

**Alan Rasooli**

My name is Alan Rasooli and I own Spotless Cleaners in San Anselmo. I wanted to express my support for the proposed apartment development at 1515 4th St in downtown San Rafael. This development will stimulate local businesses, offers housing for our workforce, and sponsors local artists in the civic lobby. It will be a great addition and I look forward to seeing the revitalization of the neighboring downtown Marin neighborhood.

Thank you,

Local Business Owner

## **Brad Sears**

On Tuesday, April 11<sup>th</sup>, the San Rafael Planning Commission will meet and likely approve the most consequential project in the last 50 years. Its presentation before our city's neutered Design Review Board, earlier this month, was met with shrugs and "The Devil made me do it" excuses for approving it. The proposed 7-story, 162-unit building that covers an entire city block at 1515 4th Street is nothing less than a monument to a hive-mind, municipal government cowardice and a lack of sensitivity that is staggering.

More incredibly, due to an avalanche of state housing laws, most prominently SB 35, a law that allows certain kinds of high-density housing projects to be exempt from environmental design review, if this project is approved by the Planning Commission, it will be built without ever coming before our locally elected officials on the City Council or our Mayor. In this case, control of design and entitlements is in the hands of a private, for-profit developer: Monahan - Pacific.

### **The San Rafael Downtown Precise Plan and "West End Bookending"**

The San Rafael Downtown Precise Plan is anything but precise. But in this instance, it is culpable because it invited this type of development by allowing the Planning Commission broad discretion (and insulating the council from getting their hands dirty). As such, the genesis of this project is based on the city's decision to provide "streamlining treatment" for parcels in the West End and specifically to encourage high-density development on the west side of town – "West End Bookending:" a plan that was concocted by appointees and consultants hired by the Mayor and city council members – many of whom got their start as volunteers in various boards and commissions.

In San Rafael, it appears that commissioners - many of whom are simply careerists building a resume - are vetted, ideologically. So, is it likely they will they vote to allow the worst project ever proposed in the history of San Rafael?

Absolutely.

Some say, we get the government we deserve but this monstrosity at the highest crest of 4th street is the legacy of City Hall's urbanist junta that will change everything. While you've been sleeping, what gets developed and where it gets developed no longer involves what you, the taxpayer, think about it. The city didn't even require the developer to consider any kind of community benefits or amenities like a parklet or community outdoor space.

The project was facilitated by Barry Miller, the General Plan Consulting Project Manager and now an employee of the City, during the cover of Covid, using questionable pre-Covid housing data and taking advantage of scant public participation at meetings. And Miller refused to tape or Zoom these meetings despite the technology's widespread adoption.

In answer to one of my questions he noted,

"At the corner of 4th and E, the highest top floor plate and eave (in other words, the ceiling of the top floor) would be 45 feet under the proposed code. Another 5 feet is allowed for a pitched roof, bringing the total to 50 feet for a building with a pitched roof. The maximum density bonus height is 20 feet, so those numbers would be 65 feet and 70 feet for a project awarded the full bonus. According to the

Municipal Code, mechanical equipment and other "rooftop appurtenances" are not included in the height limit but must be screened and may require an environmental and design review permit."

**A done deal?**

I contacted the developer's front person and was told in no uncertain terms there is nothing that can stop the project's approval. No more to see or say, period. Union construction lobbies, the California Association of Realtors, and Sustainable San Rafael and other self-interested "thought leaders" support it without question.

And this is only the beginning. So, say goodbye to your neighborhood's scale and character, your privacy, sunlight, peace and quiet, views, parking, and all the other reasons you chose to live in the West End.

We need to show up and stand up and make our voices heard. And we need an autopsy of the city government and a nonpartisan, rigorous analysis of how the fallacious growth projections that drive [the state housing needs mandates can be countered and debunked](#).

**Please attend the meeting at 7 pm April 11, wear black it's a "Wake for the West End." Meet at the corner of 4th and E Street at 6:30 pm.**

The hearing on the 11<sup>th</sup> is artfully scheduled during "ski week" for most Marin County schools.

**Brian Bettini**

Dear Jeff,

My name is Brian Bettini. My brothers and I have owned a small commercial building at 1017 E Street for a number of years. I am also a life long resident of San Rafael.

I received the recent mailer regarding the proposed building on the site of the old Westamerica Bank office and would like to express a few concerns:

- 1) an eight story building is out of character with other buildings in the area. It would, in my opinion, overpower the properties nearby.
- 2) the density of 162 residential units is too high. This would lead to congestion and crowding.
- 3) parking is a major concern. There should be at least two parking spaces for each residential unit. Otherwise, I can foresee a problem with the street parking of vehicles throughout the area, resulting in issues for merchants and office building owners such as myself.

Thank you very much for the opportunity to express my thoughts on this matter.

Hope you have a great Easter weekend.

Very truly,

Brian Bettini

## **Christa Gatewood**

Members of the Planning Commission,

I'm writing with concerns about 1515 Fourth street. I'm a 3rd generation San Rafael/Gerstle Park resident and my family has been involved with numerous San Rafael developments over the years, commercial as well as residential.

First, I'm not against creating more housing in our community and I think the concept of this building is great, retail on the bottom and housing on top. However, this building is too big for this location and I don't feel the community was fairly notified especially given this project's massive size. This end of town is a neighborhood and the building will largely affect people outside of the 300 foot notification zone. Given this lack of notification and the scheduling of the Planning Commission meeting during San Rafael City Schools Spring Break, it is very evident this project is not considering the community it will be affecting. This developer has its sites on the property on the corner of A & Third Street. This building is even too tall for that location, but at least it would be surrounded by structures larger than 2 stories. This will be one of the tallest building in San Rafael on top of one of the highest parts of town, surrounded by the shortest buildings. It just doesn't make sense. The developments at B and 2nd, G and 4th and the one behind Red Dragon Yoga did a great job at fitting into the neighborhoods surrounding them.

Another thing, the photos in the plans presented by the developer are skewed to make the building look smaller in comparison to the surroundings. A friend in the building industry measured the true size of this building in comparison to the high rise bank building on the plaza. The illustration is attached below. Story poles should be put up to truly see the size of this structure and how it will block views of Mt Tam from historic sites such as the library and possibly Falkirk. As well as show the kinds of shadows it will cast on the businesses across the street.

On another note, the traffic study was inadequate for this size of a project. Only studying 4th/Shaver and 4th/E Street doesn't address the impact these cars will have on the already congested intersections of Shaver at 2nd & 3<sup>rd</sup> as well as E Street at 2nd and 3rd. Shaver Street cannot handle more 2-way traffic between 4th and 2nd. Removing all parking is not the answer and is not fair the residents and businesses on that street. Also, where are people supposed to park for the new retail shops on the first floor of this new development? The traffic study was not well executed and needs to redone to included these areas.

Given the decrease of Marin's population (the largest depletion of any county in the Bay Area), the relocation of large corporations out of California, along with the layoffs from many of these corporations, you should reconsider the size of this project. I understand the demands put on San Rafael by the state and the 2040 plan, but that was put in place before this new economy was affected by COVID and the corporate exodus. This building at 1515 Fourth Street could truly be an asset to the community instead it will be a complete eye sore.

Please reconsider the size of the project.

Regards,

Christa Gatewood

## **Sonja Trauss, YIMBY Law**

Dear San Rafael Planning Commission,

YIMBY Law is a 501(c)3 non-profit corporation, whose mission is to increase the accessibility and affordability of housing in California. YIMBY Law sues municipalities when they fail to comply with state housing laws, including the Housing Accountability Act (HAA). As you know, the Planning Commission has an obligation to abide by all relevant state housing laws when evaluating the above captioned proposal, including the HAA. Should the City fail to follow the law, YIMBY Law will not hesitate to file suit to ensure that the law is enforced.

1515 Fourth Street is a new apartment building located in downtown San Rafael. The project site is on Fourth Street between Shaver and E Street at the gateway to the "West End Neighborhood." The mid-rise design includes 162 multifamily residential units, with a mix of 119 one bedroom and 43 two-bedroom units, including 13 Below Market Rate units. The building amenities include a pool area, gym, library, rec room, roof terrace with common room, courtyard, 8,800 sq ft. retail and 2,000 sq ft. gallery space. The design allows for 163 underground parking spaces and 205 spaces for bike parking.

California Government Code § 65589.5, the Housing Accountability Act, prohibits localities from denying housing development projects that are compliant with the locality's zoning ordinance or general plan at the time the application was deemed complete, unless the locality can make findings that the proposed housing development would be a threat to public health and safety. With the requested concessions and/or waivers available under State Density Bonus Law, this project is zoning and general plan compliant.

Since the above captioned proposal is zoning compliant and general plan compliant, your local agency must approve the application, or else make findings to the effect that the proposed project would have an adverse impact on public health and safety, as described above. Should the City fail to comply with the law, YIMBY Law will not hesitate to take legal action to ensure that the law is enforced.

I am signing this letter both in my capacity as the Executive Director of YIMBY Law, and as a resident of California who is affected by the shortage of housing in our state.

Sincerely,

Sonja Trauss

Executive Director

YIMBY Law

## **Susan Bradford**

To whom it may concern,

I will keep it short:

\*It is 5 stories too tall for the neighborhood... no more than 3 stories is appropriate. 8-7-6-5-4- stories is totally out of place for this neighborhood.

\*The rents will be too high and only 13 low-income units is ridiculously minuscule! "Affordable housing" rents are only affordable to people who make \$100,000/yr. We need low income housing and senior housing.

\* 164 units would probably mean about 300 cars would need to find a place to park in our neighborhood that already is without enough parking. Are you kidding?

\*The city needs to find out how many vacant rentals are currently in the town and also look at a multitude of vacant commercial buildings that could be easily turned into housing instead of all this new building...which is NOT SUSTAINABLE! I believe there isn't a housing shortage ...but instead there are way too high rents existing in all the currently available rentals.

\* I thought San Rafael was declaring itself a GREEN CITY... how is this building GREEN in any way or form?

\* All of the cities in Marin should organize and together go up against these out-of-control state mandates.

\* I and all of the residents here live in San Rafael because I/we didn't want to live in San Francisco amongst high-rises and concrete and streets that are shadowy wind tunnels. You are destroying our suburban town with this kind of out of control developing.

I am so opposed to this building and I feel this is a pay-to-play developer's heyday with the San Rafael City Council.

JUST NO to this behemoth.!

Susan Bradford

San Rafael resident since 1977