



SAN RAFAEL
THE CITY WITH A MISSION

Community Development Department – Planning Division

Meeting Date: September 13, 2022
Agenda Item: 2
Case Numbers: PLAN21-041,
ZC20-001, UP20-022,
ED 20-051
State Clearinghouse
#2021110398
**Project
Planner:** Jayni Allsep
(415) 706-0443

REPORT TO PLANNING COMMISSION

SUBJECT: Notice of Availability of a Draft Environmental Impact Report (EIR) to assess impacts of the Aldersly Retirement Community Development Plan Amendment Project, **326 and 308 Mission Avenue** APNs: 014-054-31 and -32; Planned Development (PD-1775) Zoning District; Applicant: Peter Lin, Greenbriar Development; Property Owner: Peter Schakow, Aldersly Retirement Community.

EXECUTIVE SUMMARY

The City is the lead agency responsible for California Environmental Quality Act (CEQA) environmental review of the proposed Aldersly Retirement Community Development Plan Amendment Project (Proposed Project). CEQA requires the preparation of an environmental impact report (EIR) when a project could significantly affect the physical environment. During the initial review of the project application, staff determined that the proposed demolition of existing buildings had the potential to cause a significant environmental impact on historic resources, and that preparation of an EIR was required.

The Draft EIR analyzes a proposed amendment to the Aldersly Planned Development that includes demolition and renovation of existing buildings, and construction of three new buildings, new landscaping, pathways, exterior lighting, and on-site parking on the 2.88-acre Aldersly Campus. The Proposed Project would result in 14 additional independent living units, an increase from 55 units to 69 units. The number of assisted living/memory care beds (35 beds) and skilled nursing beds (20 beds) would remain unchanged. In addition to the Proposed Project, the Draft EIR analyzes an On-Site Project Alternative and an Off-Site Project Alternative. As required by CEQA, the Draft EIR also analyzes a No-Project Alternative.

The Proposed Project would result in a significant and unavoidable impact related to the proposed demolition of existing buildings on the project site. The proposed demolition of buildings would cause a significant adverse change that would result in the loss of California Register eligibility of the Aldersly Retirement Community as a historic district, and therefore the impact on the historic district would be significant and unavoidable. Significant impacts related to air quality, biological resources, cultural and tribal cultural resources, geology, and noise would be reduced to less-than-significant levels after implementation of mitigation measures.

RECOMMENDATION

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

1. Receive public comment on the analysis contained in the Draft EIR, and
2. Commissioners provide comment on the analysis contained in the Draft EIR

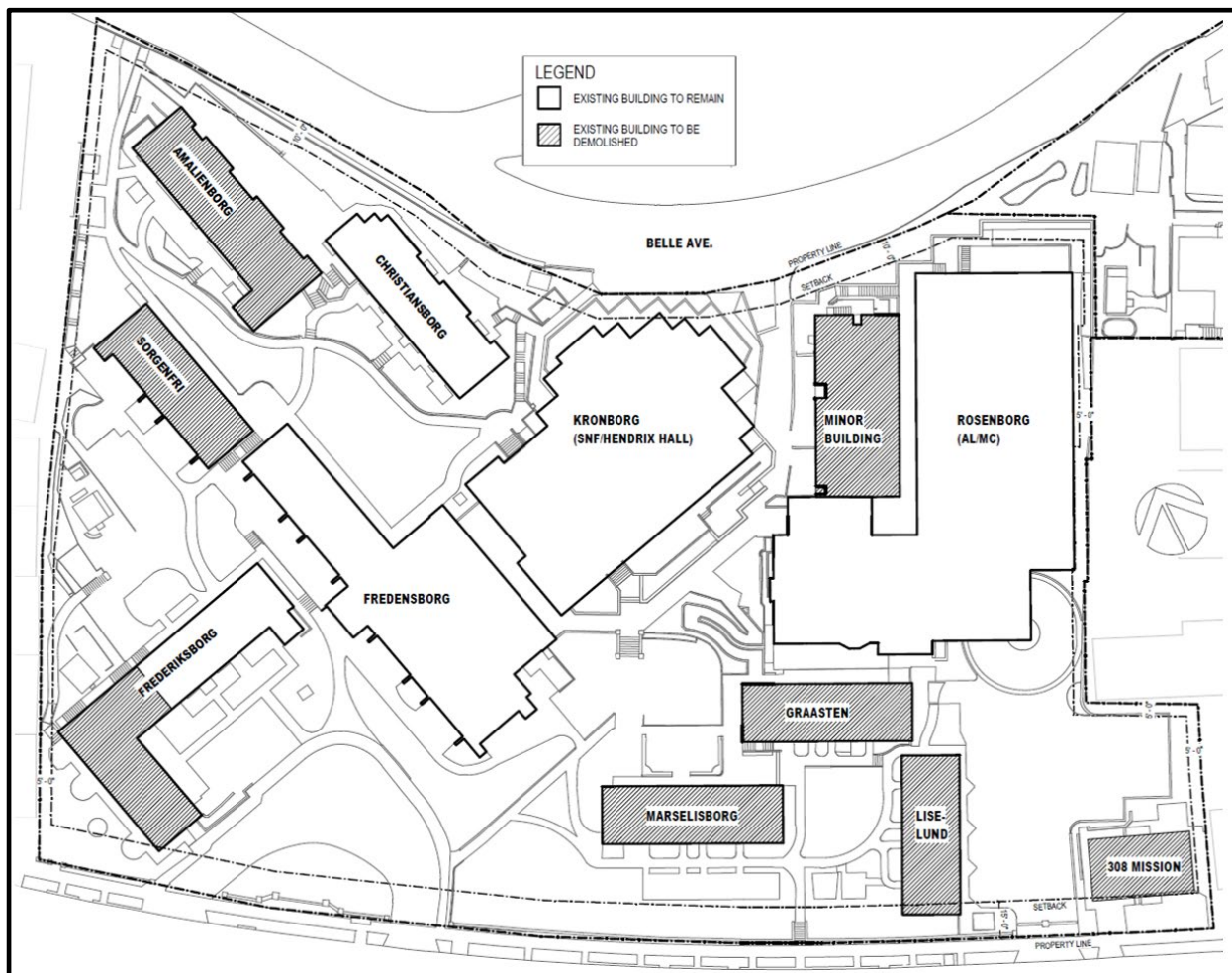
BACKGROUND

Site Description/Setting:

The Aldersly Retirement Community occupies 2.9 acres on the north side of Mission Avenue and extending to Belle Avenue to the north. The property slopes uphill from Mission Avenue frontage (13-16 ft. elevation) to Belle Avenue (40-60 ft. elevation). The campus is developed with residential, administrative, and healthcare buildings connected by an extensive network of landscaped pedestrian paths and gardens and on-site parking.

The campus is located within the Montecito/Happy Valley Neighborhood, one of San Rafael’s oldest neighborhoods. The area surrounding the Aldersly campus contains a mix of residential, retail, and community services. The site has a General Plan Land Use designation as High Density Residential and is zoned PD - Planned Development (Ordinance No. 1775). The Aldersly campus is located just north of the Montecito Commercial Sub-Area of the Downtown Precise Plan Area.

Founded in 1921 as a retirement community for Danish immigrants, Aldersly has been transformed numerous times over its 100 years to meet the changing needs of residents and to incorporate new concepts of community care. None of the original buildings of the Aldersly campus remain, and the existing buildings on the campus represent a variety of styles reflecting the four periods of redevelopment in the 1940s, 1960s, 1990s and early 2000s. The most recent major development on the campus is the 30-unit assisted living facility and attached parking garage (Rosenberg), completed in 2004.



PROJECT DESCRIPTION

The Aldersly Retirement Community and Greenbriar Development have filed applications for a project that proposes phased improvements over the next ten years on the Aldersly Campus. The project includes demolition and renovation of existing buildings, and construction of new buildings on the Campus. Project applications include the following:

- A zoning amendment to amend the previously approved Planned Development (PD) Ordinance No. 1775, including revised Aldersly PD Development Standards (ZC20-001);
- An amendment to a master use permit (UP20-022); and
- An environmental and design review permit (ED20-051)

At buildout of the proposed Development Plan in approximate ten years (2031), the project would result in a new four-story Independent Living (IL) building along Mission Avenue, a new Independent Living building on the western portion of the site, a new service building along Belle Avenue, three renovated/reconfigured buildings, and new outdoor spaces including a memory care garden, activity lawn, and rose terrace. The project, which includes demolition of seven existing buildings, construction of three new buildings, and additions/renovations to four existing buildings, would result in fourteen (14) additional independent living units, an increase from 55 units to 69 units. The number of Assisted Living/Memory Care beds (35 beds) and Skilled Nursing beds (20 beds) would remain unchanged. The number of on-site parking spaces would increase from 48 to 56 spaces at buildout of the Aldersly Development Plan.

OVERVIEW OF CEQA PROCESS AND DRAFT EIR

The City is the lead agency responsible for California Environmental Quality Act (CEQA) environmental review of projects undertaken in the City. CEQA requires the preparation of an environmental impact report (EIR) when a project could significantly affect the physical environment. During the initial review of the project, staff determined that the project had the potential to cause a significant environmental impact on historic resources and that preparation of an EIR was required.

A Notice of Preparation (NOP), including a Draft Initial Study was published on November 22, 2021, to announce the commencement of the EIR process and to solicit comments concerning the scope of issues to be addressed in the EIR. The Draft Initial Study concluded that all significant impacts could be mitigated to a less than significant level except for impacts on historic resources; and mitigation measures were identified that would reduce all other significant impacts to a less than significant level.

On December 14, 2021, the City held a scoping meeting to receive comments on the scope of the EIR during a regularly scheduled meeting of the San Rafael Planning Commission. The NOP and comment letters received during the 30-day NOP comment period are included in Appendix A of the Draft EIR.

The Draft EIR has been prepared in accordance with the CEQA Guidelines and was released for the 45-day review period required by CEQA (August 16 to September 30, 2022). In an effort to encourage public participation and to solicit comments from the public on the analysis contained in the Draft EIR, the City is conducting a meeting before the Planning Commission during the 45-day comment period to provide information about the potential physical effects of implementing the Project. While the submittal of written comments is encouraged, the meeting before the Planning Commission provides an opportunity for the public and the Planning Commission to orally comment on the Draft EIR as well.

The key conclusions of the Draft EIR are presented below:

Significant Environmental Impacts

Chapter 3 of the Draft EIR provides the analysis conducted in this EIR and focuses on the Project's impact on Cultural (Historic) Resources. For clarity, the topic of Tribal Cultural Resources (TCRs) is also

addressed in Chapter 3 because mitigation measures identified for TCRs refer to and are closely related to mitigation measures identified for Cultural Resources.

The Draft EIR concludes that the proposed project would result in a “Less than Significant Impact with Mitigation Incorporated” in the following topic areas.

- Air Quality
- Biological Resources
- Geology and Soils
- Noise
- Cultural Resources (except Historic Resources, discussed below) and Tribal Cultural Resources

The Draft EIR identifies the following environmental effects that would be reduced to a less than significant level with implementation of mitigation measures identified in the Draft EIR:

- **Impact AQ-1.** The Project could result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard. (Less than Significant with Mitigation)
- **Impact AQ-2.** The Project could expose sensitive receptors to substantial pollutant concentrations. (Less than Significant with Mitigation)
- **Impact BIO-1.** The Project has the potential to disturb active bird nests on the Project site. (Less than Significant with Mitigation)
- **Impact CUL-2:** Implementation of the Proposed Project has the potential to cause a significant impact to a previously unidentified archaeological resource pursuant to CEQA Guidelines Section 15064.5. (Less than Significant with Mitigation)
- **Impact CUL-3:** Ground-disturbing activities during Project construction could encounter human remains, the disturbance of which could result in a significant impact under CEQA. (Less than Significant with Mitigation)
- **Impact TCR-1:** Ground-disturbing activities during Project construction could encounter Tribal Cultural Resources, the disturbance of which could result in a significant impact under CEQA. (Less than Significant with Mitigation)
- **Impact GEO-1.** The Project site is subject to earthquakes that have the potential to induce strong to very strong ground shaking. Strong shaking during an earthquake can result in ground failure such as that associated with soil liquefaction, lateral spreading, cyclic densification, and landsliding. (Less than Significant with Mitigation)
- **Impact GEO-2.** The Project has the potential to destroy a unique paleontological resource during construction and earthmoving activities. (Less than Significant with Mitigation)
- **Impact NOI-1. Construction Noise Impacts.** Noise generated by construction activities, including demolition, could exceed the 90 dBA L_{eq} noise level established in SRMC Section 8.13.050. (Less than Significant with Mitigation)
- **Impact NOI-2. Operational Noise Impacts.** Noise associated with new HVAC equipment could increase ambient noise levels. (Less than Significant with Mitigation)

Table S-1 of the Draft EIR identifies each significant environmental impact and mitigation measures that would reduce the impact to a less than significant level. The Project would have no impact or a less than significant impact (no mitigation required) on all other resource areas identified in the CEQA Guidelines. These topics and resource areas are addressed in Appendix B of the Draft EIR and are not discussed in detail in Chapter 3.

Significant and Unavoidable Environmental Impact

As discussed in Chapter 3 of the Draft EIR, the Proposed Project would have an impact on a historic resource that would be significant and unavoidable:

- **IMPACT CUL-1:** The Proposed Project would result in the demolition of six of the nine contributing buildings and landscape features that are contributing features of an eligible historic district. (Significant and Unavoidable)

According to CEQA, a “project with an effect that may cause a substantial adverse change in the significance of an historic resource is a project that may have a significant effect on the environment.” Substantial adverse change is defined as: “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historic resource would be materially impaired. The significance of a historical resource is materially impaired when a project “demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance” and that justify or account for its inclusion in, or eligibility for inclusion in a local register of historical resources pursuant to local ordinance or resolution. Thus, a project may cause a change in a historic resource but still not have a significant adverse effect on the environment as defined by CEQA as long as the impact of the change on the historic resource is determined to be less-than-significant, negligible, neutral or even beneficial.

The Aldersly Retirement Community campus was evaluated in 2017 by Page & Turnbull and determined to be eligible for listing as a historic district in the California Register of Historical Resources (California Register). Historic Districts are a concentration of historic buildings, structures, objects, or sites within precise boundaries that share a common historical, cultural or architectural background. Individual resources within an historic district may lack individual significance but be considered a contributor to the significance of the historic district.

The Aldersly campus is eligible as a historic district under Criterion 1 (Event) for its history as a unique cultural institution for the Northern California Danish-American community, and under Criterion 3 (Architecture) for its cohesive collection of Second Bay Tradition buildings as envisioned by a 1961 master plan by Rex Whitaker Allen & Associates, and its integration of landscape and built resources that reflects both Second Bay Tradition design and the ideals of Aldersly – which means “a shade for old age” – as a comfortable retreat for its residents.

As discussed in Chapter 3 of the Draft EIR, the Proposed Project would demolish six contributing buildings, partially demolish one contributing building, and alter an additional contributing building, leaving only one contributing building intact. In addition, the construction of three new buildings would require the removal and relocation of some landscape features – including the Rose Garden and fountain – and would infill some of the green space of the existing campus, including a corner of the central lawn. All landscape features of the Aldersly campus that are contributing features of the eligible historic district would be altered by the proposed project in some way, either through relocation, removal, or alteration.

Due to the proposed demolition of most contributing buildings and the alteration and relocation of most landscape features as part of the Project, the eligible historic district would lose its historic integrity and ability to convey its significance. These alterations would cause a significant adverse change that would result in the loss of California Register eligibility of the Aldersly Retirement Community as a historic district. Because the demolition of contributing buildings and changes to landscape features would lead to a loss of California Register eligibility of the Aldersly campus as a historic district, the compatibility or incompatibility of proposed new construction and alterations proposed for the remaining buildings would be irrelevant. Therefore, the impact on the eligible historic district would be significant and unavoidable because there is no feasible mitigation that would reduce impacts to the eligible historic district to less than significant. Alternatives to the Proposed Project that could reduce Project impacts are addressed in Chapter 5 of the Draft EIR and are summarized below.

Project Alternatives

As required under CEQA, the Draft EIR describes and evaluates a reasonable range of alternatives to the project that would feasibly attain most of the project’s basic objectives and would avoid or substantially

lessen any identified significant adverse environmental effects of the project. Alternatives to the proposed project are addressed in Chapter 5 of the Draft EIR and an overview of the chapter is provided below.

Alternative 1: No Project Alternative

As required by CEQA, the Draft EIR analyzes a No-Project Alternative. The No Project Alternative assumes that the Aldersly campus would remain in its existing condition and would not be subject to redevelopment. Under this alternative, the Aldersly campus would continue to operate as it currently exists, and no new construction would occur on the Project site except for repairs and interior renovation of existing buildings. The number of independent living units, assisted living/memory care beds, and skilled nursing beds are assumed to remain the same as existing (55 Independent Living units, 35 Assisted Living/Memory Care beds and 20 Skilled Nursing beds). Under the No Project Alternative, the character-defining features of the eligible historic district would remain intact, and no significant environmental impacts would occur.

Alternative 2: On-Site Preservation Alternative

Alternative 2 would concentrate all new development of the Aldersly campus at its southern edge along Mission Avenue with the construction of two new buildings. This Alternative includes the construction of a new Independent Living building along Mission Avenue, and the complete demolition and replacement of the Frederiksborg building at the southwest corner of the Project site. Like the Proposed Project, this Alternative would also require the demolition of the building at 308 Mission Avenue to make room for a new driveway and parking. The property at 308 Mission Avenue is part of the approved PD Development Plan Area and is owned by Aldersly. Because the scale of the overall construction activities would be reduced, all significant impacts of the Project would be reduced to less than significant with mitigation incorporated, except for impacts on historic resources. With regard to historic resources, although Alternative 2 would retain more contributing buildings and landscape features than the proposed Project, and it would retain the spatial characteristics of the historic entrance to Aldersly with its entry gate and circular drive, Alternative 2 would require the demolition of five of the nine contributing buildings and the demolition of and alteration to most landscape features as part of the Project, and would cause a significant adverse change that would result in the loss of California Register eligibility of the Aldersly Retirement Community as a historic district. Therefore, the impact on the eligible historic district would be significant and unavoidable under Alternative 2.

Alternative 3: Off-Site Preservation Alternative

Alternative 3 would locate all new development at the eastern end of the Aldersly campus and would incorporate two parcels currently owned by Aldersly (121 and 123 Union Street) located just east of the northeast corner of the existing campus. Alternative 3 would retain nearly all of the historic buildings and landscape elements that contribute to the eligible Aldersly historic district and define its historic significance. Since the contributing buildings and structures would be nearly entirely retained, and the historic district would remain eligible for the California Register, Alternative 3 would have a less than significant impact to the historic resource under CEQA. Other environmental impacts would be similar to that of Alternative 2 and the Proposed Project. Alternative 3 would meet some--but not all--of the project sponsor's objectives, and it would meet fewer of the project objectives compared to the Proposed Project and Alternative 2. Alternative 3 would add a second dining venue and gathering spaces, and it would provide an accessible outdoor garden area for the Memory Care Center as desired; however, it would not provide as many updated or larger Independent Living units, nor would it provide additional parking or improve site accessibility and access to campus amenities to the extent that the Proposed Project would achieve.

Environmentally Superior Alternative

CEQA requires the identification of an environmentally superior alternative to the Proposed Project. The Draft EIR concludes that Alternative 1, the No Project Alternative, is the environmentally superior alternative to the Proposed Project because it would avoid all of the significant impacts associated with the Proposed Project. If it is determined that the "no project" alternative would be the environmentally superior

alternative, then the EIR must also identify an environmentally superior alternative among the other project alternatives.

Alternative 3, which proposes to retain nearly all of the contributing buildings and landscape features, would result in a less than significant impact to the eligible Aldersly historic district, and the district would remain eligible for the California Register. However, as noted above, Alternative 3 would meet fewer of the project sponsor's objectives. In conclusion, the Draft EIR finds that Alternative 3 would not cause any material impairment to the historic resource under CEQA, and that Alternative 2, like the Proposed Project, would cause a material impairment to the Aldersly historic district.

NEXT STEPS

Following the 45-day public review period for the DEIR, all written comments received on the adequacy of this Draft EIR will be addressed in a "response-to-comments" document that, together with the Draft EIR, will constitute the Final EIR. The response-to-comments document will also present any changes to the Draft EIR resulting from public and agency input, as well as changes initiated by City staff.

Before any decision to approve, revise, or reject the Proposed Project, the Final EIR will be considered by the Planning Commission and the City Council at noticed public hearings. This project requires an amendment to the approved PD Development Plan (Zoning Amendment) which requires action by the City Council. Therefore, the Planning Commission action on the EIR and project applications will be a recommendation to the City Council. At the time the Project approval actions are considered, the Planning Commission and City Council will also consider written findings for each significant environmental effect identified in the EIR, and a mitigation monitoring and reporting program (MMRP) for adopted mitigation measures.

PUBLIC OUTREACH

A Notice of Availability (NOA) of the Draft Environmental Impact Report and Notice of Public Meeting was published in the *Marin Independent Journal* on August 16, 2022, and the notice was also sent to property owners and occupants located within 300 feet of the project site, and to anyone who previously requested to be notified about the project. In addition, notices were posted on the project site along Mission Avenue and Belle Avenue 15 days before the public hearing.

It is also noted that since the project applications were filed with the City, the following neighborhood outreach has occurred:

- Neighborhood meeting hosted by Aldersly held via Zoom on June 9, 2021
- Montecito Area Residents Association (MARA) - special meeting held via Zoom on January 27, 2022
- MARA special meeting held via Zoom on May 16, 2022

As of the date and publication of this staff report, the City has not received any comments on the Draft EIR.

EXHIBITS

1. [Notice of Availability and Draft EIR](#) for Aldersly Retirement Community Development Plan Amendment Project, August 2022
2. Plans, Documents and studies provided on Aldersly webpage: <https://www.cityofsanrafael.org/aldersly/>
3. Public Comment

Leslie Mendez

From: Jayni Allsep
Sent: Wednesday, August 31, 2022 10:09 AM
To: J. F.; Planning Public Comment
Subject: Re: Aldersly 326 Mission EIR Draft

Hello Ms. [REDACTED],

Thank you for your email and your excellent suggestion. I've suggested that Aldersly have a printed copy of the Draft EIR available for residents to review. I'll follow up to make sure that happens.

Regards,

Jayni Allsep / City of San Rafael

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From: J. F. [REDACTED]@gmail.com>
Sent: Wednesday, August 31, 2022 9:53 AM
To: Planning Public Comment <PlanningPublicComment@cityofsanrafael.org>; Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>
Subject: Aldersly 326 Mission EIR Draft

Hello, Ms Allsep and Planning,

I have read the Draft EIR for the project at Aldersly. I would like to share it with several current residents of Aldersly. Is it possible to have a printed copy available to take to Aldersly? Many residents are more comfortable with print material, and I also lack the capacity to print a copy.

Thank you for your attention to this request.

Sincerely,

Julie [REDACTED]