

FINAL
ENVIRONMENTAL IMPACT REPORT
(RESPONSE TO COMMENTS DOCUMENT)
SCH# 2021110398

Aldersly Planned Development Amendment
326 and 308 Mission Avenue, San Rafael, CA
Assessor's Parcel Nos.:
014-054-31 and -32

Lead Agency:

*City of San Rafael
Community Development Department
1400 Fifth Avenue (P.O. Box 151560)
San Rafael, CA 94915-1560*

November 2022

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Members of the Public:

- Gilda Selchau (In Person) (Commenter PH-1)
- CC Raeside (Via Zoom) (Commenter PH-2)
- Laura Thiel (Via Zoom) (Commenter PH-3)
- Chris Yatrakis (Via Zoom) (Commenter PH-4)

Planning Commissioners:

- Commissioner Shalk (Commenter PC-1)
- Vice-Chair Saude (Commenter PC-2)
- Chair Previtali (Commenter PC-3)

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CHAPTER 1

Introduction

1.1 Purpose of the Responses to Comments Document

This Final Environmental Impact Report (Final EIR), which has been prepared in compliance with the California Environmental Quality Act (CEQA), provides responses to comments received on the Draft Environmental Impact Report (Draft EIR) for the Aldersly Planned Development Amendment project, herein referred to as “proposed project.” The Draft EIR identifies significant impacts associated with the proposed project, identifies and considers alternatives to the proposed project, and identifies mitigation measures to avoid or reduce potential environmental impacts.

The Draft EIR together with this Responses to Comments document constitute the Final EIR for the Project in fulfillment of CEQA requirements and is consistent with CEQA Guidelines Section 15132. This Responses to Comments document contains the following: (1) a list of persons, organizations, and public agencies commenting on the Draft EIR; (2) copies of comments received on the Draft EIR; (3) the City of San Rafael’s responses to those comments; and (4) revisions to the Draft EIR to clarify or correct information.

The EIR has been prepared pursuant to the requirements of CEQA (Pub. Res. Code §21000 et seq.); the CEQA Guidelines (14 Cal. Code Regs. §§15000 to 15387). The EIR is an informational document for use by (1) governmental agencies (in addition to the City of San Rafael) and the public to aid in the planning and decision-making process by disclosing the physical environmental effects of the Project and identifying possible ways of reducing or avoiding the potentially significant impacts; and (2) the City of San Rafael’s City Council prior to their decision to approve, disapprove, or modify the proposed Project. If the City Council approves the proposed project, it would be required to adopt CEQA findings and a mitigation monitoring and reporting program (MMRP) to ensure that mitigation measures identified in the Final EIR are implemented. See Section 1.2, below, for further description of the environmental review process.

In accordance with CEQA, the responses to comments address environmental issues raised in public comments that concern the adequacy or accuracy of the EIR. These issues include physical impacts or changes attributable to the project rather than any social or financial implications of the project. Therefore, this document provides limited responses to comments received during the public review period that do not relate to the adequacy or accuracy of the EIR.

1.2 Environmental Review Process

1.2.1 Notice of Preparation and Scoping

In accordance with Section 15082 of the CEQA Guidelines, the City, as the CEQA lead agency, prepared and disseminated a notice of preparation (NOP) for this EIR. The NOP contains a description of the Proposed Project, a summary of existing conditions at the Project location, maps of the Project site, and a summary of the probable environmental effects of the Proposed Project to be addressed in the EIR, as well as instructions for joining the scoping meeting and for submitting written comments. On November 25, 2021, the NOP was mailed to interested parties, including individuals, and to federal, state, and local agencies, and was posted by the California State Clearinghouse beginning on November 24, 2021, and by the Marin County Clerk. The 30-day scoping period for the Project remained open through December 23, 2021. On December 14, 2021, the City held a Project scoping meeting to receive comments on the scope of the EIR.

The City received 11 comment letters during the NOP comment period; two from state agencies and nine from property owners and neighbors near the project site.

1.2.2 Draft EIR

The Draft EIR was made available for review and comment by federal, state, and local agencies and interested organizations and individuals for a 45-day period identified, starting on August 18, 2022. Notice of the Draft EIR was published in the Marin Independent Journal's Legal Notice section on August 16, 2022. Notice of the Draft EIR has also been sent directly to all property owners and occupants within 300 feet of the project site, and every agency, person, or organization that commented on the NOP. During the public comment period, written comments on the adequacy of the Draft EIR were to be submitted electronically to:

Jayni Allsep, Contract Planner
City of San Rafael
Jayni.Allsep@cityofsanrafael.org

All written comments were received by the City by Friday, September 30, 2022, at 5:00pm. During the 45-day review period, copies of the Draft EIR were made available for public review at the City of San Rafael Community Development Department and electronically on the Aldersly Project Website:

<https://www.cityofsanrafael.org/aldersly/>

The City also conducted a public hearing to receive oral comments on the adequacy of the analysis included in the Draft EIR. The meeting was held on:

Date: Tuesday, September 13, 2022
Time: 7:00 p.m.
Location: www.youtube.com/cityofsanrafael.

1.2.3 Responses to Comments and Final EIR

In accordance with CEQA, the responses to comments address environmental issues raised in public comments that concern the adequacy or accuracy of the EIR. The City staff distributed this Responses to Comments document to the City’s Planning Commission, City Council, and notified individuals and organizations that commented on the Draft EIR. The Response to Comments document was also available for review on the City’s website. This Final EIR will be considered at a Planning Commission hearing at which the Commission will advise the City Council on certification of the EIR. However, the Planning Commission will not take final action on the EIR or the proposed project. Instead, the City Council will consider the Planning Commission’s recommendations on the Final EIR and the proposed project during a noticed public hearing and will take the final action on certification of the Final EIR. It is anticipated that the City Council will consider certification of the Final EIR at a public hearing in December 2022.

CEQA also requires the adoption of findings prior to project approval in cases where the certified EIR identifies significant environmental effects (CEQA Guidelines §§15091 and 15092) and a MMRP (§15097). The findings must include a statement of overriding considerations for any impact identified in the EIR as a significant adverse impact that cannot be mitigated to a less-than-significant level (CEQA Guidelines §15093[b]). The City is required to adopt CEQA findings and the MMRP prior to approving the proposed project.

1.3 Project Merits

The potential environmental impacts of implementation of the proposed project were the subject of the Draft EIR. During the review of the Draft EIR, commenters raised issues that relate to qualities of the proposed project itself, economic or financial issues (collectively referred to here as “project merits”), and general questions and clarifications rather than on the environmental analyses or impacts and mitigations raised in the Draft EIR. Similarly, some comments provided on the Draft EIR express opinions for or against the project, or a project alternative. These comments also do not pertain to the adequacy of the analysis or conclusions in the Draft EIR, rather, these opinions also relate to the “project merits”.

Per the California Environmental Quality Act (CEQA) Guidelines Section 15358(b), CEQA is an environmental protection statute that is concerned with physical changes in the environment. The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). The project merits are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Therefore, consistent with CEQA, the Draft EIR includes an analysis of the proposed project’s potentially significant physical impacts on the environment and does not include a discussion of the project merits.

Just as the focus of the Draft EIR is on the proposed project’s physical impacts on the environment, the focus of the comments on the Draft EIR should also be on the physical environmental impacts. Section 15204(a) of the State CEQA Guidelines provides direction for parties reviewing and providing comment on a Draft EIR, as follows:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated.

Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

In the Final EIR, the lead agency must evaluate comments on the Draft EIR and prepare written responses to significant environmental issues raised by commenters (CEQA Guidelines Sections 15088(c), 15132(d) and 15204(a)). Comments that do not raise a significant environmental question do not necessitate a response (*Citizens for E. Shore Parks v. State Lands Comm'n (2011) 202 Cal.App.4th 549*). The lead agency also need not respond to general reference materials submitted in support of comments (*Environmental Protection Info. Ctr. v. Department of Forestry & Fire Protection (2008) 44 Cal.4th 459, 483-484*). Therefore, in accordance with Section 15204(a), the City is not required to respond to comments that express an opinion or concern about the project merits, but do not relate to environmental issues covered in the Draft EIR. Therefore, because comments regarding the project merits do not pertain to the potential for significant physical environmental impacts, they are not responded to in the Final EIR. Lead agency review of environmental issues and project merits are both important in the decision of what action to take on a project, and both are considered in the decision-making process for a project. Although such opinions and comments on the project merits that were received during the EIR process do not require responses in the EIR, as previously noted, they do provide important input to the process of reviewing the project overall. Therefore, project merits and opinion-based comment letters are included in the EIR to be available for consideration by the decision-makers at the merits stage of the project. The Planning Commission and City Council will consider action on the merits of the project for approval or disapproval at a publicly-noticed hearing. The Planning Commission and City Council will consider both the EIR and project merit issues that have been raised.

1.4 Document Organization

This Responses to Comments document consists of four chapters, plus supplemental attachments, as follows:

- **Chapter 1, Introduction.** This chapter summarizes the purpose of the Responses to Comment and the ongoing and environmental review process to date.
- **Chapter 2, List of Persons Commenting.** This chapter summarizes the state and local agencies, as well as the non-governmental organizations and individuals that commented on the Draft EIR.
- **Chapter 3, Comments and Responses.** This chapter presents the comment letters received during the Draft EIR comment period and responses to those comments.
- **Chapter 4, Draft EIR Revisions.** This chapter displays the changes made to the text of the Draft EIR in response to agency-initiated project-description revisions, comments on the Draft EIR, and included to clarify the Draft EIR text.

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CHAPTER 2

List of Persons Commenting

This Responses to Comments document is organized to respond to all written comments received on the Draft Environmental Impact Report (EIR). No oral comments were provided during the public hearing held on October 26, 2021. This section lists all organizations and individuals that submitted comments on the Draft EIR. Commenters are generally grouped according to whether they commented as individuals or represented a public agency or non-governmental organization.

2.1 Agencies

- California Department of Fish and Wildlife; Erin Chappell, Regional Manager, Bay Delta Region (September 28, 2022) (Comment Letter A-1)

2.2 Individuals

- Julie Follette (September 6, 2022) (Comment Letter I-1)
- Tymber Cavasian (September 12, 2022) (Comment Letter I-2)
- Chris Yatrakis (September 13, 2022) (Comment Letter I-3)
- Lorenzo Ersland (September 16, 2022) (Comment Letter I-4)
- Peter Marks (September 16, 2022) (Comment Letter I-5)
- David Buxbaum (September 21, 2022) (Comment Letter I-6)
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- Paula Doubleday (September 29, 2022) (Comment Letter I-18)

- Barbara Henricks (September 30, 2022) (Comment Letter I-19)
- Don Shepherd (September 29, 2022) (Comment Letter I-20)
- Anonymous (September 29, 2022) (Comment Letter I-21)
- Laurie Finkelstein (September 30, 2022) (Comment Letter I-22)
- David Hyer (September 30, 2022) (Comment Letter I-23)
- Fran Halperin (September 23, 2022) (Comment I-24)
- Carolyn Fisher (September 30, 2022) (Comment I-25)

2.3 COMMENTS RECEIVED AT SEPTEMBER 13, 2022, PLANNING COMMISSION MEETING

Members for the Public:

- Gilda Selchau (In Person) (Commenter PH-1)
- CC Raeside – (Via Zoom) (Commenter PH-2)
- Laura Thiel – (Via Zoom) (Commenter PH-3)
- Chris Yatrakis (Via Zoom) (Commenter PH-4)

Planning Commissioners:

- Commissioner Shalk (Commenter PC-1)
- Vice-Chair Saude (Commenter PC-2)
- Chair Previtali (Commenter PC-3)

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CHAPTER 3

Comments and Responses

3.1 Introduction to the Analysis

This section presents the comment letters received during the Draft Environmental Impact Report (EIR) comment period, summarizes the substantive comments, and responses to those comments. The comments and responses are organized as listed in Chapter 2.

Responses have been numbered corresponding to bracketed numbers printed on the comment letters. Responses are provided to address issues raised in the comment concerning the adequacy or accuracy of the EIR, and to clarify or augment information in the Draft EIR as appropriate. Where the same comment has been made more than once, a response may direct the reader to another numbered comment and response. Where responses refer to changes to the text of the Draft EIR made in response to comments on the Draft EIR, or to clarify the Draft EIR text, new language is double-underlined, while deleted text is shown in ~~striketrough~~. The text revisions are also included in Chapter 4, EIR Text Revisions. All comments included in this document are formally acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the project.

Response to Comments from California Department of Fish and Wildlife; Erin Chappell, Regional Manager, Bay Delta Region (September 28, 2022) (Comment Letter A-1)

- A-1-1 This comment is preceded by an overview of CDFW’s responsibilities, and a summary of the Project Description and Biological Resources setting in the EIR. No Response is required.
- A-1-2 This comment states that as identified in CDFW’s NOP response letter, the Project site is within the range of bat species which CDFW has classified as Species of Special Concern, and that the Biological Report (EIR Appendix E) identifies that buildings on-site do not have the potential to be occupied by bats, but it does not discuss the potential for bats to roost in trees located on the Project that would be removed.

To clarify, while it is correct that the Project site is within the range of bat species which CDFW has classified as Species of Special Concern no trees potentially suitable for roosting were observed within the Study Area during the site visit of consulting biologist Nicholas Brinton with WRA Environmental Consultants, who has several years of experience performing habitat and assessments and presence/absence surveys for bats (including special-status bats) in northern California. Representative photos of on-site trees are included in Attachment A of the Letter from WRA Environmental Consultants dated October 21, 2022. First, on-site trees are largely non-native ornamental species planted for landscape purposes that are unlikely to support bat roosting. Second, the trees are young and small (< 18 inches in diameter) and lack the sufficient trunk/limb mass to support roosting (i.e., they lack cavities, and the ability to maintain stable internal temperatures). Trees with large individual leaves and the potential to support the foliage-roosting and riparian-affiliated western red bat (*Lasiurus blossevillii*; SSC) are absent. Finally, all trees on-site appear to be regularly disturbed both for aesthetic maintenance and safety purposes (to eliminate falling hazards for residents). For example, dying or decaying portions of trees that may ultimately result in cavity formation over time, as well as larger/heavier limbs, are removed; this maintenance process is similar in effect to the first step in a two-phased tree removal (one of the bat avoidance measures recommended by CDFW in the comment letter). Examples of such tree maintenance in process were noted by the WRA biologist during the site visit. Additionally, all lawns and gardens/landscaping surrounding the trees are also regularly maintained, further reducing the attraction of the area for bats. No bats or indicators of on-site roosting (e.g., guano/staining) were observed by the biologist during the site visit. For these reasons, bats (including special-status species) are unlikely to roost within the Study Area.

- A-1-3 This comment recommends including mitigation measures to reduce any potential impact to SSC bat species to less-than-significant. Based on the clarification provided by the biologist who conducted the site visit, impacts to special-status bats would be less than significant without mitigation. Though not required, the following measures recommended by CDFW are included in the Final EIR and MMRP:

Mitigation Measure BIO-2 (Roosting Bat Habitat Assessment and Surveys):
Prior to any tree removal, a qualified biologist shall conduct a habitat assessment for bats. A qualified bat biologist shall have: 1) at least two years of experience

conducting bat surveys that resulted in detections for relevant species, such as pallid bat, with verified project names, dates, and references, and 2) experience with relevant equipment used to conduct bat surveys. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark, suitable canopy for foliage roosting species). If suitable habitat trees are found, or bats are observed, mitigation measure BIO-3 shall be implemented.

Mitigation Measure BIO-3 (Roosting Bat Tree Protections): If the qualified biologist identifies potential bat habitat trees, then tree trimming and tree removal shall not proceed unless the following occurs: 1) a qualified biologist conducts night emergence surveys or completes visual examination of roost features that establishes absence of roosting bats, or 2) tree trimming and tree removal occurs only during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, and tree removal occurs using the two-step removal process. Two-step tree removal shall be conducted over two consecutive days. The first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only; limbs with cavities, crevices or deep bark fissures shall be avoided. The second day the entire tree shall be removed.

- A-1-4 The comment recommends that a list or table of all special-status species with the potential to occur at the Project be included in the DEIR or publicly available biological report. A table that lists the occurrence potentials for special-status wildlife is included in Final EIR and is available for public review on the project webpage: as Attachment B of the Letter from WRA, Inc dated October 21, 2022. As stated in the original Biological Report, the entire Study Area is developed and surrounded by urban development. Non-hardscape substrates within the Study Area are landscaped, have been thoroughly disturbed and altered for many years, and are maintained specifically for ornamental landscaping. There is no potential for any local special-status plant species to occur within the Study Area.
- A-1-5 The comment that survey information related to special-status species occurrences be reported to the California Natural Diversity Database, and that the Project would be subject to CDFW filing fees is noted. As stated in the Biological Report (Appendix E), the entire Study Area is developed and surrounded by urban development. Non-hardscape substrates within the Study Area are landscaped, have been thoroughly disturbed and altered for many years, and are maintained specifically for ornamental landscaping. There is no potential for any local special-status plant species to occur within the Study Area. Regarding filing fees, should the project be approved, the required filing fees will be submitted with the Notice of Determination (NOD).

Response to Comments from Julie Follette (September 6, 2022) (Comment Letter I-1)

- I-1-1 This comment expresses support for maximum preservation of the existing Aldersly campus but does not raise any issues regarding the adequacy of the Draft EIR. No response is required.
- I-1-2 This comment expresses an opinion that the architecture and gardens at Aldersly are delightful and unique but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-1-3 The commenter expresses an opinion regarding keeping Aldersly financially viable, but the commenter does not accept the premise that there is no demand or appreciation for Aldersly as it is. CEQA's focus is on environmental impacts rather than fiscal impacts, and this comment raises neither significant environmental issues nor specific questions about the analyses or information in the Draft EIR that would require a response pursuant to CEQA Guidelines Section 15088. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-1-4 This comment expresses an opinion about different housing and independent living options and senior communities in Marin County but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-1-5 This comment expresses an opinion about the ability of Aldersly residents to ambulate around the Aldersly campus and how different senior communities cater to different consumers but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-1-6 This comment expresses an opinion about the architecture and workmanship of buildings and the aesthetic of the Aldersly campus but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will

be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

I-1-7 The concerns of the commenter regarding the potential for the proposed Mission Avenue Independent Living building to substantially impact the residential feel of the neighborhood, and potentially dominate the view west from the front steps of San Rafael High School or the San Rafael skyline as viewed from cars driving over the hill on northbound US 101 near the Bellam Boulevard exit are noted. Section I of Appendix B of the Draft EIR provides an assessment of potential impacts on views and scenic vistas. In addition, based on recent field observations of view corridors from the top steps of San Rafael High School (west portico) and northbound US 101 near the Bellam Boulevard exit, the proposed Mission Avenue Independent Living building would be minimally visible from these locations and would not dominate views or interrupt and scenic vistas from these or other locations. This is primarily due to intervening structures, trees, and topography. Therefore, as reported in the Draft EIR, the project would not result in significant impacts on identified visual resources, as viewed from public streets and sidewalks. Therefore, impacts on scenic vistas would be less than significant and no mitigation is required.

I-1-8 This comment expresses support for preservation of the Aldersly campus. It is noted that the EIR is an information document and does not make an endorsement of whether the project should or should not be approved. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from Tymber Cavasian (September 12, 2022) (Comment Letter I-2)

I-2-1 This comment refers to concerns expressed during the NOP (Notice of Preparation for EIR) stage of the project and serves as an introduction to the comments that follow. The commenter acknowledges that changes to the proposed project phasing, additional details regarding construction staging and truck deliveries largely address these concerns. See response to Comment I-2-2 below.

I-2-2 The commenter requests that at each stage of decision-making the Planning Commission and City Council be mindful and preserve considerations made to-date, and to include specific conditions to address concerns related to Belle Avenue, including but not limited to: Construction access during Phase 3 being limited to Mission Avenue, minimizing obstruction of the Belle Avenue (particularly during Norman and Edna's Day Care hours), truck deliveries at the existing and proposed Aldersly service entrance on Belle Avenue, and to finish the project as quickly as possible.

This comment relates to opportunities during the planning/development review process that conditions of project approval can address concerns related to Belle Avenue. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR. It is also noted that a proposed condition of the Use Permit (UP20-022) would require that the timing of deliveries to the Aldersly campus be coordinated with drop-off and pick-up times at child daycare and schools in the neighborhood to minimize potential impacts on Belle Avenue.

Response to Comments from Chris Yatrakis (September 13, 2022) (Comment Letter I-3)

- I-3-1 This comment serves as an introduction to the comments that follow. The commenter also notes that he will be significantly impacted by the construction noise and parking related to the project.
- I-3-2 This comment expresses an opinion that San Rafael is a special suburban city and becoming more urban; and asks what standard the city has considered as it relates to managing the increase in building height and mass citywide.
- I-3-3 The comment expresses an opinion that planning is done on paper, and nothing is really communicated on the physical; and asks if the City has considered making story poles a requirement of all new projects. This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR. See Response I-3-2 above.
- I-3-4 This comment expresses support for the improvements that Aldersly is proposing, and also expresses an opinion that the reason people live in suburban San Rafael is a mix of convenience. The commenter wants to understand what the City is doing from a zoning and communications perspective as it relates to building mass. The comment does not raise any issues regarding the adequacy of the EIR and no response is required. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-3-5 This comment states that story poles were suggested for the proposed project. See Response I-3-2 above.

Response to Comments from Lorenzo Ersland (September 16, 2022) (Comment Letter I-4)

I-4-1 The comment does not raise any issues regarding the adequacy of the EIR and no response is required. The comment expresses support for the Project and expresses opinions about Aldersly being a good neighbor and its long history in the community. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

I-4-2 The comment does not raise any issues regarding the adequacy of the EIR and no response is required. This comment relates to the two properties on Union Street purchased by Aldersly and states that Aldersly promised neighbors that they would not develop these properties into their campus, and that should not be an option.

The City is not aware of any agreements made to neighbors regarding development/redevelopment of the two properties on Union Street owned by Aldersly. However, it is noted that during a neighborhood meeting hosted by Aldersly, it was made clear that Aldersly was not proposing any changes or improvements to these two residential properties as part of the Planned Development application filed with the City. In addition, it is noted that the two properties are not within the existing or proposed Planned Development district boundaries. However, these two properties are owned by Aldersly and are featured in Alternative 3 Off-Site Preservation Alternative included in the Draft EIR.

Response to Comments from Peter Marks (September 16, 2022) (Comment Letter I-5)

- I-5-1 The comment does not raise any issues regarding the adequacy of the EIR and no response is required. The commenter is a current resident of Aldersly, and the comment addresses a contract issue with Aldersly as well as the reasons he chose to live at Aldersly, both of which are beyond the scope of issues that are required to be addressed in the EIR.
- I-5-2 The comment does not raise any issues regarding the adequacy of the EIR and no response is required. The comment addresses construction and demolition including removal of the rose garden. The comment also offers opinions regarding construction impacts on Aldersly residents over a period of approximately 18 months and comments that residents of Aldersly are elderly and their bodies and minds are not capable of adjusting to high dust and noise levels over a long period. As a licensed Residential Care Facility for the Elderly, Aldersly is required to obtain approval from the California Department of Social Services (CDSS) for major modifications to its facilities. Issues related to the health and safety of existing Aldersly residents during project construction would be addressed as part of CDSS review of Aldersly's plan for major modification to its facilities.
- I-5-3 The comment does not raise any issues regarding the adequacy of the EIR and no response is required. The comment expresses opinions about how Aldersly continues to be a desirable place to live and call "home." These topics are beyond the scope of issues that are required to be addressed in the EIR.
- I-5-4 The comment does not raise any issues regarding the adequacy of the EIR and no response is required. The comment expresses opinions regarding financial and contractual obligations between Aldersly and its residents. These topics are beyond the scope of issues that are required to be addressed in the EIR.

Response to Comments from David Buxbaum (September 21, 2022) (Comment Letter I-6)

- I-6-1 The commenter expresses opinions regarding his opposition to the demolition of existing units and the rose garden because they are integral to the facility and the neighborhood design. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-6-2 The commenter suggests that a better solution would be to place new construction closer to the street where the existing business office is because those homes are of low value and their demolition would be less impactful. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from Debra Campusano (September 22, 2022) (Comment Letter I-7)

- I-7-1 The commenter expresses support for remodeling Aldersly to modernize and address safety of residents. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-7-2 The commenter expresses an opinion that sometimes preservation of a building is not practical. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from Prudence Lise Miller (September 22, 2022) (Comment Letter I-8)

- I-8-1 The commenter requests that the Aldersly architecture and gardens remain as they are. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures

Response to Comments from Suzie Dods (September 23, 2022) (Comment Letter I-9)

- I-9-1 This comment expresses opposition to removing the historic buildings and the opinion that it would be detrimental to the feel and scope of the neighborhood. The comment also states that there is no feasible mitigation that would reduce impacts to the eligible historic district to less than significant. This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-9-2 This comment refers to Section 3.2 of the Draft EIR and the conclusion that historic impacts of the project cannot be mitigated. This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR. It is noted that a mitigation measure has been included in the Final EIR (Mitigation Measure CUL-1) that would require the project sponsor to undertake measures to document and provide interpretation, commemoration, and salvage of the historic resources prior to any demolition. This would reduce the impact on historic resources, but not to a less-than-significant level. Therefore, the impact would remain significant and unavoidable as reported in the Draft EIR.
- I-9-3 This comment expresses concerns regarding traffic and opinions regarding the SMART train and existing traffic, and that more construction will make traffic worse. Traffic congestion or measures of vehicular delay are not an environmental impact under CEQA per State CEQA Guidelines Section 15064.3. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR. While traffic congestion and delay are not subject to CEQA, the City did require a Traffic and Parking Study (Appendix H of EIR), and a discussion of potential transportation impacts of the project is provided in Section XVII (TRANSPORTATION) of Appendix B of the Draft EIR.
- I-9-4 This comment expresses an opinion that Aldersly is an integral part of Marin and San Rafael history and that the proposed project is not effective use of time. This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from J O Brien (September 23, 2022) (Comment Letter I-10)

- I-10-1 This comment requests that Aldersly not change. This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from Tymber Cavasian (September 24, 2022) (Comment Letter I-11)

- I-11-1 This comment expresses concern about the loss of architectural assets and serves as an introduction to the comments that follow. As a result, no specific response is provided here. See Response to Comment I-11-4 below.
- I-11-2 The commenter clarifies the comments submitted prior to the September 13th Planning Commission meeting (Comment Letter I-2) and reiterates concerns regarding construction access and staging. See Response to Comment I-2-2.
- I-11-3 This comment expresses concern regarding the scale, mass, and appropriateness of the project. Section I of Appendix B of the of the Draft EIR provides a discussion of view impacts and these issues of concern. As discussed in Section I (Aesthetics) of Appendix B, the project was found consistent with zoning requirements and design criteria contained in the San Rafael Design Guidelines that are applicable to the proposed project, including but not limited to the following:
- Where necessary to replicate existing patterns or character of development, design techniques should be used to break up the volume of larger buildings into smaller units. For example, a building can be articulated through architectural features, setbacks and varying rooflines to appear more as an aggregation of smaller building components.
 - Transitional elements, such as stepped facades, roof decks and architectural details that help merge larger buildings into an existing neighborhood should be used.
 - Adjacent buildings should be considered, and transitional elements included to minimize apparent height differences.
- I-11-4 This comment expresses an opinion about one of the alternatives in the Draft EIR. This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-11-5 This comment expresses an opinion that Aldersly as it exists today contributes to the greater community and the residents of Aldersly. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-11-6 This comment expresses an opinion regarding the historic value of the buildings that are proposed to be demolished and support of an alternative that preserves as much of the architecture and flavor as possible. This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from Tricia Hall (September 24, 2022) (Comment Letter I-12)

- I-12-1 This comment expresses concern regarding the loss of historic buildings that are proposed to be demolished. This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-12-2 This comment requests that any new construction be located on another site so that existing structures can be maintained. The comment is noted and will be forwarded to the Planning Commission and City Council for consideration. It is further noted that Chapter 5 of the Draft EIR includes a discussion of project alternatives, including an off-site preservation alternative (Alternative 3).

Response to Comments from Kathleen Soden (September 24, 2022) (Comment Letter I-13)

- I-13-1 This comment (“No no no”) does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from Robert So (September 24, 2022) (Comment Letter I-14)

- I-14-1 This comment expresses an opinion as to why the Aldersly site should be preserved. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from Chris Welch (September 25, 2022) (Comment Letter I-15)

- I-15-1 This comment expresses support for the project going forward as designed and expresses an opinion regarding the need for housing and an aging population. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from Peter Marks (September 28, 2022) (Comment Letter I-16)

- I-16-1 This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment relates to the commenter's reasons for living at Aldersly and contract with Aldersly for continuing care. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-16-2 This comment expresses concerns regarding the effects of noise and dust generated during demolition and construction activities associated with the proposed project on Aldersly residents and staff. As noted in Section III of Appendix B of the of the Draft EIR, construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust. The Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines provide recommended procedures for evaluating potential air impacts during the environmental review process consistent with CEQA requirements including thresholds of significance, mitigation measures, and background air quality information. These guidelines consider temporary fugitive dust impacts to be less-than-significant if best management practices are implemented to reduce these emissions. Implementation of the best management practices (BMPs) listed below under Mitigation Measure AQ-1 would reduce fugitive dust impacts to less than significant and no additional mitigation is required.

As noted in Section XIII of Appendix B of the of the Draft EIR, project construction will temporarily increase noise levels on the project site and at adjacent properties. Noise impacts resulting from construction depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time. All proposed construction and demolition activities would be subject to the requirements of San Rafael Municipal Code Section 8.13.050, which limits construction activities and deliveries to between 7AM and 6PM on weekdays, and 9AM to 6PM on Saturdays (no construction activities are permitted on Sundays and holidays). This would avoid the most noise-sensitive times of the day. In addition, Municipal Code Section 8.13.050 requires the posting of signs at all construction site entrances clearly stating construction hours and construction noise limits. To further mitigate construction noise, the Draft EIR includes Mitigation Measure NOI-1, which may include temporary relocation of residents of on-site dwelling units that are very close to the construction activities; upgrading windows to reduce construction noise at on-site dwelling units closest to the construction activities; and the use of noise control blankets on temporary fencing that are used to separate construction areas from occupied on-site areas. With implementation of Mitigation Measure NOI-1, noise impacts attributable to construction activities would be reduced to less than significant. Please also refer to Response to Comment I-5-2.

- I-16-3 This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment expresses opinions on what makes Aldersly a desirable place to live. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-16-4 This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment expresses an opinion on the financial reasons for the proposed project, which is beyond the scope of the EIR. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-16-5 This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment expresses the commenter's desire to remain living at Aldersly and concerns regarding temporary construction impacts. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
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Response to Comments from Suzanne Ord (September 28, 2022) (Comment Letter I-17)

- I-17-1 This comment expresses an objection to the project and a preference to keep Aldersly as it is. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from Paula Doubleday September 29, 2022) (Comment Letter I-18)

- I-18-1 This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment expresses opinions regarding the importance of local history, sense of community, and the overall value of the Aldersly campus as it currently exists. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-18-2 This comment expresses an objection to the project and expresses an opinion that the impacts of the project are not worth it. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-18-3 This comment expresses an opinion regarding Alternative 3 (Off-Site Preservation Alternative) being more viable, but still damaging. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-18-4 This comment expresses a desire for the City to facilitate the process of applying for historic status and to retain Aldersly as a place of value for the community. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
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Response to Comments from Barbara Henricks (September 30, 2022) (Comment Letter I-19)

- I-19-1 This comment requests that the existing buildings on the Aldersly campus be preserved and offers opinions on the uniqueness of the property and how it enhances the area. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from Don Shepherd (September 29, 2022) (Comment Letter I-20)

- I-20-1 This comment expresses opinions about the existing Rosenberg building constructed on the Aldersly campus in 2002 and its impact on the adjacent property at 109 Union Street. The comment also expresses concern about loss of privacy due to the balconies on the existing Rosenberg building that face the backyard of the 109 Union Street property, and not understanding the size of the building before it was approved. This comment is regarding the existing conditions of the Aldersly campus and does not state a specific concern or question regarding the sufficiency of the analysis of the proposed project or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-20-2 This comment requests that story poles be put in place to show where new buildings are proposed to ensure they do not hinder the afternoon sun on Union and Mission Streets. The comment does not state a specific concern or question regarding the sufficiency of the analysis of the proposed project or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-20-3 This comment expresses a hope that the proposed buildings are far enough away so that they do not infringe on their privacy. The comment does not state a specific concern or question regarding the sufficiency of the analysis of the proposed project or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-20-4 This comment expresses concern about groundwater that is coming from the Rosenberg garage and driveway and the commenters attempts to contact Aldersly management to resolve the issue. The conditions described in this comment are existing conditions that are not attributable to the proposed project for which the EIR was prepared. The comment does not state a specific concern attributable to the proposed project or question the sufficiency of the analysis of the proposed project or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

As discussed in Section X of Appendix B (HYDROLOGY AND WATER QUALITY) of the Draft EIR, the proposed Project would result in an increase in impervious surfaces. Based on the Preliminary Hydrology Study prepared by CSW/Stuber-Stroeh Engineering Group, Inc., dated September 30, 2020, the amount of impervious surface would increase from 88,014 sq. ft. (existing) to 100,302 sq. ft.; an increase of 12,288 sq. ft. Plans

submitted for the Project indicate that roof storm water drainage on the new buildings would be collected and treated in engineered bioretention basins before being piped into the public storm drain system. Storm water runoff from site pavements would be directed through landscape areas before collection and conveyance to adjacent city storm drains.

A standard condition of approval will require that a stormwater control plan be submitted and approved by the City of San Rafael Department of Public Works prior to the issuance of a grading or building permit, and in accordance with MCSTOPPP post-construction requirements. In addition, the Project sponsor will be required to enter into a stormwater facilities maintenance agreement prior to issuance of a certificate of occupancy for the new buildings. This will ensure that the post-construction stormwater quality control measures comply with the requirements of the State Water Board.

- I-20-5 This comment expresses a desire for transparency during the review process for the proposed project. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from Anonymous (September 29, 2022) (Comment Letter I-21)

- I-21-1 This comment expresses opposition to the tearing down of historic buildings on the Aldersly property and expresses an opinion about the aesthetics of the proposed new buildings. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from Laurie Finkelstein (September 30, 2022) (Comment Letter I-22)

- I-22-1 This comment expresses an opinion regarding the importance of preserving historic properties, architecture, craftsmanship, and landscape design, and requests that the property be protected as is. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from David Hyer (September 30, 2022) (Comment Letter I-23)

- I-23-1 This comment questions the objectives of the project and does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from Fran Halperin (September 23, 2022) (Comment I-24)

- I-24-1 This comment expresses an opinion about the loss of architectural features within the City of San Rafael and the desire to keep them. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-24-2 This comment expresses an opinion in favor of the project alternatives identified in the EIR that would maintain the historically significant buildings at Aldersly and expresses sadness that buildings on other properties in San Rafael have been torn down. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- I-24-3 This comment expresses an opinion regarding the need to modernize and expand and expresses hope that some of the charm that makes San Rafael a special place be maintained. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
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Response to Comments from Carolyn Fisher (September 30, 2022) (Comment I-25)

I-25-1 This comment expresses opposition to the proposed project and expresses opinions that the Aldersly campus is a peaceful, restful place that is well kept, and that there are other vacant spaces in San Rafael to build affordable housing. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

COMMENT LETTERS



State of California – Natural Resources Agency

DEPARTMENT OF FISH AND WILDLIFE

Bay Delta Region

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GAVIN NEWSOM, Governor

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September 27, 2022

Jayni Allsep, Contract Planner

City of San Rafael

1400 Fifth Avenue

San Rafael, CA 94901

jayni@allsep-planning.com

Subject: Aldersly Planned Development Amendment, Draft Environmental Impact Report, SCH No. 2021110398, City of San Rafael, Marin County

Dear Ms. Allsep:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a draft Environmental Impact Report (DEIR) from the City of San Rafael (City) for the Aldersly Planned Development Amendment (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ CDFW previously submitted comments in response to the Notice of Preparation (NOP) of the DEIR in a letter dated December 20, 2021.

CDFW is submitting comments on the DEIR to inform the City, as the Lead Agency, of potentially significant impacts to biological resources associated with the Project.

CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under CEQA pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources. CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA) or Native Plant Protection Act, the Lake and Streambed Alteration (LSA) Program, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

PROJECT DESCRIPTION SUMMARY

The Project is the amendment of an approved Development Plan that would allow demolition and renovation of existing buildings and construction of new buildings at the Aldersly Retirement Community. Aldersly Retirement Community is the Project proponent. The Project is located at 308 and 326 Mission Avenue in the City of San Rafael, County of Marin and is generally surrounded by residential and commercial

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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development. The approximate Project centroid is 37.97295, -122.51662 (NAD 83). The Project would cover approximately 2.88 acres and be phased over approximately 10 years with an estimated completion year of 2031. Final build-out would include demolition of six buildings, construction of three new buildings, and additions or renovations to four existing buildings. On-site parking spaces would increase from 48 to 56. The Project would construct new outdoor gathering areas and landscaping. Approximately 77 ornamental trees are planned for removal.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, including those CDFW recommends, CDFW concludes that an EIR is appropriate for the Project. Please see Attachment 1 Draft Mitigation and Monitoring Reporting Plan outlining the mitigation measures recommended by CDFW below.

I. Project Description and Related Impact Shortcoming

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or the U.S. Fish and Wildlife Service?

Comment 1: Bat Species of Special Concern. Appendix B, pages 15-17 and Appendix E, page 6.

Issue: As identified in CDFW's NOP response letter, the Project is within the range of bat species which CDFW has classified as Species of Special Concern (SSC), including pallid bat (*Antrozous pallidus*), western red bat (*Lasiurus blossevillii*), and Townsend's big-eared bat (*Corynorhinus townsendii*).² These bat species are known to roost in tree bark, hollows, or foliage (Johnston 2004). The Biological Report identifies that buildings on-site do not have the potential to be occupied by bats, but it does not discuss the potential for bats to roost in trees located on the Project that would be removed (Appendix E, page 6).

Specific impacts, why they may occur and be potentially significant: Removing a roost tree during breeding or hibernating seasons could kill many bats as they roost together in a colony. Bats are unusual for small mammals in that they are long-

² CDFW maintains range maps for all terrestrial wildlife species in California, available at <https://wildlife.ca.gov/Data/CWHR/Life-History-and-Range>.

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lived and have a low reproductive rate (Johnston 2004). Lifespans of 15 years are not uncommon, and most species have only one young per year (Johnston 2004). The long lifespan of bats means that each mortality will have a protracted effect; the death of a pair of bats at age 5 means the cumulative loss of ten years of young from that pair. Bats also aggregate in colonies, some of which contain all the bats of a species from a wide area (Johnston 2004). The combination of these three factors (long lifespan, few young per year, and aggregation into colonies) means that by impacting bat roosts, projects may cause a substantial adverse effect to the regional population of bat species.

Recommended Mitigation Measures: To reduce any potential impact to SSC bat species to less-than-significant, CDFW recommends including the below mitigation measures.

Mitigation Measure BIO-2 (Roosting Bat Habitat Assessment and Surveys): Prior to any tree removal, a qualified biologist shall conduct a habitat assessment for bats. A qualified bat biologist shall have: 1) at least two years of experience conducting bat surveys that resulted in detections for relevant species, such as pallid bat, with verified project names, dates, and references, and 2) experience with relevant equipment used to conduct bat surveys. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark, suitable canopy for foliage roosting species). If suitable habitat trees are found, or bats are observed, mitigation measure BIO-3 shall be implemented.

Mitigation Measure BIO-3 (Roosting Bat Tree Protections): If the qualified biologist identifies potential bat habitat trees, then tree trimming and tree removal shall not proceed unless the following occurs: 1) a qualified biologist conducts night emergence surveys or completes visual examination of roost features that establishes absence of roosting bats, or 2) tree trimming and tree removal occurs only during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, and tree removal occurs using the two-step removal process. Two-step tree removal shall be conducted over two consecutive days. The first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only; limbs with cavities, crevices or deep bark fissures shall be avoided. The second day the entire tree shall be removed.

II. Editorial Comments and/or Suggestions

CDFW recommends that a list or table of all special-status species with the potential to occur at the Project be included in the DEIR or publicly available biological report. This list or table should include the source of information about each potentially occurring

Jayni Allsep
City of San Rafael
September 27, 2022
Page 4

special-status species (e.g., California Natural Diversity Database (CNDDDB)), and discussion of why or why not the species has potential to occur at the Project (e.g., will not occur due lack of salt marsh habitat at or near the Project) or adjacent to the Project where the species may be indirectly impacted by, for example, visual or auditory disturbances, or hydrological modifications.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.


ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR to assist City in identifying and mitigating Project impacts on biological resources. Questions regarding this letter or further coordination should be directed to Alex Single, Environmental Scientist at (707) 799-4210 or Alex.Single@wildlife.ca.gov; or Melanie Day, Senior Environmental Scientist (Supervisory), at Melanie.Day@wildlife.ca.gov or (707) 210-4415.

Sincerely,

DocuSigned by:

Erin Chappell
Regional Manager
Bay Delta Region

Jayni Allsep
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 September 27, 2022
 Page 5

Attachment 1. Draft Mitigation and Monitoring Reporting Plan

ec: Office of Planning and Research, State Clearinghouse (SCH No. 2021110398)

REFERENCES

Johnston, D., Tartarian, G., and Poerson, E. 2004. California Bat Mitigation Techniques, Solutions, and Effectiveness. California Department of Transportation Office of Biological Studies and Technical Assistance. Sacramento, CA.

ATTACHMENT 1

Draft Mitigation and Monitoring Reporting Plan

Biological Resources (BIO)			
Mitigation Measure (MM)	Description	Timing	Responsible Party
MM-BIO-2	<i>Mitigation Measure BIO-2 (Roosting Bat Habitat Assessment and Surveys):</i> Prior to any tree removal, a qualified biologist shall conduct a habitat assessment for bats. A qualified bat biologist shall have: 1) at least two years of experience conducting bat surveys that resulted in detections for relevant species, such as pallid bat, with verified project names, dates, and references, and 2) experience with relevant equipment used to conduct bat surveys. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark, suitable canopy for foliage roosting species). If suitable habitat trees are found, or bats are observed, mitigation measure BIO-3 shall be implemented.	Prior to Ground Disturbance	Project Applicant
MM-BIO-3	<i>Mitigation Measure BIO-3 (Roosting Bat Tree Protections):</i> If the qualified biologist identifies potential bat habitat trees, then tree trimming and tree removal shall not proceed unless the following occurs: 1) a qualified biologist conducts night emergence surveys or completes visual	Prior to Ground Disturbance	Project Applicant

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	<p>examination of roost features that establishes absence of roosting bats, or 2) tree trimming and tree removal occurs only during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, and tree removal occurs using the two-step removal process. Two-step tree removal shall be conducted over two consecutive days. The first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only; limbs with cavities, crevices or deep bark fissures shall be avoided. The second day the entire tree shall be removed.</p>		
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Draft EIR for 326 Mission/Aldersly Project

J. F. <follettej@gmail.com>

Tue 9/6/2022 9:38 PM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>

To Ms Allsep and the Planning Commission,

I am writing in support of the Draft EIR for 326 Mission conclusion in favor of maximal preservation of the existing campus. I-1-1

I visited my family member in residence at Aldersly nearly daily for the past 4 years, and we typically spend extended time walking and sitting in the outdoor areas of the campus. The architecture and gardens are delightful and unique. I-1-2

I accept the need to keep the Aldersly Non Profit financially viable now and in the future, but I do not accept the premise that there is no demand or appreciation for Aldersly as it is. Marin County and adjacent communities demonstrate strong enthusiasm for mid-century modern esthetic, and for homes connected to the outdoors. Young families are paying premium prices for original Eichlers in Upper Luca Valley, and the Peninsula, for example. I-1-3

Persons seeking senior communities offering hotel or apartment style dwelling units have extensive options in our area, with more planned for the future. Those who prefer the option to live entirely indoors are well accommodated in Marin. Aldersly uniquely offers cottage-style independent units with outdoor access from the front doors. This design may be particularly appealing in pandemic conditions. I-1-4

The choice to walk landscaped slopes for daily activities certainly is not universally desired. However, only approximately 55 persons who value this choice will fulfill occupancy in the independent apartments at Aldersly. It seems reasonable to believe that these 55 persons exist and will continue to come forward in the future. I am impressed by the residents who choose to continue to ambulate around the campus even as their age requires assistive devices and a restricted pace. Different senior communities cater to different consumers; people will chose the best fit for them. I-1-5

The architecture and workmanship of the residential buildings intended to be removed is cited in the EIR. My family member and I enjoy this esthetic as we spend time in the garden area paths. One resident who is a native of Denmark told me that the campus buildings remind her of her childhood town in Denmark, which pleases her as she walks the campus. I-1-6

The current Aldersly buildings fit in with the scale of the residential neighborhood, where the largest adjacent housing is the 3 story supported community across Mission street. Although the Assisted Living building is relatively large, its placement well back from Mission Ave mitigates its impact. The proposed Mission Ave 4 story building on a slope above street level will substantially impact the residential feel of the neighborhood, and potentially dominate the view west from the front steps of San Rafael High or even the San Rafael skyline as viewed from cars driving North on 101 as they come over the hill toward the Bellam exit. I-1-7

I endorse the conclusion in the Draft EIR supporting preservation of the Aldersly campus. I-1-8

Sincerely,
Julie Follette

Subject: Subject: DEIR Public Comment / Aldersly Project / 326 and 308 Mission Avenue
Date: Monday, September 12, 2022 at 10:00:15 AM Pacific Daylight Time
From: Tymber Cavasian
To: Jayni Allsep
CC: planningpubliccomment@cityofsanrafael.org

Good morning Jayni,

The following are comments for inclusion at this week's meeting related to Aldersly Project DEIR.

For Public Comment

RE: DEIR Public Comment / Aldersly Project / 326 and 308 Mission Avenue

Dear Planning Commissioners,

We own a multi-family building on Belle Avenue situated directly across from the rear frontage of the Aldersly property, with our prime driveway / resident parking located at the Aldersly truck turning radius for the proposed Service Building. **I-2-1**

We first became aware of the project as plans were approved by the Design Review Board in November 2021, and then became quite involved at the NOP stage due to concerns with the project as planned and the omission of Belle Avenue residents in prior community and neighborhood meetings. This involvement subsequently turned into conversation(s) with the project applicant. Thankfully, our greatest concerns have been heard and largely addressed by the Project Applicant indicated in the revisions dated 5/28/22 and it appears the project studied in the Draft EIR now includes: recognizing Belle Avenue as a largely impacted neighbor of the project, modifying the phasing/scope of the project and adding details of construction staging and specifying truck size to plans to lessen access from and overburden to Belle Avenue. It seems the utilization of Ridge Avenue for staff parking also has improved/ceased (intersection of Belle/Ridge at NW project corner).

As this project moves from DEIR to FEIR and on toward approvals by the City Council, we want to reiterate that our concerns will remain throughout construction, ultimate build-out and future functions of Aldersly. Since amendment to the approved PD Development Plan (Zoning Amendment) is required, we ask that that each stage of approvals be mindful and preserve the considerations made to-date, as well as including specific conditions at the appropriate time by Planning Commission and/or City Council for the following: **I-2-2**

1. Require that all construction access for Phase 3A and 3B must be from Mission

Avenue (this intent appears in graphics (A2.1A) but should be incorporated to narrative as well (not found in our read of the documents).

2. Require that since Phase 2 will unavoidably impact Belle Avenue, everything possible should be done to minimize obstruction of the street (particularly during Norman and Edna's Day Care hours) and to finish the project as quickly as possible.
3. Consider Construction Hours (some or all of the time) perhaps depending on impacts associated with specific phases to help minimize conflicts to residential neighbors and daycare / school peaks
4. Include use permit and/or conditions associated with the Service Entrance for truck type/size/count and perhaps one-way direction of travel on Belle for Aldersly deliveries for safety associated with service entrance on Belle Avenue and intersections of Belle/Union. (DEIR states delivery/service use will continue as-is through Phase 1 but after completion of Phase 2, specifics related to trucks on Belle are provided which it appears the DEIR study is hinged upon).

I-2-2
(CONT'D)

Sincerely,
Tymer and Derek Cavasian
510-301-4703 ph/txt

LETTER I-3

Subject: 117 Union Street & MARA- re: Aldersly

Date: Tuesday, September 13, 2022 at 8:29:48 PM Pacific Daylight Time

From: Chris Yatrakis

To: jayni@allsep-planning.com

Hi Jayni, Thank you for the work and effort you have put towards this project.

I am a 12+ year homeowner and resident at 117 Union Street. I'm also a member of the MARA Board for ~5 years. My property adjoins Aldersly along their Rosenberg building. I will be significantly impacted by the construction noise and parking. **I-3-1**

San Rafael is a special suburban city and we are becoming more urban. What standard has the city considered as it relates to managing the increase in building height and mass, citywide? **I-3-2**

The challenge here is planning is done on paper and nothing is really communicated on the physical site(s). Has the city considered making 'Story-Poles' a requirement of all new projects OR a similar? **I-3-3**

The reason we live in suburban San Rafael is a mix of convenience I'm in support of the improvements Aldersly is making. However, I do want to understand what the city is doing from a zoning and communications perspective as it relates to new building height and mass. **I-3-4**

The use of 'Story-Poles' was suggested in the case of this piece of construction. Thank You! **I-3-5**
Best, Chris

Aldersly**LETTER I-4**

Lorenzo Ersland <lorenzo.ersland@gmail.com>

Fri 9/16/2022 2:13 PM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>

Jayni Allsep, I no longer live on Union Street, but lived there for 28 years until last year. I was actively involved in the neighborhood and watched it evolve. Aldersly has always been a good neighbor. I was actively involved over the last several years in the planning process of their planned renovation/expansion. They involved the neighbors and neighborhood association in the process. It is clear that they need to modernize and expand in order to survive as a senior living facility. I read this morning in the IJ that there is opposition to their expansion plans because of a potential California Historical status designation. Aldersly has always been keenly aware of their historic place in the community and are proud of their long history in the community. They also have attempted to maintain the architectural integrity of the campus in their planning of the expansion. I find it somewhat appalling that certain planning commission members are attempting to complicate things with this possible status without regard to the viability of their business model to survive. The City of San Rafael should be supporting a locally controlled senior living facility while large corporations who are in the assisted living business pressure small facilities economically. Please take this into consideration.

I-4-1

Additionally, it is true that Aldersly has somewhat clandestinely purchased a couple of single family homes on Union Street. These properties are zoned single family, and are along a residential street. They have always promised the neighbors not to develop these properties into their campus. That should not be an option, in my opinion.

I-4-2

I appreciate the opportunity to provide input.

Lorenzo Ersland
former resident, 196 Union Street.

Subject: Proposed construction and destruction at Aldersly-326 & 308 Mission Av e.

Date: Friday, September 16, 2022 at 12:00:32 PM Pacific Daylight Time

From: pmarks@juno.com

To: jayni@allsep-planning.com

To Jayni Allsep:

I am a resident of the Independent Living section of Aldersly retirement community. I chose to live the rest of my life at Aldersly. I have a contract with Aldersly that states Aldersly will care for me for the rest of my life and I placed a down payment to secure my deluxe studio apartment so I will be cared for by Aldersly. I have a view of Mt. Tamalpais from the window facing the mountain. I chose to live at Aldersly because of the quietness, peace, and serenity I feel as I walk the paths along side the flowers and mostly garden style apartment buildings on the property.

I-5-1

I have learned the proposed construction of a new building at 326 Mission Avenue will involve the destruction of existing buildings at 308 Mission Avenue and 326 Mission Avenue. The proposed construction will also involve the destruction of the rose garden which contributes to beauty of the gardens. The most disturbing factor of the proposed construction is the fact I and the rest of the residents of Aldersly would be subjected to both noise and dust over a period of approximately 18 months during the different phases of construction and destruction. The construction and destruction plans take into account the dust and noise that will be unavoidable by trying to minimize the dust and noise. It is inevitable the dust and noise will be detrimental to the health and welfare of all the residents and staff at Aldersly. We, who are residents of Aldersly, are elderly and our bodies and minds are not capable of adjusting to high dust and noise levels over a long period. The sleeping patterns of the residents in independent living will be compromised due to dust and noise during the daytime as we often take naps during the daytime. The health and welfare of those who live and work at Aldersly would be compromised if the construction and destruction of new buildings were permitted and allowed to proceed as planned.

I-5-2

The construction permit must not be granted because there is no method to alleviate all dust and noise over a long period during construction and destruction of the buildings at Aldersly without placing the health and welfare of the residents and staff at risk.

I am a resident of Aldersly and I do not approve of Aldersly proceeding with this proposed destruction and construction because my health and welfare would be compromised.

Aldersly is a not-for-profit Life Plan Community like no other. This is an ideal location in a quiet, residential neighborhood, combines the beauty of Marin County with easy access to all of the cultural and entertainment opportunities in the San Francisco Bay Area. Originally established by Danish immigrants in 1921 as a non-profit retirement community, the modern version of Aldersly still adheres to the way of life our founders called “hygge”—a feeling of comfort, positivity, and well-being. No wonder it’s so easy to call Aldersly “home.”

I-5-3

Aldersly is planning the new construction in order to create a profit by adding 35 additional apartments and charging entrance fees in addition to monthly rent to those who want a contract with Aldersly whereby Aldersly will care for the resident until the resident dies, even if the resident runs out of money. This proposed new construction and destruction does not appear to be a not-for-profit Life Plan Community. This is a profit motivated plan to provide additional income completely financed by those who would become new Independent Living Residents of Aldersly.

I-5-4

Aldersly is my home until the day I die. I don’t wish to hasten my death by compromising my health and welfare. I don’t want the proposed destruction and construction to take away my feeling of comfort, positivity, and well being.

I-5-5

Peter Marks
pmarks@juno.com
415-419-6384 (Cell only)

LETTER I-6

Aldersly project

David Buxbaum <dbbuxy@gmail.com>

Wed 9/21/2022 8:18 AM

To: Jayni Allsep <jayni.allsep@cityofsanrafael.org>

Hello,

I'm writing to give feedback on the proposed development project at Aldersly Retirement Home. I'm strongly against the demolition of the existing units and rose garden. I feel they are integral and important to the facility and the neighborhood design. A much better solution would be to place the new construction on the street where their existing business office is - those homes are low value and their demolition would be much less impactful.

Thank you,
David Buxbaum

Typos by iPhone

Subject: Aldersly project

Date: Thursday, September 22, 2022 at 3:02:01 PM Pacific Daylight Time

From: Debra Campusano

To: jayni@allsep-planning.com

I have worked at Aldersly in the past and I also had a tour of the facility to consider my parents living there. I determined that the small apartments on the steep hill and narrow walkways was not safe for my parents to live in. Also the shower of the cottage I visited was dark/not lighted and that's dangerous for a senior especially. I support remodeling this facility to be safe and modernized, the small apartment/cottages on the Hill especially are totally not safe for seniors. The assisted living large building at the right of the property is much more safe. Also seniors could be more social in one larger building and not isolated in a small apartment. Sometimes you cannot preserve an ancient way of building if it's not practical. Thank you,
Deborah Camp

Sent from my iPhone

ALDERSLEY

LETTER I-8

Lise <lise124@gmail.com>

Thu 9/22/2022 11:51 AM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>

PLEASE, please consider allowing the delightful Aldersley architecture and gardens to remain as they are. It would be such a shame to lose that sweetness for our elder enjoyment.

Sincerely,
Prudence Lise Miller
Peacock Gap Condo Owner

Aldersly Project

Suzie Dods <suziedods@hotmail.com>

Fri 9/23/2022 8:29 AM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>

Removing 6(!) of 9 historic buildings is an atrocious move and detrimental to the feel and scope of the neighborhood. In addition 'no feasible mitigation that would reduce impacts to the eligible historic district to less than significant."

However, it is the significant historic and cultural impacts of the project that - per the EIR - CANNOT be mitigated. As noted in Section 3.2 of the EIR ("Cultural and Tribal Cultural Resources"):

I also HIGHLY DOUBT that the traffic can be mitigated. Ever since the SMART train ,traffic is horrendous and more construction can only make it worse.

Aldersly is an integral part of Marin and specifically San Rafael history.

A TEN YEAR project resulting in EIGHT new parking spaces and 14 units is NOT effective use of time.

This is NOT a project to get behind.

Suzie Dods 415-531-3374

www.suziedodsswimcoaching.com

**** Aldersly ****

martha <marthaobrien@yahoo.com>

Fri 9/23/2022 5:39 PM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>; Planning Public Comment
<PlanningPublicComment@cityofsanrafael.org>

Please, oh please, do not change Aldersly retirement residence. I've lived here 60 years and I appreciate and want to continue seeing that home. I do not wish to see another LA building in my hometown.

Thank you.

Sincerely,
Martha J OBrien

Subject: DEIR Public Comment /Aldersly Project /326 & 308 Mission -- supplemental
Date: Sunday, September 25, 2022 at 1:22:51 PM Pacific Daylight Time
From: Tymber Cavasian
To: planningpubliccomment@cityofsanrafael.org
CC: Leslie Mendez, jayni@allsep-planning.com

Sending again..... if it helps anyone else, Jayni's San Rafael email she asked me to use returned as undeliverable. **Delivery has failed to these recipients or groups:** jayni.allsep@cityofsanrafael.com (jayni.allsep@cityofsanrafael.com)
So **resending using the emails I used before** – thank you for including my additional comments for DEIR/Aldersly project. Tymber

From: Tymber Cavasian <tymber@cavasian.com>
Sent: Saturday, September 24, 2022 11:28 AM
To: jayni.allsep@cityofsanrafael.com
Subject: DEIR Public Comment /Aldersly Project /326 & 308 Mission -- supplemental

For Public Comment

RE: DEIR Aldersly Project / 326 and 308 Mission Avenue – additional Comment

Dear Planning Commissioners:

After attending the Planning Commission meeting on September 13th and hearing both members of the Community and Commissioners state concern for the loss of irreplaceable architectural assets by moving forward with the Plan as proposed, I want to express agreement with that concern.

The response given to the Commissioner's question about "how the neighbors feel about the project?" didn't portray the whole picture. Yes, the "community" is concerned with construction, definitely-- but not exclusively. Speaking for myself, I felt like the project was a given as it moved into Notice of Preparation stage and therefore my focus had to be on ways to best mitigate for the inevitable. Hence, my comments submitted *prior* to the September 13th Planning Commission meeting addressed those DEIR items as the project is *currently proposed*. Those comments and concerns hold if the Applicant DOES proceed with their desired plan: Construction access for Phase 3 needs to remain limited to Mission Avenue ONLY --as it is now shown-- and Phase 2 must be staged in such a way as to minimize disruption and road closures on Belle.

However, in addition to those preliminary comments, the discussion and look at Alternatives to the proposed project causes more reflection. Looking back to when we first looked at the project during the Design Review Board (DRB) process, my *initial* comments DID state scale, mass and appropriateness of the project as definite concerns. From my letter on December 7th, " This is an enormous project for a developed residential neighborhood with full bustling streets, an established thoroughway, and presumably continued operations for the Aldersly Community itself. Aldersly wants to max out the income potential of their property with a wall-to-wall build-out that will negatively impact everyone else in the community..." Perhaps, now is the time to revisit?

One of the alternatives in the DEIR does seem to at least mitigate loss of all the buildings that promote that peaceful character and ambience of the site and still potentially gives the Applicant most of the unit-count they seek for financial feasibility although some other caveats (I think parking was discussed) would need further finessing.

What is clear from the DEIR is that what exists there today **does** contribute to the greater community and the

residents of Aldersly too. I learned during the meeting on September 13th that it is even more valuable as one of the few remaining examples of its kind. It is also clear that it would be a permanent loss to demolish all of the main contributing buildings. I support an alternative that preserves as much of that significant architecture and flavor as possible.

Sincerely,

Tymber Cavasian

(Owner 420/418 Belle Avenue)

Proposed Aldersly New construction and demolition of historic buildings

Tricia Hall <triciagoose@yahoo.com>

Sat 9/24/2022 12:46 PM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>

Cc: Planning Public Comment <planningpubliccomment@cityofsanrafael.org>

I am sincerely concerned about the proposed construction of new buildings the San Rafael Aldersly complex which necessitate the destruction of a number of historic buildings on that campus. (I realize they do not currently have the legal definition of historic, nonetheless they seem to qualify.) **I-12-1**
Although I recognize we need additional housing options for seniors as well as many people in Marin, I do not think destruction of this current residence is appropriate as an option. I sincerely request that if you choose to support this project that it be mandated to be constructed on another site resulting **I-12-2**
in maintaining the current structures. Thank you for your consideration, sincerely, Tricia Hall

Sent from my iPhone

Aldersley

Kathleen Soden <ksoden@icloud.com>

Sat 9/24/2022 11:44 AM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>

No no no

I-13-1

Sent from my iPhone

Please preserve Aldersly

Robert So <sokinglui_79@comcast.net>

Sat 9/24/2022 11:13 AM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>

Dear Jayne,

As I have read in next door, neighbors are appreciating the historic site of Aldersly as a reminiscence of part of San Rafael's past. As city of San Rafael decides to reinstate part of Aldersly as residential area, newer generations will forget part of San Rafael's history. Aldersly should be a landmark to remind newer generations what part of San Rafael used to be. Otherwise, all will be forgotten but a **I-14-1** digital image as a figment of imagination what San Rafael looked like. As San Rafael purposes of restating the view of the city, the history of it will be long gone but only can be only a virtual memory. Please preserve Aldersly as a historic site.

Thank you,

Robert So

robertkso@gmail.com

Subject: In Favor of Aldersly Project

Date: Sunday, September 25, 2022 at 11:08:42 AM Pacific Daylight Time

From: Chris Welch

To: jayni@allsep-planning.com

Hello,

I'm writing to confirm that I'm in favor the Aldersly project going forward as designed.

I-15-1

There's a post on Nextdoor alerting all of San Rafael to register their disfavor with the project.

So I'm assuming you'll see a lot emails from those opposing the project.

Please ignore those.

A desperate need for housing combined with an aging population should make this project a no brainer.

Thank you,

Chris Welch

jayni@allsep-planning.com

To Jayni Allsep:

September 28, 2022

I am a resident of the Independent Living section of Aldersly retirement community. I chose to live the rest of my life at Aldersly. I have a contract with Aldersly that states Aldersly will care for me for the rest of my life and I placed a down payment to secure my deluxe studio apartment so I will be cared for by Aldersly. I have a view of Mt. Tamalpais from the window facing the mountain. I chose to live at Aldersly because of the quietness, peace, and serenity I feel as I walk the paths along side the flowers and mostly garden style apartment buildings on the property. I-16-1

I have learned the proposed construction of a new building at 326 Mission Avenue will involve the demolition of existing buildings at 308 Mission Avenue and 326 Mission Avenue. The proposed construction will also involve the destruction of the rose garden which contributes to beauty of the gardens. The most disturbing factor of the proposed construction is the fact I and the rest of the residents of Aldersly would be subjected to both noise and dust over a period of approximately 18 months during the different phases of construction and destruction. The construction and demolition plans take into account the dust and noise that will be unavoidable by trying to minimize the dust and noise. It is inevitable the dust and noise will be detrimental to the health and welfare of all the residents and staff at Aldersly. We, who are residents of Aldersly, are elderly and our bodies and minds are not capable of adjusting to high dust and noise levels over a long period. The sleeping patterns of the residents in independent living will be compromised due to dust and noise during the daytime as we often take naps during the daytime. The health and welfare of those who live and work at Aldersly would be compromised if the construction and demolition of new buildings were permitted and allowed to proceed as planned. I-16-2

The construction permit must not be granted because there is no method to alleviate all dust and noise over a long period during construction and destruction of the buildings at Aldersly without placing the health and welfare of the residents and staff at risk.

I am a resident of Aldersly and I do not approve of Aldersly proceeding with this proposed demolition and construction because my health and welfare would be compromised.

Aldersly is a not-for-profit Life Plan Community like no other. This is an ideal location in a quiet, residential neighborhood, combines the beauty of Marin County with easy access to all of the cultural and entertainment opportunities in the San Francisco Bay Area. Originally established by Danish immigrants in 1921 as a non-profit retirement community, the modern version of Aldersly still adheres to the way of life our founders called “hygge”—a feeling of comfort, positivity, and well-being. No wonder it’s so easy to call Aldersly “home.” I-16-3

Aldersly is planning the new construction in order to create a profit by adding 35 additional apartments and charging entrance fees in addition to monthly rent to those who want a contract with Aldersly whereby Aldersly will care for the resident until the resident dies, even if the resident runs out of money. This proposed new construction and demolition does not appear to be a not-for-profit Life Plan Community. This is a profit motivated plan to provide additional income completely financed by those who would become new Independent Living Residents of Aldersly. I-16-4

Aldersly is my home until the day I die. I don’t wish to hasten my death by compromising my health and welfare. I don’t want the proposed demolition and construction to take away “Hygge”, my feeling of comfort, positivity, and well being. Aldersly is the “Garden of Eden”. I-16-5

Peter Marks
pmarks@juno.com
415-419-6384 (Cell only)

ALDERSLEY PROJECT

Suzanne Ord <sioux40@sbcglobal.net>

Wed 9/28/2022 10:57 AM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>

As a native resident of San Rafael for the past 75 years, I would like to voice my objection to the proposed plan to reconstruct Aldersley. It is a wonderful place as is and I have know several friends who have enjoyed their living space and grounds exactly as they are. Modernization is not the answer to fixing a problem that doesn't exist. Clearly, it is a corporate, money making proposal without consideration for preserving a landmark that has served it residents so well for so many years.

I-17-1**I-17-2**

Suzanne Ord
20 Greenfield Avenue
San Rafael, CA 94901
415 457-5775

Aldersly Housing Community Development EIR

Paula Doubleday <paula.double@gmail.com>

Thu 9/29/2022 8:21 PM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>; Planning Public Comment <PlanningPublicComment@cityofsanrafael.org>

I have read the draft EIR Report about the Aldersly Retirement Community development proposals.

First, I want to say that I am very much a supporter of increasing housing in San Rafael. But I am also a believer in the importance of local history and our collective sense of community. I have friends with family at Aldersley and their comments about the changes under the new owners are concerning in terms of their respect for the maintenance of original design. There is much to appreciate here in terms of history, landscape, design and the overall value to the residents and nearby neighbors. We should work to hold that close and not give in to those wanting to make a profit. **I-18-1**

I ask you to not allow this proposal to proceed. I vote for No Project because I don't believe the environmental impacts and disruption of the community are worth it along with the trauma to those elderly members who live there. 10 years for 14 units? As you've pointed out in the draft report, Alternate 3 feels narrowly viable with only the loss of two buildings. It is an alternative but still damaging in my opinion. But I wonder how long before the corporate people return for more changes? When I look at the Table 3-1 of Contributing Features to the Eligible Aldersly Historic District and see the Corporate owners plan to demolish most of them, I find the entire project of concern. Clearly, the historic value of the community is not of importance to them. **I-18-2**
I-18-3

I don't know the process to apply for historic status but I hope San Rafael would facilitate this and retain this location as a place of value to our community, just as Boyd House and Falkirk are now. **I-18-4**

Please turn down the project.

Paula Doubleday
246 Linden Ln
San Rafael CA 94901
415640-5301

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Preserve Aldersley

Barbara Henricks <barbara@dentistsf.com>

Thu 9/29/2022 4:53 PM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>

As a resident of the area I hope you will consider preserving the existing buildings which have so much character and style. It is an enhancement to the entire area and contributes a lovely ambiance for all to enjoy. The uniqueness of the property adds to the special qualities that we are losing in San Rafael. Preserve history! **I-19-1**

Thank you,

Barbara Henricks

Convent Court

San Rafael

Sent from my iPhone

Aldersly Design

DONALD SHEPHERD <sheptoll@comcast.net>

Thu 9/29/2022 6:24 PM

To: JAYNI ALLSEP <jayni@allsep-planning.com>

Cc: Kevin Shepherd <shepshep21@yahoo.com>; Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>

Jayni Allsep,

I am the owner of 109 Union Street. The Aldersly apartments look directly over my **I-20-1** house and backyard. I was appalled how high

and close to my property the units were when the project was completed in 2002. I was a member of the Happy Valley

Committee. We were given written plans of the project and one could never see the massive size of the building.

I was never aware of the balconies looking over our property, taking away our privacy. The plans called for the planting of

pine and other trees to give us privacy, but the trees were never planted. The trees would have given us some privacy.

I strongly suggest story polls be put in place, so we can see where the new **I-20-2** buildings are and they are not hindering the

afternoon sun on Union and Mission streets. I would hope the buildings are far **I-20-3** enough away they do not infringe on our privacy.

My other concern is the ground water coming from the concrete garage and **I-20-4** driveway at Aldersly. I contacted the Director

JoAnne Maxwell many times about this problem and never received a response. I have spent around ten thousand dollars

installing sump pumps and placing drainage pipe around the house. I would like to see Aldersly help with the water problem at 109 Union Street.

I would hope Aldersly would be more transparent this time around. **I-20-5**

Sincerely, Don

Shepherd

I have lived in San Rafael for 55 years. I oppose the tearing down of beautiful historic buildings such as Aldersley. It is refreshing to drive by and enjoy the lush beauty of the grounds. The new buildings for multiple tenants are UGLY! We did choose to live in a sterile barren environment that San Rafael is becoming. Do not support the planned renovation of Aldersley! Thank you.

I-21-1

Aldersly

Laurie Finkelstein <laurie@lauriebethart.com>

Fri 9/30/2022 11:01 PM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>; Planning Public Comment
<PlanningPublicComment@cityofsanrafael.org>

You have a significant ability to preserve a truly historic property to its fullest and allow for Aldersly to apply for historic preservation. The importance of preserving remarkable architecture, craftsmanship, and landscape design cannot be understated. Your responsibility as city overseers includes **I-22-1** protecting that which makes the city unique. Destroying (six buildings is substantial) such an important part of San Rafael will serve no-one in the end - 14 residences??? laughable - so little at a tremendous cost - financially and culturally. Please agree to protect this property as is.

Respectfully,

Laurie Finkelstein
75 Dunfries, San Rafael 94901
laurie@lauriebethart.com

Aldersly

David Hyer <david.a.hyer@gmail.com>

Sat 10/1/2022 10:28 AM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>; Planning Public Comment
<PlanningPublicComment@cityofsanrafael.org>

OMG!! Do not destroy this!! Must be a pork project for construction friends of somebody. **I-23-1**

FW: Aldersly

Planning Public Comment <PlanningPublicComment@cityofsanrafael.org>

Thu 10/6/2022 10:23 AM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>; JAYNI ALLSEP <jayni@allsep-planning.com>

-----Original Message-----

From: fh@halperinandchrist.com <fh@halperinandchrist.com>

Sent: Friday, September 23, 2022 8:32 PM

To: Planning Public Comment <planningpubliccomment@cityofsanrafael.org>

Subject: Aldersly

Hello,

My name is Fran Halperin and I have been a resident of San Rafael for just about 40 years. I am also an architect with a practice in San Rafael.

This town has a few wonderful architectural features but not that many and it would be sad to me to lose the few we have. I like the alternatives proposed in the EIR report that would maintain the historically significant buildings at Aldersly. I was very sad when the old motel at Lincoln and Mission was torn down as well as the sweet little cottages at the San Rafael northbound entrance to 101. I understand the need to modernize and to expand but I would hope that in the process we could maintain some of the charm that makes San Rafael such a special place to live and to visit.

I-24-1

I-24-2

I-24-3

Thank you,

Fran Halperin

Sent from my iPad

FW: Aldersley redevelopment plans

Planning Public Comment <PlanningPublicComment@cityofsanrafael.org>

Thu 10/6/2022 10:25 AM

To: Jayni Allsep <Jayni.Allsep@cityofsanrafael.org>; JAYNI ALLSEP <jayni@allsep-planning.com>

-----Original Message-----

From: Carolyn Fisher <carolog17@yahoo.com>

Sent: Friday, September 30, 2022 4:04 PM

To: Planning Public Comment <PlanningPublicComment@cityofsanrafael.org>

Subject: Aldersley redevelopment plans

We must respect the old beautiful parts of town! This property is a treasure. I have lived in San Rafael for 55+ years and enjoy this peaceful restful place in the otherwise barren faceless buildings being crammed in our town! It is well kept and not. Rundown as several 'newer' buildings are. There are other vacant spaces in San Rafael in which 'affordable' housing can be built to accommodate families. Please vote NO on this proposal. **I-25-1**

Thank you,

Carolyn Fisher

COMMENTS RECEIVED AT SEPTEMBER 13, 2022 PLANNING COMMISSION MEETING

Response to Comments from Gilda Selchau (In-Person) (Comment PH-1)

- PH-1-1 The commenter stated that she is a second-generation American; her grandparents were Danish. She attended the preliminary design review meetings (via Zoom) and has a great love of Aldersly; her mother spent her last seven years there. She commented that it's a wonderful place for people to spend their last years. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- PH-1-2 The commenter expressed concern regarding noise, disruption and displacement of current and new residents. As a licensed Residential Care Facility for the Elderly, Aldersly is required to obtain approval from the California Department of Social Services (CDSS) for major modifications to its facilities. Issues related to the health and safety of existing Aldersly residents during project construction would be addressed as part of CDSS review of Aldersly's plan for major modification to its facilities. In addition, conditions of approval require that construction noise be minimized by implementing various noise attenuation methods as outlined in Mitigation Measure NOI-1.
- PH-1-3 The commenter questioned how the impacts can be mitigated to make them insignificant and stated that she needed to read the EIR to answer that question. All mitigation measures identified in the Final EIR are included in the Mitigation Monitoring and Reporting Program (MMRP) and have been included in conditions of project approval.
- PH-1-4 The commenter asked the Planning Commission to take into consideration in their decisions what will allow Aldersly to continue the "hygge" for people to spend their older years, and how special Aldersly is. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- PH-1-5 The commenter stated that Aldersly does have historical significance and that her Danish grandparents helped in creating Aldersly. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
-

Response to Comments from CC Raeside (Via Zoom) (Commenter PH-2)

- PH-2-1 The commenter stated that she appreciates that Aldersly is providing facilities for the elders and that she is directly affected by the proposed project; they are located at the intersection of Belle and Ridge Avenues. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- PH-2-2 The commenter’s primary concern is parking. It is already a huge issue, especially Aldersly staff park on the street. Increasing the parking by 8 spaces and increasing Independent Living units by 14 units; plus increase in staff is a concern. Independent Living residents will have their own cars, and visitors. The commenter stated that staff is parking on Belle and turning around in her driveway and that parking is a major issue and she is concerned that Aldersly is not providing a sufficient amount for Aldersly staff. As noted in the Draft EIR, in 2010 “parking availability” was eliminated from the CEQA Guidelines Appendix G checklist by the Governor’s Office of Planning and Research, which is the entity charged with drafting guidelines to help agencies implement CEQA. Accordingly, the adequacy of parking as it relates to the proposed project is not discussed in the environmental document but will be considered when conformance with general plan policies are addressed as part of the project merits.

Response to Comments from Laura Thiel (Via Zoom) (Commenter PH-3)

- PH-3-1 The commenter stated that she lives at 304 Mission Ave, next to the house at 308 Mission that is going to be demolished. Commenter stated that because of COVID she is now working at home and the house to be demolished is less than 10 feet from her home office. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- PH-3-2 The commenter stated that in her backyard there will be a big building overlooking her patio. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.
- PH-3-3 The commenter stated that the construction noise will be intense and it will be intense not to have a house next to her. Construction noise is addressed in Appendix B of the Draft EIR and implementation of Mitigation Measure NOI-1 would reduce construction noise impacts to less than significant.
- PH-3-4 The commenter stated that Aldersly will be installing a fence and berm of greenspace which will be great, and that she just got the plans today but hasn’t had a chance to look at them. The comment does not state a specific concern or question
-

regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

PH-3-5 The commenter stated that 20 years ago the Memory Center (Rosenborg) was constructed above her backyard and now people can look into her backyard, and now there will be another building in her backyard. When she sits on her patio, instead of looking at sky she'll be looking at a building. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

PH-3-6 The commenter stated that it is a distressing experience; she has spent money on her house, and she has a great garden. The commenter also noted that Aldersly did give her a land use agreement to extend her backyard by 13 feet back in 2002. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

PH-3-7 The commenter stated that construction noise is definitely an issue to live through. The comment is acknowledged. As noted above, construction noise is addressed in Appendix B of the Draft EIR and implementation of Mitigation Measure NOI-1 would reduce construction noise impacts to less than significant.

Response to Comments from Chris Yatrakis (Via Zoom) (Commenter PH-4)

PH-4-1 The commenter stated that he is a 12-year homeowner and resident and of 117 Union Street and that his property adjoins Aldersly along the Rosenberg building. The commenter state that he has been a member of the Montecito Area Residents Association (MARA) Board for 5 years. Comment noted.

PH-4-2 The commenter stated overall support for Aldersly and that he supports the proposed construction. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

PH-4-3 The commenter stated that nobody likes construction noise, and in his backyard is the Rosenberg building, and that is the reality. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

PH-4-4 The commenter stated that we all want Aldersly strong and financially viable and healthy and a nice place for people to live, and that the construction is going to impact the residents of Aldersly probably more than it will affect him, and that it will be difficult for everyone. The comment is acknowledged for the record and

will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

PH-4-5

The commenter directed the following question at a City-wide level: As San Rafael moves from more suburban to urban, what is the City doing from a standards perspective regarding building height and mass? The commenter stated that the building height and mass of new construction will carry the same roofline as Rosenberg (3 stories) and will continue out toward the street (Mission) and that he will no longer be able to see Mt. Tam. The new Independent Living building will be a big building and there will be more big buildings going up (Third and Grand). From a MARA perspective – want to see a consistent treatment at the City level. Today in my backyard... tomorrow it will be somebody else's backyard. What is the City doing from a zoning and communications perspective as it relates to new building height and mass? The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

PH-4-6

The commenter noted that one of the neighbors requested that Aldersly put up story poles – a visual way to suggest the size and mass of the construction. They not required to do that by current zoning requirements the City has in place. There are more big buildings coming – Third & Grand is pretty big. The commenter stated that we need a way to communicate to residents about the size of these new structures that are coming in so that people can understand. The way it is done today is that all the planning is on paper and there is no way to understand how the paper translates to the physical location. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR

Response to Comments from Commissioner Shalk (Commenter PC-1)

PC-1-1

The commenter noted that after hearing the public comments, she has an additional concern related to parking. Will there be ample parking for the residents and staff?

As noted in the Draft EIR, in 2010 “parking availability” was eliminated from the CEQA Guidelines Appendix G checklist by the Governor’s Office of Planning and Research, which is the entity charged with drafting guidelines to help agencies implement CEQA. Accordingly, the adequacy of parking as it relates to the proposed project is not discussed in the environmental document but will be considered when conformance with general plan policies are addressed as part of the project merits.

Response to Comments from Vice-Chair Saude (Commenter PC-2)

PC-2-1 The commenter noted that after reading the Draft EIR and hearing the presentation tonight, it further reinforced concerns about the cultural resource that Aldersly is. The original buildings are not there any longer, but when the buildings were designed and built by Rex Whittaker Allen – it represents one of the few Second Bay Tradition buildings remaining. Most of these resources are not residential, so having a site intact along with the landscaping is what brings character and a sense of place for Aldersly.

As noted above, a mitigation measure has been included in the Final EIR (Mitigation Measure CUL-1) that would require the project sponsor to undertake measures to document and provide interpretation, commemoration, and salvage of the historic resources prior to any demolition. This would reduce the impact on historic resources, but not to a less-than-significant level. Therefore, the impact would remain significant and unavoidable as reported in the Draft EIR.

PC-2-2 The commenter stated that she double checked the numbers and with Alternative 3 the number of units stay the same, although the parking is problematic. Parking is an issue with all projects so she is hoping that we can further study how that is addressed. As noted above, and in the Draft EIR, in 2010 “parking availability” was eliminated from the CEQA Guidelines Appendix G checklist by the Governor’s Office of Planning and Research, which is the entity charged with drafting guidelines to help agencies implement CEQA. Accordingly, the adequacy of parking as it relates to the proposed project is not discussed in the environmental document but will be considered when conformance with general plan policies are addressed as part of the project merits.

PC-2-3 The commenter stated that she is usually really in favor of making sure that the owner has economic viability, so she really struggling with her stance on this project. This site in particular contributes to the richness of the fabric of the area as well as San Rafael, and it would be a detriment culturally on that one resource. The other impacts can be addressed with mitigation measures, but that would be impactful, especially because the new design doesn’t address any of the existing vernacular, nor does it try to maintain the richness of design and detailing that the original structures had. The commenter stated that she would like to have a project that works for Aldersly and the City. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

PC-2-4 The commenter stated that she has two small kids and would love for them to walk around and see the City through time not that we are a time capsule. This one site in particular has special meaning. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

Response to Comments from Chair Previtali (Commenter PC-3)

PC-3-1 The commenter stated that he agrees with prior comments and thinks the buildings should be preserved. The commenter stated that he visited the site and drove around the block and through the horseshoe driveway at Aldersly and those are truly beautiful buildings, and they have a special character that in his opinion is consistent with the Marin County Civic Center designed by Frank Lloyd Wright and the Eichlers, and it would be a shame to have those buildings torn down. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR. As noted above, a mitigation measure has been included in the Final EIR (Mitigation Measure CUL-1) that would require the project sponsor to undertake measures to document and provide interpretation, commemoration, and salvage of the historic resources prior to any demolition. This would reduce the impact on historic resources, but not to a less-than-significant level. Therefore, the impact would remain significant and unavoidable as reported in the Draft EIR.

PC-3-2 The commenter stated that the existing Rosenberg building is very large compared to other structures and that he is very surprised that building was approved in 2002. The commenter stated that he agrees with speaker from the public on how we are addressing height and mass. The commenter stated that Rosenberg was “a miss” and too large for the neighborhood. Height and mass is a very important consideration. We don’t want to block people’s ability to experience ample space -- sky space adjacent to their homes -- and change the character of the neighborhood by allowing buildings that are much larger. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue that would require a response under CEQA. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the Project and EIR.

CHAPTER 4

EIR Text Revisions

The following changes to the text of the Draft Environmental Impact Report (EIR) are made as a staff-initiated text change, in response to comments on the Draft EIR, or are included to clarify the Draft EIR text. For each change, new language is underlined, while deleted text is shown in ~~strikethrough~~.

No impacts have been revised or changed since the publication of the Draft EIR. However, mitigation measures recommended by the California Department of Fish & Wildlife (Mitigation Measures BIO-2 and BIO-3) have been included in the Final EIR and MMRP.

4.1 Biological Resources

Appendix B of EIR, Page B-17: has been revised in response to Comment A-1-2 to include the following mitigation measures related to potential bat habitat within the Project area:

Mitigation Measure BIO-2 (Roosting Bat Habitat Assessment and Surveys): Prior to any tree removal, a qualified biologist shall conduct a habitat assessment for bats. A qualified bat biologist shall have: 1) at least two years of experience conducting bat surveys that resulted in detections for relevant species, such as pallid bat, with verified project names, dates, and references, and 2) experience with relevant equipment used to conduct bat surveys. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark, suitable canopy for foliage roosting species). If suitable habitat trees are found, or bats are observed, mitigation measure BIO-3 shall be implemented.

Mitigation Measure BIO-3 (Roosting Bat Tree Protections): If the qualified biologist identifies potential bat habitat trees, then tree trimming and tree removal shall not proceed unless the following occurs: 1) a qualified biologist conducts night emergence surveys or completes visual examination of roost features that establishes absence of roosting bats, or 2) tree trimming and tree removal occurs only during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, and tree removal occurs using the two-step removal process. Two-step tree removal shall be conducted over two consecutive days. The first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only; limbs with cavities, crevices or deep bark fissures shall be avoided. The second day the entire tree shall be removed.

4.2 Cultural (Historic) Resources

Chapter 3 of Draft EIR, has been revised to include the following text changes:

Page 3-26, last paragraph:

The Proposed Project would demolish six contributing buildings, and partially demolish one contributing building, ~~and alter an additional contributing building~~, leaving only ~~one~~ two of the nine contributing buildings intact. The construction of the 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 in some way, either through relocation, removal, or alteration. Table 3-2 below provides a listing of proposed alterations to contributing historical resources of the eligible historic district.

Page 3-27, Table 3-2 is revised as follows to reflect that Christianborg will be retained and unaltered:

Building or Feature	Type	Proposed Alteration
Building A – Amalienborg	Building	Demolish
Building B – Christiansborg	Building	<u>Retain</u> Alter (erect addition)
Building C – Sorgenfri	Building	Demolish
Building D – Fredensborg	Building	Retain
Building E – Frederiksborg	Building	Alter (partially demolish)
Building F – Marselisborg	Building	Demolish
Building G – Liselund	Building	Demolish
Building H – Graasten	Building	Demolish
Building J – Minor Building	Building	Demolish
Entry gate and inscriptions	Landscape Feature	Alter ⁸
Main entrance (at front lawn of Frederiksborg) with milemarker and lanterns	Landscape Feature	Demolish (salvage and relocate milemarker and lanterns)
Circular driveway	Landscape Feature	Alter (rearrange)
Central lawn and views	Landscape Feature	Alter
Main stair	Landscape Feature	Alter (new stairs added)
Flagpole	Landscape Feature	Alter (relocate)
Rose Garden with fountain	Landscape Feature	Demolish (relocate rose bushes)
Paved circulation paths with metal handrail	Landscape Feature	Remove
Mature Trees at Campus Perimeter	Landscape Feature	Alter (many trees to be removed along interior of Mission Avenue wall)

Note: Buildings and features to be entirely demolished or removed are shaded gray.

Page 3-27, last two paragraphs:

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. Additionally, while the Project proposes to relocate some character-defining features and contributing elements of the landscape, preserving some aspects of the existing landscape features and design would not substantially lessen the Project's impact on the historic district. While no mitigation measures can avoid the impact caused by demolition, Mitigation Measure CUL-1 identified below would require the documentation of these resources as well as a permanent display (or multiple displays) that provide interpretation and commemoration of these resources. Implementation of this mitigation measure would lessen the impact associated with the proposed project; however, it would not reduce the impact to a less-than- significant level and the impact would remain significant and unavoidable.

~~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.~~

Page 3-28, Mitigation Measure CUL-1 is added:

Mitigation Measure CUL-1: Interpretation and Commemoration of Historic Resources. Prior to issuance of demolition permit(s), the project sponsor shall undertake the following measures to document and provide interpretation, commemoration, and salvage of the historic resources to be demolished, as outlined below:

CUL-1a: Documentation. Prior to issuance of demolition permits, the project sponsor shall undertake Historic American Building Survey (HABS)/Historic American Landscape Survey (HALS)-style documentation of the property. The documentation shall be funded by the project sponsor and undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate) set forth in the Secretary of the Interior's Professional Qualification Standards (Code of Federal Regulations title 36, part 61). The documentation package created shall consist of the items listed below:

- CUL-1a-1: HABS-style Photographs
- CUL-1a-2: HABS/HALS-style Historical Report
- CUL-1a-3: HALS-style Site Plan
- CUL-1a-4: Video Documentation

The documentation materials shall be offered to state, regional, and local repositories, including but not limited to, the Northwest Information Center (NWIC)-California Historical Resource Information System, San Rafael Public Library, the Marin County Free Library's Anne T. Kent California Room, and the Marin History Museum. Materials will either be provided in digital or hard copy formats depending on the capacity and preference of the repository.

CUL-1a-1: HABS-style Photographs

Digital photographs will be taken of the contributing buildings and landscape elements and the overall character and setting of the historic resource. All digital photography shall be conducted according to current National Park Service standards as specified in the National Register Photo Policy Factsheet (updated May 2013). The photography shall be undertaken by a qualified professional with demonstrated experience in documentation photography. Large format negatives are not required. The scope of the digital photographs shall be reviewed and approved by the Planning Division's staff for concurrence.

Photograph views for the data set shall include contextual views of the site and each contributing landscape element and building; elevations of each façade of each building; and detail views of character-defining features. All photographs shall be referenced on a photographic key map or site plan. The photographic key shall show the photograph number with an arrow to indicate the direction of the view.

CUL-1a-2: HABS/HALS-style Historical Report

A written historical narrative and report will be produced that meets the HABS/HALS Historical Report Guidelines. This HABS/HALS-style Historical Report may be based on the documentation provided in the 2017 Historic Resource Evaluation for the site and will include historic photographs and drawings, if available. The written history shall follow the standard outline format that begins with a statement of significance for the historic district, describes the architectural and historical context of the district, and includes descriptions of each contributing building and landscape feature.

CUL-1a-3: HALS-style Site Plan

A HALS-style site plan shall be prepared that depicts the existing sizes, scale, dimensions, and relative locations of the contributing landscape elements and buildings related to the historic resource. Particular attention will be paid to the arrangement and plantings of landscape features that are contributing resources to the historic resource. Documentation of all plantings is not required, but depiction of the locations and types of mature trees, and designed hardscape and landscape features shall be included.

CUL-1a-4: Video Recordation. Video recordation shall be undertaken prior to the issuance of demolition permits. The project sponsor shall undertake a video documenting the historic resource and its setting. The documentation shall be conducted by a professional videographer, preferably one with experience recording architectural resources. The documentation shall be narrated by a qualified professional who meets the Secretary of the Interior's Professional Qualification Standards for history, architectural history, or architecture (as appropriate). The documentation shall include as much information as possible—using visuals in combination with narration—about the materials, construction methods, current condition, historic use, historic context, and historic significance of the historic resource. The video documentation shall be reviewed and approved by the Planning Division's staff prior to issuance of demolition permits.

CUL-1b: Interpretation. The project sponsor shall provide a permanent display (or multiple displays) of interpretive materials concerning the history of Aldersly in the Northern California Danish-American community and the architectural features of the Aldersly Retirement Community campus as designed in the 1961-1968 master plan by master architect Rex Whitaker Allen. Interpretation of the site's history shall be supervised by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards. The high-quality interpretive display(s) shall be installed within the project site boundaries, made of durable, all-weather materials, and positioned to allow for high public

visibility and interactivity. In addition to narrative text, the interpretative display(s) may include, but are not limited to, a display of photographs, news articles, memorabilia, drawings, and/or video. A proposal describing the general parameters of the interpretive program shall be approved by the Planning Division's staff prior to issuance of building permits. The content, media, and other characteristics of the interpretive display shall be approved by the Planning Division's staff prior to issuance of a Temporary Certificate of Occupancy.

CUL-1c: Salvage. Prior to any demolition or construction activities that would remove character-defining features of a resource that is a contributor to the historic resource on the project site, the project sponsor shall consult with a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards as to whether any such features may be salvaged, in whole or in part, during demolition/alteration. The project sponsor shall submit a list of materials that will be salvaged and reused either on the site or within the interpretive program to the Planning Division for review prior to the beginning of demolition on the site. The project sponsor shall make a good faith effort to salvage materials of historical interest to be utilized as part of the interpretive program. No materials shall be salvaged or removed until HABS/HALS-style recordation and documentation are completed.

Page 3-28, Impact CUL-1, Significance with Mitigation:

Significance with Mitigation: Significant and Unavoidable. While the Project proposes to relocate some of the character-defining features and contributing elements of the landscape, and Mitigation Measure CUL-1 would lessen the impact associated with the proposed project; it would not reduce the impact to a less-than-significant level. ~~The eligible historic district would lose its historic integrity and ability to convey its significance. 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.~~

Page 3-31, Revised Mitigation Measure number (no other revisions):

Mitigation Measure CUL-~~1~~2: Conduct Cultural Resources and Tribal Cultural Resources Sensitivity and Awareness Training Program Prior to Ground-Disturbing Activities.

Page 3-31, Revised Mitigation Measure number (no other revisions):

Mitigation Measure CUL-~~4~~3: Protect Human Remains Identified During Construction
