



May 14, 2020

Immanuel Bereket
County of Marin Planning Division
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903

Re: Request for Development Incentives
825 Drake Ave, Sausalito, CA 94965 / APN: 052-112-03

Dear Mr. Bereket,

Pursuant to State Density Bonus Law, AMG & Associates, LLC (the “Applicant”) wishes to pursue a concession from the County’s development standards.

Per AB1763, and effective January 1st, 2020, State Density Bonus Law requires a housing development in which 100 percent of the total units are for lower income households, except that up to 20 percent of the total units in the development may be for moderate income households, receive four incentives or concessions.

Marin County’s Zoning Code (“Zoning Code”) imposes specific development standards depending on the project’s location. The RMP – 34 zoning district is a Planned Zoning District. Planned zoning districts are designed to provide flexibility with regard to setbacks, minimum lot size and floor area ratio.

Pursuant to State Density Bonus Law, an eligible housing development shall be entitled to four concessions for projects meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b). Therefore, please see below details the concessions being requested, which are based on the current plan, the standards set forth in the Zoning Code and the County’s Multi-Family Design Guidelines:

1. **Height:** Section 22.10.040 of the Zoning Code requires the maximum building height be 30 feet for main buildings. The height of a structure is defined as the vertical distance from grade to the highest point of a structure. The Applicant is proposing a height of 52.5 feet to physically accommodate 74 units. This would be an actual, identifiable cost reduction because if the Applicant complied with this then units would be eliminated translating to an increase in land and soft costs per unit.
2. **Windows:** DG-20 of the Multi-Family Design Guidelines states at least 25 percent of a new street-facing façade should be comprised of windows and fenestration. 21 percent of the proposed project’s street-facing facade is comprised of windows. The Applicant requests relief from this guideline as this will equate to an actual, identifiable cost reduction.
3. **Tree Canopies:** DG-80 of the Multi-Family Design Guidelines state that parking lots should be at least 25 percent covered with tree canopies after the trees mature. The Applicant requests relief from providing trees to cover parking as this will equate to an actual, identifiable cost reduction. As permitted by SB35, the Applicant is not required to provide parking at the project because it

is located within one-half mile of public transit. This concession allows the Applicant to provide parking and improve the project's livability.

Pursuant to State Density Bonus Law [Government Code §65915 (e)(1)]: In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section. The following waivers are being requested as the development standards would physically preclude the site from developing at the density permitted under the Zoning Code and density bonus law.

1. **Open space:** DG-29 of the Multi-Family Design Guidelines states that one hundred square feet of shared open space be provided per unit for new multi-family residential developments. The Applicant is requesting relief from this requirement as this would shrink the building footprint by approximately 5,084 square feet. Without the reduction in open space, it would be physically impossible to accommodate all of the proposed units, much less the number of units allowed on the site with or without density bonus.
2. **Bicycle Parking:** DG-84 of the Multi-Family Design Guidelines states that projects exceeding four new dwellings should provide a secure bike room and/or bicycle lockers with at least one bicycle space for every two housing units. The Applicant is requesting relief from providing bike room and bicycle lockers as this would result in additional site area required. Without the relief from this requirement, it would be physically impossible to accommodate all of the proposed units.

Granting these concessions and waivers allows the Applicant to develop a 74-unit project which is permitted by the Zoning Code. The Applicant reserves the right to amend this request or add additional waivers, should such be required during staff's review or the public hearing phase of the project and the requested entitlements.

Should you have any further questions, please feel free to contact me at (818) 380-2600 ext. 17 or kcalica@amgland.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Calica', with a stylized flourish at the end.

Kimberly Calica