

**Philip Byer**

Dear City of San Rafael,

My name is Philip Byer and I am writing in support of the proposed apartment development at 1515 4<sup>th</sup> Street. I have been a resident of San Rafael for over 30 years, and am certain that this development will generate increased revenue for our local businesses and restaurants, improve the look and feel of our downtown area, and will be welcomed by all residents of San Rafael.

This project helps, encourages, and gives additional opportunity for families to live downtown. Many families need more affordable housing options, and this project aligns with our city's vision and goal to continually enhance our neighborhood whenever opportunities present themselves. I share that vision and goal!

I endorse this project, and feel that it is a clear win for everyone. This development should absolutely be approved.

Best regards,

Philip Byer

## David McSpadden

To the San Rafael Planning Commission and Mr Ballantine,

I am writing as I'm very concerned about the recent qualified approval of design for 1515 4th Street in downtown San Rafael. It is out of character with the neighborhood and violates the city's 2040 building plan.

Specifically, your approval of the 7 story height of the building leads to a flawed shift in the character of our central downtown and is completely inconsistent with San Rafael's General 2040 plan.

Before I go further, let me state that I support the General 2040 plan for more housing in San Rafael, that done judiciously development of housing along 4th Street could help strengthen it and lastly that 4th Street can be an effective location for higher density living.

But the proposal at 1515 is an elephant in a dog park. It is grotesquely out of scale to the buildings around it, will loom over the 1 and 2 story neighbors that surround it, and as it sits on a high point in the downtown area dramatically changes the character of this central corridor of our city.

How is this compatible with the city's 2040 vision?

**"It is tremendously important to San Rafael residents that growth is well managed and harmonious with community needs.** New development and other physical alterations **must respect the character and scale of the city.** Change and development should be accomplished in ways that enhance and blend with San Rafael's existing physical and social qualities. **Development should respect the physical fabric of the city,** while improving its *social* fabric through new housing and economic opportunities that reach all residents."

It is worth noting that in the General Plan all of the visuals from other neighborhoods demonstrating what mixed use housing could look like are 4 stories or less.

That the only ratified comment from the board on this proposal is "a different color and/or material for the...corner columns," is just sad if it weren't so potentially destructive.

If the Planning Board intends for our downtown to become a "dense urban zone", then work with the City Council to modify your vision and bring it back to our community. But until the city changes its vision, your duty is to think and act more judiciously and consistently with our community's goals.

As you know, these proposals will have a huge an enduring impact on our city. And the larger the proposal, the greater the impact.

"New development (must be) sensitive to the existing context and appropriate modifications in building massing." Those are *your* words, not mine.

And, more specifically:

H-2. Design That Fits into the Neighborhood Context.

... **Incorporate transitions in height and setbacks from adjacent properties to respect adjacent development character and privacy. Respect existing landforms and minimize effects on adjacent properties.**

We all know San Rafael needs to grow to meet the needs of our community. But, we don't need to ruin our character in the process. Please work within the height standards of your own plan and consider more aggressive use of set-backs (as your own guidelines dictate). The downtown calls for a 50' maximum height. That's likely 4 or 5-stories. I might argue it's more than that specific lot warrants, but it is nearly 30% shorter than the current proposal.

You have two other residential submissions that you're in the process of approving that also exceed the 50' height limit. We'd all be better off if you brought more scrutiny to your job and these went back for height reductions as well.

Sincerely,  
David McSpadden

## **David McSpadden**

City of San Rafael

Jeff Ballantine & City Clerk

Dear Planning Commission and City of San Rafael,

I have been a local homeowner in San Rafael's beautiful West End for the past 8 years. My family and I enjoy this neighborhood, especially the walkability and access to the Downtown core. Today, I am writing to you in support of the proposed apartment development at 1515 4<sup>th</sup> Street. I believe the development will benefit the City in a number of ways and will be a great addition to the neighborhood.

**Location:** The 4th Street location is perfect for new apartments due to the walkability and access to retail stores and restaurants. Residents will not need to drive a car to access these amenities. Also, due to the new "work from home" and "hybrid" work schedules, overall impact to vehicle traffic in the regions should be minimal.

**Economic Impact:** West End San Rafael needs an economic boost. This apartment development will facilitate that. With an improved critical mass of residents and shoppers, businesses will flourish, and crime and vagrancy should diminish or be reduced. The construction jobs associated with the project will also create for a positive economic impact for the region. These apartments will be well received with new renters due to the desirable location and walkability. Everyone benefits from these dynamics, and I welcome the concept of a vibrant West End neighborhood in the near future.

**Design:** The architectural design of the project has been well thought-out and is aesthetically pleasing to the eye. The Art Gallery is a great amenity on the ground floor for the public to enjoy and will really tie the project into the community. I understand the project is designed to have more parking spaces than required which will remove or eliminate any negative impact to the surrounding neighborhoods. I consider the design similar to the new development currently underway on 3<sup>rd</sup> street, and I also believe this is the highest and best use for this development site. We look forward to this addition to the Downtown core of San Rafael.

Let's all work to approve this project and stimulate the future of Downtown San Rafael!

**Thank you – Local Homeowner & Resident – Noah Reischmann**

**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



SCALED OUTLINE OF BANK BUILDING AT 4TH AND A STREET



TYPICAL BUILDING SIZE ON 4TH STREET

NORTH ELEVATION  
1/16" = 1'-0" @ 24036 1/32" = 1'-0" @ 11117

THIS WOULD BE THE NEW VIEW  
ALONG 4TH STREET

## **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

## **Bob Wallace**

Dear City of San Rafael:

My name is Bob Wallace and I have lived in San Rafael for over 30 years and have either owned or managed a business for over 35 years in San Rafael one half of a block from the proposed project. The West End has seen some development over these years, but not much. This project will definitely stimulate these businesses and bring much needed foot traffic to this area. It will also offer additional retail space and attract more shoppers to this area.

I have also known Tom Monahan for over 20 years as our daughters went to school together. I have seen all of his projects in Marin County. The City of San Rafael is not getting an unknown real estate developer from outside of the area, but rather someone who lives in Marin County and has done many quality projects over the years in this county. The City of San Rafael knows his work and this project will be another shining star that will help the local community and should be approved. Thank you.

Sincerely,

Bob Wallace

## **Jennifer Silva, Marin Environmental Housing Collaborative**

Dear Esteemed Officials and Town Staff,

The Marin Environmental Housing Collaborative (MEHC) is a multi-disciplinary consortium of advocates generating support for projects and policies that advance affordable housing, environmental integrity, and social justice. **We are writing to support the approval of the 1515 4<sup>th</sup> Street project. (We have also included our comments on the attached letterhead).**

This project is the type of development that San Rafael and Marin County needs to solve its housing crisis and to reduce car dependency and greenhouse emissions. It provides many housing units in a walkable area near transit. High density projects can both accommodate the housing we need and continue to preserve the open space that Marinites love.

We'd prefer more affordable housing, but we find it meaningful and important that this project includes affordable units for very low income individuals (below 50% median income.). Few developments provide options for this population. Overall, the project will improve housing affordability in Marin. Most of Marin's housing are single family homes. Single family homes are far less affordable than multi-family housing of similar size and amenities. Further, residents will have the option to not own a car. Car expenses are the second largest expense after housing. Housing that enables residents to live car-free are far more affordable than those that mandate a car for everyday living.

This project aligns with the San Rafael General Plan 2040 and the Downtown San Rafael Precise Plan adopted in 2022. These documents address the housing crisis and increased RHNA this housing cycle by concentrating growth Downtown and increasing building heights and floor area ratio allowances. This site is one of the key housing sites identified in the plan. The proposal is what the General Plan and Precise Plan envisioned to address our housing crisis.

Sincerely,

Jennifer Silva, Board Chair

Marin Environmental Housing Collaborative

## **Martin Seery**

Mr. Ballantine,

I am a long time resident of the West End of San Rafael. I was shocked when I learned of the scale of the proposed development for 1515 4th street. Everyone in our community that I have spoken with agrees that this is a good place for residential development but the size is completely outsized for the neighborhood. And why do we need more commercial space there? There are dozens of vacant storefronts up and down 4th street where there are better parking options.

I walk around San Rafael on a weekly basis as I live very close to the west end commercial corridor but when my friends or family have to drive to the area the parking is already tight during peak times. With that development the parking will be out of control. How will people come to the area and shop and eat out at the businesses that are already there? If there are new businesses how will they accommodate their customers? There is no way the allotted parking for the proposal comes close to taking care of the needs of the new tenants. Also, the parking exit is on the very narrow and busy little street and will really negatively impact the business there.

This project is completely out of whack with the neighborhood, looming over 4th street where the tallest building is 4 stories tall!

It is heartbreaking to our community of San Rafael that the city is turning a blind eye and plopping this behemoth into this totally inappropriate area of San Rafael. What about putting it across from Bank of America? There are already tall structures there and the building by Joes that stands empty after years and years. Backing up to a parking garage that is unsafe.

And why apartments? Why not encourage people moving to the area to invest (condo?) and stay and be part of growing San Rafael for the future instead of a constant stream of turnover in an expensive rental market? It doesn't almost nothing for low income assistance. Instead it offers a swimming pool. In the end it is just too big for that quiet end of 4th street. As a resident with children in the community I hope my voice counts for something too. I haven't spoken to one resident that is happy with the scale and scope of this development. Their voices need to be heard too....not just that developer. My family and friends spend our time and money in downtown San Rafael every day and it is our home.

Thank you for your time,

Martin Seery

## **John Garfolo**

Hi,

I'm a long term merchant here on 4th Street (43 Years) and we live only a few blocks away in Gerstle Park. I am aware of the unprecedented pressure from the State of California on communities to streamline the building of more housing. I think this is a question more of What We Build and How High We Build? 1515 4th Street is at the crest of a hill at the start of the West End of San Rafael. To propose building a structure as high as the courthouse building with 8 stories is going to be a foreboding blot shadowing the city. I can only imagine the stress this would place on traffic, parking, PG&E etc.

I'm not opposed to building housing, I'm only hoping that we can proceed, at a lower level of 4 stories. Without trying to sound hysterical, this is a bit of a monster. Can't we compromise?

Sincerely,

John Garfolo



## **Paul Jensen**

Dear Planning Commissioners-

I would like express my full support of the proposed housing development on the Westamerica Bank site located at 1515 4<sup>th</sup> Street. This type of housing development is exactly what the 2022-adopted San Rafael General Plan 2040 and Downtown San Rafael Precise Plan envisioned and planned for Downtown San Rafael. The project provides much needed housing for San Rafael (and Marin County), and offers the type of housing that will hopefully attract the current, local workforce that lives elsewhere due to housing costs. While the amount of affordable housing that is proposed is nominal, any and all housing is welcomed to address our current housing crisis.

My support of this project is rooted in my passion for housing and long-term professional involvement in the San Rafael community. Over the past 40+ years, I have seen several positive and negative changes in Downtown San Rafael. Downtown shines at its best when there is a combination of active businesses and housing, which collectively, ensure vibrancy. The best example is the Rafael Town Center project and Court Street Plaza, which brought life into the Central 4<sup>th</sup> Street area. For decades, it puzzled me that there was no interest in redeveloping the 1515 4<sup>th</sup> Street site, as this site is suitably sized to afford an opportunity similar to the Rafael Town Center project. Now this opportunity is here, and should be embraced.

As the City's former Community Development Director, I was proudly involved and provided oversight in the development of the San Rafael General Plan 2040 and the Downtown San Rafael Precise Plan. From a City staff standpoint, these planning documents strategically placed new housing at the forefront of future goals for Downtown growth, knowing that the upcoming Housing Element cycle (now here!) would present a significant increase in the City's Regional Housing Need Allocation (RHNA). As clearly stated by Joanne Webster in the Marin IJ Marin Voice "San Rafael Chamber supports downtown housing plan," the two-year planning process for these policy documents involved a diverse cross section of community stakeholders (General Plan Steering Committee) who actively participated in the authoring of these documents. The Steering Committee acknowledged that Downtown is the best location for new and more dense housing; this resulted in the Downtown San Rafael Precise Plan offering increased building height and other allowances to promote mixed-use and housing. In addition, the Precise Plan identified key housing sites. . . the subject 1515 4<sup>th</sup> is one of them. Further, this site is the cornerstone to the West End portion of 4<sup>th</sup> Street, which is acknowledged in the Precise Plan.

Change is often difficult to accept, but change is inevitable. The 1515 4<sup>th</sup> Street project would certainly bring change to the West End of 4<sup>th</sup> Street, but this change was anticipated with the Downtown San Rafael Precise Plan.

Thank you for the opportunity to comment on this project.

Paul Jensen

## **Robert Schonefeld**

Hi Jeff,

I am sending this message to support the proposed development at 1515 4<sup>th</sup> Street in San Rafael.

The city and county in general are in dire need of more housing options which this will help fulfill. Not only that but the developer, Monahan Pacific, is highly experienced in the bay area and has been involved in numerous successful projects in and around Marin and Sonoma. As a small business owner who at one point employed 100 people in Marin, I know first-hand how difficult it is to find Marin based staff. Not only is Marin housing cost prohibitive, but the costly and time consuming commutes made it challenging to attract employees from outside the county.

A new housing development of this nature would be a cornerstone of downtown San Rafael and provide much needed housing options for residents. Please support the project.

Thank you,

Robert Schonefeld

## **Marshall Ian Hunt**

Dear Planning Commission and / or City of San Rafael,

I am the owner of the adjacent property at 901 E Street and wholeheartedly support the proposed project at 1515 4<sup>th</sup> Street. Not only is the project and related housing needed in San Rafael, but the developer has proven to be a responsible and successful developer in the area. I have had numerous conversations with the principals of the project, all of which have been positive, and I look forward to supporting them throughout the process. As a 20+ year property owner in San Rafael, it is very exciting to see the new developments in the downtown area.

Marshall Ian Hunt

Manager, 901 E Street LLC

**Su Yi**

Hello Jeff,

I'm writing you with our concerns about this property building project.

I live on 16 Latham Street.

We have raised our children here for 19 years.

Parking has become more of a nightmare each year.

We live in a duplex and have one parking space and two cars.

It doesn't make any sense that this new high rise apartment building would not cause insane parking issues for the entire neighborhood!! If you do the math having a 162 residential development where is everyone going to park plus on the negative environmental impact does NOT MAKE ANY common sense.

I don't know if my statement makes any difference but I BEG you to reconsider this project proposal.

Sincerely and all the best,

Su