



SAN RAFAEL

THE CITY WITH A MISSION

Community Development Department – Planning Division

Meeting Date: August 9, 2022
Agenda Item: 2
Case Numbers: PLAN22-026, UP22-003, ED22-009
Project Planner: Jeff Ballantine, Senior Planner

REPORT TO PLANNING COMMISSION

SUBJECT: 800 & 804 A Street (Ritter Center) – Request for a Use Permit and an Environmental and Design Review Permit for a Major Medical Facility within an existing building at 800 A Street and to demolish an existing building at 804 A Street in order to expand the parking lot; APNs: 011-264-10 & -06; T5N District; Scott Peterson of INDE Architecture, Applicant; Ritter Center, Owner.

EXECUTIVE SUMMARY

The proposed project requires a Use Permit for a Major Medical Facility use for the Ritter Center to relocate from 16 Ritter Street to a larger existing building at 800 A Street. The Ritter Center offers medical, behavioral health, and case management services to people living in poverty in Marin County. The project proposal includes renovating and making minor exterior modifications to an existing commercial building at 800 A Street and demolishing an existing commercial structure at 804 A Street to accommodate an expanded parking lot along with landscaping improvements. An Environmental and Design Review Permit is also required for minor modifications to the exterior of the existing building at 800 A Street and for expanding and modifying the parking lot.

REQUESTED ENTITLEMENTS

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

- **Use Permit (UP22-003).** A Major Medical Facility requires a Use Permit in the T5N District pursuant to the [Downtown Precise Plan form-based code](#) subject to approval by the Planning Commission. In addition, a Use Permit is required for a Parking Modification pursuant to SRMC Section 14.18.040.B for a modification to parking setback requirements in the Downtown Precise Plan, as described in the Analysis section of this staff report.
- **Environmental and Design Review (ED22-009).** San Rafael Municipal Code (SRMC) §14.25.040.C.6 requires an Administrative Environmental and Design Review Permit for design changes to projects that previously obtained design approval, including modifications to windows, site design or landscaping changes. This typically can be approved at staff level. However, where a single development project seeks multiple approvals, the highest decision-making body is responsible for review of all requested entitlements.

RECOMMENDATION

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

1. Adopt the attached Draft Resolution (Exhibit 1) approving Use Permit UP22-003 and Environmental and Design Review Permit ED22-009.

PROPERTY FACTS

Address/Location:	800 & 804 A St.	Parcel Number(s):	011-264-10 & -06;
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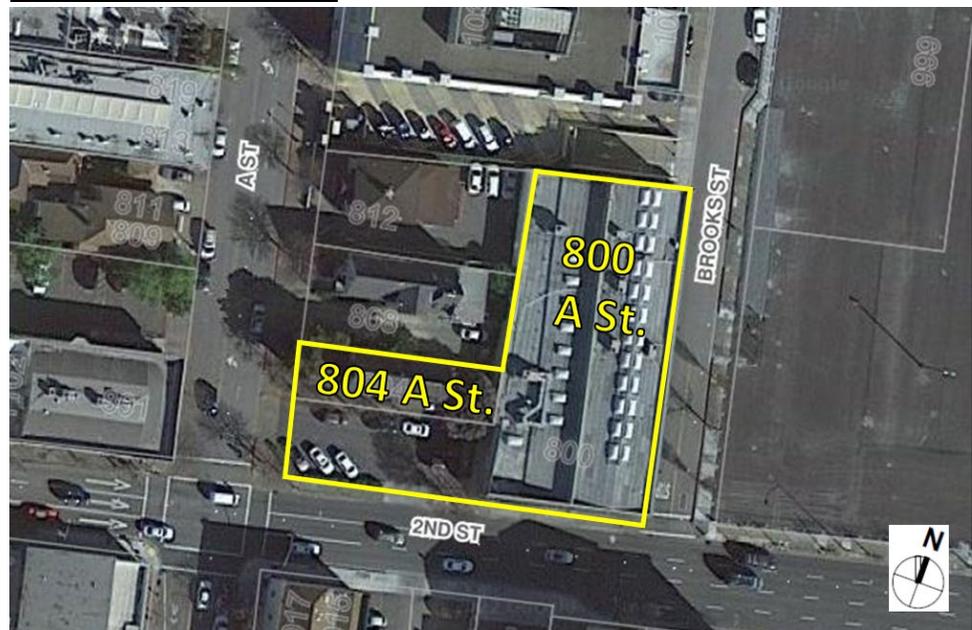
Property Size:	21,305 sq. ft.	Neighborhood:	Downtown
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Site Characteristics			
	General Plan Designation	Zoning Designation	Existing Land-Use
Project Site:	DMU	T5N 50/70	Vacant Office Building
North:	DMU	T5N 50/70	Multi-family residential buildings, medical office building
South:	DMU	T5N 50/70	Multi-family residential building, retail and salon businesses
East:	DMU	T5N 50/70	Vacant paved lots
West:	DMU	T5N 50/70	Dental office, multi-family residential building

Site Description/Setting:

The project site is located in Downtown San Rafael at 800 and 804 A Street. The 21,305 sq. ft. site has frontages on A Street, Second Street, and Brooks Street (Figure 1). The site features generally flat topography. An existing 13,963 sq. ft. vacant office building and parking lot is located at 800 A Street and an existing two-story mixed-use building is located at 804 A Street. Surrounding uses include multi-family residential buildings, medical offices, and commercial uses.

Figure 1: Project Location



BACKGROUND

The existing building at 800 A Street is currently occupied by a book publishing business. The existing building at 804 A Street is currently vacant, but has historically been utilized as therapist offices.

PROJECT DESCRIPTION

Proposed Use

The Ritter Center intends to renovate the interior of an existing 13,963 sq. ft. building for a medical clinic that offers medical, behavioral health, and case management services to people living in poverty in Marin County. The medical portion of the building would include: a large open nursing/care team station, medical

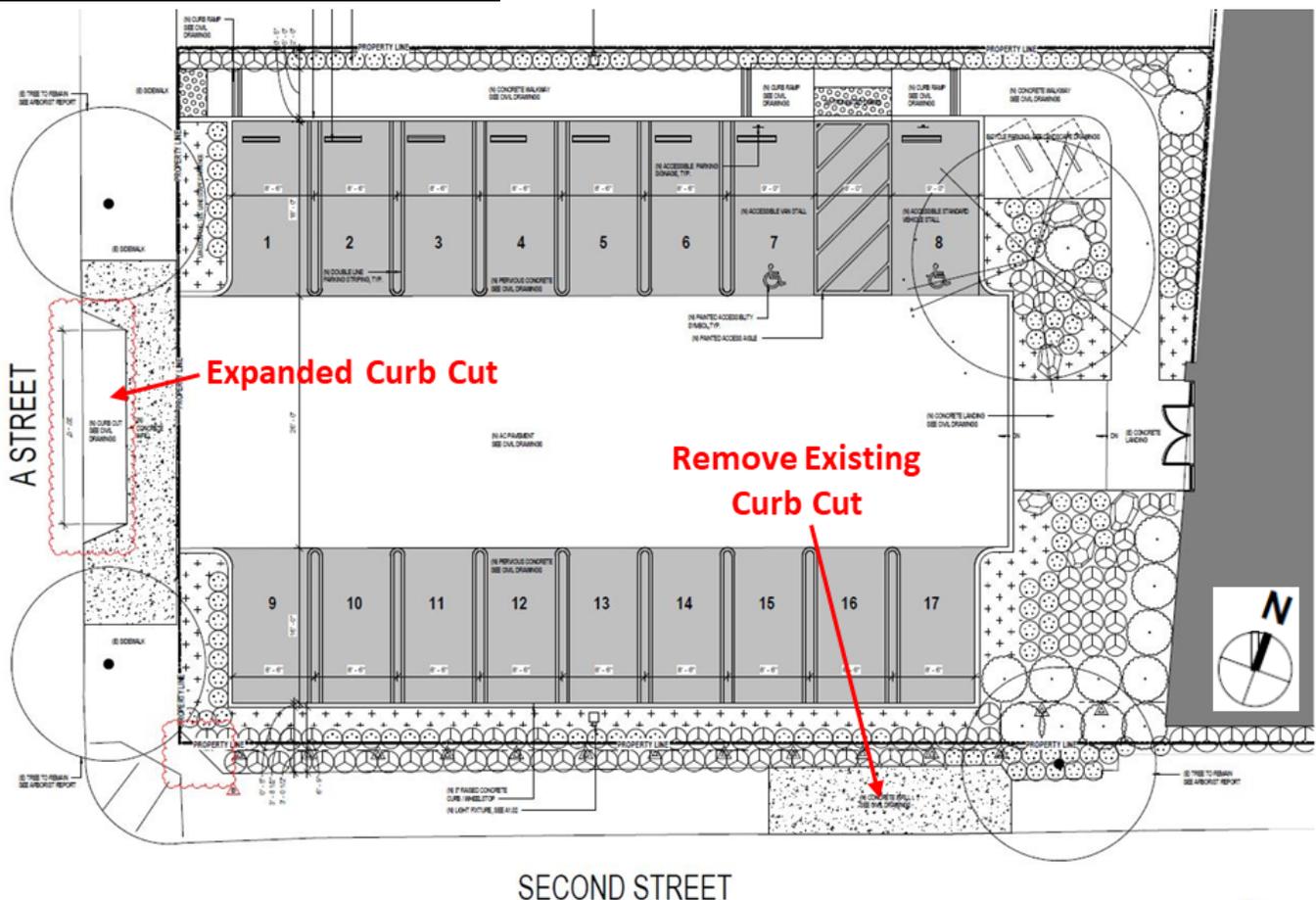
exam rooms, treatment room, blood draw room and medical storage. The behavioral health portion would include: individual therapy rooms, group room, and multiple administrative offices. The case management portion would include case management conference rooms as well as cubicles for field staff. In addition, there would be a social services area, storage for food pantry services, lactation support, administrative offices, and one medical patient shower.

At full use, the building would accommodate 61 full time patient-facing and administrative staff. The staff number includes ten administrative staff and ten case management staff that provide services to clients in the community, rather than at the clinic. The new site would have queuing/waiting areas for patients for all services inside the building. Ritter Center would have two contracted Security Guards onsite during all hours of operation at the Center, including one hour before staff arrive and one hour after staff leave, from 7:00 a.m. to 6:00 p.m., Monday through Friday. Ritter Center contracted security would also perform at least two drive-by night patrols seven days per week to ensure safety at the facility.

Site Plan

Modifications to the site consist of demolishing an existing commercial structure at 804 A Street to accommodate an expanded parking lot along with landscaping improvements and pedestrian access improvements. The expanded parking lot area would accommodate 17 vehicle parking spaces, including two ADA spaces, plus a pedestrian pathway to access the building from A Street as the Ritter Center's main entrance, instead of the Second Street frontage of the building. Landscaping would be provided and buffer the view of the parking lot from A Street, 2nd Street, from the neighbor to the north (see Sheet A1.00 of Exhibit 2).

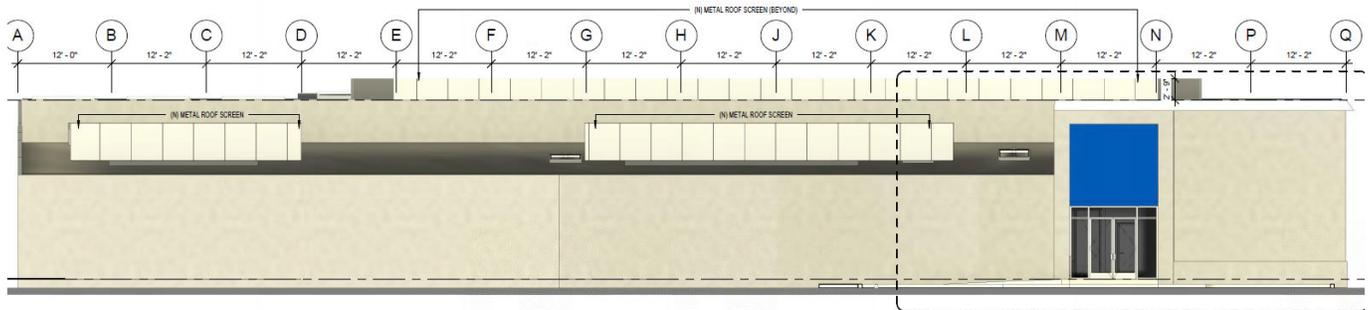
Figure 2: Proposed Parking Lot Site Plan



Elevations

The changes to the exterior of the main commercial building (800 A Street) primarily are to enhance the main entryway facing A Street. Modifications include a new aluminum framed storefront system, a new fabric awning, and removal of the existing handrail and concrete ramp. In addition, new metal roof screens for screening mechanical equipment are proposed.

Figure 3: Proposed Front (West) Elevation



ANALYSIS

San Rafael General Plan 2020 Consistency:

The project is consistent with relevant General Plan Policies. The site is designated as Downtown Mixed Use on the General Plan 2040 Land Use Map which allows for the proposed service and office uses. The proposed project would allow for the Ritter Center to relocate from 16 Ritter Street to a larger existing building at 800 A Street and would allow the Ritter Center to offer more robust medical, behavioral health, and case management services to the community (Policy EDI-2.4). In addition, the proposal is consistent with the General Plan Land Use Element intent of accommodating land uses that foster a complete community with a full range of services that are available within a short distance from all residents. A six-foot-tall wooden fence along with a landscaped buffer along the northern edge is proposed in order to screen the proposed parking lot expansion from the residential neighbor to the north at 808 A Street (Policy LU-3.6). The project is also consistent with General Plan Policy CDP-4.9 (Parking and Driveways) because the parking lot would be screened on all sides with landscaping and the proposal includes a pedestrian pathway from A Street to the main entrance of the building. A full analysis is provided in the General Plan Consistency Table, Exhibit 3.

Zoning Ordinance Consistency:

Use Permit – Major Medical Facility

As noted in the Requested Entitlements section of this staff report, a Major Medical Facility requires a Use Permit in the T5N District. The Planning Commission is the review authority for this Use Permit. Staff’s analysis of the project’s consistency with the Use Permit findings set forth in Section 14.22.080 of the SRMC is provided in in the Draft Resolution, Exhibit 1.

Use Permit – Parking Modification

The project site is located in the T5N 50/70 district of the Downtown Precise Plan. With the exception of parking setback and driveway requirements, the proposed project complies with the relevant parking, landscaping, and mechanical equipment screening requirements of the Downtown Precise Plan (see Table 1 below). The project is, therefore, requesting a parking modification from the minimum parking front and side yard setbacks as well as from the maximum width of the driveway and curb cut.

Table 1: Project Non-Compliance with Parking/Driveway Standards

	Required	Proposed
Parking Setbacks		
Front (from A St.)	30 feet min.	3 feet
Side Street (from 2 nd St.)	5 feet min.	3 feet
Driveway		
Driveway Width	12 feet max.	26 feet
Curb Cut	14 feet max.	20 feet

Pursuant to SRMC Section 14.18.040.B, a modification to parking requirements is allowed with a Use Permit when the modification provides adequate parking which is fair, equitable, logical and consistent with the intent of SRMC Chapter 14.18 (Parking Standards). The requested parking modification would allow the expansion of the existing parking lot in a manner that would provide ADA accessible parking spaces and that would accommodate additional parking spaces to minimize parking impacts to parking spaces on the street. In addition, the expanded parking lot would accommodate a pedestrian pathway to access the building from A Street, instead of from Second Street. The City’s Public Works Department is requiring that the driveway be 26 feet wide and that the curb cut be 20 feet wide to allow for safe ingress and egress of the proposed parking lot. The Planning Commission is the review authority for the Parking Modification Use Permit, because Planning Commission review is required for the Use Permit for a Major Medical Facility. Staff’s analysis of the project’s consistency with the Use Permit findings set forth in Section 14.22.080 of the SRMC is provided in in the Draft Resolution, Exhibit 1.

Environmental and Design Review Findings

As discussed previously, the proposed minor modifications to the exterior of the existing building along with the proposed expansion of the parking lot and associated landscaping improvements requires an Administrative Environmental and Design Review Permit. The Planning Commission is the review authority because Planning Commission review is required for the Use Permit for a Major Medical Facility. Staff’s analysis of the project’s consistency with the Environmental and Design Review Findings set forth in Section 14.25.090 of the SRMC is provided in the Draft Resolution, Exhibit 1.

ENVIRONMENTAL DETERMINATION

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).

NEIGHBORHOOD MEETING / 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, to the San Rafael Chamber of Commerce, to the Business Improvement District, and to all other interested parties 15 calendar days prior to the date of this hearing. Public notice of this hearing was also posted on the subject site 15 calendar days prior to the date of this hearing. No public comments were received for this project, as of the date of the posting of the staff report packet.

OPTIONS

The Planning Commission has the following options:

1. Approve the applications as presented, subject to conditions of approval (staff recommendation)
2. Approve the applications with certain modifications, changes, or additional conditions of approval.
3. Continue the applications to allow the applicant to address any of the Commission’s comments or concerns

4. Deny the project and direct staff to return with a revised Resolution of denial.

EXHIBITS

1. Draft Resolution
2. [Project Plans](#), dated June 9, 2022
3. General Plan Consistency Table
4. Zoning Ordinance Consistency Table

RESOLUTION NO. 22-XX

**RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION APPROVING
A USE PERMIT (UP22-003) AND AN ENVIRONMENTAL AND DESIGN REVIEW
PERMIT (ED22-009) FOR A MAJOR MEDICAL FACILITY WITHIN AN EXISTING
BUILDING AT 800 A STREET AND TO DEMOLISH AN EXISTING BUILDING AT 804
A STREET IN ORDER TO EXPAND THE PARKING LOT
APN: 011-264-10 & 011-264-06**

WHEREAS, the Ritter Center offers medical, behavioral health, and case management services to people living in poverty in Marin County and the Ritter Center intends to relocate from 16 Ritter Street to a larger existing building at 800 A Street in order to be able to provide more services to the community; and

WHEREAS, on February 23, 2022, Scott Peterson submitted Use Permit and Environmental and Design Review Permit applications (PLAN22-026, UP22-003, ED22-009) for a Major Medical Facility within an existing building at 800 A Street and to demolish an existing building at 804 A Street in order to expand the parking lot in the T5N 50/70 District; 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 of the CEQA Guidelines which exempts Existing Facilities; and

WHEREAS, on August 9, 2022, the San Rafael Planning Commission held a duly noticed public hearing on the proposed Use Permit and Environmental and Design Review Permit (UP22-003, ED22-009), 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 hereby conditionally approves Use Permit UP22-003 and Environmental and Design Review Permit ED22-009 based on the following findings required by San Rafael Municipal Code (SRMC) Title 14-Zoning:

**USE PERMIT FINDINGS
(UP22-003)**

A. That the proposed use is in accord with the general plan, the objectives of the zoning ordinance, and the purposes of the district in which the site is located:

The site is designated as Downtown Mixed Use on the General Plan 2040 Land Use Map which allows for service and office uses. In addition, the project is consistent with the General Plan including applicable General Plan Policies for the reasons described in the General Plan Consistency Table, included as Exhibit 3 to

the staff report. The project is also consistent with applicable regulations contained in the City of San Rafael Zoning Ordinance, including performance standards, as detailed in the Zoning Ordinance Consistency Table included in Exhibit 4 to the staff report. For the reasons described in Exhibits 3 and 4, the proposed use is in accord with the General Plan, the objectives of the Zoning Ordinance and Downtown Precise Plan, and the purposes of the district in which the site is located, and therefore this finding can be made.

- B. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the city:**

The project has been reviewed by appropriate city departments, including the Building Division, Fire Department, Department of Public Works, and Marin Sanitary Service. As conditioned, the project will require application of a building permit that complies with all applicable Building and Fire Code requirements prior to construction. In addition, the applicant will be required to comply with conditions of approval imposed by the Department of Public Works, the Fire Department, and the Building Division as contained herein. Through compliance with standard conditions of approval and building and fire codes, the project will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the city.

- C. That the proposed use complies with each of the applicable provisions of the zoning ordinance:**

For the reasons described in the Planning Commission Staff Report and Zoning Ordinance Consistency Table, the project, as proposed and conditioned, complies with Chapter 14 (Zoning) of the San Rafael Municipal Code (SRMC) and therefore this finding can be made.

ENVIRONMENTAL AND DESIGN REVIEW FINDINGS (ED22-009)

- A. That the project design is in accord with the general plan, the objectives of the zoning ordinance and the purposes of this chapter:**

The site is designated as Downtown Mixed Use on the General Plan 2040 Land Use Map which allows for service and office uses. In addition, the project is consistent with the General Plan including applicable General Plan Policies for the reasons described in the General Plan Consistency Table, included as Exhibit 3. The project is also consistent with applicable regulations contained in the City of San Rafael Zoning Ordinance, including performance standards, as detailed in the Zoning Ordinance Consistency Table included in Exhibit 4. For the reasons

described in Exhibits 3 and 4, the proposed use is in accord with the General Plan, the objectives of the Zoning Ordinance and Downtown Precise Plan, and the purposes of the district in which the site is located, and therefore this finding can be made.

B. That the project design is consistent with all applicable site, architecture and landscaping design criteria and guidelines for the district in which the site is located:

The project is consistent with applicable regulations contained in the City of San Rafael Zoning Ordinance and in the City's Downtown Precise Plan, including site, architecture and landscaping design criteria, as detailed in the Zoning Ordinance Consistency Table included in Exhibit 4. The project sufficiently screens the parking lot on all four sides with landscaped strips and also screens rooftop mechanical equipment with metal screens. The project does not comply with all parking setback and driveway dimensional requirements. Pursuant to SRMC Section 14.18.040.B, a modification to parking requirements is allowed with a Use Permit when the modification provides adequate parking which is fair, equitable, logical and consistent with the intent of SRMC Ch.14.18 (Parking Standards). The requested parking modification will allow the expansion of the existing parking lot in a manner that will provide ADA accessible parking spaces and that will accommodate additional parking spaces to minimize parking impacts to parking spaces on the street. In addition, the expanded parking lot will accommodate a pedestrian pathway to access the building from A Street, instead of from Second Street. The City's Public Works Department is requiring that the driveway be 26 feet wide and that the curb cut be 20 feet wide to allow for safe ingress and egress of the proposed parking lot. As such, this finding can be made.

C. That the project design minimizes adverse environmental impacts:

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities").

D. That the project design will not be detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity.

The project has been reviewed by the appropriate agencies and conditions of approval have been incorporated to ensure the project will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the project vicinity.

BE IT FURTHER RESOLVED, that the Planning Commission of the City of San Rafael approves the Use Permit and Environmental and Design Review Permit subject to the following conditions:

**USE PERMIT CONDITIONS OF APPROVAL
(UP22-003)**

Planning Division Standard Conditions of Approval

1. Approved Use. This Use Permit approves a Major Medical Facility within an existing building at 800 A Street and a parking modification to parking setback and driveway width requirements to allow the proposed parking lot expansion onto 804 A Street.
2. Plans and Representations Become Conditions. 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 **June 9, 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 Environmental and Design Review Permit by Planning staff.
3. Permit Validity. This Permit shall become effective on **August 16, 2022** and shall be valid for a period of two (2) years from the date of final approval, or **August 16, 2024**, and shall become null and void if a building permit is not issued or a time extension granted by **August 16, 2024**. A permit for the construction of a building or structure is deemed exercised when a valid City building permit, if required, is issued, and construction has lawfully commenced. A permit for the use of a building or a property is exercised when, if required, a valid City business license has been issued, and the permitted use has commenced on the property.
4. Subject to All Applicable Laws and Regulations. 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. Revocation. The City reserves the right to bring this application up for revocation per SRMC 14.21.150 and as provided in Chapter 14.29 of the San Rafael Zoning Ordinance for any use that is found to be in violation of any of these conditions of approval.
6. Building Permit Required. The applicant shall obtain a building permit prior to any tenant improvement to meet the requirements per the California Building Code (CBC).

7. Conditions Shall be Printed on Plans. The conditions of this Permit shall be printed on the second sheet of each plan set submitted for a building permit pursuant to this Use Permit, under the title 'Use Permit 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.

ENVIRONMENTAL AND DESIGN REVIEW CONDITIONS OF APPROVAL (ED22-009)

Planning Division Standard Conditions of Approval

1. This Environmental and Design Review Permit approves minor exterior modifications to the existing building at 800 A Street and landscaping, parking lot, and pedestrian pathway improvements at 800 A Street and 804 A Street within the T5N 50/70 District.
2. Plans and Representations Become Conditions. 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 **June 9, 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 Environmental and Design Review Permit by Planning staff.
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5. Revocation. The City reserves the right to bring this application up for revocation per SRMC 14.21.150 and as provided in Chapter 14.29 of the San Rafael Zoning

Ordinance for any use that is found to be in violation of any of these conditions of approval.

6. Building Permit Required. The applicant shall obtain a building permit prior to any tenant improvement to meet the requirements per the California Building Code (CBC).
7. Conditions Shall be Printed on Plans. The conditions of this Permit shall be printed on the second sheet of each plan set submitted for a building permit pursuant to this Use Permit, under the title 'Use Permit 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.
8. Construction Hours: Consistent with the City of San Rafael Municipal Code Section 8.13.050.A, construction hours shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m to 6:00 p.m. on Saturdays. Construction shall not be permitted on Sundays or City-observed holidays. Construction activities shall include delivery of materials, hauling materials off-site; startup of construction equipment engines, arrival of construction workers, paying of radios and other noises caused by equipment and/or construction workers arriving at, or working on, the site.
9. Landscaping. Prior to issuance of a building permit, the applicant shall receive approval from the Marin Municipal Water District for proposed landscaping. Landscaping and irrigation must meet the Marin Municipal Water District's (MMWD) water conservation rules and regulations. All existing landscaping damaged during construction shall be replaced. All landscaping shall be maintained in a healthy and thriving condition, free of weeds and debris. Any dying or dead landscaping shall be replaced in a timely fashion. No part of the existing landscaping shall be removed, unless their removal has been reviewed and approved by the Planning Division
10. 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. The project shall be subject to a 90-day post installation lighting inspection to evaluate the need for adjustment and assure compliance with SRMC Section 14.16.227.
11. Fees. Prior to Issuance of Building Permits, the applicant shall pay all outstanding Planning Division application processing fees.

Planning Division Project Specific Conditions of Approval

12. Security cameras shall be provided covering entrances, the parking lot, and the south and east side of the building. These shall be shown on the plans for review and approval by the Police Chief and/or Community Development Director prior to issuance of a building permit.
13. A lot line adjustment application shall be submitted, reviewed and approved by the City, and then recorded with the County of Marin prior to issuance of certificate of

occupancy, such that both parcels are merged into one parcel. The applicant may propose reciprocal easements on both parcels with regards to the parking lot, for consideration by the Community Development Director.

Building Division

- 14.A building permit is required for the proposed work. Applications shall be accompanied by four (4) complete sets of construction drawings to include:
- a. Architectural plans
 - b. Structural plans
 - c. Electrical plans
 - d. Plumbing plans
 - e. Mechanical plans
 - f. Site/civil plans (clearly identifying grade plane and height of the building)
 - g. Structural Calculations
 - h. Truss Calculations
 - i. Green Building documentation
 - j. Title-24 energy documentation

Fire Department

- 15.The design and construction of all site alterations shall comply with the 2019 California Fire Code, current NFPA Standards, and all applicable City of San Rafael Ordinances and Amendments.
- 16.Deferred Submittals for the following fire protection systems shall be submitted to the Fire Prevention Bureau for approval and permitting prior to installation of the systems:
- a. Fire Sprinkler plans (Deferred Submittal to the Fire Prevention Bureau)
 - b. Fire Standpipe plans (Deferred Submittal to the Fire Prevention Bureau)
 - c. Fire Underground plans (Deferred Submittal to the Fire Prevention Bureau)
 - d. Fire Alarm plans (Deferred Submittal to the Fire Prevention Bureau)
- 17.A Knox Box is required at the primary point of first response to the building. A recessed mounted Knox Box # 3200 Series is required for new buildings; surface mount for all others. the Knox Box shall be clearly visible upon approach to the main entrance from the fire lane. Note the Knox Box must be installed from 72" to 78" above finish grade; show the location on the plans.
<https://www.knoxbox.com/commercial-knoxboxes/>
- 18.A Knox key switch is required for driveway or access road automatic gates.
<https://www.knoxbox.com/gate-keys-and-padlocks/>
- 19.Provide address numbers plainly visible from the street or road fronting the property. Numbers painted on the curb do not qualify as meeting this requirement. Numbers shall contrast with the background and shall be Arabic numbers or letters. Numbers

shall be internally or externally illuminated in all new construction or substantial remodels. Number sizes are as follows: For residential – 4” tall with ½” stroke. For commercial – 6” tall with ½” stroke. Larger sizes might be required by the fire code official or in multiple locations for buildings served by two or more roads.

20. Contact the Marin Municipal Water District (MMWD) to make arrangements for the water supply serving the fire protection system

Department of Public Works

21. This project includes more than 5,000 square feet of total impervious area replacement and creation and therefore is considered a regulated project. The following documents are required to be provided in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPPP) and BASMAA requirements:

- a. A Final Stormwater Control Plan is required for review and approval by Public Works prior to issuance of a building permit. This is a brief written document to accompany the plan set used primarily for municipal review to verify compliance with stormwater treatment requirements. It shall include a detail of the pervious concrete that complies with BASMAA design requirements.
- b. A Stormwater Facilities Operations and Maintenance (O&M) Plan is required for review and approval by Public Works prior to issuance of a certificate of occupancy. This is a brief written document and exhibit outlining facilities on-site and maintenance activities and responsibilities for property owners.
- c. An Operations and Maintenance Agreement is required for review and approval by Public Works that shall be recorded with the property deed prior to issuance of a certificate of occupancy.

More information and templates are available from MCSTOPPP, website. See tools and guidance, and post construction requirements at: <https://mcstoppp.org/2020/03/new-andredevelopment/>

22. The property is located within SFHA Zone AH with a base flood elevation (BFE) of 11’ NAVD88. In accordance with FEMA requirements, substantial non-residential improvements must be adequately floodproofed one foot above BFE. A floodproofing certificate will be required prior to issuance of a certificate of occupancy.
23. A construction vehicle impact fee shall be required at the time of building permit issuance, which is calculated at 1% of the valuation, with the first \$10,000 of valuation exempt.
24. A minor continuing encroachment permit from the Department of Public Works is required for the proposed landscaping in the Public Right-of-Way. Encroachment permits can be applied for online on the City of San Rafael website: <https://www.cityofsanrafael.org/encroachment-permits/>

25. A minor temporary encroachment permit is required from the Department of Public Works prior to conducting any work within or any time the Public Right-of-Way (ROW) is restricted. Encroachment permits can be applied for online on the City of San Rafael website: <https://www.cityofsanrafael.org/encroachment-permits/>

The foregoing Resolution was adopted at the regular City of San Rafael Planning Commission meeting held on the 9th day of August, 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:

NOES:

ABSENT:

ABSTAIN:

SAN RAFAEL PLANNING COMMISSION

ATTEST: _____
Leslie Mendez, Secretary

BY: _____
Chair

Exhibit 2 – Project Plans, dated June 9, 2022

https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2022/07/2022-06-09_Plans_800-A-St.pdf

EXHIBIT 3
ANALYSIS OF PROJECT CONSISTENCY WITH SAN RAFAEL GENERAL PLAN 2040

LAND USE ELEMENT	
Land Use: Downtown Mixed Use	<i>Consistent</i> The site is designated as Downtown Mixed Use on the General Plan 2040 Land Use Map which allows for the proposed service and office uses.
Policy LU-3.6: Transitions Between Uses. Outside of mixed use developments, maintain buffers between residential uses and adjacent commercial and institutional uses. Parking lots, loading areas, trash facilities, and similar activities associated with non-residential uses should be appropriately screened.	<i>Consistent</i> The proposed project will include a wooden fence along with a landscaped buffer along the northern edge in order to screen the proposed parking lot expansion from the residential neighbor to the north at 808 A Street.
COMMUNITY DESIGN AND PRESERVATION ELEMENT	
Policy CDP-2.2: Downtown Urban Design. Enhance the design qualities that make Downtown San Rafael a unique and special place, including its traditional street grid, street trees, walkable scale, historic building stock, and varied architecture.	<i>Consistent</i> The project enhances the design qualities of the site by surrounding all sides of the parking lot with landscaped strips that include native and drought tolerant plants. The project also maintains the architecture of the existing building at 800 A Street.
Policy CDP-4.9: Parking and Driveways. Encourage parking and circulation design that supports pedestrian movement and ensures the safety of all travelers, including locating parking to the side or rear of buildings, limiting driveway cuts and widths, and minimizing large expanses of pavement. Parking should be screened from the street by landscaping and should provide easy access to building entrances.	<i>Consistent</i> The parking lot will be screened on all sides with landscaping. In addition, the proposal will provide a pedestrian pathway from A Street to the main entrance of the building.
Policy CDP-4.11: Encourage lighting for safety and security while preventing excessive light spillover and glare. Lighting should complement building and landscape design.	<i>Consistent</i> The 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. A photometric study is provided on Sheet A1.02 of the project plans that verify compliance with these requirements. In addition, standard condition of approval 3 (for ED22-009) of Exhibit 1 provides for a 90-day post installation inspection to allow for adjustment and assure compliance with the standards set forth in the SRMC.
EQUITY, DIVERSITY, AND INCLUSION ELEMENT	
Policy EDI-2.4: Access to Health Care. Promote access to health care	<i>Consistent</i> The proposed project would allow for the Ritter Center to relocate from

EXHIBIT 3
ANALYSIS OF PROJECT CONSISTENCY WITH SAN RAFAEL GENERAL PLAN 2040

<p>for all residents to safeguard individual and community well-being.</p>	<p>16 Ritter Street to a larger existing building at 800 A Street and would allow the Ritter Center to offer more robust medical, behavioral health, and case management services to people living in poverty in Marin County</p>
<p style="text-align: center;">CONSERVATION AND CLIMATE CHANGE ELEMENT</p>	
<p>Policy C-3.3: Low Impact Development. Encourage construction and design methods that retain stormwater on-site and reduce runoff to storm drains and creeks.</p>	<p><i>Consistent</i> The applicant has provided a Preliminary Stormwater Control Plan, prepared by Luk and Associates, dated April 29, 2022, which discusses low impact development design strategies. Permeable pavement is proposed for the parking stalls. In addition, landscaped areas surrounding the parking lot will disperse runoff that occurs on the site.</p>
<p>Policy C-3.9: Water-Efficient Landscaping. Encourage—and where appropriate require—the use of vegetation and water-efficient landscaping that is naturalized to the San Francisco Bay region and compatible with water conservation, fire prevention and climate resilience goals.</p>	<p><i>Consistent</i> The project is conditioned to provide written verification of plan approval from Marin Municipal Water District (MMWD) prior to the issuance of a building permit and/or grading permit. MMWD administers the provisions of 14.16.370 to comply with water-efficient landscape requirements and to monitor water usage for irrigation, as mandated under California Government Code Section 65595(c). As conditioned, the project is consistent with this General Plan policy.</p>

EXHIBIT 4
ANALYSIS OF PROJECT CONSISTENCY WITH TITLE 14 – ZONING

DOWNTOWN PRECISE PLAN (DPP) SECTION 2.3.070 – USE TABLE	
Table 2.3.070.A – Use Table	<p><i>Consistent</i></p> <p>A Major Medical Facility use is permitted with approval of a use permit, subject to the requirements of San Rafael Municipal Code (SRMC) Chapter 14.22.</p>
DPP SECTION 2.3.050 – T5N DEVELOPMENT STANDARDS	
Section 2.3.050.H – Parking	<p>With the exception of parking setback and driveway requirements, the proposed project complies with the relevant parking, landscaping, and mechanical equipment screening requirements of the Downtown Precise Plan. Pursuant to SRMC Section 14.18.040.B, a modification to parking requirements is allowed with a Use Permit when the modification provides adequate parking which is fair, equitable, logical and consistent with the intent of SRMC Ch.14.18 (Parking Standards). The requested parking modification will allow the expansion of the existing parking lot in a manner that will provide ADA accessible parking spaces and that will accommodate additional parking spaces to minimize parking impacts to parking spaces on the street. In addition, the expanded parking lot will accommodate a pedestrian pathway to access the building from A Street, instead of from Second Street. The City’s Public Works Department is requiring that the driveway be 26 feet wide and that the curb cut be 20 feet wide to allow for safe ingress and egress of the proposed parking lot.</p>
CHAPTER 14.16 - SITE AND USE REGULATIONS	
Section 14.16.227 - Light and glare.	<p><i>Consistent</i></p> <p>As shown on a photometric study on Sheet A1.02 of the project plans, light fixtures will be shielded to conceal light sources from view off-site and avoid spillover onto adjacent properties.</p>
Section 14.16.243 - Mechanical equipment screening.	<p><i>Consistent</i></p> <p>As shown on Sheet A4.01 of the project plans, proposed roof-mounted mechanical equipment is adequately screened from public view by proposed metal roof screens</p>
Section 14.16.370 - Water-efficient landscape	<p><i>Consistent</i></p> <p>Pursuant to SRMC Section 14.16.370, condition of approval 4 (for ED22-009) of Exhibit 1 requires the applicant to provide written verification of plan approval from MMWD prior to the issuance of a building permit and/or grading permit. Through compliance with conditions, the project will be consistent with this water-efficient landscaping requirements.</p>

EXHIBIT 4
ANALYSIS OF PROJECT CONSISTENCY WITH TITLE 14 – ZONING

CHAPTER 14.22 – USE PERMITS	
Section 14.22.080 - Findings	
A. The proposed use is in accord with the general plan, the objectives of the zoning ordinance, and the purposes of the district in which the site is located;	<p><i>Consistent</i></p> <p>The site is designated as Downtown Mixed Use on the General Plan 2040 Land Use Map which allows for service and office uses. In addition, the project is consistent with the General Plan including applicable General Plan Policies for the reasons described in the General Plan Consistency Table, included as Exhibit 3. The project is also consistent with applicable regulations contained in the City of San Rafael Zoning Ordinance, including performance standards, as detailed in the Zoning Ordinance Consistency Table included in Exhibit 4. For the reasons described in Exhibits 3 and 4, the proposed use is in accord with the General Plan, the objectives of the Zoning Ordinance and Downtown Precise Plan, and the purposes of the district in which the site is located, and therefore this finding can be made.</p>
B. The proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the city;	<p><i>Consistent</i></p> <p>The project has been reviewed by appropriate city departments, including the Building Division, Fire Department, Department of Public Works, and Marin Sanitary Service. As conditioned, the project will require application of a building permit that complies with all applicable Building and Fire Code requirements prior to construction. In addition, the applicant will be required to comply with conditions of approval imposed by the Department of Public Works, the Fire Department, and the Building Division as contained herein. Through compliance with standard conditions of approval and building and fire codes, the project will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the city.</p>
C. The proposed use complies with each of the applicable provisions of the zoning ordinance.	<p><i>Consistent</i></p> <p>The project, as proposed and conditioned, complies with the Chapter 14 (Zoning) of the San Rafael Municipal Code (SRMC).</p>
CHAPTER 14.25 – ENVIRONMENTAL AND DESIGN REVIEW PERMITS	
Section 14.25.090 - Findings	
A. The project design is in accord with the general plan, the objectives of the zoning ordinance and the purposes of this chapter;	<p><i>Consistent</i></p> <p>The site is designated as Downtown Mixed Use on the General Plan 2040 Land Use Map which allows for service and office uses. In addition, the project is consistent with the General Plan including applicable General Plan Policies for the reasons described in the General Plan Consistency Table, included as Exhibit 3. The project is also consistent with applicable</p>

EXHIBIT 4
ANALYSIS OF PROJECT CONSISTENCY WITH TITLE 14 – ZONING

	<p>regulations contained in the City of San Rafael Zoning Ordinance, including performance standards, as detailed in the Zoning Ordinance Consistency Table included in Exhibit 4. For the reasons described in Exhibits 3 and 4, the proposed use is in accord with the General Plan, the objectives of the Zoning Ordinance and Downtown Precise Plan, and the purposes of the district in which the site is located, and therefore this finding can be made.</p>
<p>B. The project design is consistent with all applicable site, architecture and landscaping design criteria and guidelines for the district in which the site is located;</p>	<p><i>Consistent</i> The project is consistent with applicable regulations contained in the City of San Rafael Zoning Ordinance and in the City’s Downtown Precise Plan, including site, architecture and landscaping design criteria, as detailed in the Zoning Ordinance Consistency Table included in Exhibit 4. The project sufficiently screens the parking lot on all four sides with landscaped strips and also screens rooftop mechanical equipment with metal screens. The project does not comply with all parking setback and driveway dimensional requirements. Pursuant to SRMC Section 14.18.040.B, a modification to parking requirements is allowed with a Use Permit when the modification provides adequate parking which is fair, equitable, logical and consistent with the intent of SRMC Ch.14.18 (Parking Standards). The requested parking modification will allow the expansion of the existing parking lot in a manner that will provide ADA accessible parking spaces and that will accommodate additional parking spaces to minimize parking impacts to parking spaces on the street. In addition, the expanded parking lot will accommodate a pedestrian pathway to access the building from A Street, instead of from Second Street. The City’s Public Works Department is requiring that the driveway be 26 feet wide and that the curb cut be 20 feet wide to allow for safe ingress and egress of the proposed parking lot. As such, this finding can be made.</p>
<p>C. The project design minimizes adverse environmental impacts; and</p>	<p><i>Consistent</i> The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).</p>
<p>D. The project design will not be detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity.</p>	<p><i>Consistent</i> The project has been reviewed by the appropriate agencies and conditions of approval have been incorporated to ensure the project will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the project vicinity.</p>