



**Planning Commission  
Regular Meeting**

**Tuesday, March 29, 2022, 7:00 P.M.  
AGENDA**

**Virtual Meeting**

**Watch on Webinar: <https://tinyurl.com/pc-2022-03-29>  
Watch on YouTube: <http://www.youtube.com/cityofsanrafael>**

**Telephone: (669) 900-9128**

**Meeting ID: 858 4988 7189#**

**One Tap Mobile: US: +16699009128,,85849887189#**

**CORONAVIRUS (COVID-19) ADVISORY NOTICE**

In response to Assembly Bill 361, the City of San Rafael is offering teleconference without complying with the procedural requirements of Government Code section 54953(b)(3). This meeting will be held virtually using Zoom.

How to participate in the meeting:

- **Submit public comments in writing. Correspondence received by 10:00 p.m. on Tuesday the week before the meeting will be provided with the agenda materials provided to the Commission.** Correspondence received after this deadline but before the hearing will be conveyed to the Commission as a supplement. Send correspondence to the project planner or to [PlanningPublicComment@cityofsanrafael.org](mailto:PlanningPublicComment@cityofsanrafael.org); or send in writing to Planning Division, CDD; 1400 5th Ave. 3rd Fl.; San Rafael, CA 94901.
- Join the Zoom webinar and use the 'raise hand' feature to provide verbal public comment.
- Dial-in to Zoom's telephone number using the meeting ID and provide verbal public comment.

Any member of the public who needs accommodations should contact the City Clerk (email [city.clerk@cityofsanrafael.org](mailto:city.clerk@cityofsanrafael.org) or phone at 415-485-3066) who will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Members of the public may speak on Agenda items.

**CALL TO ORDER**

**RECORDING OF MEMBERS PRESENT AND ABSENT**

**APPROVAL OR REVISION OF ORDER OF AGENDA ITEMS**

**PUBLIC NOTIFICATION OF MEETING PROCEDURES**

## **ORAL COMMUNICATIONS FROM THE PUBLIC**

Remarks are limited to three minutes per person and may be on anything within the subject matter jurisdiction of the body. Remarks on non-agenda items will be heard first, remarks on agenda items will be heard at the time the item is discussed.

## **CONSENT CALENDAR**

*The Consent Calendar allows the Commission to take action, without discussion, on Agenda items for which there are no persons present who wish to speak, and no Commission members who wish to discuss.*

### **1. Approval of the Planning Commission Meeting Minutes of February 15, 2022**

*Recommended Action – Approve minutes as submitted*

## **ACTION ITEMS**

### **2. 610 Du Bois**

Request for a Sign Program for installation of 31 new signs on an 86,029-square-foot site developed with two commercial buildings for motor vehicle sales and services.

APN: 13-041-29; Planned Development (PD) Zone; Christian Oakes, Applicant; Montgomery Tech Center, Owner; PLAN21-053

**Project Planner:** Isabelle Loh, Contract Planner, [IsabelleL@cityofsanrafael.org](mailto:IsabelleL@cityofsanrafael.org)

*Recommended Action – Adopt a resolution approving Sign Program PLAN21-053*

## **DIRECTOR'S REPORT**

### **COMMISSION COMMUNICATION**

### **ADJOURNMENT**

*Any records relating to an agenda item, received by a majority or more of the Commission 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 [city.clerk@cityofsanrafael.org](mailto:city.clerk@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.*

*The Planning Commission will take up no new business after 11:00 p.m. at regularly scheduled meetings. This shall be interpreted to mean that no agenda item or other business will be discussed or acted upon after the agenda item under consideration at 11:00 p.m. The Commission may suspend this rule to discuss and/or act upon any additional agenda item(s) deemed appropriate by a unanimous vote of the members present. Appeal rights: any person may file an appeal of the Planning Commission's action on agenda items within five business days (normally 5:00 p.m. on the following Tuesday) and within 10 calendar days of an action on a subdivision. An appeal letter shall be filed with the City Clerk, along with an appeal fee of \$350 (for non-applicants) or a \$4,476 deposit (for applicants) made payable to the City of San Rafael, and shall set forth the basis for appeal. There is a \$50.00 additional charge for request for continuation of an appeal by appellant.*



**Planning Commission  
Regular Meeting**

**Tuesday, February 15, 2022, 7:00 P.M.  
MINUTES**

**Virtual Meeting**

**Watch on Webinar: <https://tinyurl.com/pc-2022-02-15>  
Watch on YouTube: <http://www.youtube.com/cityofsanrafael>**

**Telephone: (669) 900-9128**

**Meeting ID: 863 1489 9286#**

**One Tap Mobile: US: +16699009128,,86314899286#**

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Present: Chair Previtali  
Vice Chair Saude  
Commissioner Harris  
Commissioner Samudzi  
Absent Commissioners Haveman & Mercado  
Also Present: Leslie Mendez, Planning Manager  
Alicia Giudice, Community Development Director  
Barry Miller, Project Manager  
Jacob Noonan, Housing Program Manager  
Alexis Captanian, Housing Program Analyst

## **CALL TO ORDER**

Chair Previtali called the meeting to order at 7:01 p.m. He then invited Planning Manager Leslie Mendez to call the roll. All commissioners were present, except for Commissioners Haveman and Mercado.

## **APPROVAL OR REVISION OF ORDER OF AGENDA ITEMS**

None

## **PUBLIC NOTIFICATION OF MEETING PROCEDURES**

Chair Previtali invited Planning Manager Leslie Mendez who informed the community the meeting would be streamed live to YouTube and members of the public would provide public comment either on the telephone or through Zoom. She explained the process for community participation on the telephone and Zoom.

Chair Previtali reviewed the procedures for the meeting.

## **ORAL COMMUNICATIONS FROM THE PUBLIC**

None

## **CONSENT CALENDAR**

Chair Previtali invited public comment; however, there was none.

Commissioner Samudzi moved and Commissioner Harris seconded to approve the Consent Calendar.

### **1. Approval of the Planning Commission Meeting Minutes of January 25, 2022**

*Approved minutes as submitted*

AYES: Commissioners: Harris, Samudzi, Saude & Chair Previtali  
NOES: Commissioners: None  
ABSENT: Commissioners: Haveman & Mercado  
ABSTAIN: Commissioners: None

Motion carried 4-0

## **ACTION ITEMS**

### **2. Progress Report on the San Rafael 2023-2031 Housing Element Update**

Progress report and update on the 2023-2031 Housing Element will be presented to the Planning Commission. This will include the Evaluation of the Prior Element and a summary of the Housing Needs Assessment. The report will also recap initial and upcoming community engagement activities, as the Housing Sites Inventory task, which is about to begin. Case Nos.: GPA16-001 & P16-013

Project Planner: Barry Miller [barry.miller@cityofsanrafael.org](mailto:barry.miller@cityofsanrafael.org)

*Recommended Action – Consider public comment, discuss relevant housing-related issues, and accept the informational report*

Leslie Mendez, Planning Manager introduced Barry Miller, Project Manager who presented the Staff Report.

Staff responded to questions from the Commissioners.

Chair Previtali invited public comment; however, there was none.

**DIRECTOR'S REPORT**

Community Development Director reported on the following items:

- District Boundaries update
- Planning Commission Vacancy
- Notice of Funding Availability for Affordable Housing to be held on March 7
- Annual Progress Report coming soon
- Los Gamos Project update

**COMMISSION COMMUNICATION**

Commissioner Harris expressed gratitude to Barry Miller.

**ADJOURNMENT**

Chair Previtali adjourned the meeting at 8:13 p.m.

\_\_\_\_\_  
LESLIE MENDEZ, Planning Manager

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_  
JON PREVITALI, Chair



**SAN RAFAEL**  
THE CITY WITH A MISSION

Community Development Department – Planning Division

**Meeting Date:** March 29, 2022  
**Agenda Item:** 2  
**Case Number:** PLAN21-053  
**Project Planner:** Isabelle Loh,  
 Contract Planner,  
 IsabelleL@cityofsanrafael.org

**REPORT TO PLANNING COMMISSION**

**SUBJECT: 610 Du Bois Street** – Request for a Sign Program for installation of 31 new signs on a 86,029-square-foot site developed with two commercial buildings for motor vehicle sales and services. APN: 13-041-29; Planned Development (PD) Zone; Christian Oakes, Applicant; Montgomery Tech Center, Owner; PLAN21-053

**EXECUTIVE SUMMARY**

The proposed Sign Program includes 31 different signs at 19 different locations on an 86,029-square-foot site developed with two commercial buildings for motor vehicle sales and services in a Planned Development (PD1542) zone. Sign Programs are intended to “achieve aesthetic compatibility between the signs within a project, and may allow some flexibility in the number, size, type and placement of signs” (SRMC Section 14.096.A). The project went before the Design Review Board (DRB) on February 23, 2022. The DRB recommended approval of the project to the Planning Commission.

The project is subject to Planning Commission Review pursuant to Section 14.19.043.B.1 (Review Authority) in the San Rafael Municipal Code (SRMC), where the Planning Commission has the authority to approve, conditionally approve or deny the proposed project.

**RECOMMENDATION**

It is recommended that the Planning Commission take the following action:

1. Adopt the Draft Resolution (Exhibit 1) approving the project

**PROPERTY FACTS**

<b>Address/Location:</b>	610 Du Bois Street	<b>Parcel Number(s):</b>	013-041-29
<b>Property Size:</b>	86,029 square feet	<b>Neighborhood:</b>	Near Southeast

Site Characteristics			
	General Plan Designation	Zoning Designation	Existing Land-Use
<b>Project Site:</b>	GC	PD(1542)	<b>Commercial (Motor Vehicle Sales and Services)</b>
North:	P/QP	P/QP	Railroad Tracks
South:	I	PD(1512)	Commercial
East:	GC	GC	Commercial (Electronics Sales)

West:	I	I	Industrial (Brick, gravel, rock, concrete, lumber, tile sales)
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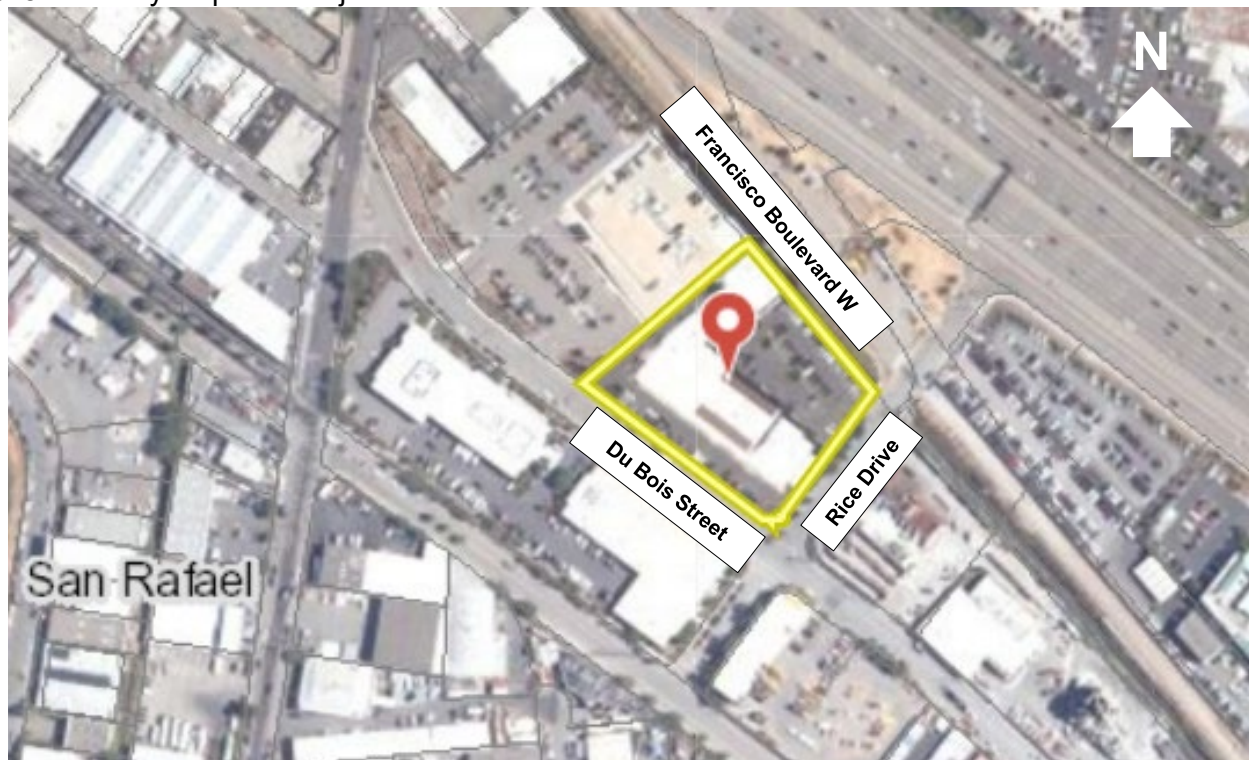
**Site Description/Setting:**

610 Du Bois Street is a 1.975-acre (86,029 square feet) commercial site that provides motor vehicle sales and services in the Near Southeast Neighborhood (Area 13 as shown on General Plan 2040: Planning Areas and Neighborhoods).

The site is zoned Planned Development (PD) under Ordinance 1542. Surrounding parcels are zoned Industrial (I) to the east and southeast (548 & 555 Du Bois Street), PD to the south under Ordinance 1512 (625 & 655 Du Bois Street), and General Commercial (GC) to the west (650 Irwin Street, 668 Irwin Street, 654 Irwin Street, 700 Du Bois Street). The lot is bounded by Francisco Boulevard and Rice Drive on the north, Rice Drive on the east, Du Bois Street on the south, and commercial lot (electronics sales) on the west; Du Bois Street and Rice Drive provides access to the site.

Sonoma-Marín Area Rail Transit (SMART) train tracks and U.S. Highway 101 are located to the north of the site. Bike/Ped infrastructure, bicycle trails and bicycle-friendly roads that run through Rice and Du Bois Street respectively serve as an alternative mode of access to the site.

**Figure 1** Vicinity Map and Project Location



The site contains two buildings (labelled Building A and Building B; refer to Site Plan in Figure 2 or Sheet A1.2 of the plan set – Exhibit 2) and a Service Canopy between the two buildings. Building A and Building B are 22,484 square feet and 3,936 square feet respectively. Total floor area is 26,420 square feet. Building A runs along the southern property line with an ell wing that extends towards the northwest corner of the lot. The south elevation has 264'-7" of frontage. Building B is located at the northwest corner of the lot and has 60'5" of building frontage on the east and 72'-5" of building frontage on the west. The Service Canopy linking Building A and B has 48'4" of façade overhang facing Rice Drive (east). Figures 3.1-3.7 show existing conditions at the project site.

Figure 2 Site Plan

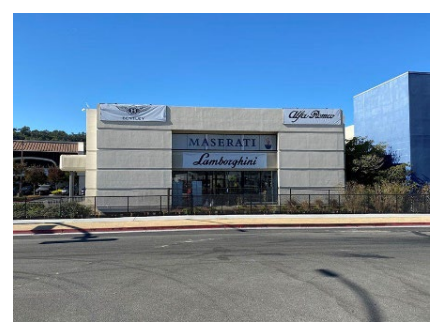
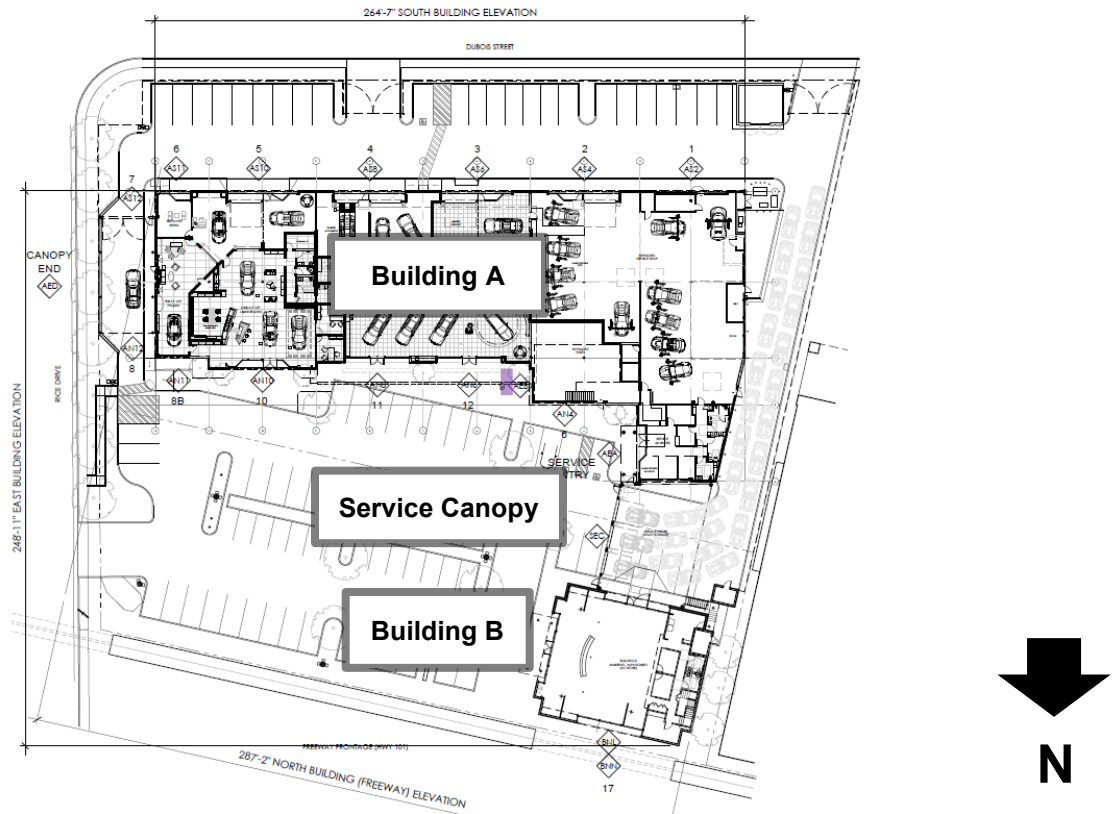


Figure 3.1, 3.2, 3.3 North Elevation (faces the freeway)  
Building A (left two photos); Building B (right photo)



Figure 3.4, 3.5 South Elevation (faces Du Bois Street)  
Building A





**Figure 3.6, 3.7 East Elevation (faces Rice Drive)**  
Building A (left); Service Canopy (center); Building B (right)

## BACKGROUND

### Site History

Originally zoned Heavy Commercial and Manufacturing (M) District, the property was rezoned to a Planned Development (PD) District (Ordinance No. 1542) on April 18, 1988. The allowed land uses authorized by the ordinance are limited to large or bulk item retail. According to a Zoning Verification Letter (Exhibit 3) issued by the City on July 25, 2011, the use of motor vehicle sales and service along with the associated parking has been appropriately allowed by the City and is deemed a legal use. The earliest record of such use on the property is 2002, which has continued to the present.

### Application History & Action by the Design Review Board

The application was received on August 30th, 2021, for approval of a Sign Program, exterior fascia improvements, and installation of a new 8-foot fence. The applicant requested that the application of the Sign Program be split and processed separately from that of the administrative design review (for exterior changes and fencing). The Administrative Design Review Permit was approved on March 11, 2022, including allowing construction of a Service Closure in place of the canopy currently located between Buildings A and B. The Sign Program proposes signage on the service closure, as described in the Project Description below. The proposed Sign Program (PLAN21-053) was reviewed at a Design Review Board public hearing on February 23, 2022, where DRB gave a recommendation of approval.

## PROJECT DESCRIPTION

The project proposes a Sign Program to replace existing signs, both temporary and permanent, with new signs on the two buildings and service closure located on the property. In line with the property's use for motor vehicle sales and services, the signs would be of luxury car brands (Maserati, Pagani, Bentley, Lamborghini, and Alfa Romeo).

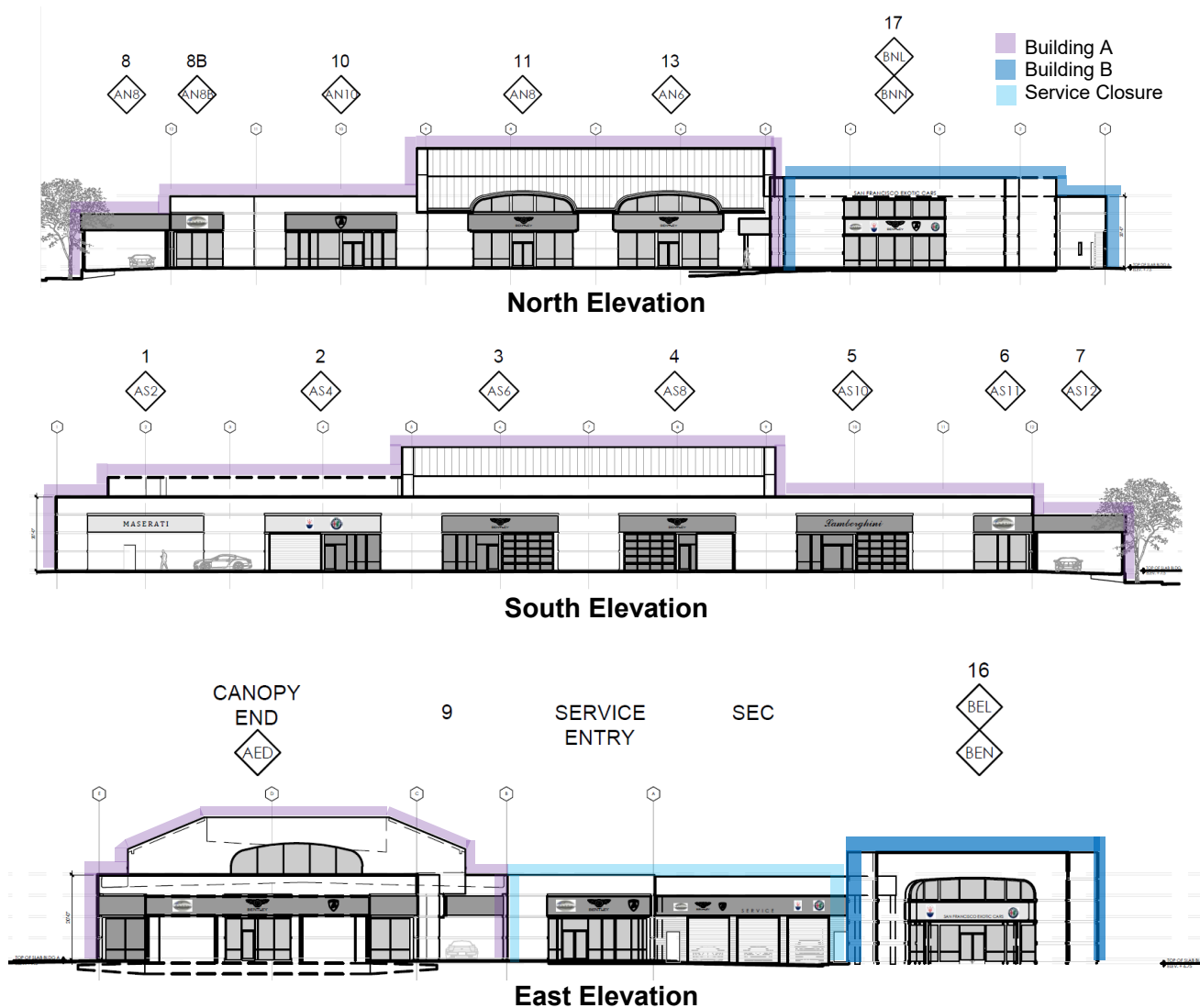
The Sign Program proposes a total of 31 new individual signs at 19 different locations on the north, south, and east elevations. Note that there are no existing or proposed signs on the west elevation. Proposed materials for the signs include acrylic and cement plaster; Aluminum Composite Material (ACM) panels and bronze frames for the backgrounds; and internal white LEDs for lighting. All proposed signs are in line with the permitted square footage for each building front. Table 1 provides a summary of proposed signage and proposed elevations. Refer to Figures 4.1–4.3 for proposed sign placements by elevations and Exhibit 4 for a detailed table of proposed signage.

**Table 1** Summary of Proposed Signage

Building A (sq ft.)			Service Closure (sq ft.)	
North	South	East	East	
15.11	18.00	38.10 (3 logo signs)	43.04 (5 logo signs)	
10.25	12.22 (2 logo signs)	8.85	<b>Total: 43.04 sq ft</b>	
19.00	19.00	19.00	<b>Allowed: 48.33 sq ft</b>	
19.00	19.00		Building B (sq ft.)	
22.00	22.00		North	East
	15.11		34.67	8.67
			34.49 (5 logo signs)	12.22 (2 logo signs)
<b>Total: 85.36</b>	<b>Total: 105.33</b>	<b>Total: 65.95</b>	<b>Total: 69.16</b>	<b>Total: 20.89</b>
<b>Allowed: 167.75</b>	<b>Allowed: 200</b>	<b>Allowed: 130</b>	<b>Allowed: 72.42</b>	<b>Allowed: 60.42</b>

\*Allowed sign area is pursuant to SRMC Section 14.19.064A, where one square foot of sign area is permitted for each linear foot of business use or frontage, up to a maximum of two hundred (200) square feet.

**Figures 4.1, 4.2, 4.3** Proposed Elevations



## ANALYSIS

### San Rafael General Plan 2040 (GP2040) Consistency:

Relevant policies from GP2040 were extracted from the:

#### Neighborhoods Element

Specific to the Near Southeast Neighborhood where the project site is located, the proposed Sign Program would upgrade the existing property's appearance with new signage as part of a remodeling effort. The proposed Sign Program would serve the property use for motor vehicle sales and services and would take advantage of freeway visibility from U.S. Highway 101 on its north elevation.

#### Community Design and Preservation Element

Given the project site's proximity to the city's commercial/industrial district and major gateway elements, the proposed Sign Program would contribute to the beautification of industrial districts and business identity of the district. The proposed signage would provide necessary visual identification for business success while enhancing the streetscape and surrounding area.

#### Economic Vitality Element

The proposed Sign Program would replace temporary banner signs with permanent signage, which would create a stronger sense of place and strengthen the business' brand identity.

Refer to Exhibit 5 for a summary table of project consistency with GP2040.

#### Zoning Ordinance Consistency:

Sign Programs are required for properties in Planned Development (PD) districts and are specifically intended for uses and properties that are unique because of multiple uses, multiple buildings, or certain uses, including automobile dealerships.

Because of the project site's use, the most closely related sign regulations are found in SRMC Section 14.19.064 (Commercial, office, industrial, marine related districts).

- Subsection A of the above section regulates the allowed sign area for single-tenant buildings, where one square foot of sign area is permitted for each linear foot of business use or frontage, up to a maximum of two hundred (200) square feet.
  - Building A has 264'-7" of frontage on the south elevation, 130' of frontage on the east elevation, and 167'-9" of frontage on the north elevation.
  - The service entry has 48'-4" of frontage on the east elevation.
  - Building B has 60'-5" of frontage on the east elevation and 72'-5" of frontage on the north elevation.
- Subsection F of the above section regulates the maximum number signs allowed. For all non-residential uses in commercial, office, industrial, or marine related districts, a maximum of two permanent signs per frontage is allowed.

Staff notes that although the Sign Program exceeds the maximum number of signs under commercial zoning, the project site is zoned Planned Development (PD) and proposes a Sign Program that allows flexibility. The square footage of signage on each frontage does not exceed the maximum permissible area per SMC 14.19.064.A. Proposed signs would be standardized based on official branding for each luxury car logo; sign materials: acrylic and cement plaster; sign background: Aluminum Composite Material (ACM) panels and bronze frames; and illumination: internal or concealed white LEDs. All proposed signs would be wall signs on facades facing street frontages (Du Bois Street and Rice Drive) and U.S. 101 and installed centered in each location. The proposed number and total size of signs are in scale with the overall size of the building and the lot and is located on two different streets in a mixed commercial/industrial area and along a freeway. In addition, the number and placement of signs aligns with the site's motor vehicle sales and services use with multiple brands. The proposed Sign Program complies with zoning requirements, as outlined in Exhibit 6.

**DESIGN REVIEW BOARD RECOMMENDATION**

At the public hearing of February 23, 2022, the Design Review Board (DRB) reviewed the project, plans, attachments, and staff report. In their discussion, members of the DRB noted the proposed signage area is less than the amount of signage allowed; and that the number of signs makes sense and is in scale with the use given the variety of automobile brands in the dealership. Additional comments noted that the proposed signs are subdued and represent high-quality signage that lines up with what the DRB is looking for. Following the discussion, the DRB unanimously (4-0, 2 absent) recommended approval of the project as proposed. At the point of writing, minutes for the DRB Hearing have not been made available. Please refer to a recording of the meeting here: <https://youtu.be/Jf-dctxyPkM>

**ENVIRONMENTAL DETERMINATION**

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines as signage is being proposed on an existing developed site.

**NEIGHBORHOOD MEETING / CORRESPONDENCE**

Notice of hearing for the project was conducted in accordance with noticing requirements contained in Chapter 29 of the Zoning Ordinance. On March 7, 2022 a Notice of Public Hearing was mailed to all property owners and occupants within a 300-foot radius of the subject site, the Bret Harte Community Association, the Federation of San Rafael Neighborhoods, and all other interested parties. Public notice was also posted on the subject site on the same day notices were mailed out.

**OPTIONS**

The Planning Commission has the following options:

1. Adopt the Draft Resolution (Exhibit 1) approving the project; or
2. Approve the application with certain modifications, changes, or additional conditions of approval; or
3. Continue the hearing (to a date certain or an undefined date) to allow the applicant to address any of the Commission's comments or concerns; or
4. Deny the project.

**EXHIBITS**

1. Draft Resolution
2. [Project Plans, dated February 8, 2022](#)
3. Zoning Verification Letter, dated July 25, 2011
4. Detailed Table of Proposed Signage
5. General Plan 2040 Consistency Table
6. Zoning Ordinance Consistency Table

RESOLUTION NO. 22-

RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION APPROVING REQUEST FOR A SIGN PROGRAM (PLAN21-053) FOR INSTALLATION OF 31 SIGNS ON 86,029-SQUARE FOOT SITE DEVELOPED WITH TWO COMMERCIAL BUILDINGS FOR MOTOR VEHICLE SALES AND SERVICES LOCATED AT 610-620 DU BOIS STREET.  
APN: 013-041-29

WHEREAS, on August 30<sup>th</sup>, 2021, Christian Oakes submitted an application for a Sign Program, exterior fascia improvements, and installation of a new 8-foot fence. The applicant requested that the application of the Sign Program be split and processed separately from that of the administrative design review (for exterior changes and fencing); and

WHEREAS, application PLAN21-053 was created for a Sign Program to install 31 signs on a 86,029-square foot developed site with two commercial buildings containing an auto dealership located at 610-620 Du Bois Street in a Planned Development (PD) District; and

WHEREAS, on February 23, 2022, the City of San Rafael Design Review Board reviewed the project for the proposed Sign Program and on a vote of 4–0 (2 absent) recommended approval; and

WHEREAS, upon review of the application, the project has been determined to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines as signage is being proposed on an existing developed site; and

WHEREAS, on March 29, 2022, the San Rafael Planning Commission held a duly noticed public hearing on the proposed Sign Program (PLAN21-053), accepting all oral and written public testimony and the written report of the Community Development Department staff.

NOW THEREFORE BE IT RESOLVED, the Planning Commission determines the project is exempt from CEQA pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines as signage is being proposed on an existing developed site. Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project would not affect any historical resource.

BE IT FURTHER RESOLVED that the Planning Commission approves the requested Sign Program based on the findings related to the Sign Program pursuant to SRMC Section 14.19.046.D as set forth below:

**SIGN PROGRAM FINDINGS  
(PLAN21-053)**

- 1. All of the signs contained in the program have one or more common design elements such as placement, colors, architecture, materials, illumination, sign type, sign shape, letter size and letter type;**

The proposed Sign Program has a consistent and common design theme, using acrylic and cement plaster for the sign materials, Aluminum Composite Material (ACM) panels and bronze frames for the sign background, and internal or concealed white LEDs for illumination. The Sign Program only proposes wall signs and does not propose window, marquee, projecting, blade, mansard, awning, or freestanding signs. Colors for each sign are standardized based on official branding for each luxury car logo. With regards to placement, all signs are to be installed centered in each location.

- 2. All of the signs contained in the program are in harmony and scale with the materials, architecture, and other design features of the buildings and property improvements they identify, and the program is consistent with the general design standards specified in Section 14.19.054; and**

The existing structures read as a single L-shaped building set back from the streets in an industrial and commercial area, near U.S. 101. The proposed Sign Program is consistent with the general design standards specified in SRMC Section 14.19.054, where the proposed signs have a similar style to the modern design of the building and is compatible with signs on surrounding commercial and industrial buildings. The proposed signs will not impair the visibility of existing and surrounding signage, nor will it affect signage on adjacent properties. The proposed materials and manner of illumination will be consistent with the character of the existing building.

- 3. The amount and placement of signage contained in the program is in scale with the subject property and improvements, as well as the immediately surrounding area.**

Sign Programs for PD zoning do not specify limits on numbers or size of signs and is intended to allow for flexibility. The Sign Program proposes sign sizes that comply with SRMC Section 14.19.064, which limits overall sign signage to one square foot per linear foot of building frontage, up to 200 square feet. The Sign Program proposes a total of 31 new signs on the site's three different frontages, facing Du Bois Street, Rice Drive, and US 101/SMART corridor.

BE IT FURTHER RESOLVED, that the Planning Commission of the City of San Rafael approves the Sign Program subject to the following conditions:

**Conditions of Approval (PLAN21-053)**

*Community Development Department, Planning Division*  
Standard Conditions of Approval

1. The conditions of this Sign Program shall be printed on the second sheet of each plan set submitted for a building permit pursuant to this Sign Program, under the title 'Sign Program Conditions.' Additional sheets may also be used if the second sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings; 8-1/2" by 11" sheets are not acceptable.
2. The applicant shall ensure compliance with all of the following conditions, including submittal to the project planner of required approval signatures at the times specified. Failure to comply with any condition may result in construction being stopped, issuance of a citation, and/or modification or revocation of the Sign Program.
3. All information and representations, whether oral or written, including the building techniques, materials, elevations and appearance of the project, as presented for approval on plans, dated February 8, 2022, and on file with the Community Development Department, Planning Division, shall be the same as required for the issuance of a building permit, except as modified by these conditions of approval. Minor modifications or revisions to the project shall be subject to review and approval by Planning staff. Modifications deemed not minor by the Community Development Director may require review and approval as an amendment to the Sign Program by Planning staff.
4. The approved use and/or construction is subject to, and shall comply with, all applicable City Ordinances and laws and regulations of other governmental agencies. Prior to construction, the applicant shall identify and secure all applicable permits from the Building Division, Public Works Department and other affected City divisions and departments.
5. This Sign Program (PLAN21-053) shall be valid for six months from the approval or until October 6<sup>th</sup>, 2022, and shall be null and void if a building permit is not issued or a time extension granted prior to the expiration date
6. Exterior Lighting. All exterior lighting shall be energy efficient where feasible; and shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
7. The building techniques, materials, elevations and appearance of this project, as presented for approval by the Planning Commission on March 29, 2022 shall be the

same as required for the issuance of a building permit. Any future additions, expansions, remodeling, etc., shall be subject to the review and approval of the Community Development Director.

*Community Development Department, Building Division*

- 8. The design and construction of all site alterations shall comply with the 2019 California Building Code (CBC), 2019 California Plumbing Code (CPC), 2019 California Electrical Code (CEC), 2019 California Mechanical Code CCMC), 2019 California Fire Code (CFC), 2019 California Energy Code, 2019 California Green Building Standards Code and City of San Rafael Ordinances and Amendments.
- 9. A building permit is required for the proposed work. Applications shall be accompanied by a complete sets of construction drawings. to include:
  - a. Architectural plans
  - b. Structural plans
  - c. Electrical plans
  - d. Site/civil plans (clearly identifying grade plane and height of the building)
  - e. Structural Calculations
  - f. Title-24 energy documentation

Prior to issuance of building permit:

- 10. Construction activities shall comply with City’s Noise Ordinance.

The foregoing Resolution was adopted at the regular City of San Rafael Planning Commission meeting held on the 29th day of March 2022. The Planning Commission’s Action is final unless it is appealed to the City Council within five (5) working days pursuant to San Rafael Municipal Code Section 14.28.030 - *Filing and time limit of appeals*.

Moved by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_.

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

SAN RAFAEL PLANNING COMMISSION

ATTEST: \_\_\_\_\_  
Leslie Mendez, Secretary

BY: \_\_\_\_\_  
, Chair

ATTACHMENT:





July 25, 2011

Ms. Nancy Thomas  
Howard & Howard  
c/o Chrysler Group Realty  
1000 Chrysler Drive  
Auburn Hills, MI 48326

**Re: Zoning Verification Letter  
[INF 11-016] 610-620 DuBois Street. (APN: 013-041-29)**

Dear Ms. Thomas:

You have requested verification of zoning, permit and building code compliance for the property listed above located in the City of San Rafael. City staff has reviewed the permit history and zoning regulations applicable to the site, and the zoning and site summary information you have requested is as follows:

Address, APN and Zoning District

The subject site at 610-620 DuBois Street, (APN: 013-041-29), is currently zoned Planned Development (PD1542) District. A copy of the PD1542 which lists the allowed uses and development standards is attached. The existing auto sales and service use along with the associated parking has been appropriately allowed by the City and is therefore, deemed a legal use.

The nonconforming use regulations, building height and floor area limits can be found in SRMC Chapter 14.16. The Zoning Ordinance is available on the City's web site at <http://www.cityofsanrafael.org>. Click on "Municipal Code" under the Online Services section and navigate to Title 14. The San Rafael Municipal Code is also accessible online at the following website address: <http://www.municode.com>. Please navigate to Section 14.16.270 for nonconforming structures and uses, and Section 14.18.040 for parking requirements.

Zoning Entitlement History

The zoning permit history documented in City files is attached.

*Acronyms of entitlements defined: ED = Environmental and Design Review Permit; UP = Use Permit; SR = Sign Review; V = Variance; BP = Banner Permit.*

*Note: The City staff cannot definitively determine compliance with all applicable sections of San Rafael Municipal Code Title 14 (Zoning Ordinance) without, i) receiving a recent to-scale site plan and/or survey with details showing the current developed conditions, and ii) conducting a comprehensive site inspection to determine whether site improvements comply with current development standards (such as setbacks, lot coverage, height, landscaping, usable outdoor area, etc). Site inspections cannot be conducted without a recent detailed site plan and/or site survey.*

### San Rafael General Plan 2020

The San Rafael General Plan 2020 designates the site General Commercial.

### Adjacent Zoning and Land Uses

Parcels abutting the site have the following zoning designations:

North: Across from W. Francisco Blvd.: General Commercial (GC); undeveloped  
South: Planned Development (PD1512); commercial uses  
East: Industrial (I); industrial uses  
West: General Commercial (GC); commercial uses

### Code Enforcement Status

A review of the City permit tracking system (CRW) on July 25, 2011, revealed no active or unresolved zoning code or code enforcement violations or complaints on the subject property. You may contact the Code Enforcement Division for further information, at (415) 458-5038.

### Building Occupancy

A review of the City permit tracking system software (CRW) on July 25, 2011, revealed no outstanding or unresolved building code violations. Planning Staff cannot verify building and fire code compliance. You may contact the Building Division at (415) 485-3367 for further information regarding status of permits, approved occupancy and as-built conditions. You can also view permit history online at <http://www.cityofsanrafael.org>. Click on "ePermits: Project and Permit Status" under the Online Services section

Should you have any questions or comments, please do not hesitate to contact me at (415) 485-3397 or [Sarjit.dhaliwal@cityofsanrafael.org](mailto:Sarjit.dhaliwal@cityofsanrafael.org).

Sincerely,

Sarjit S. Dhaliwal  
CITY OF SAN RAFAEL  
Associate Planner

Enclosures: PD Ordinance no. 1542;  
List of zoning files for 610-620 DuBois Street.

**General Plan 2040 Consistency**

General Plan 2040 (GP2040) was adopted on August 2, 2021, to guide future growth and development for the next 20 years. Table I below evaluates consistency of proposed project to relevant GP2040 policies. Staff comments are listed in *italics*.

**Table I** GP2040 Policy and Consistency

<b>Policy</b>	<b>Consistency</b>
<p><b>Neighborhoods Element</b>            Specific to the Near Southeast Neighborhood where the project site is located, GP2040 highlights the importance of protecting and maintaining industrial and commercial uses due to the area’s central location and lack of alternate locations for these uses.</p>	
<p><b>NH-3.9: Industrial Area Design Improvements.</b>  <b>(B)</b> Upgrade the condition and appearance of properties as redevelopment or remodeling occurs.</p>	<p><b>Consistent.</b> <i>The proposed sign program would upgrade the existing property’s appearance with new signage as part of a remodeling effort.</i></p> <p><i>Given the site’s proximity to areas zoned as industrial (I), the proposed sign program is relevant to the General Plan’s design improvement policy</i></p>
<p><b>NH-3.10: Highway 101 Frontage.</b>            Encourage the use of properties facing Highway 101 with uses that take advantage of their freeway visibility. Appropriate uses include automobile sales, bulk retail sales, region-serving retail uses, hotels, and similar uses.</p>	<p><b>Consistent.</b> <i>The proposed sign program would take advantage of freeway visibility from Highway 101 on the north elevation. The site’s use as a luxury car dealer and auto service provider also aligns with what is considered “appropriate use” by GP2040.</i></p>
<p><b>Community Design and Preservation Element</b>            In Commercial and Industrial Districts, GP2040 states the importance of recognizing and preserving design elements that contribute to the economic vitality, functionality, and visual quality of the area. As the oldest industrial area in the city that provides about 2,800 jobs, retention of successful business is vital to the Near Southeast neighborhood.</p>	
<p><b>CDP-2.5 Industrial Districts</b>  <b>(A)</b> Where feasible, develop and implement urban design improvements such as ... signage in commercial and industrial areas through the development review process.</p>	<p><b>Consistent.</b> <i>The proposed sign program would replace temporary signs with permanent signs that adhere to brand guidelines of luxury cars, in line with its use of an automobile dealership. The signage provided would improve the appearance of the site beautify the industrial area.</i></p>
<p><b>CDP-2.6 Gateways</b>            Provide distinctive, attractively designed gateways into the city and its major districts. Gateways should optimally convey a sense of arrival, reinforce a positive image of the city, and help define a unique identity for individual districts.</p>	<p><b>Consistent.</b> <i>With reference to Figure I, the project site is in/around one of San Rafael’s Major Gateway Elements. The proposed sign program would contribute to the area’s commercial and business district identity.</i></p>
<p><b>CDP-4.11: Lighting</b>            Encourage lighting for safety and security while preventing excessive light spillover and glare. Lighting should complement building and landscape design.</p>	<p><b>Consistent.</b> <i>Proposed signs are either internally illuminated or have concealed lighting to prevent excessive light spillover and glare.</i></p>

<p><b>CDP-4.12: Commercial Signage.</b> Encourage commercial signage that provides the visual identification necessary for business success, while enhancing the building, streetscape, and surrounding area.</p>	<p><b>Consistent.</b> <i>The proposed sign program would provide the business with visual identification necessary for success while enhancing the building frontage and streetscape.</i></p>
<p><b>Economic Vitality Element</b> GP2040 states the importance of enhancing the character of the city’s business districts to create a positive environment for business and investment.</p>	
<p><b>EV-3.1: Business Areas.</b> Strengthen the positive qualities of each business area in San Rafael to create a stronger sense of place and brand identity.</p>	<p><b>Consistent.</b> <i>The proposed sign program would replace temporary banner signs with permanent signage. It is a form of property improvement that strengthens the brand identity of the business located in Near Southeast as well as the business area identity of Southeast San Rafael (the economic engine of San Rafael).</i></p>

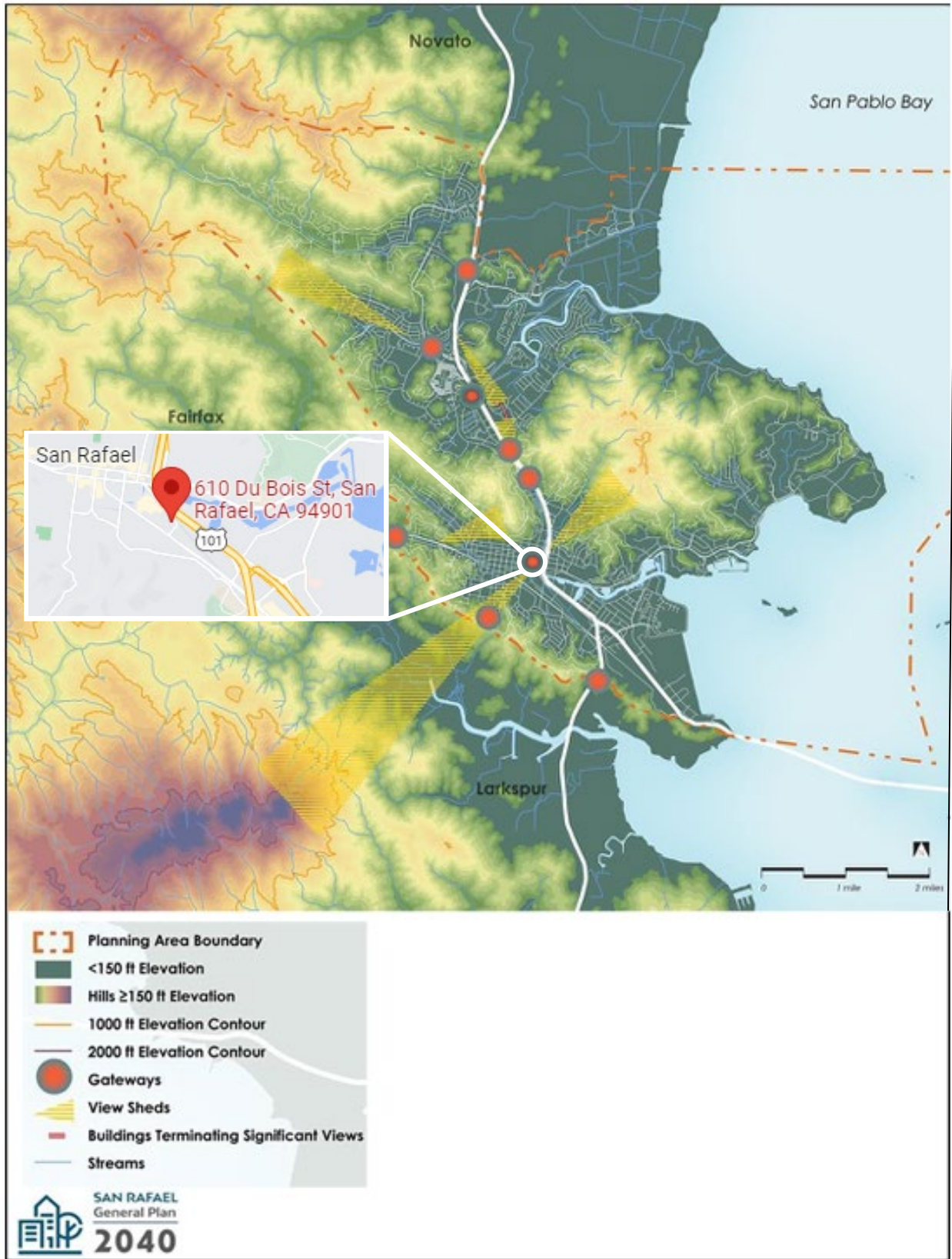


Figure I Topography, View Corridors, and Major Gateway Elements

**Zoning Ordinance Consistency**

**Table I** Summary of Project Consistency with Sign Program Regulations (Staff comments are listed in *italics*)

Zoning Ordinance	Consistency
<b>14.19.046 - Sign Programs</b>	
<p><b>(A) Purpose</b>  <i>Proposed sign program is intended for the unique use of a luxury automobile dealership with the purpose of addressing multiple signs for the use and opportunities for flexibility in the number and size of signs.</i></p>	✓
<p><b>(B) Applicability</b>  <i>Signs proposed are in a Planned Development (PD) district.</i></p>	✓
<p><b>(C) Design Continuity</b>  <i>Colors for each sign are standardized based on official branding for each luxury car logo. Proposed materials for all signs are acrylic and cement plaster with ACM panels and bronze frames for the background.</i></p>	✓
<p><b>(D) Findings Required for Approval</b></p> <ol style="list-style-type: none"> <li>1. <b>All of the signs contained in the program have one or more common design elements such as placement, colors, architecture, materials, illumination, sign type, sign shape, letter size and letter type;</b>  <i>The proposed sign program has a consistent and common design theme, using acrylic and cement plaster for the sign materials, Aluminum Composite Material (ACM) panels and bronze frames for the sign background, and internal or concealed white LEDs for illumination. The sign program only proposes wall signs and does not propose window, marquee, projecting, blade, mansard, awning, or freestanding signs. Colors for each sign are standardized based on official branding for each luxury car logo. With regards to placement, all signs are to be installed justified and/or centered in each location.</i></li>   <li>2. <b>All of the signs contained in the program are in harmony and scale with the materials, architecture, and other design features of the buildings and property improvements they identify, and the program is consistent with the general design standards specified in Section 14.19.054;</b>  <i>The existing structures read as a single L-shaped building set back from the streets in an industrial and commercial area, near U.S. 101. The proposed sign program is consistent with the general design standards specified in SRMC Section 14.19.054, where the proposed signs have a similar style to the modern design of the building and is compatible with signs on surrounding commercial and industrial buildings. The proposed signs will not impair the visibility of existing and surrounding signage, nor will it affect signage on adjacent properties. The proposed signs are also designed to use the same materials and manner of illumination as existing signs.</i></li>   <li>3. <b>The amount and placement of signage contained in the program is in scale with the subject property and improvements, as well as the immediately surrounding area.</b></li> </ol>	✓

<p><i>Sign programs for PD zoning do not specify limits on numbers or size of signs and is intended to allow for flexibility. The sign program proposes sign sizes that comply with SRMC Section 14.19.064, which limits overall sign signage to one square foot per linear foot of building frontage, up to 200 square feet. While SRMC Section 14.19.061 limits the number of signs to two permanent signs per business frontage, sign programs provide opportunities for flexibility. The sign program proposes a total of 31 signs on the site's three different frontages, facing Du Bois Street, Rice Drive, and US 101/SMART corridor.</i></p>	
<p><b>14.19.053 - Location, Placement and Design of Signs</b></p>	
<p><b>(A) On-Site Location Only</b> <i>All signs would located on-site.</i></p>	<p>✓</p>
<p><b>(B) No Obstruction of Exits, Windows and Safety Equipment</b> <i>No proposed sign would interfere with exits, windows, or safety equipment.</i></p>	<p>✓</p>
<p><b>(C) Maintenance of Adequate Sight Distance</b> <i>No sign would impede or obstruct visibility of vehicles or persons entering or exiting doorways or driveways.</i></p>	<p>✓</p>
<p><b>(D) General Placement of Signs.</b> <i>All proposed signs would be placed on the street front face.</i></p>	<p>✓</p>
<p><b>(E) Frontage on Corner Lots.</b> <i>Project site is located on a corner lot with frontage on two (2) streets—Du Bois Street and Rice Drive – and U.S. 101/SMART. Proposed signs would be placed on both street frontages and U.S. 101 and adhere to permitted square footage for each building front.</i></p>	<p>✓</p>
<p><b>14.19.055 - Illumination standards.</b></p>	
<p><b>(B)(1) Illumination that is permitted. Internal illumination.</b> <i>Proposed signs would be internally illuminated and concealed, where the rays of illumination project towards the edge of the sign. Refer to pages 10-12 of the plan set (Exhibit 3) for design specifications.</i></p>	<p>✓</p>
<p><b>14.19.064 - Commercial, Office, Industrial, Marine Related Districts (Permitted Sign Area)</b></p>	
<p><b>(A) Single-Tenant Buildings</b> <i>Refer to Table 1 in Staff Report</i></p>	<p>✓</p>