and direct staff to return to the Board for review of the project. Staff requests that the Board provide recommendations, and conditions, if deemed appropriate related to the following:

- Site layout
- Distribution and size of common open space area
- Proposed landscaping, including post-construction stormwater management
- Design of entrances along Vivian Street and Belvedere Street
- Application and distribution of proposed color palettes
- Building massing and façade articulation

## EXHIBITS

1. **Project Plans** available electronically at [cityofsanrafael.org/88-vivian/](http://cityofsanrafael.org/88-vivian/)  
<https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2021/11/88-Vivian-Architectural-Plans-Nov-2021.pdf>

*Other project documents including technical studies and the applicant project narrative are available on the project website at: <https://www.cityofsanrafael.org/88-vivian/>*

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