

Marin County Community Development Agency

Alex Hinds, Director

STAFF REPORT TO THE PLANNING COMMISSION

Citizens Housing Corporation (Fireside Apartments) Rezoning, Master Plan, Precise Development Plan and Negative Declaration of Environmental Impact

Item No:	5A & 5B	Application No:	RZ 03-1/MP 03-3/DP 03-8
Applicant:	Citizens Housing Corporation	Owner:	RTRN Investments LLC
Property Address:	115 Shoreline Highway, Mill Valley	Assessor's Parcels:	052-182-03 and -04
Hearing Date:	July 14, 2003	Planner:	Thomas Lai

RECOMMENDATION:

1. **Recommend Adoption of a Negative Declaration of Environmental Impact to the Board of Supervisors**
2. **Recommend Conditional Approval of the Project to the Board of Supervisors**

APPEAL PERIOD:

Not Applicable

LAST DATE FOR ACTION: 60 Days from Adoption of the Negative Declaration of Environmental Impact

SUMMARY RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the proposed project to the Board of Supervisors. The proposed project would provide important public benefits, including the provision of 50 units of multiple-family housing that would be affordable to low and very low income renters, the adaptive reuse and preservation of the Fireside Inn, and the preservation of the hillside portions of the property that function as the community separator between the Tamalpais Valley and Marin City communities and that contributes to the site's importance as a gateway to the Tamalpais Valley community. The transit-oriented development also incorporates smart growth principles including the redevelopment of an infill site and incorporation of "green" design features and materials in the building and site improvements.

SUMMARY PROJECT DESCRIPTION:

The project consists of the proposed development of a 50-unit affordable housing project located on the site of the Fireside Inn and Motel. The existing one-story motel behind the Fireside Inn would be demolished and replaced with three, two and three-story buildings totaling 28,320 square feet on the approximately 3.95-acre property. The existing two-story Fireside Inn building would be renovated and converted into a meeting room with a two-bedroom apartment upstairs. All units will be rented to low and very low income households. A total of 53 on-site parking spaces are provided. A crosswalk is proposed across Shoreline Highway that would link the site to the Manzanita Park and Ride facility, and the project includes installation of a two-way-left-turn lane in the Shoreline Highway median. The development incorporates various green building concepts, including use of solar photovoltaic systems, recycled materials, construction waste recycling, and rainwater retention/drainage systems. The Rezoning application seeks to rezone the property from the existing Residential Multiple Planned Commercial, one unit per acre (RMPC-1) district to a Residential Multiple Planned Commercial, 12.5 units per acre zoning district (RMPC-12.5). The proposed density is consistent with the density range established by the Countywide Plan, which allows a potential maximum density of approximately 80 units on this property.

GENERAL INFORMATION:

General Plan Land Use Designations: Residential Commercial, 1-20 units per acre (RS)

Zoning: Existing
Residential Multiple Planned Commercial, 1 unit per acre (RMPC-1)

Proposed
Residential Multiple Planned Commercial, 12.5 units per acre (RMPC-12.5)

Lot size: Approximately 4 acres

Adjacent Land Uses: North: Caltrans Maintenance Center and Commercial (Office, Hotel, Restaurant)
East: Parking Lot (Caltrans Manzanita Park-and-Ride Lot)
South: Single-family Residential
West: Commercial (Motel)

Vegetation: None along the front 1.5-acre portion to coastal scrub with bay and oak trees along the steep southerly slopes of the property

Topography and Slope: Flat along the front 1.5-acre portion and ascending steeply for approximately 100 feet in elevation towards the south

Environmental Hazards: None identified

ENVIRONMENTAL SETTING:

The subject property is located just west of U.S. Highway 101 where it intersects with Shoreline Highway (State Route 1) at the entrance to Tamalpais Valley. The property includes two Assessor's Parcels (052-182-03 and 052-182-04) with a combined size of approximately 3.95 acres. The property is situated on the south side of Shoreline Highway. The development activities are proposed to cluster predominantly on the smaller parcel (Assessor's Parcel 052-182-04), which is approximately .55 acres in size and currently contains the Fireside Inn and Motel structure. The second parcel (Assessor's Parcel 052-182-03) is 3.40 acres in size but is characterized by a steep wooded upslope that is vacant, providing a dramatic, visual backdrop to the smaller parcel. The heavily vegetated slopes rise approximately 100 feet above the ground surface elevation at the northerly front portion of the site. An old abandoned quarry site sits partially within the property and approximately half-way up the steep north-facing slope. There are two natural swales that drain toward the existing development, with one swale located in the westerly portion of the site, and a second swale located off-site and to the east. Two other hotel/motel developed properties exist in the vicinity including the adjacent property directly to the west (Fountain Motel) and across Shoreline Highway, the Holiday Inn Express. Also, across Shoreline Highway is the Executive Office Center and Caltrans' Manzanita Maintenance Station. Bothin Marsh extends to the north directly behind these properties. Directly to the east of the Fireside site, across the southbound on-ramp to Highway 101, is Caltrans' Manzanita Park and Ride parking lot.

BACKGROUND:

According to historical research, the Fireside Inn was originally constructed in 1906 as the Manzanita Villa. It was operated as a saloon and roadhouse, and after renovations in 1926, as the Manzanita Hotel through the 1930's. By 1957, it was known as the Fireside Lounge and Motel, when there were again significant renovations to the Inn itself and a single story motel building was added along the rear of the property. In 1976, the El Rebozo Restaurant/Café was added to the front of the Inn building. The café has been closed since the 1990's, and the only current active use of the property consists of the Fireside Motel.

PROJECT DESCRIPTION:

The project involves the adaptive reuse and seismic stabilization of the Fireside Inn, demolition of the Fireside Motel structure to the rear of the Inn and new construction of three connected residential structures in place of the motel to create 50 affordable rental units for families and seniors. A number of the proposed units would be targeted towards residents with special needs, including formerly homeless and disabled households. Building A would be located generally to the south and east of the Fireside Inn and would be comprised of 17, two-bedroom flats and townhomes ranging in size from 694 square feet for a flat to 765 for a townhome unit. This structure would attain a maximum height of 25 feet above natural grade. Buildings B and C would be located generally to the south and west of the Inn and would be comprised of 10 one-bedroom senior and 22 studio senior units over a ground level parking garage. The senior units range in size from 375 square feet for a studio to 547 square feet for a one bedroom unit. Buildings B and C would attain a maximum height of 30 feet above natural grade. (Four architectural features consisting of a three-foot high attic vent cupola would extend to a height of 33 feet.) Proposed exterior building materials consists of dark composition shingle roof with painted exterior fiber cement horizontal lap siding and trim. The 25-foot high Fireside Inn will be remodeled to provide common meeting facilities on the ground level and one two-bedroom family (manager's) unit on the second floor. Additionally, the Fireside Inn's westerly addition would be demolished and replaced with an enclosed outdoor courtyard while post-original-construction additions at the southerly rear portion of the building would be removed. The exterior elevations of the building will be simplified and made architecturally coherent, with retention of the existing off-white painted brick veneer with earth-toned painted balcony shingles.

Housing Affordability

The proposed development would target low and very low income families and senior citizens. The two-bedroom family apartments are projected to be rented at rates ranging from \$657 per month (for Section 8 Units) to \$1,344 per month. The one-bedroom senior units are projected to be rented at rates ranging from \$549 per month (for Section 8 Units) to \$1,122 per month. The senior studio units are projected to be rented at rates ranging from \$517 per month (for Section 8 units) to \$1,051 per month. (Section 8 consists of a housing program that allows the renter to pay no more than 30% of the gross income, with the balance of the rent being paid as a subsidy through the federal Housing and Urban Development program.) Twenty five percent of this project (12 units) would consist of project-based Section 8 units.

Parking

Parking for 53 vehicles, including three accessible spaces would be provided in two parking areas on the property. Fifteen surface parking spaces would be provided along the northwesterly portion of the site, while the remaining balance of the parking spaces, consisting of 38 spaces, would be provided in a parking garage located below the senior housing units in Buildings B and C.

Access and Circulation

Access to the project would be provided by a shared driveway with the Fountain Motel property located to the west of the site through a private easement. The entrance to this driveway would roughly align with the entrance to the commercial businesses located to the north side of Shoreline Highway. The four existing driveways that provide access to the site would be closed to general use, and reserved for emergency access only. Within the Shoreline Highway right-of-way, the applicant proposes restriping that would create a two-way-left-turn-lane (TWLTL) in the median that would run for a distance of approximately 300 feet from the existing driveway to the property. The TWLTL would allow staged left turn access onto and from Shoreline Highway from both the Fireside and Fountain Motel property as well as the commercial uses located to the north of the highway. The applicant also proposes installation of a sidewalk and pedestrian cross walk across the Manzanita intersection (Shoreline Highway/Highway 101 southbound on- and off-ramps) that would facilitate pedestrian access to the Manzanita Transit Center and Park and Ride Lot which are located within 0.25 mile from the property. The Transit Center is served by four Golden Gate Transit routes, the Marin Airporter, and by taxi cab. The proposed pedestrian crossing would also provide pedestrian and bicyclist access to Richardson Bay and other trails that connect to commercial businesses and services at

Tamalpais Junction, Mill Valley, and the Sausalito/Marin City areas. Access to the nearest businesses and services located at Tamalpais Junction, which is located about 0.75 mile from the property, would be available over publicly-owned lands along Shoreline Highway and Coyote Creek. This can be accomplished currently via the existing informal trail in front of the businesses on the north side of Shoreline Highway that connects to the Tennessee Valley trail, providing a direct linkage to the Coyote Creek Bridge and the Tamalpais Junction area. Upon completion of planned sidewalk improvements linking the existing sidewalk on the north side of Shoreline Highway, under Highway 101, to the Shoreline trail which parallels Richardson Bay, a permanent linkage to the Shoreline trails network would be available.

The project includes a pedestrian stair located along the westerly portion of the property that could allow for future public access to public trails and the Golden Gate National Recreation Area located to the south and west of the project site if similar access is acquired through private development located along the ridge separating the Tamalpais Valley and Marin City communities (Headlands Condominiums).

Grading, Drainage, and Utilities

Site grading would be estimated to involve approximately 5,000 cubic yards of cut and 200 cubic yards of fill, for a net excavation of 4,800 cubic yards of earth material. Most of the excavation would occur at the base of the hillside that overlooks the existing Fireside Motel where the existing slopes will be cut back at a two to one slope. This excavation is proposed in order to increase solar access to the buildings and to create sufficient space for a six-foot wide pedestrian and emergency access path around the southerly (hillside) perimeter of the development. In order to comply with Marin County Code Title 24 requirements for settlement, the project would include raising the finished grade along a small portion of the property's frontage (northeast of the Fireside Inn) from 7.0 to 7.5 feet National Geodetic Vertical Datum (NGVD). Proposed elevations for the parking and driveway areas would be at 7.0 feet NGVD, while the finished floor elevations for the new structures would be at a minimum of 9.0 feet NGVD for the buildings and 11.0 feet NGVD for the garage areas. The proposed buildings would be supported on piles over the easterly portion of the property which is underlain by midden deposits and bay mud, and spread footings over the westerly portion of the property which is underlain by colluvium and bedrock. Site drainage would be collected in catch basins and conveyed by new storm drains to a catch basin and two 24-inch storm drain pipes under Shoreline Highway which convey the run-off ultimately into Bothin Marsh and Richardson Bay. To retain water on site and reduce peak flows, the project includes construction of several small rainwater gardens as part of the site landscaping. All utilities (water, sewer, gas, electricity, phone, etc.) would be connected to existing service lines in the Shoreline Highway right-of-way. The trash storage area would be located behind a fenced enclosure along the westerly side of the building with access provided via the shared driveway with the Fountain Motel.

Landscaping and Site Features

The proposed landscape plan incorporates a plant palette which utilizes local indigenous species with an emphasis on preserving the site's regional context and maximizing water use efficiency. The surface parking areas would be landscaped with accent Crab Apple trees, and two specimen (48-inch boxed) Black Oak trees would frame the Fireside Inn's frontage along Shoreline Highway. The frontage of the property and the area above the shellmound midden would utilize low grasses that reflect a native meadow. Interior pathways and patio areas would utilize accessible unit pavers while private patio areas would utilize recycled crushed concrete or decomposed granite. Recycled crushed concrete or crushed gravel would line on-site drainage swales. The emergency pathway, which will replace the existing local access road along the frontage of the property, would be underlain by grasspave. A 5.5-foot high straw bale wall is proposed to extend from Building A towards the Fireside Inn to provide a pedestrian safety barrier from the southbound ramps for Highway 101. This wall will incorporate shell and rock inlays that reflect the shellmound that is located on the site. A 6-foot high wood gate would be installed along each of the three emergency vehicle turnarounds located along the property's frontage, including two that would be located on either side of the Fireside Inn and one located along the easterly side property line. Boulders from the site would be reused on-site as landscape highlights.

Sustainable Development Component

The project includes a significant component of sustainable (green) building that would complement the transit-oriented development. This includes the use of an on-site, grid-intertied renewable energy utilizing solar photovoltaic systems that would be located on the Fireside Inn and the southerly (uphill-facing) roof of Buildings B and C. The design and selection of materials and building systems would utilize energy-efficient performance, materials resource efficiency, sensitive site design, water efficiency and reclamation, and non-toxic finish materials. These include such features as: (1) natural ventilation and daylighting strategies in the design and placement of the buildings; (2) energy efficient appliances, lighting, and windows that exceed state energy performance standards; (3) durable construction materials such as cement fiber siding; (4) green materials including recycled-content carpet, cellulose insulation, engineered lumber, certified wood, natural floor coverings and recycled-content interior finishes; (5) low and no volatile organic compound (VOC) paint finishes, (6) rainwater retention features, pervious paving, and native low water use landscape palette; and (7) construction waste recycling.

PUBLIC NOTICE:

The Community Development Agency has provided public notice identifying the applicant, describing the project and its location, and giving the scheduled date of the public hearing in accord with California Government Code requirements. This notice has been mailed to all property owners within 600 feet of the subject property.

ENVIRONMENTAL REVIEW:

Pursuant to requirements of the California Environmental Quality Act (CEQA), an Initial Study has been prepared and the Environmental Coordinator is recommending adoption of a Negative Declaration of Environmental Impact. The Negative Declaration has been noticed and circulated for review and comment by responsible agencies and the public pursuant to CEQA requirements. The Negative Declaration evaluated the project for potential impacts on a number of environmental factors, including those relating to transportation/circulation, parking, archaeological, noise, and visual factors. The Negative Declaration found that features that have been incorporated into the design of the proposed project would mitigate potential impacts to a less-than-significant level. These include:

- Proposed installation of a two-way-left-turn-lane on Shoreline Highway that would maintain traffic congestion levels in the area to a Level of Service D, which is an acceptable County standard;
- Proposed installation of a pedestrian crosswalk that would connect the site with the Manzanita Transit Center and an existing network of trails and pathways in order to provide a means of allowing future occupants of the development to safely access public transit, parking facilities, and commercial businesses nearby;
- Proposed implementation of a Treatment Plan in conformance with requirements from the State Historic Preservation Office that would avoid/minimize disturbance of archaeological resources that lie beneath portions of the property;
- Proposed building design and use of noise-insulation construction techniques and materials to ensure that future residents of the development would not be exposed to excessive exterior or interior noise levels; and
- Proposed reuse and restoration of the historic Fireside Inn building along with new construction that would minimize visual impacts to the Fireside Inn and the surrounding neighborhood.

Further discussion of the foregoing factors can be found in the discussion of Development Issues that is contained in this report and in the attached Initial Study.

The Negative Declaration identified potentially significant impacts in geophysical factors and recommends the implementation of feasible mitigation measures to avoid or reduce the identified impacts to a less-than-significant level. Specifically, the Negative Declaration discusses and identifies feasible mitigation measures for potentially significant water erosion, siltation, and dust impacts. These impacts and the recommended mitigation measures are discussed in detail in the Initial Study and summarized below. The recommended mitigations have been incorporated into the recommended conditions of project approval.

1. Soils Erosion

The Initial Study found that the project could result in potentially significant wind or water erosion impacts and attendant siltation problems during construction due to the extent of grading, which involves approximately 5,000 cubic yards of cut and 200 cubic yards of fill, for a net export of 4,800 cubic yards of earth material. Although the development is generally sited on the gently sloping front 1.5-acre portion of the property, the project includes a cut into the base of the steep hillside which encompasses the remainder of the property to provide space for emergency access and increase light and air to the development. If not properly stabilized during the rainy season (October 15 through April 15), graded soils could erode during construction and wash into the existing lower elevations of the site, and ultimately, into Richardson Bay, causing siltation. Additionally, the extent of earth material could also expose nearby uses and traffic to dust during windy conditions. To ensure that potential water erosion and dust impacts are reduced to less-than-significant levels during construction, and that areas disturbed by construction activities are revegetated, the Initial Study recommended the preparation of an erosion and dust control plan that includes best management practices during construction and permanent long-term measures. These include measures identified in construction guidelines from the Marin County Stormwater Pollution Prevention Program, which may include but are not limited to: siltation fencing, straw rolls, and other drainage erosion control measures; stabilization of graded soils; hydroseeding; protection of graded soils from precipitation and runoff; watering graded areas, and limiting construction equipment access and use during windy conditions. These mitigations have been incorporated into a recommended Condition of Approval.

The public review and comment period for the proposed Negative Declaration of Environmental Impact has not closed at the time of distribution for this staff report. The attached Initial Study incorporates minor corrections that are indicated with revisions in order to increase clarity and fix typographical errors. Staff will provide a supplemental memorandum to the Planning Commission and interested parties with an analysis and response to comments received, along with any necessary modifications to the Initial Study, prior to the public hearing.

PLAN CONSISTENCY:

1. The Marin Countywide Plan

The Marin Countywide Plan (CWP) functions as the general plan for the unincorporated areas of the County. The project is consistent with the CWP, including the following main goals: (1) conserving and enhancing the high quality of the natural environment and striving for high quality in the built environment; (2) creating housing opportunities for an economically and socially diverse population; (3) achieving resource conservation; and (4) managing growth by coordinating development with adequate public services and preserving natural resources.

The project site is located within the City-Centered Corridor where the County's broad objectives and policies allow for urban-level development that is balanced with preserving the environment, community character, and transportation systems and have an overall emphasis on the urban quality in the Community Development, Environmental Quality, Transportation, and Housing elements. The proposed project will result in a multiple-family residential land use that is consistent with the Residential Commercial (RS) land use designation for the property and a maximum density of 12.5 units per acre that is within the middle of the RS land use designation's density range of 1 to 20 units per acre.

In particular, the proposed project is consistent with policies contained in the recently adopted Housing Element (June 2003) through implementation of a "smart" and sustainable transit-oriented affordable housing development that targets special needs groups, including the elderly, large families, and previously homeless persons. (Policies 3.0 and 4.0) The proposed site has also been designated in the Housing Element as a proposed and suitable site for affordable housing opportunities. Additionally, the project would provide a significant portion of the County's target for low and very low income units, which are 48 and 85 units respectively, as established by the Association of Bay Area Governments for the current period that extends through June 2006.

Please refer to additional general plan consistency findings contained in the attached resolutions for this project.

2. Tamalpais Area Community Plan

The Tamalpais Area Community Plan (TACP) contains goals and policies that are intended to seek a balance between preserving the current desirable characteristics of the community while allowing a moderate amount of development to occur. These policies are intended to protect and enhance the local environment, maintain the community's uniqueness, social and economic diversity, and sense of community, encourage the development of a viable local economy, and maintain the compatibility of existing and new land uses.

The proposed project would be consistent with the Tamalpais Area Community Plan because development of an multi-family housing at this site would be in conformance with the Multiple Residential Visitor Commercial (MRVC) uses specified in the Tamalpais Area Future Land Use map. (Figure 20 on page III-84 and page III-86) The Fireside Inn is specifically mentioned in the discussion of the Manzanita Area as a local landmark, although formal landmark status has never been conferred on this property by the County. The project also includes proposed improvements including a two-way-left-turn-lane in the Shoreline Highway median that would ensure that the congestion level at the Manzanita intersection would not deteriorate below a Level of Service D during the evening peak hour, consistent with Policies T3.2, T3.4, and T4.1.

The project is consistent with the development guidelines for the Shoreline and Manzanita areas, including those pertaining to design, circulation, and landscaping. (Policies LU33.1b, LU33.1c, and LU33.1d) The project would: (1) site development below the hillside areas west and south of Shoreline Highway in the Manzanita area so as to maintain the community separator ridgeline between the Tamalpais Valley and Marin City communities; (2) comply with the height limit of three stores not to exceed 35 feet in height from the finished grade on the west side of Shoreline Highway; (3) provide screened and enclosed areas for solid waste collection and storage; (4) use dark-colored roof materials and non-reflective solar collectors that minimize glare from off-site locations including the Headlands condominium development and Highway 101; (5) provide pedestrian and bicycle path connection to the Shoreline path system and provide easy access to public transit opportunities at the Manzanita Transit Center; (6) incorporate landscaped areas between Shoreline Highway and the buildings that screen the parking areas from Shoreline Highway; (7) utilize a landscape plan that employs a mix of low maintenance, water conserving, attractive, and functional species that relates to the shoreline open space; and (8) provide a landscaped roadside buffer to parking areas that exceeds 10 feet in width in connection with the proposed abandonment of the local access roadway along the property's frontage.

Please refer to additional Community Plan consistency findings contained in the attached resolutions for this project.

ZONING ISSUES:

The subject property is zoned Residential Multiple Planned Commercial, one unit per acre maximum density (RMPC-1). The primary purpose of the RMPC zoning district is to allow for residential uses on lands with unique features where the application of standard setbacks and other rules might be inadvisable. Instead, a specific site plan may be designed for the site, using the general parameters of land use and density that is established for the zoning district. Permitted uses in the RMPC zoning districts include all uses permitted in the RMP (Residential Multiple Planned) and CP (Planned Commercial) districts, when approved by a Master Plan pursuant to Section 22.47.082 of the Marin County Code. The proposed project would result in multiple-dwelling buildings and related accessory uses that are principally permitted land uses in the zoning district, subject to Master Plan approval pursuant to Sections 22.47.022(7) and (8) of the Marin County Code. However, since the proposed density of 50 units would not meet the zoning density maximum of one unit per acre, the project includes a proposed Rezoning that would increase the maximum density for the site to 12.5 units per acre. The proposed density increase is appropriate for the project due to the following factors: (1) the proposed project is consistent with the land use and density range established by the Countywide Plan for this property; (2) the proposed project would result in a substantial public benefit through the creation of 50 units of affordable housing; (3) the Master Plan and Precise Development Plan demonstrate that the project is consistent with the RMPC zoning district's development standards and Design Review findings; (4) the development would be clustered within the previously developed and served portions of the site, and away from the ridgeline and steeply sloped portions of the property in order to protect the site's natural resources and features; (5) the proposed residential density is consistent with the intensity of previous residential and commercial uses on the site

with adequate provision of local utilities and public services; and (6) the project would not result in significant adverse environmental impacts that could not be mitigated. Further discussion of the factors supporting the increase in density can be found in the proposed Negative Declaration of Environmental Impact and in the ensuing analysis of development issues.

DEVELOPMENT ISSUES:

The following provides an analysis of the key issues associated with the proposed project.

1. Visual Analysis

The project would renovate the historic Fireside Inn and replace the existing Fireside Motel structure by constructing two and three-story multiple-family residential structures that would provide a beneficial visual impact and enhance the gateway character to the Tamalpais Valley community. The project would maintain a scale (bulk, mass, and height) and appearance that complements the existing commercial development in the area, while preserving the unique landmark character of the Fireside Inn. The proposed buildings would maintain an adequate setback and buffer of at least 25 feet from the Fireside Inn to allow for visual emphasis to remain on the Inn as the focal point on the property. Proposed front yard setbacks of 64 feet and eight feet that are maintained by Buildings C and A, respectively, would be compatible with other development in the area in light of the large shoulder and wetland area that separate the site from the edge of road and travel lanes on Shoreline Highway. The proposed buildings incorporate sufficient articulations in the roof massing (with an overall mass that steps from the two-story family apartments located on the east portion of the property to the three-story senior units and parking garage located on the west side of the property). The proposed buildings would all be located at or below the zoning district's 30-foot height limit, with exception to four architectural features, consisting of a three-foot high attic vent cupolas, which attain a maximum height of 33 feet above natural grade. The new structures would utilize a natural exterior earthtone color palette that reinforces the semi-rural character of the surrounding community. Photo visual simulations of the proposed development demonstrate that the project would not result in an abrupt transition in land use and would maintain existing scenic public views of the Marin Headlands and the Bay shoreline. Overall, the project would result in a beneficial visual impact to the Manzanita area.

2. Traffic Congestion

The project will not result in unacceptable levels of congestion on surrounding roadways and intersections as a result of proposed circulation improvements. The proposed reduction and consolidation in the number of driveway connections to Shoreline Highway from four to one will provide a safer vehicular access to and from Shoreline Highway. The Countywide Plan policies require the maintenance of a minimum Level of Service (LOS) D or better for all roadways in the unincorporated areas of the County. (Level of Service is a method of measurement used to describe the amount of congestion which occurs on a freeway or city street and is ranked in grades from A (little or no congestion) to F (severe congestion and long delays).

Traffic Congestion Impacts

Access to the project site is provided from Shoreline Highway which serves as the primary access to the unincorporated Tamalpais Valley community as well as a regional access to parklands in West Marin. According to the traffic study, prepared by Robert L. Harrison, the project is expected to generate 232 daily and 203 weekend trips, with 16 weekday evening and 28 weekend afternoon peak hour trips. The project would result in a less than one percent increase in total daily traffic on Shoreline Highway, which carries approximately 30,000 vehicles per day. The traffic study evaluates the project's effects on the signalized Manzanita intersection (Highway 101 southbound on/off ramps and Shoreline Highway) and at the Manzanita Park and Ride Lot intersection with Shoreline Highway as well as the driveway intersections at the Fountain Motel and the commercial businesses across Shoreline Highway to the north. The analysis incorporates the proposed inclusion of an 18 second all-walk phase pedestrian crossing at the Manzanita intersection to allow sufficient time for pedestrians to cross the 70-foot wide section of Shoreline Highway.

Table 1: Project Impact on Level of Service (without mitigation)						
<i>Shoreline Highway Intersections</i>						
<i>Existing + Project Condition + Cumulative Conditions (Delay in seconds)</i>						
Intersection	AM Peak Hour		PM Peak Hours		Weekend Peak Hour	
	LOS	Avg Delay	LOS	Avg Delay	LOS	Avg Delay
Manzanita						
Existing	B	8.3	B	8.2	B	7.1
Existing plus Project	C	23.6	B	14.8	C	18.1
Cumulative plus Project	C	24.7	C	15.3	C	19.2
Park and Ride Lot						
Existing	A	2.1	A	4.7	A	2.1
Existing plus Project	A	2.1	A	4.8	A	2.1
Cumulative plus Project	A	2.0	A	4.1	A	2.1
Project Driveway Right Turn Out to East						
Existing	C	19.3	B	12.2	B	13.1
Existing plus Project	C	19.8	B	12.3	B	13.3
Cumulative plus Project	C	19.8	B	12.3	B	13.4
Project Driveway Left Turn Out to West¹						
Existing	F	70.5	F	80.0	F	58.7
Existing plus Project	F	74.2	F	95.0	F	65.0
Cumulative plus Project	F	86.8	F	138.1	F	85.0
Project Driveway Westbound Left Turn In						
Existing	B	10.8	A	8.8	A	9.1
Existing plus Project	B	10.8	A	8.9	A	9.1
Cumulative plus Project	B	10.8	A	8.9	A	9.1
Project Driveway Eastbound Right Turn In						
Existing	A	8.5	B	10.3	A	9.3
Existing plus Project	A	8.5	B	10.3	B	9.3
Cumulative plus Project	A	8.6	B	10.6	A	9.6
150-156 Shoreline Driveway Eastbound Left Turn Out¹						
Existing	F	94.4	F²	96.8	F	82.5
Existing plus Project	F	101.5	F²	123.6	F	95.9
Cumulative plus Project	F	148.4	F²	219.3	F	202.8
150-156 Shoreline Driveway Westbound Right Turn Out						
Existing	B	11.3	C	17.8	B	14.1
Existing plus Project	B	11.3	C	17.8	B	14.1
Cumulative plus Project	B	11.8	C	20.5	C	15.3

¹ The LOS was calculated using the HCM2000 and assumes an undivided highway. Because many drivers make the left turns in two stages, the actual delay for left turns is less than as shown. See Footnote 2 below.

² The existing observed delay is 28 seconds per vehicle or LOS D. The estimated existing plus project delay is 36 seconds per vehicle or LOS E for this turning movement.

As shown in Table 1 above, all studied intersections will operate at a LOS C or better as a result of the project, with exception to the respective left turn movements out of the project site and the commercial uses on the north side of Shoreline Highway. It should be pointed that, without the project, considerable delays at the Manzanita intersection currently occur as a result of congestion caused by summer weekend traffic to the West Marin parklands. During these summer weekend peak hours, vehicle queues could occasionally extend back through the Manzanita intersection with traffic occasionally extending back to Highway 101 through the northbound and southbound off-ramps.

Although the two left turn movements at the intersection currently operate at a LOS F (representing a delay of more than 60 seconds for a vehicle to move through the intersection) utilizing the Highway Capacity Manual's (HCM) calculations, the actual average delay based on field measurements of traffic exiting the commercial development on the north side of Shoreline Highway is approximately 28 seconds, which reflects a LOS D. This is attributable to many drivers making the left turn movement in two steps, including waiting for a gap in northbound traffic to move to the center of the highway and merging into southbound traffic when there is a sufficient gap in oncoming traffic. The two-step movement has been observed despite the lack of a designated refuge area in the center of Shoreline Highway. Factoring for this observed delay in the HCM model, the project is expected to cause a deterioration in the level of service by approximately 10 seconds on average, to a LOS E. In order to attain a minimum LOS D for these movements, the project includes a proposed two-way-left-turn-lane (TWLTL), which would reduce this delay and improve the left turn movements to an acceptable LOS C. While the TWLTL will assist by providing a safer access onto Shoreline Highway, it cannot alleviate the occasional congestion associated with the high volume of recreationally bound traffic during certain summer weekends.

The California Department of Transportation (Caltrans) has commented on the project recommending that consideration be given to re-aligning the driveway located on the Fountain Motel with that across Shoreline Highway which provides access to the commercial businesses located on the north side of the highway. Although this may be more desirable in some respects as it would result in a direct alignment of the two driveways and provide space for up to two additional vehicles to queue within the eastbound right-turn lane that provides access to the southbound on-ramps to Highway 101, staff does not recommend that this be required by the County due to the following reasons: (1) the relocation would affect existing front yard improvements, including the existing water fountain feature, that are located on the Fountain Motel property; and (2) the re-alignment would provide a shorter space within the proposed two-way-left-turn median lane for vehicles existing the Fireside/Fountain Motel properties with an accompanying reduction in the sight lights toward the west for these vehicles. However, should Caltrans require this realignment, staff has included provisions in the recommended conditions of approval that would accommodate the change.

Cumulative Impacts

In the analysis of cumulative impacts (i.e. impacts from traffic generated by the project in addition to potential future development in the Tamalpais Valley area, including a proposed service station (Shanazi) on the commercial property across from the Fountain Motel and a 150-room hotel complex along the Richardson Bay Shoreline (Whaler's Point)), the project will not result in a change in the LOS below a LOS C with the exception of the eastbound left turn movement during the afternoon peak hour, which is expected to improve to an acceptable level as a result of the construction of the proposed TWLTL. The Department of Public Works – Traffic Division staff is recommending that transportation facilities fees not be required for this project pursuant to Marin County Code Chapter 15.07. This is made on the basis that the proposed project is expected to generate fewer peak hour trips (14 weekday morning peak, 16 weekday evening peak, 28 weekend afternoon peak) than the existing motel and previous residential uses (16 weekday morning peak, 40 weekday evening peak, 56 weekend afternoon peak).

Monitoring

In order to ensure that the operation of the affected intersections would function at acceptable Levels of Service, staff is recommending that the applicant be required to construct the pedestrian crosswalk and two-way-left-turn lane prior to occupancy for the project and to pay for periodic traffic monitoring that would be conducted by the County or a qualified consultant chosen by the County for a period of three years following project occupancy. The monitoring would be required to confirm that traffic movements through the affected intersections operate at a Level of Service D or better. Should the monitoring determine that the intersections operate at a Level of Service E or worse and that the deterioration is directly attributable to this project, the applicant shall be required to amend the Precise Development Plan and to work with the County and the California Department of Transportation to substitute and implement feasible alternative traffic mitigations that would allow the intersections to operate at an acceptable level of service. These may include prohibition of left turn movements out of the site, signalization of the project driveway with Shoreline Highway, or provision of alternative pedestrian access to the Manzanita Transit Center.

Crosswalk Impacts

The proposed pedestrian-activated crosswalk has been evaluated utilizing an 18-second all-walk phase. The inclusion of the all-walk phase to the Manzanita intersection will result in a deterioration in the overall Level of Service from a LOS B to a LOS C during the weekday morning peak and weekend afternoon peak hours, which is considered as an acceptable LOS by the County. The movement that would be most affected by the inclusion of the pedestrian crosswalk would be the eastbound vehicles that would turn right onto the Highway 101 on-ramps. This movement should experience a delay of up to 26 seconds. Although this accounts for the average length of time that a pedestrian will take to cross the approximately 70-foot wide Shoreline Highway, concerns have been raised that those with less mobility, such as senior citizens, may require more time to cross the roadway. While there is some merit to this concern, the traffic analysis includes adjustments that would allow for a range of delays and that even with a longer all-walk phase, all turning movements is projected to operate at LOS D or better. Additionally, the project is likely to include access to special transportation services, such as those provided through the Whistlestop Wheels program, that would provide senior residents with alternative modes of transportation so that use of the crosswalk by the seniors, especially during the weekday morning peak hour would be reduced.

Based on the foregoing analysis, the project is not expected to result in significant impacts relating to traffic congestion.

3. Parking

The project will not result in adverse on-site or offsite parking impacts. A total of 53 on-site parking spaces, including three accessible stalls, are proposed. The total parking required for the project utilizing Marin County Title 24 would be 68 spaces. The project would result in a ratio of parking to units of 1.06 spaces per unit, where 1.34 spaces per units are typically required for a multi-family housing with the proposed mix of studio, one- and two-bedroom units. Staff supports the proposed parking plan and finds that a sufficient number of on- and off-site parking spaces would be available for this project taking into account the following factors: (1) the transit-oriented nature of the proposed development and site; (2) parking demand comparison with national and regional models; and (3) parking provided by similar affordable housing projects in the County. A summary of the parking considerations is included in Table 2 below and the ensuing discussion.

Table 2: Comparison of Parking Analyses
(18 2-Bedroom, 10 1-Bedroom, 22 Studio)

Source	Parking Ratio	Number of Required Spaces
Marin County Code Title 24	1) 2 spaces/2 Bedroom Family Unit	36
	2) 1.5 spaces/1 Bedroom Senior Unit (x 50%) ¹	8
	3) 1.2 spaces/Studio Senior Unit (x 50%) ¹	13
	4) 1 guest space/5 Units	10
	TOTAL	67
Department of Public Works	1) 2 spaces/2 Bedroom Family Unit (x 70%) ²	25
	2) 1.5 spaces/1 Bedroom Senior Unit (x 50%) ¹	8
	3) 1.2 spaces/Studio Senior Unit (x 50%) ¹	14
	4) 1 guest space/5 Units (x 70%) ²	7
	TOTAL	54
Institute of Transportation Engineers (ITE) Parking Generation Manual	1) 1.90 spaces/2 Bedroom Family Unit ³	34
	2) 0.48 spaces/1 Bedroom Senior Unit ³	5
	3) 0.48 spaces/Studio Senior Unit ³	11
	TOTAL	50
Non-profit Housing Association of Northern California	Model based on household size, income, residential density, and access to transit	TOTAL 15 + Guest
Survey of Marin County Projects	1) 1.33 spaces/Family Unit (Weighted Average ³)	24
	2) 0.66 spaces/Senior Unit (Weighted Average ³)	21
	TOTAL	45
Proposed Project		TOTAL 53

¹ 50% reduction given for senior units (Marin County Code Section 24.04.340[c]).

² The standard reflects a 30% reduction for transit-oriented development (Countywide Plan Housing Policy H3.16)

³ These reflect peak parking rates based on the parking surveys. The peak parking rate includes guest parking spaces.

⁴ The weighted average includes required guest parking spaces.

a. Transit-oriented Development

Countywide Plan Housing Policy H3.15 allows for up to a 30% reduction in the required parking for transit-oriented affordable housing projects located on sites within 0.25 mile of a transit stop. The proposed 53 on-site parking spaces would be sufficient if a 30% reduction is applied for the 18 family apartment units and guest parking. Application of this modified parking ratio by the Department of Public Works yields a parking demand of 54 spaces, resulting in shortfall of one space, which has been deemed acceptable based on the transit-oriented nature of this development. The transit-oriented nature of the proposed development and site represents a primary consideration in determining the amount of required parking. The subject property is located within 0.25 mile of the Manzanita Transit Center, which is located with convenient access to and from Highway 101 (the major north-south regional highway through the County) and Shoreline Highway (a major east-west roadway access to West Marin parklands and communities). The Transit Center is served by four Golden Gate Transit routes, the Marin Airporter, and by local taxi cabs. Commercial businesses located at Tamalpais Junction are located less than one mile away. Parking is available during non-peak hours at the Manzanita Park and Ride facility and within the approximately 100 street parking spaces in the area. During peak hours, where off-site parking may be limited, there is likely to be more on-site unassigned parking spaces available as well. There may be additional parking spaces available within 0.25 mile of the property upon completion of the County of Marin's 60-space surface parking facility located on the Felton property (Assessor's Parcel 052-227-02) and planned pedestrian connections to that facility from the Manzanita Transit Center.

Additionally, the proposed project includes a number of transit-oriented features that would reduce the demand for private automobile use, including provision of a pedestrian crossing that would provide safe access to an existing trail network located on the north side of Shoreline Highway with convenient connections to the Transit Center and to commercial businesses and services located nearby at Tamalpais Junction, in Mill Valley, and in the Sausalito/Marin City communities. Within the development would be 20 bicycle lockers and a standard bicycle rack. The applicant also intends to partner with City CarShare, a private non-profit organization, to provide a CarShare vehicle either onsite or at the Manzanita Transit Center Park and Ride lot in order to provide residents with another alternative to private automobile use. Additionally, the applicant is in discussions with the Whistlestop Wheels, a transit and meals service provider, to provide paratransit services to residents who are disabled or elderly and frail or who may be in need of in-home meal delivery. Staff is recommending conditions of approval that would require the applicant to implement the City CarShare and Whistlestop Wheels, or equivalent programs as part of the ongoing operation of the affordable housing project.

b. Parking Demand Model

The proposed project would provide 53 on-site parking spaces that would meet parking demand generated by models developed by the Institute of Transportation Engineers (ITE) and the Non-Profit Housing Association of Northern California. Utilizing the peak parking demand for apartments and senior multi-family residential uses published in the ITE Parking Generation manual results in peak parking demand of 50 spaces. The applicant has also provided an analysis of the vehicle ownership demand that is projected for this development utilizing a model that was developed by the Non-Profit Housing Association of Northern California. Factoring for household size, income, residential density, and access to transit results in an expected vehicle ownership rate for this project of 15 vehicles. Additionally, a portion of the units will be targeted to residents with special needs, including the formerly homeless or disabled households, where the rates of vehicle ownership has traditionally been very low.

c. Parking for Similar Development

The applicant has also submitted a survey of on-site parking provided by nine other affordable family and senior housing projects in Marin County. Utilizing weighted average parking ratios of 1.33 units for the affordable family and 0.66 units for the affordable senior housing development would result in a total of 45 required parking spaces for the Fireside project. The proposed 53 on-site parking would provide eight more spaces would provide a comparable amount of parking as similar projects in the County.

Based on the factors discussed above, staff finds that a sufficient number of proposed on-site and off-street parking spaces would be available to support the proposed development and to ensure that no impact to parking would result.

4. Archaeology

The proposed project would be located over a prehistoric shellmound deposit consisting of a possible Coast Miwok Native American habitation site that has been extensively researched and documented. The proposed development would require monitoring and management of potential prehistoric resources that may be uncovered during construction. According to the archaeological report prepared by Archaeological Resource Service (ARS), research of prior archaeological records indicates that the site was once developed with a saloon, residence and barn as early as the late 1800s. The Fireside Inn was originally constructed in 1906 as the Manzanita Villa. It was operated as a saloon and roadhouse, and after renovations in 1926, as the Manzanita Hotel through the 1920's. The Inn was built upon a prehistoric shellmound which fronts what was once a wagon road that separated the structure from the historic perimeter of the Bothin Marsh to the north. The California Historic Resource Inventory System has a record on file of the site as a prehistoric habitation site known as CA-MRN-05. Between the 1930s and 1950s, a single-story motel building was added to the south of the Inn, which was known as the Fireside Lounge and Motel. The original Fireside Inn has functioned as an inn and restaurant, operating under many different names, including the El Rebozo Restaurant/Cafe, until closing in the late 1990s. When an addition

was added to the original restaurant building in 1957, two prehistoric human skeletons were discovered in the midden site beneath the building.

More recent surface and subsurface investigations conducted by ARS confirmed the presence of the aboriginal shellmidden beneath the Fireside Inn but found no evidence of any culturally modified soil deposits in the hillside area where the new buildings are proposed. The midden extends approximately from the current perimeter of the Fireside Inn eastwards for approximately 60 feet, most of which have been paved over currently as a parking lot. The potential for additional human skeletal remains and associated artifacts may also be uncovered as a result of proposed project, including excavation activities and foundation repair work proposed for the Inn. Because culturally modified shell-laden soil deposits were present behind the Inn, ARS concluded that there is a potential that removal of the existing motel might also encounter relatively thin and heavily disturbed midden. Based on these factors, a Treatment Plan has been prepared to provide for the proper management of prehistoric resources that may be affected by the project. The Treatment Plan specifies requirements for preconstruction consultation, construction monitoring, and methods of excavation, research and resource management. In light of the presence of the prehistoric midden site and the potential for disturbance, recommended conditions of approval will require the applicant to implement the Treatment Plan and submit confirmation to the County and appropriate entities verifying compliance with the requirements contained in the Treatment Plan.

The proposed project would retain and renovate the Fireside Inn to serve as the historic focal point on the property. Although the Fireside Inn is characterized in the Community Plan as a local landmark, it has been found to be ineligible for both the National Register and the California Register, but of sufficient integrity and significance to rate a National Register Status Code of "5S", individually significant at the local level. A "5S" rating means the resource is "Not eligible for separate listing or designation under an existing or likely local ordinance, but is eligible for special consideration in local planning." Although strict application of federal standards for rehabilitation is not necessary for the rehabilitation of the Fireside Inn, the proposed project has been designed to incorporate the following principals that would ensure that no conflict with the historic character of the Inn would result: (1) the proposed renovations to the Inn would entail modest modifications that include removal of additions and building alterations that were made to the original structure in order to simplify the exterior building features to present a more coherent architectural vernacular; (2) all new construction would be set back at least 25 feet from the Inn to provide a physical buffer and ensure that new construction would not overwhelm or compete with the visual prominence for the building; and (3) proposed landscaping and site features would complement the building through selective placement of new trees, use of native grass and shrub species, and use of shell and rock inlay in the site walls and paving that are inspired by the historic Native American shellmound.

5. Noise

The project has been designed to comply with guidelines for acceptable exterior and interior noise levels for residential uses that are contained in the Countywide Plan's Noise Element. Given the site's proximity to Highway 101 and Shoreline Highway, the predominant source of noise that the project would be exposed to consists of automobile, bus, and truck noise. Noise Element Program N-1.1b states that an acoustical analysis shall be performed for new residential development in areas exposed to outdoor noise levels that are greater than 60 dBA (A-weighted decibels) in order to determine the appropriate mitigation measures for meeting an exterior noise level of 60 dBA, as measured at the property line, and an interior noise level of 45 dBA. Program N-2.1b states that for areas that already exceed the "normally acceptable" noise level (greater than 60 dBA), a significant noise impact is triggered if the new construction raises the noise level by more than 3 dBA.

An acoustical analysis, prepared by Wilson, Ihrig and Associates, Inc. Acoustical Consultants, found that existing noise levels of 70 dBA exist along the northeasterly front property line and 65 dBA in the vicinity of the Fireside Inn and Motel. Factoring projected increases in traffic on Highway 101, a future noise level of 71 dBA is expected along the front property line, which is considered less than significant under Program N-2.1b. Although the daytime hourly levels are higher than 60 dBA, these levels are conditionally acceptable for multiple-family residential uses pursuant to Noise Element Table N-2. Furthermore, the applicant proposes a number of mitigations that would minimize exposure of future residents to excessive noise levels including: (1) orienting the

private patio and balconies away from Highway 101 and Shoreline Highway and eliminating them for certain second floor units that face onto these roadways; (2) utilizing interior atrium and hallways for the senior resident units; (3) utilizing vegetation and a strawbale wall along the northeasterly front property line; (4) providing a variety of private and public outdoor spaces to meet resident needs for a healthy environment; and (5) utilizing sound-insulating materials and construction practices, such as exterior cement siding and sound-rated windows, that would result in an interior post-construction noise level of 45 dBA. Based on the foregoing factors, the project is not expected to result in exposure by future residents to excessive noise levels.

6. Geology

The development has been sited over the flattest, most geologically-stable portion of the property. The geotechnical report, prepared by Treadwell & Rollo, Inc. indicates that the development area is underlain at relatively shallow depth by colluvium deposits and Franciscan bedrock, and that there is a relatively high water table with bay mud over certain portions of the property. There is the apparent presence and history of a minor landslide located at the base of the old Quarry site and an area with shallow landslide deposits and debris flow scar in the vicinity of the westerly swale that is located above proposed Building B. Evidence of debris flows, probably date from operation of the quarry dating back to the 1940s. In order to ensure that the slopes are stabilized to reduce potential landslide danger to the development, the applicant has proposed a stabilization program that would include the following components: (1) construction of an impact fence or wall and catchment area uphill of the development to contain debris flows that may emanate from the westerly swale/slide area and rock falls from the quarry walls; and (2) installation of a deflection wall along the easterly property boundary that is oriented to divert debris flows that may emanate from the easterly off-site swale away from the buildings. Implementation of these measures would protect future residents from potential hazards associated with these geological constraints on the property.

7. Vesting

The project includes a Rezoning of the site to increase the residential density from one unit per acre to 12.5 units per acre in conjunction with a specific Master Plan and Precise Development Plan proposal to develop a 50-unit affordable housing project. Staff is recommending a condition of approval that would stipulate that if the project is not vested through substantial completion of the approved improvements, the zoning for the property shall revert back to the previous density through a County initiated Rezoning.

CONCLUSION:

The proposed project is consistent with the intent of the governing goals and policies of the Marin Countywide Plan and the Tamalpais Area Community Plan with specific reference to those policies concerning the land use designations, residential densities, and provision of affordable housing opportunities. The proposed project would also comply with permitted land uses and densities as set forth in the proposed Residential Multiple Planned Commercial zoning district as well as the RMPC zoning district's development standards. Overall, the project would result in a substantial public benefit through the creation of 50 units of affordable housing for low and very low income seniors and families and would be developed in a manner that would not result in significant adverse environmental impacts.

RECOMMENDATION:

Staff recommends that the Planning Commission review the administrative record, conduct a public hearing, and take the following actions:

1. Move to recommend that the Board of Supervisors adopt a Negative Declaration of Environmental Impact for the Rezoning, Master Plan, and Precise Development Plan, based on the findings contained in the attached resolution;
2. Move to recommend that the Board of Supervisors adopt ordinances rezoning the property and establishing a Master Plan, based on the findings contained in the attached resolution.
3. Move to recommend that the Board of Supervisors adopt a resolution conditionally approving the proposed Precise Development Plan, based on the findings contained in the attached resolution.

- Attachments:
1. Proposed Resolution Recommending that the Board of Supervisors adopt a Negative Declaration of Environmental Impact for the Citizens Housing Corporation (Fireside Apartments) Rezoning, Master Plan, and Precise Development Plan
 2. Proposed Resolution Recommending that the Board of Supervisors adopt Ordinances approving the Citizens Housing Corporation (Fireside Apartments) Rezoning and Master Plan
 3. Proposed Resolution Recommending that the Board of Supervisors adopt a Resolution approving the Citizens Housing Corporation (Fireside Apartments) Precise Development Plan
 4. Location Map
 5. Assessor's Parcel Map
 6. Project Plans
 7. Existing and Proposed Zoning Plan
 8. Department of Public Works Memorandum, (6/24/03)
 9. Department of Public Works Flood Control e-mail, (6/12/03)
 10. Department of Public Works Traffic Division Memorandum (6/23/03) and E-mail (6/13/03)
 11. Open Space District Staff E-mail, (6/24/03)
 12. Marin Municipal Water District Letter, (1/17/03)
 13. Sausalito-Marín City Sanitary District Letter, (2/18/03)
 14. Southern Marin Fire Protection District Letter, (1/23/03)
 15. California Department of Transportation Letters, (11/30/01, 2/5/03, 5/27/03)
 16. Tamalpais Design Review Board Minutes, (1/20/03, 6/18/03)
 17. City CarShare Letter, (6/12/03)

(The following documents have been provided only in the staff report packets to the Planning Commission members. Copies of the documents are available for review at the Community Development Agency from 8:00am to 4:00p.m. daily.)

18. Negative Declaration/Initial Study, Appendix, and Mitigation Monitoring and Reporting Program

MARIN COUNTY PLANNING COMMISSION

RESOLUTION NO. _____

A RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE CITIZENS HOUSING CORPORATION (FIRESIDE APARTMENTS) REZONING 03-1, MASTER PLAN 03-3, AND PRECISE DEVELOPMENT PLAN 03-8

115 SHORELINE HIGHWAY, MILL VALLEY
ASSESSOR’S PARCELS 052-182-03, -04

SECTION I: FINDINGS

- I. WHEREAS Citizens Housing Corporation submitted an application seeking approval to develop a 50-unit affordable housing project located on the site of the Fireside Inn and Motel. The existing one-story motel behind the Fireside Inn would be demolished and replaced with three, two and three-story buildings totaling 28,320 square feet on the four-acre property. The existing two-story Fireside Inn building would be renovated and converted into a meeting room with a two-bedroom apartment upstairs. All units will be rented to low and very low income households. A total of 53 on-site parking spaces are provided. A crosswalk is proposed across Shoreline Highway that would link the site to the Manzanita Park and Ride facility, and the project includes installation of a two-way-left-turn lane in the Shoreline Highway median. The development incorporates various green building concepts, including use of solar photovoltaic systems, recycled materials, construction waste recycling, and rainwater retention/drainage systems. The Rezoning application seeks to rezone the four-acre property from the existing Residential Multiple Planned Commercial, one unit per acre (RMPC-1) district to a Residential Multiple Planned Commercial, 12.5 units per acre zoning district (RMPC-12.5). The subject property is located at **115 Shoreline Highway, Mill Valley**, on property further identified as **Assessor’s Parcels 052-182-03 and -04**.
- II. WHEREAS the Marin County Community Development Agency - Planning Division prepared an Initial Study pursuant to the requirements of the California Environmental Quality Act (CEQA) for the project which determined that potential impacts relating to geophysical factors are avoided or mitigated to a point where clearly no significant effects would occur because revisions in the project plans have been made by or agreed to by the applicant, and there is no evidence that the project as revised may have a significant impact on the environment.
- III. WHEREAS the Marin County Community Development Agency - Planning Division prepared a Mitigation, Monitoring and Reporting Program identified as “Exhibit 1,” which encompasses the following:
 - A. A list of mitigation and monitoring measures required of the project sponsor at each stage of project approval and development.
 - B. A checklist to document and verify mitigation measure compliance.
 - C. A general condition of project approval which requires that all stages of project development shall conform with the adopted Mitigation, Monitoring and Reporting Program and stipulates that the County of Marin will verify compliance with each of the required mitigations.
- IV. WHEREAS the Marin County Environmental Coordinator determined that based on the Initial Study, a Negative Declaration of Environmental Impact was required for the project pursuant to CEQA.

- V. WHEREAS on June 9, 2003 a Negative Declaration was completed and distributed to agencies and interested parties to commence a 30-day public review period for review and comment on the Negative Declaration, and a notice of the public review period and hearing date to consider approval of the Negative Declaration was published in a general circulation newspaper pursuant to CEQA.
- VI. WHEREAS after the close of the public review period on July 9, 2003, the Marin County Planning Commission conducted a public hearing on July 14, 2003 to receive public testimony on the adequacy of the Negative Declaration for approval.
- VII. WHEREAS the Marin County Planning Commission has reviewed and considered the information contained in the Initial Study, Negative Declaration, and comments and responses thereto.

SECTION II: ACTION

NOW, THEREFORE BE IT RESOLVED that the Marin County Planning Commission hereby makes the following findings and recommends that the Board of Supervisors adopt a Negative Declaration of Environmental Impact and Mitigation, Monitoring and Reporting Program for the proposed project.

- 1. Notice of the public review and hearing on the Negative Declaration was given as required by law and said hearing was conducted pursuant to Sections 15073 and 15074 of the State CEQA Guidelines and the County CEQA process.
- 2. All individuals, groups, and agencies desiring to comment on the Negative Declaration were given the opportunity to address the Marin County Planning Commission.
- 3. The Negative Declaration for the project consists of the Initial Study, Negative Declaration document, Mitigation Monitoring and Reporting Program, and supporting information incorporated by referenced therein.
- 4. The Negative Declaration was completed in compliance with the intent and requirements of CEQA, the State CEQA Guidelines, and the County's EIR process.

SECTION III: VOTE

PASSED AND ADOPTED at a special meeting of the Planning Commission of the County of Marin, State of California, on the 14th day of July 2003, by the following vote to wit:

AYES:

NOES:

ABSENT:

ROSS HERBERTSON, CHAIR
MARIN COUNTY PLANNING COMMISSION

Attest:

Alexandra Morales
Planning Commission Secretary

MARIN COUNTY PLANNING COMMISSION

RESOLUTION NO. _____

A RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS ENACT AN ORDINANCE APPROVING THE CITIZENS HOUSING CORPORATION (FIRESIDE APARTMENTS) REZONING 03-1 AND MASTER PLAN 03-3

115 SHORELINE HIGHWAY, MILL VALLEY
ASSESSOR’S PARCELS 052-182-03, -04

SECTION I: FINDINGS

- I. WHEREAS Citizens Housing Corporation submitted an application seeking approval to develop a 50-unit affordable housing project located on the site of the Fireside Inn and Motel. The existing one-story motel behind the Fireside Inn would be demolished and replaced with three, two and three-story buildings totaling 28,320 square feet on the four-acre property. The existing two-story Fireside Inn building would be renovated and converted into a meeting room with a two-bedroom apartment upstairs. All units will be rented to low and very low income households. A total of 53 on-site parking spaces are provided. A crosswalk is proposed across Shoreline Highway that would link the site to the Manzanita Park and Ride facility, and the project includes installation of a two-way-left-turn lane in the Shoreline Highway median. The development incorporates various green building concepts, including use of solar photovoltaic systems, recycled materials, construction waste recycling, and rainwater retention/drainage systems. The Rezoning application seeks to rezone the four-acre property from the existing Residential Multiple Planned Commercial, one unit per acre (RMPC-1) district to a Residential Multiple Planned Commercial, 12.5 units per acre (RMPC-12.5) zoning district. The subject property is located at **115 Shoreline Highway, Mill Valley**, on property further identified as **Assessor’s Parcels 052-182-03 and -04**.
- II. WHEREAS an Initial Study has been prepared pursuant to the requirements of the California Environmental Quality Act, and the Environmental Coordinator of the County of Marin has recommended the grant of a Negative Declaration of Environmental Impact. All project-related effects have been discussed in the Initial Study and recommended mitigations have been incorporated into the recommended conditions of project approval.
- III. WHEREAS the Marin County Planning Commission has reviewed and considered testimony in favor of, and against, a proposed Negative Declaration and finds, subject to the recommended mitigation and monitoring measures and the recommended conditions of project approval contained herein, that this project will not result in any potential, significant environmental impacts, and qualifies for a Negative Declaration of Environmental Impact in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the County’s CEQA process.
- IV. WHEREAS the Marin County Planning Commission held a duly-noted public hearing on July 14, 2003, to consider the merits of the proposed Rezoning and Master Plan, and hear testimony in favor of, and in opposition to, the project.
- V. WHEREAS the Marin County Planning Commission finds that the proposed project, as conditioned herein, is consistent with the following policies contained in the Marin Countywide Plan (CWP).
 - A. The proposed residential use is consistent with the governing Residential Commercial (RS) land use designation and will result in a residential density of 12.5 units per acre, which is within the 1 to 20 units per acre density allowed by the RS land use designation. (Policy CD-14.3, Map 6.3.1)

- B. The proposed project would not adversely affect the provision of public services for fire protection, roadways, and schools. (Policies EQ-1.1, EQ-3.10, A-1.1)
- C. The project will not directly or indirectly impact special status species or habitat diversity because the proposed improvements would be located either on or adjacent to previously-developed areas of the property, and the project will be designed to avoid tree removal and or other impacts to wildlife habitat. (Policies EQ-2.87 and EQ-3.6)
- D. The project will not result in air, water, and noise pollution. (Policy EQ-3.2)
- E. The project has been designed to avoid hazards associated with earthquakes, erosion, landslides, floods, and fires. (Policy EQ-3.7)
- F. The project will create a healthful, safe, quiet, and well-designed environment for the residents. (Policy EQ-3.8)
- G. The project will not result in significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or other services and facilities and will result in a beneficial impact on the social environment of the community through the provision of affordable housing. (Policy EQ-3.9)
- H. The project will retain the predominant visual qualities for the natural and built environments. (Policy EQ-3.11)
- I. The project will minimize the extent of removal of large, mature, native trees. (Policy EQ-3.14)
- J. The project will minimize the extent of grading that is required to conform to the standards of the Department of Public Works. (Policy EQ-3.16)
- K. The project will result in development that is in scale with the environmental constraints by siting the improvements away from steep slopes and geologically unstable portions of the property. Additionally, the project would be consistent with the design character of the Tamalpais community. (Policy EQ-3.25)
- L. The project would not affect archaeological resources that exist on the site because the project will implement a Treatment Plan to ensure maximum protection of an archaeological site and include monitoring of resources on-site during construction and compliance with state and federal requirements for preservation and monitoring of an archaeological site. The Fireside Inn would be preserved and renovated, consistent with its local historical importance. (Policy EQ 3.29)
- M. The project will not cause a deterioration of congestion levels in surrounding roadways below a Level of Service D. The project includes proposed improvements that would improve traffic and circulation patterns in order to mitigate potential traffic impacts and ensure operation of local intersections at a Level of Service D. (Policy T1.1)
- N. The project includes pedestrian access improvements, including sidewalks and pedestrian connections to surrounding trails and transit facilities. (Program T-5.3a)
- O. The project will result in a project that is 100% affordable to low and very low income households, including those with special needs, and result in a mixed-occupant transit-oriented and sustainable development. Additionally, the proposed project will be located on a site that is designated in the Housing Element as a site for potential affordable housing. (Objectives 3 and 4, Policies H3.12, H3.18, H4.2)
- P. The project will provide 50 units of housing for low income seniors and families in a transit-oriented site and development that reduces the dependency on private automobiles. (Policy H-1.17, Program H-1.17c, Program H-1.17d)

- Q. The project will comply with noise guidelines contained in the Noise Element for meeting interior and exterior noise levels through placement and orientation of buildings and private and public outdoor spaces and through use of sound-insulating materials and construction practices. (Programs N-1.1b and N-2.1b)
- R. The project incorporates recommendations contained in a soils report to address construction near unstable slopes and bay mud. (Policies EH-5.2 and EH-6.1)

VI. WHEREAS the Marin County Planning Commission finds that the proposed Rezoning and Master Plan applications, as conditioned herein, are consistent with the following goals contained in the Tamalpais Area Community Plan.

- A. The project is consistent with the Mixed Residential Visitor Commercial (MRVC) land use designation for the site.
- B. The project will preserve a significant portion of the natural and cultural characteristics of the site by siting development over the lower, approximately 1.5 acre portion of the site, preserving and restoring the Fireside Inn building, and preserving and protecting existing archaeological resources. (Policy LU1.2)
- B. The proposed development will be comparable in density and compatible in design with the scale (bulk, mass and height) and appearance (colors, materials and design) of the Tamalpais Valley neighborhood and will be integrated into the site natural setting. (Policy LU1.3)
- C. The proposed size, height, and building setbacks are comparable to that of other structures in the Tamalpais Valley neighborhood. The project will result in a 16% Floor Area Ratio which is less than the maximum 30% discussed in the Community Plan and would comply with the 30-foot height limit above natural grade. (Policy LU1.4 and Programs LU1.4c and LU1.4d)
- D. The project will minimize and avoid removal of native trees and will minimize grading to the extent that would retain the natural landforms. (Program LU1.4d)
- E. Conditions of approval requiring that the two Assessor's Parcels which comprise the site be merged would ensure compliance with the Community Plan policy that encourages owners of historic, substandard legal lots of record to merge them to create new lots. (Policy LU4.1)
- F. The project would provide an affordable multiple-family residential development that would add to the variety of housing accommodations and the social mix that characterize the Tamalpais Valley community. (Objective LU.5)
- G. The project would preserve the locally historic Fireside Inn and archaeological resources that underlain portions of the site. (Policies LU8.1 and LU8.2)
- H. The project has been designed to minimize vegetation removal to ensure that it would not contribute to erosion or slope failure, sedimentation in streams, downstream flooding, or siltation of wetlands. This is accomplished through construction of debris flow fencing, use of rainwater retention features and installation of new stormwater drainage improvements. (Policy LU16.1)
- I. Since the uphill side of Shoreline Highway forms an entrance to the Tamalpais Valley community and also acts as a community separator between Marin City and Tamalpais Valley, the proposed improvements have been clustered on the lower flat portion of the site in order to maximize the open space values of the site. A condition of approval will require a non-development agreement to be recorded over the upper hillside portions of the site. (Program LU34.1b)

- J. The project will consolidate four driveways into one and reduce the number of direct connections to Shoreline Highway. This is consistent with the Community Plan policy which prohibits additional roadways and driveways from accessing directly onto Shoreline Highway. (Policy T2.4)
- K. The project includes proposed improvements to Shoreline Highway, including construction of a two-way-left-turn lane which would ensure that the Manzanita intersection and affected intersections operate at a Level of Service D during the evening peak hour. Conditions of approval requiring on-going monitoring of the intersections following completion of the project would ensure compliance with this standard. (Policies T3.2, T3.4, and T4.1)
- L. A sufficient amount of on-site and off-street parking would be provided to meet the parking demand from the proposed project. (Policy T8.2)
- M. All public services (water, sewer, electricity, etc.) to service the project. (Policy PS1.1)
- N. The project is consistent with the development guidelines for the Shoreline and Manzanita areas, including those pertaining to design, circulation, and landscaping. (Policies LU33.1b, LU33.1c, and LU33.1d) In addition to general factors discussed in the ensuing findings of consistency with the community plan, the project would: (1) site development below the hillside areas west and south of Shoreline Highway in the Manzanita area; (2) comply with the height limit of three stores not to exceed 35 feet in height from the finished grade on the west side of Shoreline Highway; (3) provide screened and enclosed areas for water collection and storage; (4) use dark-colored roof materials and non-reflective solar collectors to minimize glare from view from the Headlands condominium and Highway 101; (5) provide pedestrian and bicycle path connection to the shoreline path system and provide easy access to public transit opportunities at the Manzanita; (6) incorporate landscaped areas between Shoreline Highway and the buildings that screen the parking areas from Shoreline Highway; (7) utilize a landscape plan that employs a mix of low maintenance, water conserving, attractive, and functional species that relates to the shoreline open space; and (8) provide a landscaped roadside buffer from the parking areas that exceeds 10 feet in width in connection with the proposed abandonment of the local access roadway along the property's frontage.

VII. WHEREAS the Marin County Planning Commission finds that the proposed Rezoning would result in a residential density that is appropriate for the four-acre property. The subject property is zoned Residential Multiple Planned Commercial, one unit per acre maximum density (RMPC-1). The primary purpose of the RMPC zoning district is to allow for residential uses on lands with unique features where the application of standard setbacks and other rules might be inadvisable. Instead, a specific site plan may be designed for the site, using the general parameters of land use and density that is established for the zoning district. Permitted uses in the RMPC zoning districts include all uses permitted in the RMP (Residential Multiple Planned) and CP (Planned Commercial) districts, when approved by a Master Plan pursuant to Section 22.47.082 of the Marin County Code. The proposed project would result in multiple-dwelling buildings and related accessory uses that are principally permitted land uses in the zoning district, subject to Master Plan approval, pursuant to Sections 22.47.022(7) and (8) of the Marin County Code. However, since the proposed density of 50 units would not meet the zoning density maximum of one unit per acre, the project includes a proposed Rezoning that would increase the maximum density for the site to 12.5 units per acre. The proposed density increase is appropriate for the project due to the following factors: (1) the proposed project is consistent with the land use and density range established by the Countywide Plan for this property; (2) the proposed project would result in a substantial public benefit through the creation of 50 units of affordable housing; (3) the Master Plan and Precise Development Plan demonstrate that the project is consistent with the RMPC zoning district's development standards and Design Review findings; (4) the development would be clustered within the previously developed and served portions of the site, and away from the ridgeline and steeply sloped portions of the property in order to protect the site's natural resources and features; (5) the proposed residential density is consistent with the intensity of previous residential and commercial uses on the site with adequate provision of local utilities and public services; and (6) the project would not result in significant adverse environmental impacts that could not be mitigated.

VIII. WHEREAS the Marin County Planning Commission finds that the proposed project, as conditioned herein, would not adversely impact the public health, safety, and welfare of residents living in the surrounding community and would result in substantial public benefits by: (1) providing 50 units of multiple-family apartments that would be 100% affordable to low and very low income renters; (2) ensuring that traffic congestion in affected intersections in the Manzanita Area not deteriorate below a Level of Service D; (3) providing sufficient on-site parking spaces to meet the needs of the future residents and guests; (4) protecting the upper hillside portion of the property through recordation of a private non-development agreement; (5) providing for future public access over the upper hillside portion of the property through the dedication of a floating access easement.

SECTION II: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Planning Commission hereby recommends that the Marin County Board of Supervisors approve the Citizens Housing Corporation (Fireside Apartments) Rezoning 03-1 application by enacting an ordinance amending Title 22 (Zoning) of the Marin County Code, which amendment would rezone Assessor's Parcels 052-182-03 and -04 from a Residential Multiple Planned Commercial, one unit per acre (RMPC-1) zoning district to a Residential Multiple Planned Commercial, 12.5 units per acre (RMPC-12.5) or equivalent zoning district, pursuant to the Zoning Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Marin County Planning Commission hereby recommends approval of the Citizens Housing Corporation (Fireside Apartments) Master Plan 03-3 by the Board of Supervisors, subject to the following conditions of approval.

Marin County Community Development Agency - Planning Division

1. Pursuant to Chapter 22.45 of the Marin County Code, the Citizens Housing Corporation (Fireside Apartments) Master Plan 03-3 is approved for the development of a 50-unit multiple-family housing project that would be rented to low and very low income senior and family households. The Master Plan authorizes the demolition and replacement of the existing one-story Fireside Motel with three, two and three-story buildings totaling approximately 28,320 square feet and the renovation and conversion of the existing two-story Fireside Inn into a meeting room with an apartment upstairs. The subject property is located at **115 Shoreline Highway, Mill Valley**, on property further identified as **Assessor's Parcels 052-182-03, and -04**.
2. The Master Plan comprises a general development scheme that is depicted in plans on file in the Community Development Agency and identified as "Exhibit A," entitled, "Fireside Housing" consisting of 22 plan sheets, prepared Van Der Ryn Architects, Eco-Logic in Architecture and Planning, Land Development Solutions, Inc., TWM Architects and Planners, and April Philips Design Works, Inc., dated December 20, 2002 with latest revisions dated June 2, 2003.
3. Pursuant to Chapter 22.45 of the Marin County Code, a Precise Development Plan shall be submitted for review and approval of all improvements authorized in concept by this Master Plan. No development, land improvements, or building construction shall commence until a Precise Development Plan or Design Review is approved.
4. The existing Fireside Inn shall be preserved and renovated as necessary for a mix of community, residential, and compatible accessory uses.
5. Use and development of the subject property shall consist of a 50-unit multiple-family residential development that is affordable to low and very low income households. Minor modifications to the mix and size of affordable senior and family units that are necessitated by project financing requirements may be allowed without an amendment to the Master Plan, subject to review and approval by the Community Development Director. However, at no time shall the amount of affordable housing be reduced below 100 percent without an amendment to the Master Plan. As utilized herein, affordable housing incorporates housing that is affordable to low and very low income households.

6. Any changes or additions to the project shall be submitted to the Community Development Agency – Planning Division for review to determine whether a Master Plan Amendment is required.

SECTION III: VESTING

NOW, THEREFORE BE IT FURTHER RESOLVED that the Planning Commission recommends that the Master Plan shall be valid for a period of two years from the date of approval pursuant to Marin County Code Section 22.45.060. Due to the concurrent approval of a Rezoning, the date of approval for the Master Plan shall be the date the Rezoning approval becomes effective. The Master Plan shall not expire if a Precise Development Plan is approved. An approved Master Plan may be extended by the Community Development Director for a maximum period of four years beyond the initial period of approval provided the applicant files an extension application, accompanied by the appropriate filing fees, prior to the expiration of the Master Plan, and provided the Master Plan remains consistent with the Marin Countywide Plan. If the Master Plan is not vested through approval of a Precise Development Plan and substantial completion of the approved project, the County shall initiate a Rezoning of the property to revert the zoning to the Residential Multiple Planned Commercial, one unit per acre (RMPC-1) zoning district.

SECTION IV: VOTE

PASSED AND ADOPTED at a special meeting of the Planning Commission of the County of Marin, State of California, on the 14th day of July, 2003, by the following vote to wit:

AYES:

NOES:

ABSENT:

ROSS HERBERTSON, CHAIR
MARIN COUNTY PLANNING COMMISSION

Attest:

Alexandra Morales
Planning Commission Secretary

MARIN COUNTY PLANNING COMMISSION

RESOLUTION NO. _____

A RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE THE
CITIZENS HOUSING CORPORATION (FIRESIDE APARTMENTS) PRECISE DEVELOPMENT PLAN 03-8

115 SHORELINE HIGHWAY, MILL VALLEY
ASSESSOR'S PARCELS 052-182-03, -04

SECTION I: FINDINGS

- I. WHEREAS Citizens Housing Corporation submitted an application seeking approval to develop a 50-unit affordable housing project located on the site of the Fireside Inn and Motel. The existing one-story motel behind the Fireside Inn would be demolished and replaced with three, two and three-story buildings totaling 28,320 square feet on the four-acre property. The existing two-story Fireside Inn building would be renovated and converted into a meeting room with a two-bedroom apartment upstairs. All units will be rented to low and very low income households. A total of 53 on-site parking spaces are provided. A crosswalk is proposed across Shoreline Highway that would link the site to the Manzanita Park and Ride facility, and the project includes installation of a two-way-left-turn lane in the Shoreline Highway median. The development incorporates various green building concepts, including use of solar photovoltaic systems, recycled materials, construction waste recycling, and rainwater retention/drainage systems. The Rezoning application seeks to rezone the four-acre property from the existing Residential Multiple Planned Commercial, one unit per acre (RMPC-1) district to a RMPC-12.5, 12.5 units per acre zoning district. The subject property is located at **115 Shoreline Highway, Mill Valley**, on property further identified as **Assessor's Parcels 052-182-03 and -04**.
- II. WHEREAS an Initial Study has been prepared pursuant to the requirements of the California Environmental Quality Act, and the Environmental Coordinator of the County of Marin has recommended the grant of a Negative Declaration of Environmental Impact. All project-related effects have been discussed in the Initial Study and recommended mitigations have been incorporated into the recommended conditions of project approval.
- III. WHEREAS the Marin County Planning Commission has reviewed and considered testimony in favor of, and against, a proposed Negative Declaration and finds, subject to the recommended mitigation and monitoring measures and the recommended conditions of project approval contained herein, that this project will not result in any potential, significant environmental impacts, and qualifies for a Negative Declaration of Environmental Impact in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the County's CEQA process.
- IV. WHEREAS the Marin County Planning Commission held a duly-noticed public hearing on July 14, 2003 to consider the merits of the proposed Rezoning and Master Plan applications and took action recommending approval of the Rezoning and Master Plan applications to the Board of Supervisors.
- V. WHEREAS the Marin County Planning Commission held a duly-noticed public hearing on July 14, 2003 to consider the merits of the proposed Precise Development Plan, and hear testimony in favor of, and in opposition to, the project.
- VI. WHEREAS the Marin County Planning Commission finds that the proposed project, as modified herein, is consistent with the following policies contained in the Marin Countywide Plan (CWP).

- A. The proposed residential use is consistent with the governing Residential Commercial (RS) land use designation and will result in a residential density of 12.5 units per acre, which is within the 1 to 20 units per acre density that is allowed by the land use designation. (Policy CD-14.3, Map 6.3.1)
- B. The proposed project would not adversely affect the provision of public services for fire protection, roadways, and schools. (Policies EQ-1.1, EQ-3.10, A-1.1)
- C. The project will not directly or indirectly impact special status species or habitat diversity because the proposed improvements would be located either on or adjacent to previously-developed areas of the property, and the project will be designed to avoid tree removal and or other impacts to wildlife habitat. (Policies EQ-2.87 and EQ-3.6)
- D. The project will not result in air, water, and noise pollution. (Policy EQ-3.2)
- E. The project has been designed to avoid hazards associated with earthquakes, erosion, landslides, floods, and fires. (Policy EQ-3.7)
- F. The project will create a healthful, safe, quiet, and well-designed environment for the residents. (Policy EQ-3.8)
- G. The project will not result in significant adverse on water supply, fire protection, waste disposal, schools, traffic and circulation, or other services and facilities and will result in a beneficial impact on the social environment of the community through the provision of affordable housing. (Policy EQ-3.9)
- H. The project will retain the predominant visual qualities for the natural and built environments. (Policy EQ-3.11)
- I. The project will minimize the extent of removal of large, mature, native trees. (Policy EQ-3.14)
- J. The project will minimize the extent of grading that is required to conform to the standards of the Department of Public Works. (Policy EQ-3.16)
- K. The project will result in development that is in scale with the environmental constraints by siting the improvements away from steep slopes and geologically unstable portions of the property. Additionally, the project would be consistent with the design character of the Tamalpais community. (Policy EQ-3.25)
- L. The project would not affect archaeological resources that exist on the site because the project will implement a Treatment Plan to ensure maximum protection of an archaeological site and include monitoring of resources on-site during construction and compliance with state and federal requirements for preservation and monitoring of an archaeological site. The Fireside Inn would be preserved and renovated, consistent with its local historical importance. (Policy EQ 3.29)
- M. The project will not cause a deterioration of congestion levels in surrounding roadways below a Level of Service D. The project includes proposed improvements that would improve traffic and circulation patterns in order to mitigate potential traffic impacts and ensure operation of local intersections at a Level of Service D. (Policy T1.1)
- N. The project includes pedestrian access improvements, including sidewalks and pedestrian connections to surrounding trails and transit facilities. (Program T-5.3a)
- O. The project will result in a project that is 100% affordable to low and very low income households, including those with special needs, and result in a mixed-occupant transit-oriented and sustainable development. Additionally, the proposed project will be located on a site that is designated in the Housing Element as a site for potential affordable housing. (Objectives 3 and 4, Policies H3.12, H3.18, H4.2)

- P. The project will provide 50 units of housing for low income seniors and families in a transit-oriented site and development that reduces the dependency on private automobiles. (Policy H-1.17, Program H-1.17c, Program H-1.17d)
 - Q. The project will comply with noise guidelines contained in the Noise Element for meeting interior and exterior noise levels through placement and orientation of buildings and private and public outdoor spaces and through use of sound-insulating materials and construction practices. (Programs N-1.1b and N-2.1b)
 - R. The project incorporates recommendations contained in a soils report to address construction near unstable slopes and bay mud. (Policies EH-5.2 and EH-6.1)
- VII. WHEREAS the Marin County Planning Commission finds that the proposed Precise Development Plan, as conditioned herein, is consistent with the following policies contained in the Tamalpais Area Community Plan.
- A. The project is consistent with the Mixed Residential Visitor Commercial (MRVC) land use designation for the site.
 - B. The project will preserve a significant portion of the natural and cultural characteristics of the site by siting development over the lower, approximately 1.5 acre portion of the site, preserving and restoring the Fireside Inn building, and preserving and protecting existing archaeological resources. (Policy LU1.2)
 - B. The proposed development will be comparable in density and compatible in design with the scale (bulk, mass and height) and appearance (colors, materials and design) of the Tamalpais Valley neighborhood and will be integrated into the site natural setting. (Policy LU1.3)
 - C. The proposed size, height, and building setbacks are comparable to that of other structures in the Tamalpais Valley neighborhood. The project will result in a 16% Floor Area Ratio which is less than the maximum 30% discussed in the Community Plan and would comply with the 30-foot height limit above natural grade. (Policy LU1.4 and Programs LU1.4c and LU1.4d)
 - D. The project will minimize and avoid removal of native trees and will minimize grading to the extent that would retain the natural landforms. (Program LU1.4d)
 - E. Conditions of approval requiring that the two Assessor's Parcels which comprise the site be merged would ensure compliance with the Community Plan policy that encourages owners of historic, substandard legal lots of record to merge them to create new lots. (Policy LU4.1)
 - F. The project would provide an affordable multiple-family residential development that would add to the variety of housing accommodations and the social mix that characterize the Tamalpais Valley community. (Objective LU.5)
 - G. The project would preserve the locally historic Fireside Inn and archaeological resources that underlain portions of the site. (Policies LU8.1 and LU8.2)
 - H. The project has been designed to minimize vegetation removal to ensure that it would not contribute to erosion or slope failure, sedimentation in streams, downstream flooding, or siltation of wetlands. This is accomplished through construction of debris flow fencing, use of rainwater retention features and installation of new stormwater drainage improvements. (Policy LU16.1)
 - I. Since the uphill side of Shoreline Highway forms an entrance to the Tamalpais Valley community and also acts as a community separator between Marin City and Tamalpais Valley, the proposed improvements have been clustered on the lower flat portion of the site in order to maximize the open

space values of the site. A condition of approval will require a private non-development agreement to be recorded over the upper hillside portions of the site. (Program LU34.1b)

- J. The project will consolidate four driveways into one and reduce the number of direct connections to Shoreline Highway. This is consistent with the Community Plan policy which prohibits additional roadways and driveways from accessing directly onto Shoreline Highway. (Policy T2.4)
- K. The project includes proposed improvements to Shoreline Highway, including construction of a two-way-left-turn lane which would ensure that the Manzanita intersection and affected intersections operate at a Level of Service D during the evening peak hour. Conditions of approval requiring on-going monitoring of the intersections following completion of the project would ensure compliance with this standard. (Policies T3.2, T3.4, and T4.1)
- L. A sufficient amount of on-site and off-street parking would be provided to meet the parking demand from the proposed project. (Policy T8.2)
- M. All public services (water, sewer, electricity, etc.) to service the project. (Policy PS1.1)
- N. The project is consistent with the development guidelines for the Shoreline and Manzanita areas, including those pertaining to design, circulation, and landscaping. (Policies LU33.1b, LU33.1c, and LU33.1d) In addition to general factors discussed in the ensuing findings of consistency with the community plan, the project would: (1) site development below the hillside areas west and south of Shoreline Highway in the Manzanita area; (2) comply with the height limit of three stories not to exceed 35 feet in height from the finished grade on the west side of Shoreline Highway; (3) provide screened and enclosed areas for water collection and storage; (4) use dark-colored roof materials and non-reflective solar collectors to minimize glare from view from the Headlands condominium and Highway 101; (5) provide pedestrian and bicycle path connection to the shoreline path system and provide easy access to public transit opportunities at the Manzanita; (6) incorporate landscaped areas between Shoreline Highway and the buildings and that screen the parking areas from Shoreline Highway; (7) utilize a landscape plan that employs a mix of low maintenance, water conserving, attractive, and functional species that relates to the shoreline open space; and (8) provide a landscaped roadside buffer from the parking areas that exceeds 10 feet in width in connection with the proposed abandonment of the local access roadway along the property's frontage.

VIII. WHEREAS the Marin County Planning Commission finds that the proposed Precise Development Plan is consistent with the Fireside Master Plan through the proposed development of a 50-unit multiple-family residential project and preservation of the Fireside Inn based on the general development scheme that is established in the Master Plan.

IX. WHEREAS the Marin County Planning Commission finds that the proposed project is consistent with the requirements of the RMPC (Residential Multiple Planned Commercial) zoning district because: (1) the proposed multifamily residential use is consistent with a principally-permitted use as established in the Citizens Housing Corporation (Fireside Apartments) Master Plan (Marin County Code Section 22.47.082); (2) the proposed development has been sited in a clustered arrangement over the lower, developed portion of the site and away from the visually sensitive hillsides and ridgelines, in the most accessible and most geologically stable portion of the site (Marin County Code Section 22.47.024[2][a]; (4) grading has been minimized so as to retain the predominant hillside features of the land (Marin County Code Section 22.47.024[1][a]; (5) the project would not result in significant tree removal or other impacts to wildlife habitat (Marin County Code Section 22.47.024[1][e]; (6) the proposed buildings would be below the maximum height of 30 feet above natural grade (Marin County Code Section 22.47.024[2][e]; (7) the proposed materials and colors will blend into the natural environment through use of earth-tone colors and non-reflective finishes (Marin County Code Section 22.47.024[2][f]; and (8) the project includes use of materials, siting, and construction techniques to minimize consumption of natural resource and use of water-conserving fixtures, recreation facilities that are geared towards family and senior populations, and pedestrian links to potential future trails (Marin County Code Section 22.47.024[2][h].

- X. WHEREAS the Marin County Planning Commission finds that findings for approval of Development Plan can be made for the proposed project and is consistent with the requirements for approval of a Design Review contained in Marin County Code Section 22.82.040 based on the following factors.
- A. The proposed multiple-family residential uses would be consistent with a principally-permitted use under the governing Residential Multiple Planned Commercial (RMPC) zoning for the property, as established in the Master Plan.
 - B. The project is consistent with the required Design Review findings contained in Marin County Code Section 22.82.040 due to the following reasons: (1) the project would result in structures that incorporate characteristics of height, mass, and bulk that are proportionally appropriate to the property and that would maintain adequate setbacks from property lines and other buildings on the subject and surrounding properties; (2) construction of the proposed project would result in uses that are principally permitted pursuant to the Master Plan for the property; (3) all site improvements would be located solely within the subject property and would not interfere with drainage easements and open space areas in the vicinity of the project site; (4) the project would not result in significant tree removal; (5) the proposed project has been designed to minimize drainage alterations, grading and excavation, and other adverse physical effects on the natural environment; and (6) the design of the proposed buildings would be compatible with other structures in the Tamalpais Valley community, would respect the surrounding natural environment, and would not adversely affect the views, light, air, or privacy of other properties in the vicinity.
 - C. The project would renovate the historic Fireside Inn and replace the existing Fireside Motel structure by constructing two and three-story multiple-family residential structures that would provide a beneficial visual impact and enhance the gateway character to the Tamalpais Valley community. The project would maintain a scale (bulk, mass, and height) and appearance that complements the existing commercial development in the area, while preserving the unique landmark character of the Fireside Inn. The proposed buildings would maintain an adequate setback and buffer of at least 25 feet from the Fireside Inn to allow for visual emphasis to remain on the Inn as the focal point on the property. Proposed front yard setbacks of 64 feet and eight feet that are maintained by Buildings C and A, respectively, would be compatible with other development in the area in light of the large shoulder and wetland area that separate the site from the edge of road and travel lanes on Shoreline Highway. The proposed buildings incorporate sufficient articulations in the roof massing (with an overall mass that steps from the two-story family apartments located on the east portion of the property to the three-story senior units and parking garage located on the west side of the property). The proposed buildings would all be located at or below the zoning district's 30-foot height limit, with exception to four architectural features, consisting of a three-foot high attic vent cupolas, which attain a maximum height of 33 feet above natural grade. The new structures would utilize a natural exterior earthtone color palette that reinforces the semi-rural character of the surrounding community. Photo visual simulations of the proposed development demonstrate that the project would not result in an abrupt transition in land use and would maintain existing scenic public views of the Marin Headlands and the Bay shoreline. Overall, the project would result in a beneficial visual impact to the Manzanita area.
 - D. The development has been sited over the flattest, most geologically-stable portion of the property. The geotechnical report, prepared by Treadwell & Rollo, Inc. indicates that the development area is underlain at relatively shallow depth by colluvium deposits and Franciscan bedrock, and that there is a relatively high water table with bay mud below certain portions of the property. There is the apparent presence and history of a minor landslide located at the base of the old Quarry site and an area with shallow landslide deposits and debris flow scar in the vicinity of the westerly swale that is located above proposed Building B. Evidence of debris flows, probably date from operation of the quarry dating back to the 1940s. In order to ensure that the slopes are stabilized to reduce potential landslide danger to the development, the applicant has proposed a stabilization program that would include the following components: (1) construction of an impact fence or wall and catchment area uphill of the development to contain debris flows that may emanate from the westerly swale/slide area and rock falls from the quarry walls; and (2)

installation of a deflection wall along the easterly property boundary that is oriented to divert debris flows that may emanate from the easterly off-site swale away from the buildings. Implementation of these measures would protect future residents from potential hazards associated with these geological constraints on the property.

- E. The project will not result in unacceptable levels of congestion on surrounding roadways and intersections as a result of proposed circulation improvements. The proposed reduction and consolidation in the number of driveway connections to Shoreline Highway from four to one will provide a safer vehicular access to and from Shoreline Highway. The Countywide Plan policies require the maintenance of a minimum Level of Service (LOS) D or better for all roadways in the unincorporated areas of the County.

Access to the project site is provided from Shoreline Highway which serves as the primary access to the unincorporated Tamalpais Valley community as well as a regional access to parklands in West Marin. According to the traffic study, prepared by Robert L. Harrison, the project is expected to generate 232 daily and 203 weekend trips, with 16 weekday evening and 28 weekend afternoon peak hour trips. The project would result in a less than one percent increase in total daily traffic on Shoreline Highway, which carries approximately 30,000 vehicles per day. The traffic study evaluates the project's effects on the signalized Manzanita intersection (Highway 101 southbound on/off ramps with Shoreline Highway) and at the Manzanita Park and Ride Lot intersection with Shoreline Highway as well as the driveway intersections at the Fountain Motel and the commercial businesses across Shoreline Highway to the north. The analysis incorporates the proposed inclusion of an 18 second all-walk phase pedestrian crossing at the Manzanita intersection to allow sufficient time for pedestrians to cross the 70-foot wide section of Shoreline Highway.

With exception to the respective left turn movements out of the project site and the commercial uses on the north side of Shoreline Highway, all studied intersections will operate at a LOS C or better as a result of the project. It should be pointed that, without the project, considerable delays at the Manzanita intersection currently occur as a result of congestion caused by summer weekend traffic to the West Marin parklands. During these summer weekend peak hours, vehicle queues could occasionally extend back through the Manzanita intersection with traffic occasionally extending back to Highway 101 through the northbound and southbound off-ramps.

Although the two left turn movements at the intersection currently operate at a LOS F (representing a delay of more than 60 seconds for a vehicle to move through the intersection) utilizing the Highway Capacity Manual's (HCM) calculations, the actual average delay based on field measurements of traffic exiting the commercial development on the north side of Shoreline Highway is approximately 28 seconds, which reflects a LOS D. This is attributable to many drivers making the left turn movement in two steps, including waiting for a gap in northbound traffic to move to the center of the highway and merging into southbound traffic when there is a sufficient gap. The two-step movement has been observed despite the lack of a designated refuge area in the center of Shoreline Highway. Factoring for this observed delay in the HCM model, the project is expected to cause a deterioration in the level of service by approximately 10 seconds on average, to a LOS E. In order to attain a minimum LOS D for these movements, the project includes a proposed two-way left turn lane (TWLTL), which would reduce this delay and improve the left turn movements to an acceptable LOS C. While the TWLTL will assist by providing a safer access onto Shoreline Highway, it cannot alleviate the occasional congestion associated with the high volume of recreationally bound traffic during certain summer weekends.

In the analysis of cumulative impacts (i.e. impacts from traffic generated by the project in addition to potential future development in the Tamalpais Valley area, including a proposed service station (Shanazi) on the commercial property across from the Fountain Motel and a 150-room hotel complex along the Richardson Bay Shoreline (Whaler's Point)), the project will not result in a change in the LOS below a LOS C with the exception of the eastbound left turn movement during the afternoon peak hour, which is expected to improve to an acceptable level as a result of the construction of the proposed TWLTL. The Department of Public Works – Traffic Division staff is recommending that transportation facilities fees

not be required for this project pursuant to Marin County Code Chapter 15.07. This is made on the basis that the proposed project is expected to generate fewer peak hour trips (14 weekday morning peak, 16 weekday evening peak, 28 weekend afternoon peak) than the existing motel and previous residential uses (16 weekday morning peak, 40 weekday evening peak, 56 weekend afternoon peak).

In order to ensure that the operation of the affected intersections would function at acceptable Levels of Service, the applicant will be required to construct the pedestrian crosswalk and two-way-left-turn lane prior to occupancy for the project and to pay for periodic traffic monitoring that would be conducted by the County or a qualified consultant chosen by the County for a period of three years following project occupancy. The monitoring would be required to confirm that the affected intersections operate at a Level of Service D or better. Should the monitoring determine that the intersections operate at a Level of Service E or worse and that the deterioration is directly attributable to this project, the applicant shall be required to amend the Precise Development Plan and to work with the County and the California Department of Transportation to substitute and implement feasible alternative traffic mitigations that would allow the intersections to operate at an acceptable level of service. These may include prohibition of left turn movements out of the site, signalization of the project driveway with Shoreline Highway, or provision of alternative pedestrian access to the Manzanita Transit Center.

The proposed pedestrian-activated crosswalk has been evaluated utilizing an 18-second all-walk phase. The inclusion of the all-walk phase to the Manzanita intersection will result in a deterioration in the overall Level of Service from a LOS B to a LOS C during the weekday morning peak and weekend afternoon peak hours, which is considered as an acceptable LOS by the County. The movement that would be most affected by the inclusion of the pedestrian crosswalk would be the eastbound vehicles that would turn right onto the Highway 101 on-ramps. This movement should experience a delay of up to 26 seconds. Although this accounts for the average length of time that a pedestrian will take to cross the approximately 70-foot wide Shoreline Highway, concerns have been raised that those with less mobility, such as senior citizens, may require more time to cross the roadway. While there is some merit to this concern, the traffic analysis includes adjustments that would allow for a range of delays and that even with a longer all-walk phase, all turning movements is projected to operate at LOS D or better. Additionally, the project is likely to include access to special transportation services, such as those provided through the Whistlestop Wheels program, that would provide senior residents with alternative modes of transportation so that use of the crosswalk by the seniors, especially during the weekday morning peak hour would be reduced.

- F. The project will not result in adverse on-site or offsite parking impacts. A total of 53 on-site parking spaces, including three accessible stalls, are proposed. The total parking required for the project utilizing Marin County Title 24 would be 67 spaces. The project would result in a ratio of parking to units of 1.06 spaces per unit, where 1.34 spaces per units are typically required for a multi-family housing with the proposed mix of studio, one- and two-bedroom units. The proposed parking plan can be supported because a sufficient number of on- and off-site parking spaces would be available for this project taking into account the following factors: (1) the transit-oriented nature of the proposed development and site; (2) parking demand comparison with national and regional models; and (3) parking provided by similar affordable housing projects in the County.

Countywide Plan Housing Policy H3.15 allows for up to a 30% reduction in the required parking for transit-oriented affordable housing projects located on sites within 0.25 mile of a transit stop. The proposed 53 on-site parking spaces would be sufficient to comply with County parking requirements if a 30% reduction is applied for the 18 family apartment units and guest parking. Application of a modified parking ratio by the Department of Public Works yields a parking demand of 54 spaces, resulting in shortfall of one space, which has been deemed acceptable based on the transit-oriented nature of this development. The transit-oriented nature of the proposed development and site represents a primary consideration in determining the amount of required parking. The subject property is located within 0.25 mile of the Manzanita Transit Center, which is located with convenient access to and from Highway 101 (the major north-south regional highway through the County) and Shoreline Highway (a major east-west roadway access to West Marin parklands and communities). The Transit Center is served by four Golden

Gate Transit routes, the Marin Airporter, and by local taxi cabs. Parking is available during non-peak hours at the Manzanita Park and Ride facility and within the approximately 100 street parking spaces in the area. During peak hours, where off-site parking may be limited, there is likely to be more on-site unassigned parking spaces available as well. There may be additional parking spaces available within 0.25 mile of the property upon completion of the County of Marin's 60-space surface parking facility located on the Felton property (Assessor's Parcel 052-227-02) and planned pedestrian connections to that facility from the Manzanita Transit Center.

Additionally, the proposed project includes a number of transit-oriented features that would reduce the demand for private automobile use, including provision of a pedestrian crossing that would provide safe access to an existing trail network located on the north side of Shoreline Highway with convenient connections to the Transit Center and to commercial businesses and services located nearby at Tamalpais Junction, in Mill Valley, and in the Sausalito/Marin City communities. Within the development would be 20 bicycle lockers and a standard bicycle rack. The applicant also intends to partner with City CarShare, a private non-profit organization, to provide a CarShare vehicle either onsite or at the Manzanita Transit Center Park and Ride lot in order to provide residents with another alternative to private automobile use. Additionally, the applicant is in discussions with the Whistlestop Wheels, a transit and meals service provider, to provide paratransit services to residents who are disabled or elderly and frail or who may be in need of in-home meal delivery. Conditions of approval would require the applicant to implement the CarShare and Whistlestop Wheels, or equivalent programs as part of the ongoing operation of the affordable housing project.

- G. The project would be located over a prehistoric shellmound deposit consisting of a possible Coast Miwok Native American habitation site that has been extensively researched and documented. The proposed development would require monitoring and management of potential prehistoric resources that may be uncovered during construction. According to the archaeological report prepared by Archaeological Resource Service (ARS), research of prior archaeological records indicates that the site was once developed with a saloon, residence and barn as early as the late 1800s. The Fireside Inn was originally constructed in 1906 as the Manzanita Villa. It was operated as a saloon and roadhouse, and after renovations in 1926, as the Manzanita Hotel through the 1920's. The Inn was built upon a prehistoric shellmound which fronts what was once a wagon road that separated the structure from the historic perimeter of the Bothin Marsh to the north. The California Historic Resource Inventory System has a record on file of the site as a prehistoric habitation site known as CA-MRN-05. Between the 1930s and 1950s, a single-story motel building was added to the south of the Inn, which was known as the Fireside Lounge and Motel. The original Fireside Inn has functioned as an inn and restaurant, operating under many different names, including the El Rebozo Restaurant/Cafe, until closing in the late 1990s. When an addition was added to the original restaurant building in 1957, two prehistoric human skeletons were discovered in the midden site beneath the building.

More recent surface and subsurface investigations conducted by ARS confirmed the presence of the aboriginal shellmidden beneath the Fireside Inn but found no evidence of any culturally modified soil deposits in the hillside area where the new buildings are proposed. The midden extends approximately from the current perimeter of the Fireside Inn eastwards for approximately 60 feet, most of which have been paved over currently as a parking lot. The potential for additional human skeletal remains and associated artifacts may also be uncovered as a result of proposed project, including excavation activities and foundation repair work proposed for the Inn. Because culturally modified shell-laden soil deposits were present behind the Inn, ARS concluded that there is a potential that removal of the existing motel might also encounter relatively thin and heavily disturbed midden. Based on these factors, a Treatment Plan has been prepared to provide for the proper management of prehistoric resources that may be affected by the project. The Treatment Plan specifies requirements for preconstruction consultation, construction monitoring, and methods of excavation, research and resource management. In light of the presence of the prehistoric midden site and the potential for disturbance, conditions of approval will require the applicant to implement the Treatment Plan and submit confirmation to the County and appropriate entities verifying compliance with the requirements contained in the Treatment Plan.

The proposed project would retain and renovate the Fireside Inn to serve as the historic focal point on the property. Although the Fireside Inn is characterized in the Community Plan as a local landmark, it has been found to be ineligible for both the National Register and the California Register, but of sufficient integrity and significance to rate a National Register Status Code of “5S”, individually significant at the local level. A “5S” rating means the resource is “Not eligible for separate listing or designation under an existing or likely local ordinance, but is eligible for special consideration in local planning.” Although strict application of federal standards for rehabilitation is not necessary for the rehabilitation of the Fireside Inn, the proposed project has been designed to incorporate the following principals that would ensure that no conflict with the historic character of the Inn would result: (1) the proposed renovations to the Inn would entail modest modifications that include removal of additions and building alterations that were made to the original structure in order to simplify the exterior building features to present a more coherent architectural vernacular; (2) all new construction would be set back at least 25 feet from the Inn to provide a physical buffer and ensure that new construction would not overwhelm or compete with the visual prominence for the building; and (3) proposed landscaping and site features would complement the building through selective placement of new trees, use of native grass and shrub species, and use of shell and rock inlay in the site walls and paving that are inspired by the historic Native American shellmound.

- H. The project has been designed to comply with guidelines for acceptable exterior and interior noise levels for residential uses that are contained in the Countywide Plan’s Noise Element. Given the site’s proximity to Highway 101 and Shoreline Highway, the predominant source of noise that the project would be exposed to consists of automobile, bus, and truck noise. Noise Element Program N-1.1b states that an acoustical analysis shall be performed for new residential development in areas exposed to outdoor noise levels that are greater than 60 dBA (A-weighted decibels) in order to determine the appropriate mitigation measures for meeting an exterior noise level of 60 dBA, as measured at the property line, and an interior noise level of 45 dBA. Program N-2.1b states that for areas that already exceed the “normally acceptable” noise level (greater than 60 dBA), a significant noise impact is triggered if the new construction raises the noise level by more than 3 dBA.

An acoustical analysis, prepared by Wilson, Ihrig and Associates, Inc. Acoustical Consultants, found that existing noise levels of 70 dBA exist along the northeasterly front property line and 65 dBA in the vicinity of the Fireside Inn and Motel. Factoring projected increases in traffic on Highway 101, a future noise level of 71 dBA is expected along the front property line, which is considered less than significant under Program N-2.1b. Although the daytime hourly levels are higher than 60 dBA, these levels are conditionally acceptable for multiple-family residential uses pursuant to Noise Element Table N-2. Furthermore, the applicant proposes a number of mitigations that would minimize exposure of future residents to excessive noise levels including: (1) orienting the private patio and balconies away from Highway 101 and Shoreline Highway or eliminating them for certain second floor units that face these roadways; (2) utilizing interior atrium and hallways for the senior resident units; (3) utilizing vegetation and a strawbale wall along the northeasterly front property line; (4) providing a variety of private and public outdoor spaces to meet resident needs for a healthy environment; and (5) utilizing sound-insulating materials and construction practices, such as exterior cement siding and sound-rated windows, that would result in an interior noise level of 45 dBA. Based on the foregoing factors, the project is not expected to result in exposure by future residents to excessive noise levels.

SECTION II: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Planning Commission hereby recommends approval of the Citizens Housing Corporation (Fireside Apartments) Precise Development Plan 03-8 by the Board of Supervisors subject to the following conditions of approval.

Marin County Community Development Agency - Planning Division

1. Pursuant to Chapter 22.45 of the Marin County Code, the Citizens Housing Corporation (Fireside Apartments) Precise Development Plan 03-8 is approved for the development of a 50-unit affordable housing project located on the site of the Fireside Inn and Motel. The existing one-story motel behind the Fireside Inn is approved to

be demolished and replaced with three, two and three-story buildings totaling 28,320 square feet on the four-acre property. Building A is approved to be sited to the south and east of the Fireside Inn and to include 17, two-bedroom flats and townhomes ranging in size from 694 square feet for a flat to 765 for a townhome unit. This structure is approved to attain a maximum height of 25 feet above natural grade. Buildings B and C are approved to be located generally to the south and west of the Inn and to include 10 one-bedroom senior and 22 studio senior units over a ground level parking garage. Buildings B and C are approved to attain a maximum height of 30 feet above natural grade with four architectural features consisting of a three-foot high attic vent cupola that are approved to attain a maximum height of 33 feet. Adaptive reuse and seismic stabilization are approved for the existing two-story Fireside Inn building for conversion into a meeting room with a two-bedroom apartment upstairs. Access to the site is approved to be taken from a private easement on the adjoining property (Assessor's Parcel 052-182-02), with emergency-only access only over the existing local access roadway which fronts the property. A total of 53 on-site parking spaces are approved. The subject property is located at **115 Shoreline Highway, Mill Valley**, on property further identified as **Assessor's Parcels 052-182-03, and -04**.

2. Plans submitted for a Building Permit shall be in substantial conformance with the following approved Precise Development Plan exhibits on file in the Community Development Agency - Planning Division:
 - A. "Exhibit A," consisting of plans entitled, "Fireside Housing" consisting of 22 plan sheets, prepared Van Der Ryn Architects, Eco-Logic in Architecture and Planning, Land Development Solutions, Inc., TWM Architects and Planners, and April Philips Design Works, Inc., dated December 20, 2002 with latest revisions dated June 2, 2003;
 - B. "Exhibit B," consisting of a color board, entitled "Fireside Housing," prepared by TWM Architects and Planners, depicting the following: (1) composition shingle roof specified "Elk Prestique/Antique Slate," or equivalent; (2) fiber cement horizontal lap siding colored "ICI/Palm Springs Tan #524" or equivalent; (3) building trim colored "ICI/Reindeer #518" or equivalent; (4) windows, doors, vents, and existing Fireside Inn balcony colored "ICI/Zanzibar Coast #122" or equivalent; (5) trellises stained "Olympic #717" or equivalent; and (6) existing off-white color to be maintained on the exterior brick veneer for the Fireside Inn;
 - C. "Exhibit C," consisting of a geotechnical investigation, prepared by Treadwell & Rollo Environmental and Geotechnical Consultants, dated December 19, 2002 and a supplemental letter report addressing settlement of floors and pavements dated May 23, 2003;
 - D. "Exhibit D," consisting of an acoustical evaluation, prepared by Wilson, Ihrig & Associates, Inc. Acoustical Consultants, dated April 18, 2003; and
 - E. "Exhibit E," consisting of an archaeological report, prepared by Archaeological Resource Service, dated March 5, 2003 and Treatment Plan, dated May 2003.
3. The project shall provide a minimum of 53 on-site parking spaces based on the parking plan included in "Exhibit A." Subject to review and approval by the California Department of Transportation, the applicant shall implement circulation improvements that accomplish the objectives of providing a safe pedestrian and bicyclist connection to the Manzanita Park and Ride facility and that provide a safe vehicular turning movements into and out of the property through installation of a two-way-left-turn lane in the median of Shoreline Highway.
4. The applicant shall implement the recommendations contained in the Treatment Plan that is identified as "Exhibit E" of this approval.
5. **PRIOR TO ISSUANCE OF A DEMOLITION PERMIT**, the applicant shall prepare and submit a Health and Safety Plan for review and approval by the Bay Area Air Quality Management District ("BAAQMD"). This plan shall be prepared in accordance with California Occupational Safety and Health Agency requirements and shall contain the means and methods for controlling and monitoring airborne asbestos.

6. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the site plan or other first sheet of the office and job site copies of the Building Permit plans to list these Precise Development Plan Conditions of Approval as notes.
7. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the applicant shall depict the location and type of all exterior lighting for review and approval of the Community Development Director. Exterior lighting shall be permitted for safety purposes only, must consist of low wattage fixtures, and must be directed downward and hooded. Lighting shall be selected to avoid high-angle, high-candela distribution patterns. A cut (specification) sheet shall be included in the Building Permit plans for all exterior lights.
8. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a construction management plan for review and approval by the Director, in consultation with the Department of Public Works Traffic Division and the California Department of Transportation. The plan shall identify the anticipated amount of construction equipment, the areas for storage of equipment and materials, the route(s) to be taken by trucks hauling excavated spoils and traffic control measures that would minimize interruption of local traffic, limitations for trucking activity that would avoid peak commute hours, and the on-site location for staging of equipment and materials.
9. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the applicant shall incorporate sustainable (green) building concepts into the construction plans. This may include the use of an on-site, grid-intertied renewable energy utilizing a solar photovoltaic system and solar thermal system that would be located on the Fireside Inn and the southerly (uphill) roof on Buildings B and C. Roof-mounted solar systems shall be installed to be flush with the roof elevation on Buildings B and C and no higher than the surrounding parapet on the Fireside Inn. The design and selection of materials and building systems shall address energy-efficient performance, materials resource efficiency, sensitive site design, water efficiency and reclamation, and non-toxic finish materials. These include such features as: (1) natural ventilation and daylighting strategies in the design and placement of the buildings; (2) energy efficient (energy star) appliances, lighting, and windows that exceed state energy performance standards (Title 24); (3) durable construction materials such as fiber siding and composite decking; (4) green materials such as fly ash concrete, recycled-content carpet, cellulose insulation, engineered lumber, FSC certified wood, natural floor coverings and recycled-content interior finishes; (5) low and no VOC paints and finishes including cabinets, carpets, and adhesives, (6) rainwater retention features, pervious paving, and native low water use landscape palette; and (7) construction waste recycling and/or use.
10. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a copy of the proposed off-site improvement plans to the Community Development Agency for review and approval confirming the final design for the two-way-left-turn lane and pedestrian crosswalk within the Shoreline Highway right-of-way. The plan shall also include street lighting improvements along the designated path of travel from the site to the Park and Ride Lot to the extent the improvements are required by Caltrans to provide for safe night-time conditions for pedestrians.
11. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a copy of an approved Encroachment Permit from the California Department of Transportation for all proposed work within the Shoreline Highway right-of-way, including the pedestrian crossing and the two-way-left-turn median lane. Minor modifications to the design of the right-of-way improvements that may be required by Caltrans, including a relocation of the existing driveway access located on the Fountain Motel property to align with the existing driveway located to the north of Shoreline Highway, may be permitted. The approval shall include street lighting improvements along the designated path of travel from the site to the Park and Ride Lot to the extent the improvements are required by Caltrans to provide for safe night-time conditions for pedestrians.
12. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a final landscape plan for review and approval by the community Development Director. The plan shall be based on the palette depicted in the Landscape Plan contained in "Exhibit A" and shall specify the exact type, size, and location of all landscape components of this project. The landscaping plan shall encompass all areas exposed, graded, or disturbed as a result of construction and grading activities and shall specify the installation of ground cover on

all disturbed soils and all slopes. Native, non-invasive, and deer-resistant species shall be utilized. (Mitigation Measure 3(b)-2)

13. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the applicant shall submit written documentation to the Community Development Agency verifying that a Treatment Plan for potential archaeological resources has been approved by the California State Historic Preservation Office.
14. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a “Statement of Conformance” prepared by a certified or licensed landscape design professional which confirms that the approved landscaping plan conforms to the design requirements contained in Chapter 23.10 (Water Efficiency in Landscaping) of the Marin County Code. Alternatively, the applicant may satisfy this requirement by submitting a letter from the Marin Municipal Water District confirming project compliance with the district's landscape water efficiency regulations.
15. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a tree removal plan for review and approval by the Community Development Director. The plan shall confirm that tree removal will be limited to the area below the 50-foot NGVD elevation, where grading would occur. With exception to the trees approved to be removed, no other trees on the property shall be removed, except to comply with local and State fire safety regulations, to prevent the spread of disease as required by the State Food and Agriculture Department, and to reasonably prevent safety hazards to people and property. Approval of the tree removal plan shall constitute compliance with the requirements of the Tree Preservation Ordinance and the requirements of Marin County Code Section 22.75.100.
16. PRIOR TO ISSUANCE OF A GRADING OR BUILDING PERMIT, the applicant shall submit an offer for dedication for a 20-foot wide public access easement for pedestrian purposes which extends from the pedestrian stair located within the access easement located on Assessor’s Parcel 052-182-02, extending approximately along the alignment of the abandoned quarry road, and continuing with a 20-foot wide floating easement that extends towards the southerly rear property line. The precise alignment of the pedestrian easement may be modified administratively upon mutual agreement between the applicant and the Open Space District staff.
17. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the applicant shall file an owner-initiated Merger with the Community Development Agency to merge Assessor’s Parcels 052-182-03 and –04 into one building site.
18. Construction activity shall be limited to the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, 9:00 a.m. and 4:00 p.m. on Saturday. No construction activities shall be permitted on Sundays or holidays. The hours of construction may be modified administratively on a case-by-case basis by the Community Development Director for due cause.
19. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, the following requirements shall be satisfied.
 - A. All required off-site vehicular and pedestrian improvements shall be installed and operational. The applicant shall submit written confirmation from the California Department of Transportation confirming approval of these improvements.
 - B. The applicant shall enter into a Performance Agreement with the County of Marin that provides for periodic monitoring of the traffic congestion and circulation for a period of three years following project occupancy to confirm that the Manzanita intersection and the Shoreline Highway intersections with the project driveway, the driveway to the businesses on the north side of Shoreline Highway, and the Park and Ride lot operate at a Level of Service D or better. The monitoring shall be conducted by the County or a qualified traffic consultant, chosen for by the County and paid for by the applicant, and the monitoring shall be conducted at frequencies not exceeding one monitoring event per year. Should the monitoring determine that the intersections operate at a Level of Service E or worse and that the deterioration is directly attributable to this project, the applicant shall be required to amend the Precise Development Plan and to work with the County and the California Department of Transportation to substitute and implement

feasible alternative traffic mitigations that would allow the intersections to operate at an acceptable level of service. These may include prohibition of left turn movements out of the site, signalization of the project driveway with Shoreline Highway, or provision of alternative pedestrian access to the Manzanita Transit Center.

- C. The applicant shall submit written documentation confirming that all requirements of the Treatment Plan for potential archaeological resources have been completed to the satisfaction of the California State Historic Preservation Office.
 - D. The applicant shall record a voluntary private non-development agreement, subject to review and approval by the Community Development Director and County Counsel, which would encumber all areas of the property extending above the 50 foot NGVD elevation. The agreement shall preserve the natural and scenic qualities of the hillside area. No new structures may be developed over the non-development area, and the natural topography of the land shall not be disturbed except where required to prevent erosion, to maintain existing improvements and structures, to provide for public access, and to conform to local ordinances or the laws of the State of California relating to health, safety, or the general welfare. No trees, bushes, or other botanical features shall be removed, except where necessary for fire protection, to remove noxious species, or to conform to local ordinances or the laws of the State of California relating to health, safety, or the general welfare. The non-development agreement shall include a provision for public access.
 - E. Approved landscaping and drip irrigation systems shall be installed. The applicant shall call for a Community Development Agency staff inspection of the landscaping and irrigation at least five working days before the anticipated completion of the project. Failure to pass inspection will result in withholding of the occupancy and imposition of hourly fees for subsequent reinspections. (Mitigation Measure 3b-2)
 - F. The applicant shall submit "Statement of Completion," signed by a certified or licensed landscape design professional, which confirms that the approved landscaping was installed as designed, or written proof from the Marin Municipal Water District confirming that the installed landscaping has been planted in conformance with the plans approved by the District.
 - G. The applicant shall submit written confirmation that the project has obtained all necessary approvals/agreements to provide one vehicle under a shared use arrangement, such as that which is provided with the City CarShare program, or an equivalent means of providing alternative transportation services to the project's residents.
 - H. The applicant shall submit written confirmation that the project has obtained all necessary approvals/agreements to provide shuttle services for the senior residents, such as that provided by the Whistlestop Wheels program.
 - I. All exterior flashing, sheet metal, or metal work shall be painted an appropriately subdued, non-reflective color.
 - J. All utility connections and extensions serving the project shall be installed underground.
20. Any changes or additions to the project shall be submitted to the Community Development Agency - Planning Division for review to determine whether a Precise Development Plan Amendment is required.

Marin County Department of Public Works - Land Use and Water Resources

21. PRIOR TO ISSUANCE OF A GRADING OR BUILDING PERMIT, the applicant shall submit the following modifications and design information for review and approval by the Department of Public Works.
- A. The access and utility easement on the adjacent property (Assessor's Parcel 052-182-02) shall be recorded.
 - B. All handicap parking and loading areas shall meet State of California Title 24 accessibility standards.

- C. The applicant shall submit a maintenance agreement(s) that provides for the ability of the common drainage and driveway improvements to be maintained by the associated parcels (Fireside and Fountain Motel).
 - D. Plans showing pre and post settlement elevations due to “ultimate subsidence” shall conform to the soils report prepared by Treadwell & Rollo dated May 23, 2003, and the Marin County Code, Title 24. As requested, the historic Fireside building, having already experienced primary settlement and is at approximately 8.5 feet NGVD, has an acceptable finished floor elevation.
 - E. Plans shall show the driveway off of Shoreline Highway leading to the parking area with a minimum width of 18 feet.
 - F. The applicant shall provide documentation from the Fire Department approving the site fire access/turnaround.
 - G. The plans must be reviewed and approved by a Registered Geotechnical Engineer. Proof of the same may be by the engineer’s stamp and signature on the plans or by letter.
 - H. If required for improvements or work within the Shoreline Highway (State Route One) right of way, the applicant shall submit a copy of the Caltrans encroachment permit.
 - I. The applicant shall submit a Surface Runoff Pollution Control Plan which addresses both interim (during construction) and final (post construction) control measures. Best Management Practices shall be incorporated in the design and planning phases of development.
 - J. The compact spaces shall be changed to standard size stalls with at least a 24 foot wide aisle.
 - K. The plans shall be revised to include opening(s) in garage wall at entrance to underground garage to improve sight distance.
 - L. The plans shall show all elevations based on 1929 NGVD elevations.
 - M. The applicant shall revise plans to show rear retaining wall and temporary excavation constructed on property or provide copy of recorded easement.
22. PRIOR TO ISSUANCE OF A GRADING OR BUILDING PERMIT, OR APPROVAL OF IMPROVEMENT PLANS, the applicant shall submit an Erosion and Dust Control Plan for review and approval by the Department of Public Works that includes best management practices to provide erosion and dust control measures during construction and permanent long-term Erosion and Dust Control measures throughout the property. Grading shall not occur in the rainy season (from October 15 through April 15) unless an Erosion and Dust Control Plan is approved by the Department of Public Works which complies with construction guidelines of the Marin County Stormwater Pollution Prevention Program including, but not limited to: siltation fencing, straw rolls, and other drainage erosion and dust control measures; stabilization of graded soils; hydroseeding; protection of graded soils from precipitation and runoff; and limiting construction equipment access. All construction mitigation measures of the approved Erosion and Dust Control Plan shall be required to be implemented by the project sponsor prior to, and during, the rainy season from October 15 to at least April 15. A cash bond may be required to insure that control measures are implemented and maintained. (Mitigation Measure 3(b)-1)
23. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, the applicant shall obtain final approval from the Department of Public Works for the project, which approval shall include confirmation that all required work has been completed.

24. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the applicant shall enter into a written agreement with the applicant for the proposed service station located at 156 Shoreline Highway that establishes a 50% cost sharing arrangement. Since the two-way-left-turn-lane is required to address failing turning movements in and out of the various driveways, each applicant shall pay 50% of the cost of its installation.

Southern Marin Fire Protection District

25. PRIOR TO ISSUANCE OF A GRADING OR BUILDING PERMIT, the applicant shall submit written documentation from the District Fire Marshal confirming compliance with the following District requirements:

- A. All new driveways shall be designed so that emergency vehicles can negotiate turns without having to make backing maneuvers (no switchbacks).
- B. All access roads or driveways in excess of 150 feet in length shall be provided with an approved turnaround.
- C. A U.L. listed key box shall be provided.
- D. Fire sprinkler systems shall be provided.
- E. Non-combustible roofing shall be utilized.

26. PRIOR TO FRAMING INSPECTIONS, the applicant shall demonstrate that all on-site improvements, such as water main extensions, hydrants and access roads, must be serviceable. The applicant shall provide three fire department approved fire hydrants to be spaced at 350-foot intervals and capable of providing a flow at the site of 1,000 gallons per minute. Hydrant placement (including water main extension) shall be reviewed and approved by the District and the Marin Municipal Water District.

27. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, the applicant shall submit written documentation from the District Fire Marshal that the project complies with all District requirements, including the following:

- A. The address shall be posted in accordance with the Uniform Fire Code.
- B. Smoke detectors shall be installed in accordance with the Uniform Building code.
- C. The project shall comply with Public Resource Code 4291 relating to brush and weed clearance.
- D. A spark arrestor shall be installed on the chimney.

Marin Municipal Water District

28. The additional water required for this project will be available upon request and fulfillment of the following requirements:

- A. The applicant shall complete a High Pressure Water Service application and pay appropriate fees; and
- B. The applicant shall pay appropriate fees comply with the District's rules and regulations in effect at the time service is requested.

29. All landscape and irrigation plans must be designed in accordance with the most current District landscape requirements (Ordinance 385). Prior to providing water service for new landscape areas, or improved or modified landscape areas, the District must review and approve the project's working drawings for planting and irrigation systems.

30. PRIOR TO ISSUANCE OF BUILDING PERMIT, the applicant shall submit sewer improvements plans to the District for review and approval and pay the necessary connection fees.

SECTION III: VESTING

NOW, THEREFORE BE IT RESOLVED that the Citizens Housing Corporation (Fireside Apartments) Precise Development Plan shall be vested within two years from the date of approval by securing a Building Permit and/or other permits related to the approved work substantially completing the improvements in accordance with the Building Permit and/or other permits, or all rights granted in this approval shall lapse, unless the applicant applies for an extension at least 30 days before the expiration date above and the Community Development Director approves it. Due to the concurrent approval of a Rezoning, the date of approval for the Precise Development Plan shall be the date the Rezoning approval becomes effective. A Precise Development Plan extension of not more than four years may be granted for cause pursuant to Section 22.45.063 of the Marin County Code. If the Precise Development Plan for the approved project is not vested through substantial completion of the approved improvements, the County shall initiate a Rezoning of the property to revert the zoning to the Residential Multiple Planned Commercial, one unit per acre (RMPC-1) zoning district.

SECTION IV: VOTE

PASSED AND ADOPTED at a special meeting of the Planning Commission of the County of Marin, State of California, on the 14th day of July 2003, by the following vote to wit:

AYES:

NOES:

ABSENT:

ROSS HERBERTSON, CHAIR
MARIN COUNTY PLANNING COMMISSION

Attest:

Alexandra Morales
Planning Commission Secretary