

Carolyn Del Gobbo

2/13/24

No on this development! No! Unless there is another entry & exit freeway access other than Manuel Freitas Pkwy already existing for the traffic jams we will have even after the folks residing try to get out/return! We need car access cuz no one can take a poor transit system that is not going to where work or errands are seriously, as your own car makes that possible . Forget the "SMART" train as a community transit option, we all know it's not sensible due to cost, parking cost where there is car parking is high, many employees use their lunch hour to run errands, like going to Safeway downtown buying groceries which would be troublesome to walk back to train. Please DO NOT build this housing.
Sent from my iPhone

Gail Napell

2/12/24

Dear City of San Rafael

I moved to Terra Linda with my family 24 years ago. I live, vote, shop, dine, recreate and pay taxes in San Rafael. For 11 years I owned a small business in my home. My husband still co-owns a small business in downtown San Rafael. Our children grew up here and attended Mary Silveira, Miller Creek and Terra Linda High School. We've enjoyed Northgate Mall for decades and are very excited about its next phase as a multi-use development with desperately needed housing.

Attached is the draft EIR for the Northgate Town Square project with my comments. Page 1 lists all pages with comments.

In general, the draft EIR is very thorough and I appreciate the attention to detail. There are a few things to button up in the final EIR; they are detailed in the attached markup and here is a summary:

1. FEMA flood maps are referenced. To date, FEMA has NOT incorporated climate change in its flood maps, but uses only historical data. Any assessments for flooding (and indeed, for all aspects of climate change including heat, drought, wildfire) should be based on the excellent science based data available through the US Climate Resilience Toolkit and California state resources such as Cal-Adapt.
2. The San Rafael Climate Action Plan is only referenced in a couple of sections, but as it contains items that pertain to all aspects of the EIR, it should be listed as a 'local regulatory framework' item in all categories. This is particularly important relative to green roofs and on-site rainwater catchment, neither of which is indicated in the current design.
3. The 'significant unavoidable impact' created by allowing commercial kitchens to use gas appliances should be more thoroughly researched. As an architect who just retired from a very large global design firm, I can say with confidence that the trend

is for commercial kitchens, from fast food to Michelin star, to go all-electric. This is an inevitability due to the existential threat of climate change. It's throwing away money to build new natural gas infrastructure and put gas appliances in new or renovated construction. The EIR states that courts are ruling against cities that pass code requiring all-electric design, but that will eventually change. And the city doesn't have to require all-electric for commercial kitchens in the project - the developer can make it a lease requirement as a means of achieving the GHG goals.

4. The EIR states that the wastewater line to the LGVSD WWTP must be enlarged to accommodate the project. The EIR should assess the long-term viability of that treatment plant, as it's vulnerable to sea level rise and may need to be relocated sooner rather than later. It makes more sense to spend that money on building in on-site blackwater systems to treat sewage within the project boundaries, rather than connect to a treatment plant that may cease to function in the near future.
5. No on-site rainwater catchment is included in the design and only one comment is made about it in the EIR. In a drought state, ALL sites should have on-site rainwater catchment for resilience.
6. The EIR states that the design is planned for ZNE (which is a code requirement for all residential projects in California) and solar power. However, the design as it currently stands does not reflect energy efficient buildings nor clearly show where and how much solar power will be incorporated. Energy efficient buildings have elevations that respond to the respective solar exposures; the current designs are for generic multi-family housing. The architect can use the excellent resources available in the [AIA Framework for Design Excellence](#) and the [2030 Palette](#) for recommendations on how to design climate-appropriate, thermally efficient buildings.
7. The EIR does not mention the sudden transition from street to multi-story building at the site perimeter in the current design. This is not an urban or suburban friendly design. It can be mitigated by activating the sidewalk at perimeter as well as interior, with commercial and community spaces on the ground floors of some of the residential buildings, and/or apartments with terraces or front porches on the street.

Again, thank you for all your hard work on this project!

Best regards and be well

Gail Napell, AIA, LEED AP BD+C

she / her



Responsible Growth in Marin

Date: February 7, 2024

To: San Rafael Planning Commission

CC: Laura Simpson, Interim Community Development Director
Margaret Kavanaugh-Lynch, Planning Manager
April Talley, Northgate Project Manager
Planning Division, City of San Rafael Community Development Department
1400 Fifth Avenue, San Rafael, CA 94903

Re: Written Comments on Northgate Town Square Mall Redevelopment Project Draft Environmental Impact Report, Pedestrian and Bicycle Impacts (Section 4.9 and Appendix F)

Dear Commissioners,

Responsible Growth in Marin (RGM) is a non-profit, all-volunteer, grassroots organization comprised of 1000+ residents and businesses living and working in Marin County. We advocate for responsible growth that will enrich the community and promote a healthy, sustainable environment and quality of life for all.

RGM supports the overall objectives of the Northgate Town Square Mall Redevelopment Project to provide needed housing, create a town center/urban village, and provide new outdoor amenities and open spaces. However, we are concerned that the DEIR Multimodal Transportation Impact Study (Appendix F) does not adequately assess the environmental impacts of the Northgate Square Project on existing and proposed pedestrian facilities. Specifically,

1. The Transportation Impact Study only considers pedestrian improvements within the project site and how they connect with walkways outside the project. It concludes that there will be a less-than-significant impact to pedestrian facilities. However, the Study does not consider or analyze the impact of the addition of 3500+ new residents in a transit-oriented development (DEIR, p. 3-25) on pedestrian access along N. Merrydale Road to the SMART rail transit station. ***If this project meets its objective of being a transit-oriented development, there will be a significant increase in pedestrian and bicycle traffic along Merrydale Road and mitigation measures are necessary to insure pedestrian and cyclist safety.***
 - a. Existing conditions: The nearest Sonoma-Marín Area Rail Transit (SMART) station is the Civic Center Station, an approximately 0.39-mile walk southeast of the project site along Merrydale Road (DEIR, p. 3-1).
 - i. There are no sidewalks on Merrydale Road between the Merrydale Road overpass over US-101 and the Marin Civic Center SMART station. Currently, pedestrians traveling between the project site and the station must either cross over the freeway to access the sidewalk along Civic Center Drive or walk in traffic along Merrydale Road. (DEIR, p. 4.9-4)
 - ii. A multi-use trail to close this gap is included in the City's Bicycle and Pedestrian Master Plan. The City prepared the Merrydale Conceptual Design Informational

Report in April 2022 to address the potential alternative designs, which generally include a 12-foot-wide shared-use trail along the north and east sides of Merrydale Road between Las Gallinas Avenue and the Sonoma-Marin Area Rail Transit (SMART) station. (DEIR, p. 4.9-4)

iii. Regional rail service is provided by SMART at the Marin Civic Center Station, a 0.39-mile walk southeast of the project site along Merrydale Road. As noted above, this connection currently does not have a sidewalk and pedestrians must either walk in the road or take a longer, approximately 0.4-mile route to the station. The Draft EIR acknowledges that even though a multi-use path is planned to close this gap, as documented in the City's Bicycle and Pedestrian Master Plan, these planned improvements are not currently funded. (DEIR, p. 4.9-4 and Appendix F, p. 22)

b. In multiple public meetings, the project applicant has repeatedly acknowledged that the project will increase pedestrian and bicycle traffic on Merrydale Road and that the project was willing to contribute its "fair share" of the cost of constructing the multi-use trail along Merrydale Road. However, the DEIR does not propose any monetary contribution to the City for the final design and construction of this multi-use trail.

c. A conversation with April Miller on July 26, 2023 confirmed that design and construction of the multiuse path on Merrydale Road will not move into priority on San Rafael's Capital Improvement Program (CIP) until some funding for the project is obtained. For example, if some funding for the Promenade on Merrydale was secured through the Development Agreement for the Northgate Town Square Project, that would move the project higher on the CIP list and grant money could be sought to finalize the conceptual design and work plan.¹

2. ***In sum, the DEIR's analysis of project impacts on the Pedestrian and Bicycle systems is inadequate because it does not address increased pedestrian and bicycle traffic on Merrydale Road to and from the SMART train station and the necessity for the planned multiuse path on Merrydale Road to be constructed simultaneous with the project. A mitigation measure is required in order for the project impact to be deemed Less Than Significant with Mitigation.***

RGM's RECOMMENDED MITIGATION MEASURE: The project sponsor shall commit to providing a monetary contribution to the City of San Rafael sufficient to allow the multiuse path on Merrydale Road from the project site to the SMART train station to proceed through conceptual design, work plan, and construction.

RGM recommends inclusion of the above Mitigation Measure in the Northgate Town Square DEIR.

Thank you for your consideration of these comments. If you have any questions, please feel free to reach out to Shirley Fischer at [REDACTED]

Sincerely,
David Smith, RGM President
Shirley Fischer, RGM Transportation Team

¹ Telephone and email conversation between April Miller and Shirley Fischer, July 26, 2023.

February 12, 2024

**Re: Comments on Draft Environmental Impact Report for the proposed
Northgate Mall Redevelopment Project**

Dear Ms. Talley,

I am writing to express concerns regarding fundamental flaws in the Transportation Impact Study (“TIS”) (Appx. F to the Draft EIR) that render all analysis in the Draft EIR that relies upon the TIS inaccurate. I highlighted these flaws for staff in the City’s Planning Department on the day the TIS was posted online—many months ago—and several times thereafter with the hope that the flaws could be corrected before the document was incorporated into the Draft EIR. Unfortunately, the flawed TIS was nonetheless incorporated into the Draft EIR, depriving the public of any meaningful opportunity to understand and assess the true traffic impacts of the proposed project.

The TIS is misleading and inaccurate because it is based upon unrealistic assumptions regarding current traffic conditions at the mall. The TIS calculated existing traffic based on “standard rates” for a shopping center.¹ This rate was applied to the entire square footage of leasable retail space at the shopping center to determine trip generation for the existing mall.² Thus, the TIS assumes Northgate Mall is currently generating a standard number of trips for all retail square footage—i.e., it assumes every square foot of existing retail space at the mall is fully functional and generating an average amount of traffic for a shopping center.

This assumption is divorced from reality. First, much of the retail square footage at Northgate has been vacant for years. The vacant square footage should not be used as part of the baseline trip generation formula, as it does not generate any traffic. Second, the vast majority of the currently leased retail space at the mall is underperforming. Macy’s, Kohl’s, Restoration Hardware Outlet, Century Theatre, and many other vendors do not generate anything close to a “standard rate” of trips. Using a “standard rate” to calculate trip generation, rather than assessing how many trips the existing retail at the mall actually generates, dramatically inflates the trip generation numbers.

The attached photographs of the parking lots at the existing mall underscore the TIS’s inaccurate assumptions regarding trip generation for the existing mall. Presumably, parking availability at the existing mall was designed to accommodate the existing retail square footage. The photos

¹ TIS at 11 (“The anticipated trip generations for the existing mall and proposed project were estimated using standard rates published by the Institute of Transportation Engineers (ITE) in Trip Generation Manual, 11th Edition, 2021 for ‘Shopping Center (> 150k)’ (ITE LU 820) and ‘Multifamily Housing (Mid-Rise)’ (ITE LU 221).”)

² See TIS Table 2 at p. 14 (identifying existing shopping center as 766,507 square feet) and Draft EIR at 3-17 (stating that “The existing gross leasable area (i.e., the total building square footage on the project site without the parking structure) is approximately 766,507 square feet.”).

were taken at 12:30 p.m. on a Saturday during the comment period for the DEIR (February 10, 2024), a time when a “standard” shopping center should be bustling. Yet they show that the parking lots are only about 10-15% full, with thousands and thousands of empty spaces.

As we all know, Northgate is not a standard shopping center. It is a dead mall.

The inaccurate assumption regarding traffic generation at the existing mall is enormously consequential. By using the inflated baseline traffic estimates, the TIS concludes that adding 1,422 new residences to the site will generate a net reduction of 8,384 trips on a daily basis. TIS at 15. This would make sense if we were converting a functional retail space to residences. But the existing mall is not functional and currently generates dramatically less than the estimated 15,940 daily trips that would be generated by the proposed project.

The TIS’s inaccurate conclusion that the proposed project will reduce traffic at the project site presumably means the developer will not be required to pay traffic mitigation fees, to the detriment of roadways in the neighborhood. Further, because the TIS’s conclusion regarding trip generation is fundamentally flawed, any analysis and conclusions in the Draft EIS that rely upon the TIS’s analysis are inaccurate and flawed as well. This could impact assessment of greenhouse gas emissions, emergency response timelines, and more. Most importantly, the flawed assumptions regarding existing conditions make it impossible for community members to understand and comment on the proposed project’s traffic impacts.

Use of unrealistic design values for assessment of existing traffic conditions undermines public trust in the City’s analysis of this proposed project. It makes it seem like the City either didn’t bother to review work of consultants who have never visited the project site, or that the City thought it could get by with an analysis designed to hide traffic impacts at the expense of existing and future residents.

Please redo the TIS using survey data for actual trip generation at the existing mall so that community members can understand the true impacts of the proposed project. Please also recirculate a revised draft EIR after amending the TIS so that community members have an opportunity to comment on an environmental analysis that includes an accurate assessment of traffic impacts.

Thank you for taking the time to read these comments. I appreciate your attention and all that you’re doing to serve our community.

Rachel Zwillinger



Photos of Northgate Mall Parking Lots from February 10, 2024





Northgate Town Square Draft EIR Comments

April.Talley@cityofsanrafael.org

02/13/2024

RE: Northgate Mall Redevelopment Project

I am writing in opposition to the Northgate Project. It brings 1422 townhome and apartment units for around 4,000 residents to a very small area in north San Rafael. Currently there are approximately 10,000 residents in Terra Linda. This will be a 40% increase in residents without any resolution for the required infrastructure.

We do not have the resources to accommodate that many additional residents. To mention a few of the issues, this project will bring too much additional traffic to Highway 101, Freitas Parkway and other surrounding streets. Already there is a traffic jam in the morning with people trying to get to the schools of Mark Day School, Terra Linda High School and Vallecito Elementary school while working people are trying to get through the Northgate intersections to get to work.

Power requirements will be maxed out as the power transformers are already working at max level. The water supply has been maxed out in Marin County already. The local grocery stores will be unable to support the addition of another 4,000 plus residents. The schools, police, fire, sewage, trash collection, etc. will not be able to support his dramatic increase.

The residents of Tera Linda have expressed their preference for open space by purchasing the hills bordering Terra Linda and Mont Marin, the city government of San Rafael is now supporting the development of 7 story ghetto dwellings in the same area.

We do not want this project in our neighborhood.

We understand the city is under intense pressure from the state and the Attorney General's strike force to meet unrealistic state housing mandates for 6th cycle RHNA. Growing evidence shows that neither HCD's RHNA methodology, quotas, or processes are valid, reliable, or replicable. For evidence that supports this claim, go to the [Catalysts website](#) and the 2/8/24 presentation from Marc Verville listed on the homepage. Citizens and elected officials do not need to cave under the state's invalid demands. Use the tools at your disposal to push back using Legislation, Lobbying, and Litigation.

San Rafael: at income levels:	very low;	Low;	Mod;	Above Mod	Total
5th Cycle RHNA: San Rafael -	240	148	181	438	1,007
6th Cycle RHNA: San Rafael -	857	492	521	1,350	3,220

Ray Lorber – Catalysts for Local Control

From: [REDACTED]

Sent: Tuesday, February 13, 2024 3:59 PM

To: April Talley <April.Talley@cityofsanrafael.org>

Subject: DEIR

Dear Planning Commission-

We are Terra Linda residents who support the idea of creating more housing in San Rafael and renovating the Northgate Mall. Such actions should be undertaken responsibly and with an eye to minimizing negative impacts whilst providing benefits for residents -new and existing. Unfortunately, we find the proposed plan for The Northgate Town Square project to be highly deficient in this regard. We are quite concerned about the many negative impacts this project would have on our neighborhood, community, the environment, and our children in the school system.

We were hopeful the findings within the recent DEIR would prove representative of local concerns. However key aspects were overlooked and many of the conclusions are quite suspect. The primary areas of concern for us are:

1. **Density** – 1422 new units and ~3600 new residents is simply far too much for this community to absorb.
2. **Traffic Impact** – We strongly disagree with the findings of the Transportation Impact Study. The findings defy credulity and hundreds of Terra Linda residents years of empirical driving experience stands in direct contrast with the assumptions.
3. **Visuals and Character** – The development is starkly out of character with the surrounding community in multiple ways and the negative impacts for existing residents far exceed the benefits for the new residents.

The DEIR proposed only 3 options. We call on the planning commission to require additional, more reasonable options to be provided including one with dramatically less housing units (300 -400) and more focus on developing a true Town Center with benefits for the entire community.



February 13, 2024

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415.302.0110

San Rafael Planning Division
1400 Fifth Avenue
San Rafael, CA 94901

RE: Summary Comments on Northgate DEIR

Honorable Commissioners and Staff,
In our February 9 letter, Sustainable San Rafael requests that several additional mitigations and analyses be included in the Final EIR to correct and reverse the Draft EIR finding that Northgate's GHG impacts are "unavoidable." To summarize:

The primary mitigation we request is **that the project eliminate the use of natural gas in its small number of commercial restaurants.**

According to the DEIR, by complying with BAAQMD and State standards, this straightforward step would remove both GHG impacts that the report has deemed "unavoidable" (Impacts GHG 1 & 2). It appears to be the only way to meet State goals.

With non-polluting induction cooking now used in many restaurants, and preferred by many chefs for its precision control of heat, the developer's statement that this superior cooking technology is infeasible should be scrutinized and corrected by the Final EIR.

We also request additional analysis to substantiate the report's statement that the project would achieve "net negative impact" on GHG emissions "by replacing existing land uses with less intensive buildings." Comparing reported existing emissions to the total of both phases of the project suggests that additional mitigations reducing about 11,000 tons of emission would be needed. (Appendix 1-Table 29.)

We request that the Final EIR confirm that figure and **include sufficient mitigations to achieve "net negative impact," such as use of renewable electricity, enhanced recycling of organics, water conservation, carbon sequestration in trees and landscape, and other measures.**

We appreciate the city's diligence, and that of the developer, to assure that Northgate becomes a model of climate-responsible development.

Sincerely,

William Carney,
Vice President