

## **APPENDIX A**

### **NOTICE OF PREPARATION AND COMMENT LETTERS**

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**SAN RAFAEL**  
THE CITY WITH A MISSION

# Notice of Preparation Environmental Impact Report City of San Rafael

**Date:** December 9, 2021

<b>To:</b>	State Clearinghouse State Responsible Agencies State Trustee Agencies Other Public Agencies Interested Organizations and Individuals Property Owners in the Vicinity	<b>From:</b>	Tricia Stevens Consulting Planner City of San Rafael 1400 Fifth Street San Rafael, CA 94901
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**Subject:** Notice of Preparation of an Initial Study and Environmental Impact Report (EIR) for the Northgate Mall Redevelopment Project

**Lead Agency:** City of San Rafael Community Development Department

**Project Title:** Northgate Mall Redevelopment Project  
(ZC21-001, UP21-007, ED21-024, TS21-002, IS21-002, DA21-001  
APNs: 175-060-12,-40,-59,-61,-66 & -67)

**Project Area:** North San Rafael Town Center, City of San Rafael

Notice is hereby given that the City of San Rafael (City) will be the lead agency and will prepare an Environmental Impact Report (EIR) for the proposed Northgate Mall Redevelopment Project (project) and will hold a public meeting to receive comments on the scope of the EIR, as detailed below. Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15206, the proposed project is considered a project of Statewide, regional, or areawide significance. The City, acting as the Lead Agency, determined that the proposed project could result in potentially significant environmental impacts and that an EIR is required.

The City will prepare an EIR to address the potential environmental impacts associated with the project consistent with CEQA Guidelines Sections 15161 and 15168. The EIR will evaluate the proposed project for potential impacts on the environment and determine the potential environmental consequences of project implementation. An evaluation of project alternatives that could reduce significant impacts will be included in the EIR. The proposed project, its location, and potential environmental effects are described below

The City is requesting comments and guidance on the scope and content of the EIR from interested public agencies, organizations, and individuals. Comments on the NOP are due no later than the close of the NOP review period (5:00 p.m. on **January 14, 2022**). However, we would appreciate your response at the earliest possible date. Please send your written comments to Tricia Stevens at the address shown above or by email to [Tricia.Stevens@cityofsanrafael.org](mailto:Tricia.Stevens@cityofsanrafael.org) with "Northgate Mall Redevelopment Project EIR" as the subject. Public agencies that provide comments are asked to include a contact person for the agency.

A scoping session will be held before the San Rafael Planning Commission on **January 11, 2022, at 7:00 p.m.** In response to the ongoing COVID-19 pandemic, the Planning Commission meeting will be held remotely via Zoom, which can be accessed at: <https://www.cityofsanrafael.org/planning-commission-meetings/>.

The scoping session is the time when the City solicits input from the public and agencies on specific topics they believe should be addressed in the environmental analysis. The scoping process is designed to enable the City to determine the scope and content of the EIR and identify potentially significant environmental effects, alternatives, and mitigation measures to be analyzed in the EIR.

**PROJECT LOCATION AND EXISTING CONDITIONS:** The project site is located west of US Highway 101 (US 101), in the City of San Rafael, Marin County, as shown in Figure 1. The approximately 44.76-acre project site consists of the Northgate Mall, which is located within the San Rafael Town Center in the northern portion of the city. The project site is generally surrounded by a mix of uses, including commercial, residential, open space, and institutional. The project site is bordered by Las Gallinas Avenue to the north and east and Northgate Drive to the south and west.

The project site is designated as General Commercial on the City's General Plan Land Use Map and is within the General Commercial zoning district. The mall, which originally opened in 1965, is generally oriented on a north-south axis, with the main building located in the center of the project site surrounded by surface parking and standalone buildings and structures. Current major tenants within the mall include Century Theatre, Macy's, Kohl's, Rite Aid, and HomeGoods. A total of 2,908 parking spaces are provided on the project site. Vegetation on the site consists of ornamental landscaping, including landscaped strips along the boundaries of the site that contain street trees and shrubs, planters with trees within the surface parking lot, and some mature trees located adjacent to the existing buildings.

**PROJECT BACKGROUND:** The project sponsor, Merlone Geier Partners, LLC, submitted an application for the proposed project on March 10, 2021, and a revised application was submitted in June 2021. The City of San Rafael Planning Commission (PC) and Design Review Board (DRB) held a joint study session on September 14, 2021. In addition to feedback and input from the PC and DRB, the public was given the opportunity to provide initial comments on the project at this meeting.

**PROJECT DESCRIPTION:** The proposed project would result in the redevelopment of the existing mall through demolition, renovation, and new construction with a mix of commercial and residential land uses. As shown in Table 1, the proposed project would be developed in two phases, and at full buildout is currently proposed to include a total of approximately 225,100 square feet of commercial uses and up to 1,443 residential units, of which 10 percent would be restricted to a minimum of low-income households.<sup>1</sup>

Phase 1 (also referred to as the 2025 Master Plan) would generally include the demolition of the RH Outlet, HomeGoods, and approximately 140,932 square feet of the main building and construction of approximately 1,013 residential units. Phase 1 would also include the construction of a town square near the center of the project site. Phase 2 (also referred to as the 2040 Vision Plan) would generally include the demolition of the Macy's and Kohl's buildings and the construction of 430 residential units.

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<sup>1</sup> It should be noted that proposed square footages, residential unit mix, and other elements of the project may be subject to continued refinement after publication of this NOP and prior to consideration of project approval. The analysis in the EIR will evaluate the maximum development potential for the proposed project.

**Table 1: Proposed Project Buildout Summary**

Phase	Existing Commercial (square feet)	Demolished Commercial (square feet)	Existing Commercial to Remain (square feet)	New Commercial (square feet)	Total Commercial (square feet)	Residential Units
Phase 1	766,507	305,446	461,061	44,100	505,161	1,013
Phase 2 <sup>a</sup>	505,161	339,861	165,300	59,800	225,100	1,443

Source: Merlone Geier Partners LLC (2021).

a: Phase 2 represents the proposed project at full buildout, and therefore includes development from Phase 1.

**PROBABLE ENVIRONMENTAL EFFECTS:** The EIR will address the proposed project’s potential impacts to the following environmental topics:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

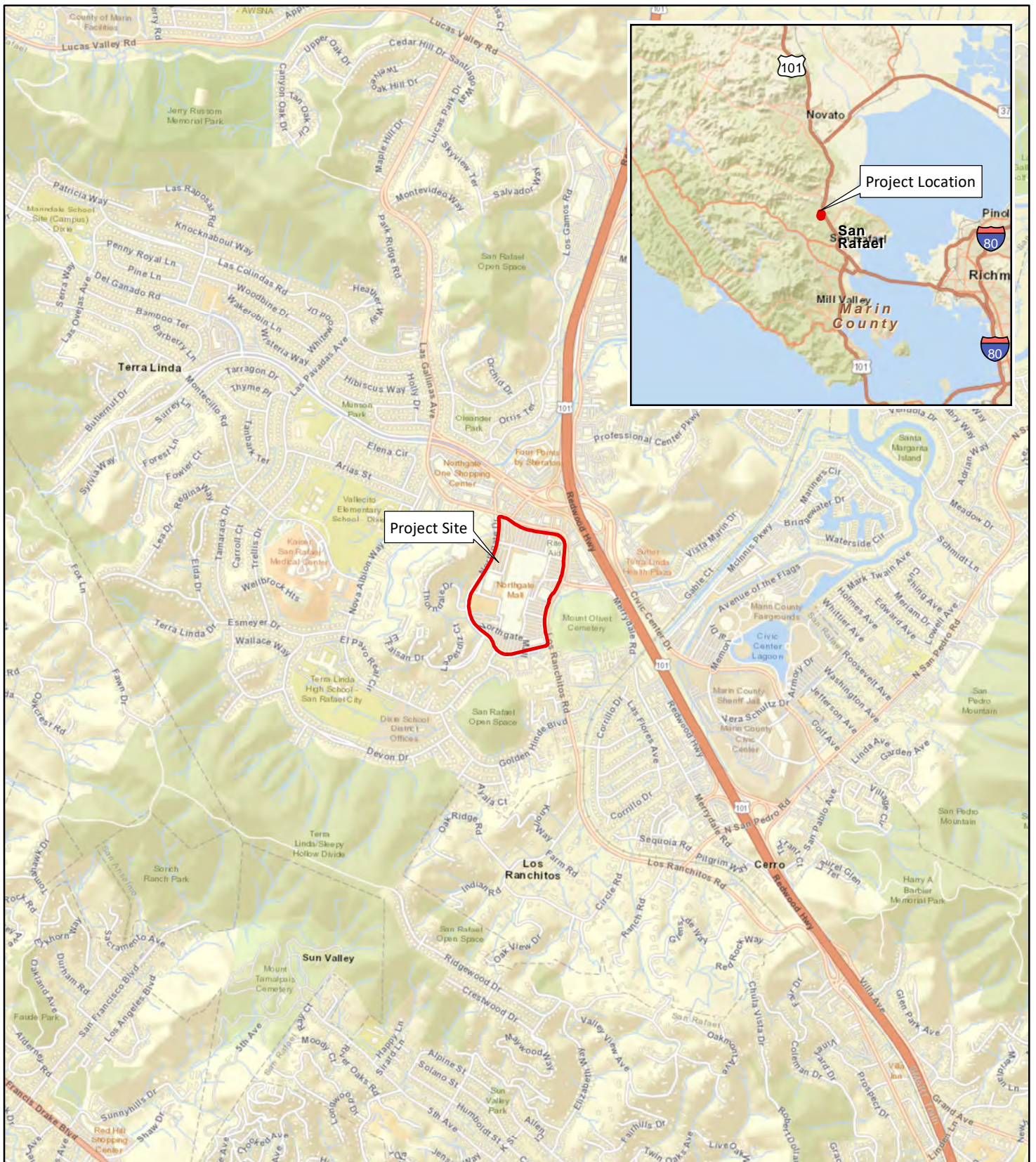
**ALTERNATIVES:** Based on the significance conclusions determined in the EIR, alternatives to the proposed project will be identified and analyzed to reduce identified impacts. Section 15126.6(e) of the CEQA Guidelines requires the evaluation of a No Project Alternative. Other alternatives may be considered during preparation of the EIR and will comply with the CEQA Guidelines, which call for a range of reasonable alternatives to the project, or the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project.

**EIR PROCESS:** Following the close of the NOP comment period, a draft EIR will be prepared that will consider all NOP comments. In accordance with CEQA Guidelines Section 15105(a), the draft EIR will be released for public review and comment for a required minimum 45-day review period. Following the close of the 45-day public review period, the City will prepare a final EIR, which will include responses to all substantive comments received on the draft EIR. The draft EIR and final EIR will be considered by the Planning Commission and City Council in making the decision to certify the EIR and approve or deny the project.

*Tricia Stevens*

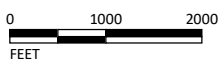
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Tricia Stevens  
 City of San Rafael  
 December 9, 2021



**LSA**

FIGURE 1



SOURCE: ESRI World Street Map (2020).

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*Northgate Mall Redevelopment Project NOP  
Project Location and Regional Vicinity*



**LEGEND**

- EXISTING TO REMAIN
- TO BE DEMOLISHED 2025 PLAN

**LSA**



FIGURE 2

*Northgate Mall Redevelopment Project NOP*  
 2025 Master Plan -  
 Proposed Remaining and Demolished Buildings

SOURCE: MerloneGeier Partners, 6/11/2021

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**LEGEND**

- EXISTING TO REMAIN ■
- PREVIOUSLY DEMOLISHED 2025 PLAN ■
- TO BE DEMOLISHED 2040 PLAN ■

LSA

FIGURE 3



*Northgate Mall Redevelopment Project NOP*  
 2040 Vision Plan -  
 Proposed Remaining and Demolished Buildings





FIGURE 4

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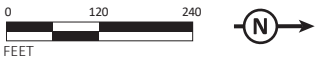
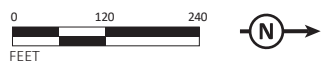




FIGURE 5

LSA



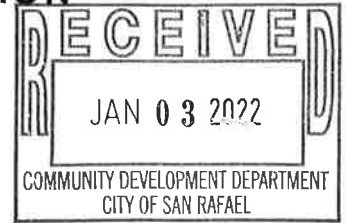
SOURCE: MerloneGeier Partners, 6/11/2021

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Northgate Mall Redevelopment Project NOP  
Proposed Conceptual Site Plan - 2040 Vision Plan



## NATIVE AMERICAN HERITAGE COMMISSION



December 16, 2021

Tricia Stevens, Consulting Planner  
City of San Rafael  
1400 Fifth Street  
San Rafael, CA 94901

**Re: 2021120187, Northgate Mall Redevelopment Project, Marin County**

Dear Ms. Stevens:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

CHAIRPERSON  
**Laura Miranda**  
Luiseño

VICE CHAIRPERSON  
**Reginald Pagaling**  
Chumash

PARLIAMENTARIAN  
**Russell Attebery**  
Karuk

COMMISSIONER  
**William Mungary**  
Paiute/White Mountain  
Apache

COMMISSIONER  
**Isaac Bojorquez**  
Ohlone-Costanoan

COMMISSIONER  
**Sara Dutschke**  
Miwok

COMMISSIONER  
**Buffy McQuillen**  
Yokayo Pomo, Yuki,  
Nomlaki

COMMISSIONER  
**Wayne Nelson**  
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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
  
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
  
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
  
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
  
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
  
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
    - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
    - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - i.** Protecting the cultural character and integrity of the resource.
    - ii.** Protecting the traditional use of the resource.
    - iii.** Protecting the confidentiality of the resource.
  - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
  - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
  - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
  - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

### NAHC Recommendations for Cultural Resources Assessments

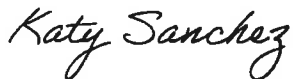
To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
  
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:  
[Katy.Sanchez@nahc.ca.gov](mailto:Katy.Sanchez@nahc.ca.gov).

Sincerely,



Katy Sanchez  
Associate Environmental Planner

cc: State Clearinghouse



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Bay Delta Region  
2825 Cordelia Road, Suite 100  
Fairfield, CA 94534  
(707) 428-2002  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



January 13, 2022

Tricia Stevens  
City of San Rafael  
1400 Fifth Avenue  
San Rafael, CA 94901  
[tricia.stevens@cityofsanrafael.org](mailto:tricia.stevens@cityofsanrafael.org)

Subject: Northgate Mall Redevelopment Project, Notice of Preparation of a Draft Environmental Impact Report, SCH No. 2021120187, City of San Rafael, Marin County

Dear Ms. Stevens:

The California Department of Fish and Wildlife (CDFW) has reviewed the Notice of Preparation (NOP) of a draft Environmental Impact Report (EIR) for the Northgate Mall Redevelopment Project (Project).

CDFW is a **Trustee Agency** with responsibility under the California Environmental Quality Act (CEQA) for commenting on projects that could impact fish, plant, and wildlife resources (Pub. Resources Code, § 21000 et seq.; Cal. Code Regs., tit. 14, § 15386). CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as a California Endangered Species Act (CESA) Incidental Take Permit, a Native Plant Protection Act Permit, a Lake and Streambed Alteration (LSA) Agreement, or approval under other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources. Pursuant to our authority, CDFW has the following concerns, comments, and recommendations regarding the Project.

## PROJECT DESCRIPTION AND LOCATION

The Project would redevelop an existing mall through demolition, renovation, and new construction of commercial and residential structures. The City of San Rafael (City) is the Lead Agency for the Project and Merlone Geier Partners, LLC, is the Project proponent. The Project is located at 5800 Northgate Drive in the City of San Rafael, County of Marin and is surrounded by a mix of residential and commercial development, and open space. The approximate Project centroid is Latitude 38.003694°N, Longitude 122.544458°W. The Project would cover approximately 44.76 acres. The Project would be split into two phases.

The CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) require that the draft EIR incorporate a full Project description, including reasonably foreseeable future phases of the Project, that contains sufficient information to evaluate and review the



Tricia Stevens  
City of San Rafael  
January 13, 2022  
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Project's environmental impact (CEQA Guidelines, §§ 15124 & 15378). Please include a complete description of the following Project components in the Project description:

- Footprints of permanent Project features and temporarily impacted areas, such as staging areas and access routes.
- Area and plans for all proposed buildings/structures, demolition, ground disturbing activities, fencing, paving, stationary machinery, landscaping, and stormwater systems.
- Operational features of the Project, including level of anticipated human presence (describe seasonal or daily peaks in activity, if relevant), artificial lighting/light reflection, noise, traffic generation, and other features.
- Construction schedule, activities, equipment, and crew sizes for each phase of the Project.

## **REGULATORY REQUIREMENTS**

CDFW has authority over actions that may disturb or destroy active nest sites or take birds. Fish and Game Code sections 3503, 3503.5, and 3513 protect birds, their eggs, and nests. Fully protected species such as white-tailed kite (*Elanus leucurus*) may not be taken or possessed at any time (Fish & G. Code, § 3511). Migratory birds are also protected under the federal Migratory Bird Treaty Act.

## **ENVIRONMENTAL SETTING**

The draft EIR should provide sufficient information regarding the environmental setting ("baseline") to understand the Project's, and its alternative's (if applicable), potentially significant impacts on the environment (CEQA Guidelines, §§ 15125 & 15360).

CDFW recommends that the draft EIR provide baseline habitat assessments for special-status plant, fish, and wildlife species located and potentially located within the Project area and surrounding lands, including but not limited to all rare, threatened, or endangered species (CEQA Guidelines, § 15380). CDFW recommends including all relevant information from previously adopted or certified CEQA documents associated with the Project site. Fully protected, threatened or endangered, and other special-status species that are known to occur, or have the potential to occur in or near the Project site, include but are not limited to:

- White-tailed kite, Fully Protected Species
- Townsend's big-eared bat (*Corynorhinus townsendii*), California Species of Special Concern (SSC)

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- Pallid bat (*Antrozous pallidus*), SSC
- Hoary bat (*Lasiurus cinereus*), SSC
- Western red bat (*Lasiurus blossevillii*), SSC
- Monarch butterfly (*Danaus plexippus* pop.1), California Terrestrial and Vernal Pool Invertebrate of Conservation Priority (ICP)<sup>1</sup>
- Western bumble bee (*Bombus occidentalis*), ICP

Habitat descriptions and the potential for species occurrence should include information from multiple sources, such as aerial imagery; historical and recent survey data; previous CEQA documents associated with the Project site; field reconnaissance; scientific literature and reports; the U.S. Fish and Wildlife Service's (USFWS) Information, Planning, and Consultation System; and findings from positive occurrence databases such as the California Natural Diversity Database (CNDDDB). Based on the data and information from the habitat assessment, the draft EIR should adequately assess which special-status species are likely to occur on or near the Project site, and whether they could be impacted by the Project.

CDFW recommends that prior to Project implementation, surveys be conducted for special-status species with potential to occur, following recommended survey protocols if available. Survey and monitoring protocols and guidelines are available at: <https://wildlife.ca.gov/Conservation/Survey-Protocols>.

## **IMPACT ANALYSIS AND MITIGATION MEASURES**

The draft EIR should discuss all direct and indirect impacts (temporary and permanent), including reasonably foreseeable impacts, that may occur with implementation of the Project (CEQA Guidelines, § 15126, 15126.2, & 15358). This includes evaluating and describing impacts such as:

- Potential for impacts to special-status species.
- Loss or modification of breeding, nesting, dispersal, and foraging habitat, including vegetation removal, alteration of soils and hydrology, and removal of habitat structural features (e.g., snags, rock outcrops, overhanging banks, anthropogenic habitat structures).

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<sup>1</sup> The list of California Terrestrial and Vernal Pool Invertebrates of Conservation Priority was collated during CDFW's Scientific Collecting Permit rulemaking process: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=157415&inline>

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- Permanent and temporary habitat disturbances associated with ground disturbance, noise, lighting, reflection, air pollution, traffic, or human presence.
- Obstruction of movement corridors, fish passage, or access to water sources and other core habitat features.

The draft EIR should also identify reasonably foreseeable future projects in the Project vicinity, disclose any cumulative impacts associated with these projects, determine the significance of each cumulative impact, and assess the significance of the Project's contribution to the impact (CEQA Guidelines, § 15355). Although a project's impacts may be less-than-significant individually, its contributions to a cumulative impact may be considerable; a contribution to a significant cumulative impact, e.g., reduction of habitat for a special-status species, should be considered cumulatively considerable.

Based on the comprehensive analysis of the direct, indirect, and cumulative impacts of the Project, the CEQA Guidelines direct the Lead Agency to consider and describe all feasible mitigation measures to avoid potentially significant impacts in the draft EIR, and mitigate potentially significant impacts of the Project on the environment (CEQA Guidelines, §§ 15021, 15063, 15071, 15126.4 & 15370). This includes a discussion of impact avoidance and minimization measures for special-status species, which are recommended to be developed in early consultation with CDFW and USFWS. Project-specific measures should be incorporated as enforceable Project conditions to reduce impacts to biological resources to less-than-significant levels.

Fully protected species such as white-tailed kite may not be taken or possessed at any time (Fish & G. Code, § 3511, 4700, 5050, & 5515). Therefore, the draft EIR should include measures to ensure complete avoidance of fully protected species.

### **Nesting Birds**

The Project site contains ornamental trees, landscaping, and building ledges and eaves that may provide nesting habitat for native birds. Many common species of migratory and resident birds use landscaping vegetation for nesting purposes. Bird species that may be considered common have still declined over the past 50 years; human activity and removal of habitat has contributed to the loss of a significant proportion of the total number of birds in the United States and Canada since the 1970s (Rosenburg et al. 2019). Nesting birds may be disturbed by Project noise or human presence, which could lead to nest abandonment or reduced health and vigor of young, a potentially significant impact. To reduce potential impacts to less-than-significant, CDFW recommends the draft EIR disclose the potential for nesting birds to occur in the Project area and incorporate the following mitigation measure.

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### *Mitigation Measure BIO-1: Nesting Bird Surveys*

If construction, grading, or other Project-related activities are scheduled during the nesting season, February 1 to September 1, a focused survey for active nests shall be conducted by a qualified biologist within 7 days prior to the beginning of Project-related activities. If an active nest is found, the qualified biologist shall delineate a no-work-zone buffer distance around the nest that is site and species specific using high visibility fencing or flagging. The buffer distance shall be specified to protect the bird's normal behavior and prevent nesting failure or abandonment. No work shall occur within the no-work-zone until the nest is no longer active as determined by a qualified biologist. If a lapse in Project-related work of 7 days or longer occurs, another focused survey shall occur before Project work is reinitiated.

### **Bat Species of Special Concern**

As identified above, the Project is within the range of SSC bat species including pallid bat, hoary bat, western red bat, and Townsend's big-eared bat<sup>2</sup>. Mature trees and existing buildings scheduled for demolition could provide suitable roosting habitat for SSC bats. These bats are experiencing population declines in California (Brylski et al. 1998). Removal of habitat could result in injury or mortality of these special-status bats, a potentially significant impact. To reduce potential impacts to less-than-significant, CDFW recommends that the draft EIR disclose the potential for these bats to occur in the Project area and incorporate the following mitigation measures.

### *Mitigation Measure BIO-2: Roosting Bat Habitat Assessment and Surveys*

Prior to any building demolition or tree removal, a qualified biologist shall conduct a habitat assessment for bats. A qualified bat biologist shall have: 1) at least two years of experience conducting bat surveys that resulted in detections for relevant species, such as pallid bat, with verified project names, dates, and references, and 2) experience with relevant equipment used to conduct bat surveys. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree removal or building demolition and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark, suitable canopy for foliage roosting species, attics, eaves). If suitable habitat trees or buildings are found, or bats are observed, mitigation measures BIO-3 and BIO-4 shall be implemented.

### *Mitigation Measure BIO-3: Roosting Bat Building Exclusion Plan*

If the qualified biologist identifies buildings scheduled for demolition as potential bat habitat, then building demolition shall not occur until either: 1) a qualified biologist

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<sup>2</sup> CDFW maintains range maps for all terrestrial wildlife species in California, available at <https://wildlife.ca.gov/Data/CWHR/Life-History-and-Range>.

Tricia Stevens  
City of San Rafael  
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conducts night emergence surveys or completes visual examination of roost features that establishes absence of roosting bats, or 2) an appropriate bat eviction and exclusion plan has been approved by the City and implemented. The City shall seek CDFW's input on the exclusion plan. The plan shall: 1) recognize maternity and winter roosting season as vulnerable seasons for bats, and require exclusion outside of these times, generally between March 1 and April 15 or September 1 and October 15, 2) identify suitable areas for excluded bats to disperse or require installation of appropriate dispersal habitat, such as artificial bat houses, prior to Project activities, and include an associated management and monitoring plan with implementation and funding, and 3) include a requirement that exclusion materials shall be re-evaluated for effectiveness by the qualified biologist up to two weeks prior to building demolition.

*Mitigation Measure BIO-4: Roosting Bat Tree Protections*

If the qualified biologist identifies potential bat habitat trees, then tree trimming and tree removal shall not proceed unless the following occurs: 1) a qualified biologist conducts night emergence surveys or completes visual examination of roost features that establishes absence of roosting bats, or 2) tree trimming and tree removal occurs only during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, and tree removal occurs using the two-step removal process. Two-step tree removal shall be conducted over two consecutive days. The first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only; limbs with cavities, crevices or deep bark fissures shall be avoided. The second day the entire tree shall be removed.

**ENVIRONMENTAL DATA**

CEQA requires that information developed in EIRs and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDDB. The CNDDDB online field survey form and other methods for submitting data can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

**FILING FEES**

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish & G. Code, § 711.4; Pub. Resources Code, § 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

Tricia Stevens  
City of San Rafael  
January 13, 2022  
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If you have any questions, please contact Amanda Culpepper, Environmental Scientist, at [amanda.culpepper@wildlife.ca.gov](mailto:amanda.culpepper@wildlife.ca.gov); or Melanie Day, Senior Environmental Scientist (Supervisory), at [melanie.day@wildlife.ca.gov](mailto:melanie.day@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
CF047D7F8D234E1  
Stephanie Fong  
Acting Regional Manager  
Bay Delta Region

ec: State Clearinghouse (SCH# 2021120187)

## REFERENCES

- Brylski, Phillip V.; Collins, Paul W.; Peirson, Elizabeth D.; Rainey, William E.; and Kucera, Thomas E. 1998. Draft Terrestrial Mammals Species of Special Concern in California. Report submitted to California Department of Fish and Game, Sacramento, CA.
- Rosenburg, Kenneth V.; Dokter, Adriaan M.; Blancher, Peter J.; Sauer, John R.; Smith, Adam C.; Smith, Paul A.; Stanton, Jessica C.; Panjabi, Avrind; Helft, Laura; Parr, Michael; and Marra, Peter P. 2019. Decline of the North American Avifauna. *Science*: 120-124.

## California Department of Transportation

DISTRICT 4  
OFFICE OF TRANSIT AND COMMUNITY PLANNING  
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660  
[www.dot.ca.gov](http://www.dot.ca.gov)



January 14, 2021

SCH #: 2021120187  
GTS #: 04-MRN-2021-00223  
GTS ID: 24965  
Co/Rt/Pm: MRN/101/13.6

Tricia Stevens, Consulting Planner  
City of San Rafael  
1400 Fifth Street  
San Rafael, CA 94901

### **Re: Northgate Mall Redevelopment Project Notice of Preparation (NOP) for Draft Environmental Impact Report (DEIR)**

Dear Tricia Stevens:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Northgate Mall Redevelopment Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the December 2021 NOP.

#### **Project Understanding**

The project proposes to demolish existing structures and construct a mix of commercial and residential land uses. The project would be developed in two phases and would include a total of 225,100 square feet of commercial uses and up to 1,443 residential units, 10 percent of which would be restricted to a minimum of low-income households.

#### **Travel Demand Analysis**

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses Transportation Impact Studies, please review Caltrans' Transportation Impact Study Guide ([link](#)).

If the project meets the screening criteria established in the City's adopted Vehicle Miles Traveled (VMT) policy to be presumed to have a less-than-significant VMT impact and exempt from detailed VMT analysis, please provide justification to support the exempt status in align with the City's VMT policy. Projects that do not meet the screening criteria should include a detailed VMT analysis in the DEIR, which should include the following:

- VMT analysis pursuant to the City's guidelines. Projects that result in automobile VMT per capita above the threshold of significance for existing (i.e. baseline) city-wide or regional values for similar land use types may indicate a significant impact. If necessary, mitigation for increasing VMT should be identified. Mitigation should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.
- A schematic illustration of walking, biking and auto conditions at the project site and study area roadways. Potential traffic safety issues to the State Transportation Network (STN) may be assessed by Caltrans via the Interim Safety Guidance.
- The project's primary and secondary effects on pedestrians, bicycles, travelers with disabilities and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained.
- Clarification of the intensity of events/receptions to be held at the location and how the associated travel demand and VMT will be mitigated.

### **Transportation Impact Fees**

Please identify project-generated travel demand and estimate the costs of transit and active transportation improvements necessitated by the proposed project; viable funding sources such as development and/or transportation impact fees should also be identified. We encourage a sufficient allocation of fair share contributions toward multi-modal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. We also strongly support measures to increase sustainable mode shares, thereby reducing VMT.

### **Highway Operations**

As the project moves forward and construction commences please coordinate with Caltrans on the following project in the vicinity:

- SHOPP 201.361 / EA 04-0K800: ASA/Intersection Improvement at Marin 101/Manuel T Freitas Parkway



### **Lead Agency**

As the Lead Agency, the City of San Rafael is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

### **Equitable Access**

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

### **Encroachment Permit**

Please be advised that any permanent work or temporary traffic control that encroaches onto the State ROW requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating the State ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement. Your application package may be emailed to [D4Permits@dot.ca.gov](mailto:D4Permits@dot.ca.gov).

To download the permit application and to obtain more information on all required documentation, visit <https://dot.ca.gov/programs/traffic-operations/ep/applications>.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email [LDR-D4@dot.ca.gov](mailto:LDR-D4@dot.ca.gov).

Sincerely,



MARK LEONG  
District Branch Chief  
Local Development Review

c: State Clearinghouse



## GALLINAS WATERSHED COUNCIL

PO Box 4284, San Rafael, CA 94913

Jan. 10, 2022

San Rafael Planning Commission  
[PlanningPublicComment@cityofsanrafael.org](mailto:PlanningPublicComment@cityofsanrafael.org)

### **RE: Comments for Northgate Town Square Project Scoping Session for EIR**

Dear San Rafael Planning Commission:

Gallinas Watershed Council (GWC) is an all volunteer organization founded in 2008, following on the work of the Friends of Gallinas Creek, in efforts to restore our creek that is contained in a trapezoidal channel flowing between traffic lanes along Freitas Parkway. As such, we have also been involved with the city in the work of the Vision Committee and their Promenade plans for a safe walkway/bikeway from Del Ganado at Freitas to the mall, and then to the SMART station and under 101 to connect with the Civic Center and the Santa Venetia area.

We look at the Terra Linda/Santa Venetia area from a whole watershed perspective, one that knits the open space to the bay via natural creek areas, safe pedestrian and bike pathways, connecting both the people and neighborhoods of the upper watershed and baylands to Mall shopping, the Farmer's Market, and a future town center at Northgate.

We are very pleased that Merlone Geier (MG) is addressing our need for housing and creating a town center at Northgate. We are also grateful that the previous proposal for a big box store with numerous gas pumps has been abandoned. We have the following watershed related suggestions for scoping this project, in hopes that these will help create an even more dynamic, aesthetic and environmentally sensitive project.

#### **Restoration of Gallinas Creek/Mitigation Fund**

The restoration of Gallinas Creek is now called for in SR GP 2040. We request a mitigation bank be set up in order for the city to help collect the funds necessary for doing the restoration. Should this project (and/or future projects) require mitigation that cannot be done onsite, we would ask MG to envision the Gallinas Creek restoration as part of their project, and as the nearest possible mitigation location, which is the preference of regulatory agencies. If the creek, or any of its feeder streams, are located on or under this property, daylighting them to allow a

*Gallinas Watershed Council is a fiscally sponsored project of MarinLink, a California nonprofit corporation exempt from federal tax under section 501(c)(3) of the Internal Revenue Service #20-0879422*

[www.gallinaswatershed.org](http://www.gallinaswatershed.org)

[gwc@gallinaswatershed.org](mailto:gwc@gallinaswatershed.org)

(415) 578-2580

natural flow through the property would enhance the public and residents' experience. Maps of historical waterways (see Appendix) and storm drain maps should be used to determine best methods and locations. We envision people, like water, flowing along the creeksides towards this project as a welcoming public gathering space. This was the Vision of the Promenade, produced by the citizens of San Rafael over 20 years ago.

### **Stormwater Capture and Treatment/Permeable Surfaces**

State law is requiring more stringent stormwater treatment. The prior property owner built an underground filter rather than the community supported rain gardens throughout the parking lots. To our knowledge, this infrastructure has never been inspected or monitored for effectiveness. This should be done before relying on it if MG is intending to keep this system. It is encouraging that MG has planned for more green spaces than currently exist to reduce storm runoff, but there is still a great deal of impervious surfaces. We ask that appropriately sized bioretention basins, rain gardens, green roofs, vertical gardens<sup>1</sup>, pervious pavement, and other LID alternatives be explored for stormwater capture, reuse, and treatment, to protect the downstream watershed from pollutants. MCSTOPPP has guidelines but these are minimal. Climate forecasts include heavier storms, such as we had in Oct. 2021, as well as drought conditions. Preparation for these predicted extreme weather events should be part of the scoping process.

### **Recycled Water/Dual Plumbing**

Recycled water (RW) is available onsite from MMWD/LGVSD. As well as using RW for onsite landscaping, over time dual plumbing throughout the complex will save massive quantities of potable water. Onsite treatment should also be considered, which could save energy costs. As years of drought are also predicted, relying on RW is smart economically in the long run and should be used wherever possible.

### **Traffic Study**

Traffic on the 101/Freitas Parkway and North San Pedro Road exits, as well as all major intersections leading to and around the mall, will need to be studied. We request the study include the residential areas of the Meadows, Los Ranchitos and Upper Terra Linda to study impacts from the proposed housing at the mall as well as any additional developments, such as the NorthGate Walk project at the Four Points Sheraton site, that are in process or projected to occur. Now is the time to take a "Master Plan" look at the area to see what is supportable and what the community might benefit from for motorist, transit, pedestrian, and bicycle safety. A full restoration of Gallinas Creek also would need a traffic study to see if lanes

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<sup>1</sup> [https://info.habitathorticulture.com/living-walls-1/?utm\\_source=googleads&utm\\_campaign=9788711744&utm\\_content=103869276447&utm\\_keyword=living%20wall%20san%20francisco&utm\\_medium=c&gclid=Cj0KCQiAieWOBhCYARIsANcOw0wkQ5aYZWkM0pHlfKcMPDPN21dnDaQ1Q1xbFRSX1m6kVLbhxzX5bGYaAkioEALw\\_wcB](https://info.habitathorticulture.com/living-walls-1/?utm_source=googleads&utm_campaign=9788711744&utm_content=103869276447&utm_keyword=living%20wall%20san%20francisco&utm_medium=c&gclid=Cj0KCQiAieWOBhCYARIsANcOw0wkQ5aYZWkM0pHlfKcMPDPN21dnDaQ1Q1xbFRSX1m6kVLbhxzX5bGYaAkioEALw_wcB) The Vertical Garden Wall at 2232 Webster in SF is being described online as a tourist attraction. What better way for the mall to reinvent itself and draw visitors as well as residents?

upstream of Las Gallinas can be reduced. All these projects should be considered as one, to address CEQA and the requirement for these cumulative impacts to be analyzed together rather than piecemeal. Principles of Green Streets<sup>2</sup> and those for traffic calming should also be explored for creating a more aesthetic and peaceful environment.

If Northgate Mall is truly to function as a Town Center, pedestrian access to the site should be improved. Improving the attractiveness of the site, as planned, is important, but so is implementing the Promenade Concept, as previously mentioned. Currently, the Mall is designed to attract cars, not pedestrians. Safe pedestrian access along Frietas Parkway, Las Gallinas Avenue, Merrydale and other feeder streets will be vital in attracting Terra Linda residents to walk to restaurants, stores, entertainment, and public events at the new Town Center.

### **Lighting**

Dark Skies lighting principles should be employed throughout the site. Motion activated safety lights are preferable to “always on” lighting. No light spillover into neighborhoods or all-night neon signs should be allowed. Warm colored LED lights are preferable to cold harsh blue.

### **Energy, Water, Livable Buildings**

Pumping water is one of the largest energy costs in California. Any project that can capture, treat and reuse water onsite will help reduce energy use, which helps reduce GHGs from nonrenewable sources. The design principles of the Living Building<sup>3</sup> movement, which surpass LEED standards, should be explored and considered for any new building on the site. Living buildings can be designed to be zero net carbon, can be built with carbon sequestering concrete to reduce their carbon footprint, and can be set with solar panels to capture energy. Solar panels should also be erected over all parking lots, for energy capture and to reduce urban heat island effects which will grow yearly. Climate change is real, and we must do everything we know how to do in order to survive it. Building in this way, while initially perhaps more expensive, often pays off dividends over time. The city should support MG in accessing infrastructure grants and other financial support to bring these necessary changes to our city.

### **Farmer’s Market**

Outreach to the Agricultural Institute of Marin should be made, as they have been looking for a location for classrooms and a permanent Farmer’s Market in addition to their very successful Thursday and Sunday markets at the Civic Center. Local produce and crafts would be a welcome addition to the new mall complex. This location would also move AIM upstream and out of the path of sea level rise and flooding that will be problematic at the location they are currently considering (the

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<sup>2</sup> <https://www.epa.gov/G3/learn-about-green-streets>

<sup>3</sup> <https://living-future.org/lbc/>

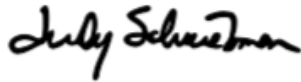
unpaved Christmas Tree lot at the Civic Center). Tenating a building at the mall would also reduce adding more impervious pavement to our watershed.

### **Plastic Reduction**

Petroleum is going into creating ever more plastics, which are primarily used one time and then thrown away, as plastic recycling is essentially non-existent.<sup>4</sup> For the restaurants and the food court, single use plastic items need to be banned, including take out containers, plastic ware, plates, straws and lids. The trash from such items is a cost borne by every resident in their garbage bill and impacts our rapidly filling limited landfills. The environment also suffers when people throw it away as litter, where it washes into our rivers and oceans and then breaks down into microplastics that get taken up the food chain and into our own bodies. There is currently an ordinance banning single use plastics working its way through Marin cities and the county. We envision the possibility of a centralized dishwashing area for the food court, with reusable ware and plates branded for the Northgate Mall, as a way to reduce plastic use and call out MG as environmental leaders.

Thank you for the opportunity to submit our comments.

Sincerely,



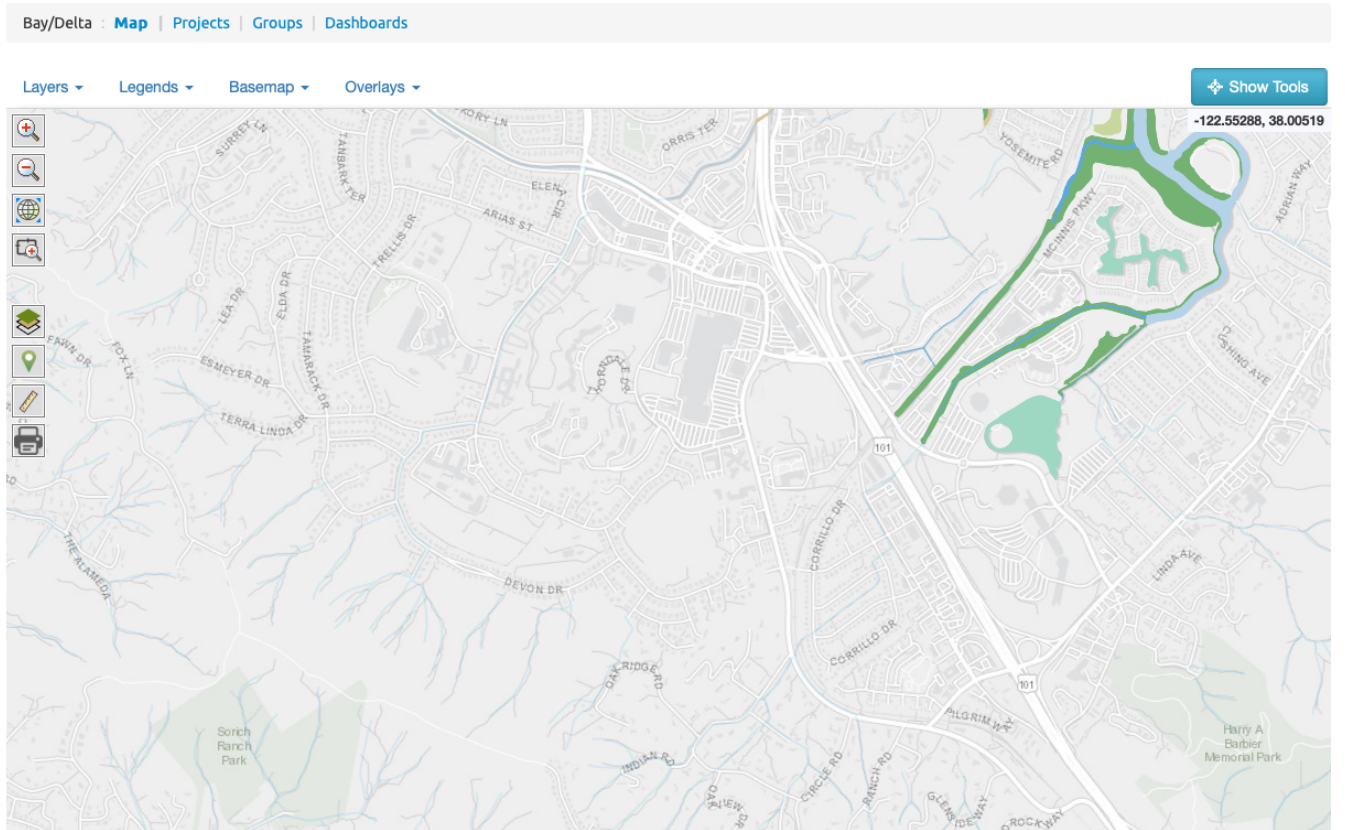
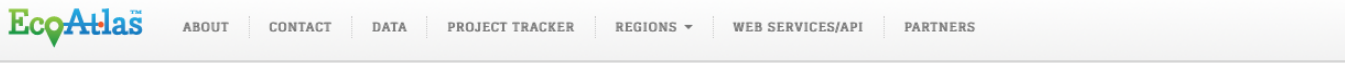
Judy Schriebman  
Secretary GWC

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<sup>4</sup> <https://www.greenmatters.com/p/what-percent-recycling-actually-gets-recycled>. “This will likely come as no surprise to longtime readers, but according to *National Geographic*, an astonishing 91 percent of plastic doesn’t actually get recycled. This means that only around 9 percent is being recycled. As if that weren’t enough, nearly all of that **plastic** that does get recycled is actually **downcycled**, which means it gets less and less useful every time, eventually becoming so flimsy that it can no longer be recycled properly.”

Appendix:

EcoAtlas <https://www.ecoatlas.org/regions/ecoregion/bay-delta> as one source for historical maps of the area. The faint blue lines or the ephemeral and intermittent streams coming down from the hills have all been routed to cemented ditches, underground pipes, or in some cases remain above ground in natural channels. All flow to the south fork of Gallinas Creek and thence to San Pablo Bay.



<https://www.ecoatlas.org/regions/ecoregion/bay-delta>



## GALLINAS WATERSHED COUNCIL

PO Box 4284, San Rafael, CA 94913

Jan. 14, 2022

San Rafael Planning Commission  
[PlanningPublicComment@cityofsanrafael.org](mailto:PlanningPublicComment@cityofsanrafael.org)

### RE: Comments for Northgate Town Square Project Scoping Session for EIR

Dear San Rafael Planning Commission:

In addition to our previous letter, we ask that you please take these comments into account for the EIR for this project.

#### **Need for Green Spaces**

Like other speakers, Gallinas Watershed Council supports an increase in the size of parkland/green gathering spaces for the new residents that will be moving into the Northgate housing. Our area is seriously deficient in parks. Covid has shown us that getting out in nature is critical for mental and physical health. Again, creating a walkable, bikeable Promenade path along a newly restored Gallinas Creek, from Scotty's Market to the Mall, and finished the Promenade from the Mall to the SMART station, would help create this additional green space in nature.

#### **Underground Cisterns/Stormwater Capture**

Other areas have found that adding cisterns underneath large lawn areas can capture clean rainwater for later use in landscaping. This reduces storm run off and could be considered in part in lieu of bioretention basins for stormwater treatment and release. We refer you to Tree People<sup>1</sup> and Andy Lipkis for his work in this area.

Sincerely,

Judy Schriebman  
Secretary GWC

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<sup>1</sup> <https://www.treepeople.org/policy-research/>



January 10, 2022

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

**RE: Northgate Town Center EIR Scope**

Honorable Commissioners,  
Sustainable San Rafael welcomes the opportunity to recommend critical items for inclusion in the scope of the environmental analysis of the proposed Northgate Town Square.

We do so from the perspective of the key principles of sustainability: environmental quality, economic vitality, and social equity. We believe that the redevelopment of Northgate offers a generational opportunity to integrate these values into a true town center for North San Rafael, a regional commercial and entertainment destination, and a model of twenty-first century place making.

We consider the following environmental impacts, alternatives, and mitigations essential for a comprehensive EIR and a successful project:

**Aesthetics**

The heart of the proposed development is its namesake “town square.” The draft EIR needs to include an alternative with a central green space scaled and designed to immediately establish the identity of the entire 45-acre site. The site plan of the current proposal clearly frames the potential for such a space at its core, but then fills it with a surface parking lot. Nothing could be more antithetical to a lively, thriving, attractive town center. The EIR must analyze the erosive impact of such parking on the identity of the site and its surroundings, and then offer alternatives and mitigations that instead build a strong sense of place. Such measures include:

- Locating parking under the new buildings (such as the cinema and ‘major 3’ retail) or in structures (such as over the surface lot on the western portion of Northgate Drive).
- Ringing the central open space with lively cafes and restaurants.
- Scaling up the open space to occupy the entire space north of the cinema.
- Framing the green space with a perimeter promenade defined by an allee of trees and planted trellises, buffering the space from any peripheral parking (e.g., to the west).
- Designing the green space for both casual play and frequent performances, then committing to curate and support its activation.
- Most importantly, anchoring the new identity of Northgate and North San Rafael by completing the central square in Phase I.

**Energy and Greenhouse Gas Emissions**

Climate change is the greatest environmental threat we now face, and a project of this scale inherently poses a significant environmental impact. The EIR should assess how the new Northgate meets the objectives of San Rafael’s Climate Action Plan, that is, a 40% reduction of greenhouse gas emissions by 2030 (from 1990 levels) and zero net emissions by 2045. Since



such complex metrics can sometimes be misleading or misused, the EIR should also include the mitigations needed to achieve these goals, which are straightforward:

- All-electric HVAC, water heating, cooking, and other building systems and appliances.
- A commitment to using only fossil-fuel-free electricity to power these and other uses.
- EV charging stations sufficient to meet 2040 levels of use.
- State of the art building insulation and other energy-efficient measures.
- Sufficient solar and battery storage to meet more frequent power outages.
- AC and air filtration in all enclosed spaces sufficient to meet more heat and smoke events, including emergency community use of retail spaces (e.g., the cinema).
- Use of low-GHG building materials and techniques, including paving and roofing.
- Solar arrays and/or high-sequestration trees to cool parking lots and other spaces.
- Sufficient provisions for residential and commercial recycling, especially of organics.

### **Land Use and Planning**

The EIR should analyze the project's fit with all programs and objectives in San Rafael's new General Plan 2040, with particular regard to those addressing aesthetics and place-making, energy and greenhouse gas reduction, equity, housing, and transportation. The project's fit with its immediate land use and planning context will be largely determined by key pathways connecting a highly walkable neighborhood within Northgate to the neighborhoods and other developments surrounding it. These key pedestrian connectors include:

- Completion of the North San Rafael Promenade around Northgate.
- Tree-lined residential connections to El Faisan Drive and Albion Way to the south.
- An extension of the Promenade east along Merrydale to the SMART Station and Civic Center (with a potential Marin Transit bus connection at Las Gallinas).
- A potential new pathway extending north through the parking lot to the Promenade from the existing main mall entry (retaining that portion of the interior mall in alignment with the central square and cinema, and creating a more compelling sense of arrival to the overall project).

### **Population and Housing**

Space for new housing in San Rafael is a limited resource that must be used wisely to support an economically diverse population. The EIR should analyze how the project can produce as much housing as possible within the City's regulations, with an emphasis on on-site affordable workforce housing which is what San Rafael needs the most. The analysis should include:

- The equity advantages of inclusionary units throughout the residential parcels instead of the separate all-affordable parcel proposed (unless there are real benefits to the latter, such as more units, better supportive housing services, or an extended period of affordability, for instance through a long-term leasehold with a non-profit provider).
- Likewise, any ownership housing should include consideration of how ownership could be used to build economic equity for low-and-moderate-income households.

### **Transportation**

Again, the EIR should assess how the project can best create a walkable, bike-friendly, and transit connected neighborhood, which will benefit all the concerns discussed above.

Thank you for your close consideration of this important project.

Sincerely,

William Carney  
President, Sustainable San Rafael



# HOUSING CRISIS ACTION

...To Create, Build, and Preserve Much-Needed Housing in Marin County

[housingcrisisaction@gmail.com](mailto:housingcrisisaction@gmail.com) | [housingcrisisaction.org](http://housingcrisisaction.org)

## COALITION MEMBERS

Coalition for a Livable Marin

Community Land Trust Association of Marin

Homeward Bound of Marin

League of Women Voters of Marin

Legal Aid of Marin

Marin County Young Democrats

Marin Environmental Housing Collaborative

Marin Kids

Michael Barber Architects

North Bay Leadership Council

San Geronimo Affordable Housing Association

San Rafael Chamber of Commerce

Sustainable Marin

Sustainable San Rafael

United Educators Association for Affordable Housing

January 11, 2022

Subject: Northgate Town Square

Dear San Rafael Planning Commission,

On behalf of Housing Crisis Action, a robust network of over 800 Marin County housing advocates and 17 organizations working to tackle our housing crisis, we ask the Planning Commission to direct the EIR consulting team to study several alternatives.

We ask that the team explore alternatives and analyze the impact of including more overall housing units and more affordable units throughout the project, as well as the alternative and impact of not doing so. Northgate is a rare opportunity to create housing at various income levels in an ideal location and contribute to the 3,000 housing units needed for the next RHNA cycle. It's imperative to understand the impact of building the currently proposed project and the impact of building this project to its fullest potential. Specifically, we would like to see an analysis of an alternative with at least 10% more overall housing units than currently proposed and an alternative with at least 10% of the units being designated as affordable.

As a group of business leaders, union workers, environmental advocates, public servants, and educators living and working in Marin, we're excited about the opportunity to revitalize Northgate Mall into a new mixed-use town center with new homes near transit and jobs at varying level of affordability. We hope the EIR will explore alternatives that utilize this unique site and its potential for more housing and more affordability.

Sincerely,

The Housing Crisis Action Steering Committee

Cynthia Murray *CEO, North Bay Leadership Council*

Jeff Bialik *Marin Organizing Committee*

Diana Conti *Trustee, College of Marin*

Linda M. Jackson *Program Director, Aging Action Initiative*

Larry Kennings *Board member, Marin Environmental Housing Collaborative*

Ethan Strull *Marin Housing Activist*

Joanne Webster *President and CEO, San Rafael Chamber of Commerce*



# Responsible Growth in Marin

To: Tricia Stevens, Project Planner, Northgate Mall Redevelopment Project (TriciaStevens@cityofsanrafael.org)  
CC: Planning Commissioners, Alicia Giudice, Leslie Mendez

RE: Scoping Session for Initial Study/Environmental Impact Report for  
Northgate Mall Redevelopment Project - Northgate Town Square

## **FOR PUBLIC COMMENT – PLANNING COMMISSION MEETING - 11, 2022**

Dear Tricia,

**Responsible Growth in Marin (RGM)** is a North San Rafael grassroots non-profit (501(c)(3)) all volunteer organization with more than 1,000 supporters. Many of our members have been instrumentally involved in the planning for the Northgate site for more than 25 years. This involvement includes the North San Rafael Vision Plan 2010, GP2020, GP 2040, and the North San Rafael Promenade Conceptual Plan. RGM is uniquely familiar with the site and qualified to provide comments on the environmental review for this project. We request that the following critical aspects of the Northgate Mall Redevelopment Project/Northgate Town Square (Project) be evaluated in the Draft Environment Impact Report (Draft EIR).

### **Project Description**

The NOP for the Project discloses that the Project would include the addition of six multifamily buildings containing a total of 1,443 residential dwelling units (DU) at full buildout (Phase 2), an increase of 87 DUs compared to the 1,356 DUs proposed in the Applicant's March 2021 application. Phase 1 of the Project now includes a total of 1,013 DUs, 117 more than previously applied for. Please explain this discrepancy and discuss the reasons for it as well as impacts on affordable housing and the viability of Phase 2. (Please note that the required number of affordable DUs (7% of 1,443) is 101, not 96, as shown in the current plans.)

Please clearly identify loading areas for existing and planned businesses at the site.

### **Preferred Alternative**

We respectfully point out that the "revised" current proposed plans by Merlone Geier do not reflect some key elements requested by the community and discussed with the Applicant during the joint Design Review Board/Planning Commission at the working session on September 14, 2021. The only change that we see is the addition of 87 units. None of the key aspects commented on by the City agencies and community have been included. We request that the eventual Preferred Alternative for the project include the basic planning principles for the site as stated in numerous planning documents: The San Rafael GP2040 which includes and reinforces aspects of previous community plans including GP2020, the North San Rafael Vision Plan 2010 and the North San Rafael Promenade Conceptual Plan. These documents provide the overarching planning concepts that must be adhered to in the development of the Preferred Alternative for the site and are consistent with the owner's own Goals and Objectives stated in their General Planning Application from March 2021.

We respectfully request that the Preferred Alternative incorporate the three elements discussed below as integral parts of the project to better achieve the goals and objectives of the community and San Rafael's General Plan 2040, while meeting the stated goals and objectives of the Applicant.

**A. Town Center Destination – Priority in Phase 1**

Creation of a genuine Town Center on this property is critical to the success of the entire project, including the retail, activity, and service elements and the proposed 1,443 new housing units (1,013 in Phase 1). The proposed central parking lots currently shown on the applicant's plans for Phase 1 do **NOT** qualify as a Town Center. Without a true pedestrian center or village green, there will be no vision or heart to the new development. The new community will have no gathering or recreational space and there will be no compelling feature attracting the surrounding communities of North San Rafael and greater Marin County.

This essential neighborhood element has been sought by the community for the past 25 years, as articulated in numerous planning documents. The Town Center is also outlined in Merlone Geier's own "Project Goals and Objectives" on pages 6 and 7 of the Project Description filed on March 10, 2021 with the City of San Rafael. Specifically, the goals and objectives highlight "Encourage the establishment of open areas in land development," "Redevelop the 1960's-era Mall into a town center," "Promote the concept of a town center/urban village through a combination of retail, dining and residential uses within a pedestrian-oriented urban core," and "Provide new outdoor amenities and open spaces and recreational opportunities." The City of San Rafael should not allow this heart of the project to be delayed for another ~20 years and be potentially further diminished in Phase 2 of the proposed project.

Our pastoral surroundings suggest a village green (using recycled water) with views to nearby ridgelines offering a welcoming place for the new retail, commercial, and residential "live-work-play" community. We envision a place of character and regional flavor with generous, inviting open spaces allowing restaurants and retail activities to spill outdoors. A stage or gazebo for performances is critical for events that can occur in the park-like environment replete with activities for adults, children, and pets. Possible program elements could include food trucks, a farmers' market, picnic tables, children's play areas, a water feature, an arboretum, a native plants walk, etc. The Town Center will also double as parkland space to support the new neighborhood of housing. Given our long and increasingly hot dry season, it's critical to include abundant shade trees and shade structures to ensure that outdoor amenities can and will be used.

**City References:** See GP 2040 Sections: Neighborhoods Element, p. 4-53 to 4-57; Goal CDP-2 p. 5-12; Goal CDP-3.1 p. 5-16; Policy PROS 1.13 p. 7-12; Policy CDP-3.1 p. 5-16. Also see San Rafael Municipal Code Title 15.09

**Merlone Geier References:** March 10, 2021 Project Description p. 6-7

**Diagram: Town Center Destination – Priority in Phase 1**



**B. New Housing – A New Neighborhood in Phase 1 and 2**

A healthy community includes a variety of housing types including market rate rental, ownership, and workforce and affordable housing. The Preferred Alternative should create a new neighborhood that blends with existing neighborhoods with sensitive design, massing, and density. (Consider the surrounding midcentury character of the Eichler neighborhood and the Macy’s building as guiding principles for the architectural design of the proposed development instead of the generic “anywhere look” shown in the proposed plans.) This principle is outlined in the Merlone Geier Project Description 03/10/21 on p.7: *“Create new housing offerings to meet the needs of families of varying sizes and reduce the recognized regional and local deficit of market-rate and affordable housing.”* The current plans show less than 2% (24 of 1,443 total units) with three bedrooms. In order to serve families, a much wider range of options including townhomes and three-bedroom options are necessary.

Further, the new housing must form a true neighborhood organized around tree-lined, walkable streets. New residential units should include market rate and affordable family, workforce and senior housing with ownership and rental options. We do not endorse the proposed “all the same” option of 1- and 2-bedroom rental-only units. It is also important that affordable housing be integrated throughout the complex and not segregated in a separate substandard building (less square footage per unit, no laundry hookups, no pool, no internal parking, etc.) All new housing should be of high quality, compatible with nearby buildings, and respect the character-defining features of the surrounding neighborhood. Individual units should provide some private outdoor areas such as decks or patios.

The height and density of the housing should be planned to blend in scale and character with the existing residential neighborhood and gradually stepped with increased setbacks and lower heights on the South side near the unique mid-century modern one story Eichler homes. The Preferred Alternative should distribute residential buildings more widely on the site with taller buildings toward the center, Western and Northern portions of the site. This is consistent with the applicant's objective *"maintaining a scale consistent with the surrounding community"* (Applicant Planning Application, p.6; GP2040 NH-133, p. 116.)

**City References:** GP 2040 CDP p. 5-8; Goal CDP-2 p. 5-12; Policy LU-3.2 p. 3-33; Programs CDP-4.1 A through C, design guidelines and standards; Policy CDP-4.5 high density design; Policy CDP 4.6 open space in multi-family housing

**Merlone Geier References:** March 10, 2021 Project Description p. 6-7

**Diagram: New Housing – A New Neighborhood in Phase 1 and 2**



**C. Critical Connections – Phase I**

The Northgate redevelopment must optimize connections to existing transit bus, train and the surrounding community and must complete the Promenade around and through the site and to the SMART train station. This is outlined in the GP2040 and other documents including the Merlone Geier Project Description. We request that the Preferred Alternative include a completed Promenade, including pedestrian and bike paths fully encircling the property, extending into the new Town Center and along the Northgate 3 property to the Civic Center and SMART train station as shown in the North San Rafael Promenade Conceptual Plan and as described in the Merlone Geier Project Description: “Upgrade the appearance of the buildings and landscaping and incorporate Promenade improvements as described in the North San Rafael Promenade Conceptual Plan.”

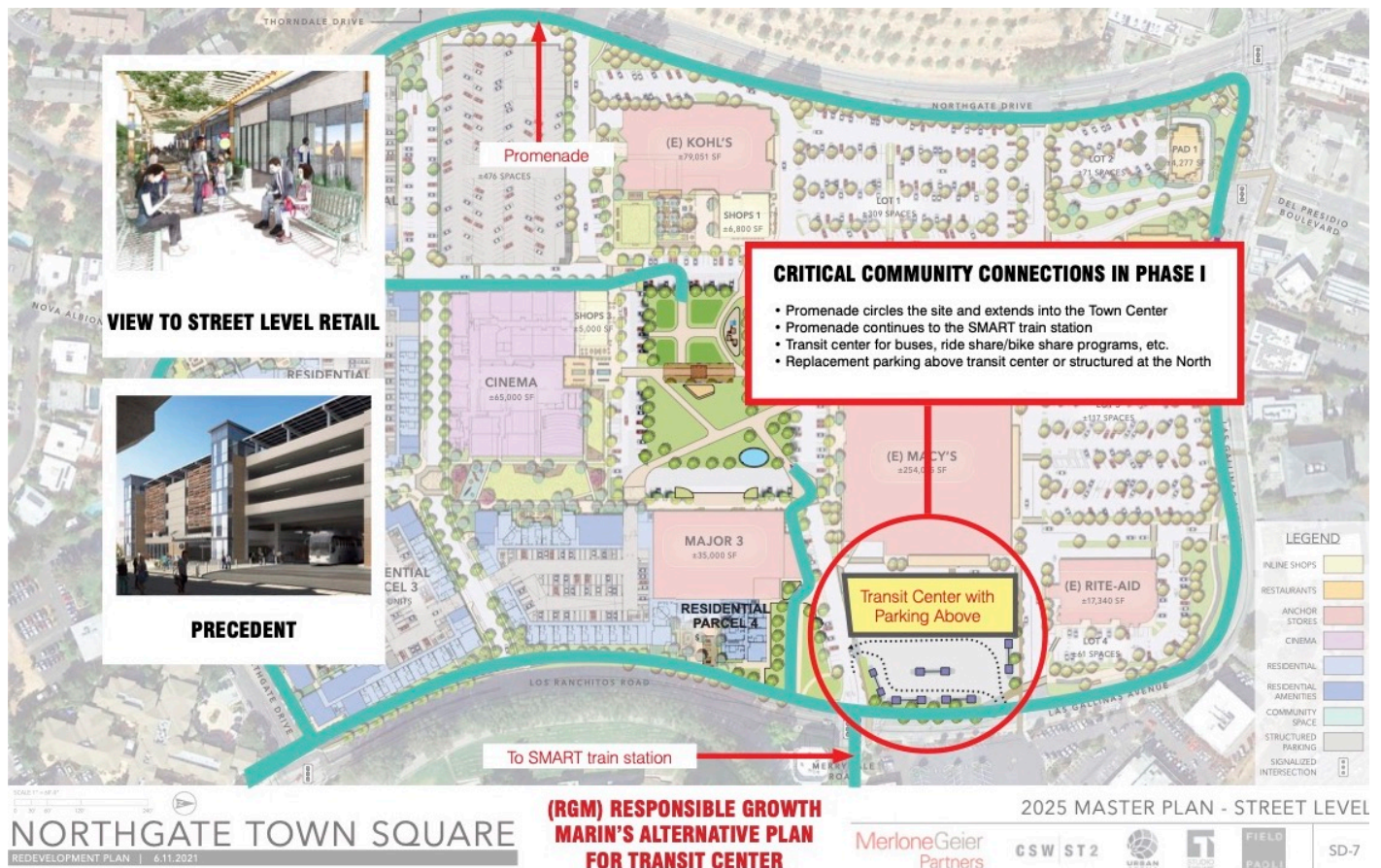
The Preferred Alternative should also show provide consolidated bus stops and provide safer off-street stops, especially the East side near Rite Aid along Las Gallinas Ave where many Terra Linda High School students arrive and depart. This will greatly improve safety and reduce traffic congestion.

RGM also recommends that the project consider design for electric car and bike share programs and the future of automobile ownership. If less parking is needed in the future, how can that space be better utilized?

**City References:** GP2040 Sections: Goal M-5 p. 10-37; Goal M6 p. 10-40; Goal M6 p. 10-40; Policy M-6.1 p. 10-43; Policy M-6.3 p. 10-44; Policy CDP 2.4 p. 5-14; Policy CDP 2.6 p. 5-15; Policy NH-4.4 p. 4-57; 2012 San Rafael Station Area Plan p. 11, General Plan Policy C-24a, p. 189

**Merlone Geier References:** March 10, 2021 Project Description p.6-7

**Diagram: Critical Connections – Phase I**



## Evaluation of Environmental Impacts

We request that the following potential environmental impacts of the Northgate Mall Redevelopment Project/Northgate Town Center be evaluated in the project's Draft Environment Impact Report.

### 1. Aesthetics

- a. The Draft EIR should include baseline nighttime lighting studies from multiple viewpoints facing the Project site, including the historic one-story residential Eichler neighborhood (note that the backyards and back walls of these homes, which consist mostly of glass panels, face the Project site); residences and businesses on Quail Hill; senior facilities such as Alma Via and Villa Marin; and nearby institutions such as Mt. Olivet Cemetery.
- b. Architectural renderings alone are insufficient to visualize how the project will appear to and affect nearby residents, pedestrians, and cyclists and vehicles approaching and entering the property from each direction. Please include computer-rendered visual simulations from multiple locations around the project site: how will structures in the proposed project actually look at street level along Northgate Drive, Nova Albion Way, Las Gallinas Avenue, and Los Ranchitos Road and from elevated locations at Merrydale Road, and from Quail Hill? Please also provide visual simulations for how the privacy of the single-level Eichler homes bordering Northgate Drive and up Nova Albion Way will be affected. Please assess and provide visual simulations for the lighting changes at the Alma Via Senior facility across the site.
- c. Please include Project features that minimize glare and light impacts to the surrounding neighborhoods.
- d. Please provide computer-rendered visual simulations from public circulation points to surrounding hillsides to assess potential adverse effects on scenic vistas of surrounding hills and scenery.
- e. Impacts of new sources of lighting in the proposed project need to be evaluated at the same locations as the lighting studies and possible mitigation measures, such as limits on hours of nighttime lighting and modifications in lighting design and shielding, should be included. The impact of increased lighting on nearby resident wildlife should also be considered.

### 2. Air Quality

- a. Considering the multi-year construction period and potential health impacts and odor nuisance from construction equipment exhaust, please require that all (including leased or rented) construction and earthmoving equipment meet or exceed Tier 3 emission standards established by the U.S. Environmental Protection Agency (in addition to the required compliance with the California Air Resources Board's Off-road Diesel Regulation and Large Spark-ignition Regulation, which are fleet-oriented).
- b. Please identify existing and proposed diesel emergency generators (at the Mall, nearby businesses, senior facilities, etc.) and model potential health risks associated with their emissions. Please consider replacing existing older diesel emergency generators with new, less-polluting units.
- c. Please provide ambient air quality impact modeling for both construction and the operational phase of the Project for Phase 1 and 2.

3. **Biological Resources**—The Draft EIR should investigate the impact of the proposed development on wildlife movement from surrounding hills to the riparian corridor along Gallinas Creek and nearby Baylands. Construction and fencing of the SMART rail line has limited the habitat corridor for deer and other wildlife that previously used the train tracks to access riparian and Bayland water sources and forage. Further limitation of this wildlife corridor and possible mitigation measures should be evaluated.



4. **Energy**
  - a. The Draft EIR should evaluate how energy usage will be increased by the project and how to incorporate renewable energy into residential and commercial buildings that can be powered by renewable electrical energy. Please consider including solar shade structures on new and existing parking lots, roof-top solar on new buildings, and micro-wind turbines as part of the Project design.
  - b. The Preferred Alternative should include the capability of preparing for power outages by being site-ready for a micro-grid of energy production and onsite storage.
5. **Geology and Soils** – A geotechnical study should assess soil type and geology relative to site construction and foundation design and should include mitigation measures for any special construction measures for foundation or soil preparation (such as noise and vibration impacts if blasting or pile-driving are required).
6. **Greenhouse Gas Emissions** — Baseline, project and cumulative measurement of GHGs and how these impact local and statewide mandates to reduce GHGs need to be included in the Draft EIR.
  - a. Please include the following in the Project design: low carbon concrete building materials, all-electrical hookups for residential and commercial buildings, electric vehicle (EV) charging stations and EV car share, rooftop and parking lot solar panels, all-electric landscaping equipment, GHG-free outdoor heating and cooking equipment, and organic waste disposal facilities in all residential, commercial and public areas.
  - b. Please require cool pavement surfaces with higher solar reflectance to decrease absorption of heat which maintains higher temperatures into the night in the surrounding areas.
  - c. During the construction phase, require construction equipment and vehicles to not idle.
7. **Hazards and Hazardous Materials**
  - a. Since this project is introducing residential use to this property, assessment of potential hazardous materials in existing buildings and in soil and ground water that could create a significant hazard to future residents and to the public should be assessed (particularly at the site of the former SEARS auto repair business and near adjacent gas stations and near the former Toscalito repair business.).
  - b. Potential exposure to hazardous materials or emissions during construction needs to be evaluated, particularly for sensitive populations, such as residents of nearby senior facilities such as Alma Via, Villa Marin, and Drake’s Terrace.
  - c. Potential discharge of hazardous materials into ground and surface water needs to be evaluated both during construction and from ongoing increased hard surfaces and number of vehicles. Mitigation measures for removal of toxins from water must be specified, if relevant.
  - d. Per San Rafael integrated pest management policy, investigate how landscaping can be managed without pesticides harmful to the environment.
8. **Hydrology and Water Quality**—The project is sited on the lower end of the Gallinas Creek watershed. Surface and underground water flow from the site downhill to the south fork of Gallinas Creek. During high water flow, Gallinas Creek frequently runs at or over its banks. An important pump station of the Las Gallinas Valley Sanitary District is located near Gallinas Creek on Merrydale Road. It is critical for the health of the community, riparian and wetland habitat, and water quality in San Pablo Bay that surface water management be carefully managed.
  - a. The Draft EIR must include an assessment of baseline runoff water flows from the project site and assess the impacts of an increase in impervious surfaces on future runoff flows.
  - b. Project design must aim to minimize and enhance the quality of surface water runoff, including creation of bio swales within the project and along Merrydale Road.

- c. During construction, evaluate measures to control increased or contaminated runoff, such as sediment barriers, trash capture, and proper treatment of water used in construction before it is discharged into Gallinas Creek or groundwater.
- d. Please include plumbing for reclaimed water for toilet flushing and greywater for landscape design as part of the Project design.

9. **Noise**

- a. Baseline noise studies should be done at multiple times on different days at multiple locations, including nearby homes such as Eichler homes with large single pane glass windows, senior facilities such as Alma Via, Villa Marin, Drake’s Terrace, residences and businesses on Quail Hill, and nearby institutions such as Mt. Olivet cemetery and Guide Dogs for the Blind.
- b. Projected increased noise levels for the project at these multiple locations should be studied, including noise from outside and rooftop activities, noise levels during construction, and cumulative noise impacts of other nearby projects, such as Northgate Walk and 245 Nova Albion Way (previously Nazareth House), which may be under construction simultaneously.
- c. Noise-reducing measures need to be evaluated, such as limiting construction to regular business hours on weekdays, using vibratory pile driving/auguring rather than impact driving if any pile driving is required, and structural noise-reducing measures such as baffling.

10. **Public Services**

- a. The Draft EIR should provide statements from San Rafael City Elementary and High School districts to predict the effect on school facilities and services of increasing the population of Terra Linda by approximately 10%. The project proposes 1,443 homes (which would equal approximately 3,000+ residents and approximately 100 new students (per San Rafael City Schools Development Impact Report 2021.8.23, p. 16-17).
- b. The Draft EIR should assess the need for increased public services, such as a permanent branch library, satellite City Hall office, or police substation on the project site.
- c. Please discuss to what extent the Project will generate a need for additional public services, the cost of such services, and how those services will be paid for not only in terms of upfront development, but also long-term estimated costs needed to provide future services (to the extent not covered by upfront development fees or direct payment through specific funds).

11. **Parks and Recreation**

- a. The Draft EIR needs to provide an analysis of local available parks within a 0.5 mile radius and provide onsite mitigation options for lack of proximate and adequate parkland space for new residents. Only pocket parks exist in proximity to the site and they are inadequate and in severe disrepair. (Oliver Hartzell Park is 0.5 acre with a rusted playground and Arbor Park is 0.5 acre with no playground or other amenities)
- b. Please discuss how the Project would meet the following City standards: *“General Plan 2040 proposes a standard of 4 acres per 1,000 residents moving forward. If the proposed development were a new residential subdivision, the Quimby Act would allow the City to require parkland dedication at this ratio or the pay an equivalent (“in lieu”) fee in order to maintain the standard as the city grows.”* (GP2040, p. 7-7) The proposed project includes about 2 acres of semi-private park and recreation space for new residents (interior courtyards, pool decks, rooftop terraces, etc.) and about 1 acre of public park and recreation space, which decreases to 0.5 acre by Phase 2 of the project. An increase of 1,443 housing units (approximately 3,000+ new residents) would require over 12 acres of parkland space by City standards. The Preferred Alternative must consider how the project can fulfill City standards.

- c. The Draft EIR should include an assessment of the timing of development of parkland space, assessing impacts of providing needed parkland space concurrent with housing construction and potential negative impacts of delaying parkland dedication until after residential and commercial space is constructed. Please include the creation of a permanent central public “town center” in place of Parking Lots 5 and 6 to compensate for insufficient parkland space.

## 12. Transportation

- a. The Draft EIR will include a Vehicle Miles Traveled (VMT) analysis. We request that the separate Level of Service (LOS) analysis required for project approval (GP2040) be prepared at the same time and included in the Draft EIR as an appendix or be released simultaneously with the Draft EIR for public review.
- b. Emergency vehicle access and response times to the project site and to adjacent neighborhoods need to be assessed under current conditions (baseline), under project completion, and under cumulative conditions with additional projected development.
- c. The Project design should include measures to enhance safety for pedestrians, cyclists, and vehicles on roads, walkways, and paths. Alternatives for increasing safety, including roundabouts, should be considered.

## 13. Utilities and Service Systems

- a. Given the limitations on water supplies in Marin County and the likelihood of future severe drought, the Draft EIR needs to assess how the Project can provide sufficient water supplies and have a net-zero impact on its potable water supplies, a requirement that the Marin Municipal Water District (MMWD) currently considers imposing on all new development. Project features or mitigation measures such as using recycled water inside buildings and for landscaping, using water-saving upgrades, planting drought-tolerant landscaping, and paying fees for MMWD’s water conservation projects should be examined.
- b. The Draft EIR needs to examine how the Project will impact the availability of police, fire, paramedic and other essential service workers and require measures needed to maintain acceptable service ratios and response times.
- c. Assessment needs to be made of impacts and mitigation measures for the increased demand for management of solid waste, organic waste collection and recycling collection, as mandated by California law. Impacts on water, waste collection and sewage treatment providers, including impacts on the aging pipes and infrastructure, need to be assessed.

## 14. Wildfire

- a. Assessment should be made of fire resistance qualities of construction materials and project design.
- b. The need for emergency response and evacuation plans should be included in the environmental assessment.
- c. Since this project is sited at the gateway for the entire community of Terra Linda, maps of primary and secondary evacuation routes, staging areas, and evacuation centers for both the project property and for the entire Terra Linda valley should be included, both with and without the project and with cumulative projected development in the area.
- d. Provision of emergency water sources, power sources and shelter, and possibly an onsite disaster response trailer (like the Corte Madera emergency response trailer) and emergency training for property employees should be in the project evaluation.

## **Documentation**

For all sections evaluated in the Draft EIR, please include all studies and modeling conducted for the environmental assessment as appendices. Please make any associated modeling files (air quality, noise, traffic, etc.) available in native electronic format without password protection.

Thank you for your attention to these important matters.

Respectfully submitted,

*Responsible Growth in Marin*

Shirley Fischer, EIR Team Leader

Grace Geraghty, Executive Director

Claire Halenbeck, Community Vision Team Leader

Byron Kuth, FAIA, LEED AP, Kuth Ranieri Architects

Pamela Reaves, Environmental Team Leader

David Smith, President



# Responsible Growth in Marin

January 13, 2022

To: Planning Commissioners; Tricia Stevens, Project Planner; Northgate Mall Redevelopment Project; Leslie Mendez

CC: Alicia Giudice; Mayor Kate Colin; City Council Members

RE: RGM Follow Up to Planning Commission Meeting - **FOR PUBLIC RECORD**

Honorable Commissioners,

The purpose of this letter is to follow up on the January 11 Planning Commission Northgate Development Project<sup>1</sup> EIR scoping session meeting.

RGM wants to reassure the City and the Planning Commissioners that it is neither RGM nor the community's public comment input that is delaying the EIR. At the September 14, 2021, Planning Commission/Design Review Board joint study session:

- MIG delivered a detailed presentation stating the City's point of view on the MG proposal and provided specific recommendations to optimize the proposal;

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<sup>1</sup> Definition of Project Under CEQA Within the context of CEQA, the term project has a specific meaning.

"Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following:

(1) An activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvement to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100-65700.

(2) An activity undertaken by a person which is supported in whole or in part through public agency contacts, grants subsidies, or other forms of assistance from one or more public agencies.

(3) An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

The term "project" refers to the whole of an action and to the underlying physical activity being approved, not to each government approval (CEQA Guidelines Section 15378(c)). Thus, even if the Lead Agency needs to grant more than one approval for a project, only one CEQA document should be prepared. Similarly, if more than one government agency must grant an approval, only one CEQA document should be prepared.

- There was substantial public comment provided and the majority of the comments (including RGM's comments) aligned with direction from the Planning Commission/Design Review Board and MIG; and
- Merlone Geier ("MG") was given clear direction by the Planning Commission and Design Review Board. However, MG wants to blindly start the Draft EIR process while saying undefined "adjustments" can be made "later."

MG did not submit a revised Northgate Redevelopment project proposal by end of 2021 as promised but prior to the Planning Commission EIR scoping session on January 11, 2022, a "revised" set of plans was posted to the City website. These "revised" plans added 87 housing units to phase I. Additionally, during the scoping session Stephen Logan, MG's VP for this project, commented that MG had heard the public and they will be including a Town Square in phase I. This leads to all sorts of questions: what type of Town Square? Where will it be located? How big will it be? Will it meet the planning principles set out in GP2040 as well as all the previous planning documents from the past 25 years?

Without a known revised Northgate Development project plan the City is flying blind into the next steps of the process. This could be a costly mistake if numerous changes need to be made going forward. Ultimately, it is the City who will be responsible for the EIR's contents and the project's approvals. It should not move beyond scoping until there is a "finite" project description on which everyone can agree.

The Northgate Redevelopment project is a complex 20-year proposal which will change the Terra Linda landscape and neighborhood for generations. Further, MG is seeking a 20-year Development Agreement that will not require it to prepare an EIR for future phases. It is therefore critical that the EIR be precise, thorough, and complete, and not done piecemeal while making unknown "adjustments" to the proposed alternative.

RGM advocates that the Planning Commission require the applicant to submit a revised updated Northgate Development project plan proposal considering direction from the September 14 joint study session as well as MIG's and the public's comments. Only upon submission of a holistic updated plan will it make sense to move forward with the EIR scoping session and commencement of the EIR. **It is clear that the City and the community can move as fast or as slow as the applicant desires by following the process.**

In conclusion RGM requests the EIR be delayed until the applicant delivers an updated Northgate Development Project proposal which can be vetted by the Planning Commission, MIG and the community at large.

Thank you for your consideration regarding this important project to our community.

Respectfully submitted,  
*Responsible Growth in Marin*  
[info@rgmarin.org](mailto:info@rgmarin.org)

Shirley Fischer, EIR Team Leader  
Grace Geraghty, Executive Director  
Claire Halenbeck, Community Vision Team Leader  
Byron Kuth, FAIA, LEED AP, Kuth Ranieri Architects  
Pamela Reaves, Environmental Team Leader  
David Smith, President



January 11, 2022

Ms. Tricia Stevens  
Project Planner, City of San Rafael Planning Division  
1400 Fifth Avenue, Top Floor  
San Rafael, CA 94901

RE: Northgate Mall Redevelopment Project

Dear Ms. Stevens,

### **PURPOSE**

I am writing today to share WTB-TAM's recommendations for the Northgate Mall Redevelopment Project. WTB-TAM is a non-profit organization with a 30-year record of advocating for, designing, and funding green mobility infrastructure in Marin County and around the world.

Traffic, climate change, and a lack of affordable housing are major problems facing the citizens of San Rafael and the surrounding region. Merlone Geier Partners' vision for Northgate Town Square makes important step towards addressing these problems. However, we believe that with additional steps, Northgate Town Square could be truly transformative and serve as a national model for sustainable urban infill, transit-oriented, and bike-oriented development.

### **PROJECT NEIGHBORHOOD CONTEXT**

Northgate Town Square is geographically situated at the center of the Marin County Sustainable Mobility Network. This network is composed of continuous and interconnected bicycle and non-motorized pathways that connect every major population and employment center in the county. Three of these primary pathways—the North - South Greenway, North - South Bikeway, and Northgate Promenade—converge or nearly converge right at Northgate Town Square (see Appendix Exhibit 1).

Northgate Town Square is ideally located to take advantage of this sustainable mobility network. It is within a short bike ride of parks and open space, schools, hospitals, public transportation, civic institutions, and some of the biggest employers in the County (see Appendix Exhibit 2). For this reason, we urge the City and Merlone Geier Partners to rethink the primary mobility orientation of the project from the automobile to the bicycle.

WTB-TAM urges the City of San Rafael to make approval of the Northgate Town Square project dependent on Merlone Geier Partners agreeing to pay for the design, permitting, and construction of the following bicycle-pedestrian improvements inside and just outside of the Northgate property on the City's right-of-way:



- Replace the existing unprotected Class II bike lanes on both sides of Las Gallinas Ave between Freitas Pkwy and Golden Hinde Blvd with Class IV protected bike lanes (see Appendix Exhibit 2).
- Construct a Class I multi-use path (i.e. the “Northgate Promenade”) parallel to Merrydale Rd between Las Gallinas Ave and SMART’s Marin Civic Center Station.

The two above links are both necessary and essential to connecting Northgate Town Square to sustainable transportation options like SMART and regional bike paths. The construction of these links will benefit Northgate Town Square and Merlone Geier Partners in the following ways:

- Bringing more customers to the shops, cinema, and town square
- Making the apartments more desirable by making it easier and safer for residents to commute to work and school
- Reducing the need for wasteful automobile parking, freeing up valuable land for more productive, beneficial uses

### **PROJECT SITE PLAN**

The Site Circulation Diagram (SD-6) shows several “bicycle routes” as indicated by dotted green lines. The nature of these “bicycle routes” needs to be clarified. Are these to be fully realized bicycle facilities, such as bike lanes or multi-use paths? The Site Plan (SD-7) indicates no such facilities.

WTB-TAM urges the City of San Rafael to make approval of the Northgate Town Square project dependent on Merlone Geier Partners adapting its site plan to include Class IV protected bikeways on the following (as yet unnamed) streets within the Northgate Town Square property (see Appendix Exhibit 3):

- The street between Residential Parcel 2 and Residential Parcel 3
- The street between Residential Parcel 2 and the Cinema
- The street between Residential Parcel 1 and Residential Parcel 2
- The street between Lot 7 and Residential Parcel 6
- The street between Major 1 and Lot 1
- The street between Lot 1 and Lot 2
- The street between Lot 2 and Lot 3 (extension of Del Presidio Blvd)
- The street between Major 2 and Major 4
- The street between Residential Parcel 4 and Residential Parcel 5

These interior bikeways, like the radial strands of a spiderweb, serve to seamlessly connect those who live, work, and play at Northgate Town Square to the outside world in the safest and most environmental sustainable way possible.





WTB-TAM further urges the City of San Rafael to make approval of the Northgate Town Square project dependent on Merlone Geier Partners adapting its redevelopment plan and site plan to include completion of the Class I multi-use path that currently rings the property on the north and east sides. This path should be extended on the west and south sides of the property to make a complete 360° loop (see Appendix Exhibit 3).

When complete, there will be six points of ingress and egress to Northgate Town Square oriented to cyclists and non-motorized modes. These can be divided into three major and three minor points of ingress and egress, as summarized below:

#### Major Points of Ingress and Egress

- From the southeast corner of site (the intersection of Northgate Dr and Las Gallinas Ave), Las Gallinas Ave leads to the North - South Greenway (i.e. the SMART Multi-Use Pathway), which leads to Downtown San Rafael and the Larkspur Ferry Terminal. Until SMART completes the pathway gap on Puerto Suello Hill, this route temporarily follows Los Ranchitos Rd to the top of Puerto Suello Hill.
- From the eastern side of the site (the intersection of Las Gallinas Ave and Merrydale Rd), the future Northgate Promenade multi-use path will lead to SMART's Marin Civic Center Station, as well as to all destinations on the eastern side of US 101, including:
  - The Marin Civic Center and Farmer's Market
  - Marin Center Auditorium and Fairgrounds
  - Business and offices along Redwood Highway
  - The future North - South Greenway multi-use path to Smith Ranch Rd and points north in Novato
- From the northwest corner of the site (the intersection of Northgate Dr and Las Gallinas Ave), Las Gallinas Ave leads to the rest of Terra Linda, Kaiser Permanent Hospital, Vallecito Elementary School, Miller Creek Middle School, and the North - South Bikeway route to Novato.

#### Minor Points of Ingress and Egress

- On the southern side of the site, Nova Albion Way leads to Terra Linda High School.
- On the eastern side of the site, Thorndale Dr leads to the Villa Marin hilltop apartment complex.
- On the northern side of the site, Del Presidio Blvd leads to Los Gamos Dr and the new Kaiser San Rafael Park medical offices.



We make the following recommendations regarding bicycle parking (see Appendix Exhibit 3):

- There should be two secured bike parking spaces provided for every proposed unit in the complex.
- Residential parking garages should limit ground floor parking to accessible spaces and bike parking.
- Bike parking should be in gated, enclosed areas, preferably with security cameras, and access limited to residents only.
- Three bike parking areas should be provided for visitors to the Town Square and shops. These should be located on the northwest, east, and southwest sides of the Town Square.

We also strongly urge Merlone Geier Partners to expand the footprint of the proposed Town Square to stretch all the way from Shops 3 to Shops 2, and to complete the Town Square as part of Phase 1, rather than putting it off until 2040. This is the heart of the project. It's in the project's name. You can't have "Northgate Town Square" without the "Town Square".

Finally, we make the following recommendations to improve and fill in the gaps in the SD-5 Multi-Modal Site Connectivity Map (see Appendix Exhibit 2):

- Use the standard color scheme for different types of bikeways, as followed in the San Rafael Bicycle and Pedestrian Plan (see Appendix A Exhibit 1).
- The map should show existing Class II bike lanes on Freitas Pkwy west of Las Gallinas Ave, Las Gallinas Ave north of Freitas Pkwy, Merrydale Rd east of Las Gallinas Ave, and Civic Center Dr north of McInnis Pkwy.
- The map should show planned Class I paths along the SMART ROW north of McInnis Pkwy, on Monticello Rd west of Nova Albion Dr, Nova Albion Dr between Monticello Rd and Freitas Pkwy, Freitas Pkwy from Scotty's Market to Del Presidio Ave, Civic Center Dr from Freitas Pkwy to Professional Center Dr, and
- Civic Center Dr between Marin Center and N San Pedro Rd.

Thank you.

Respectfully submitted,

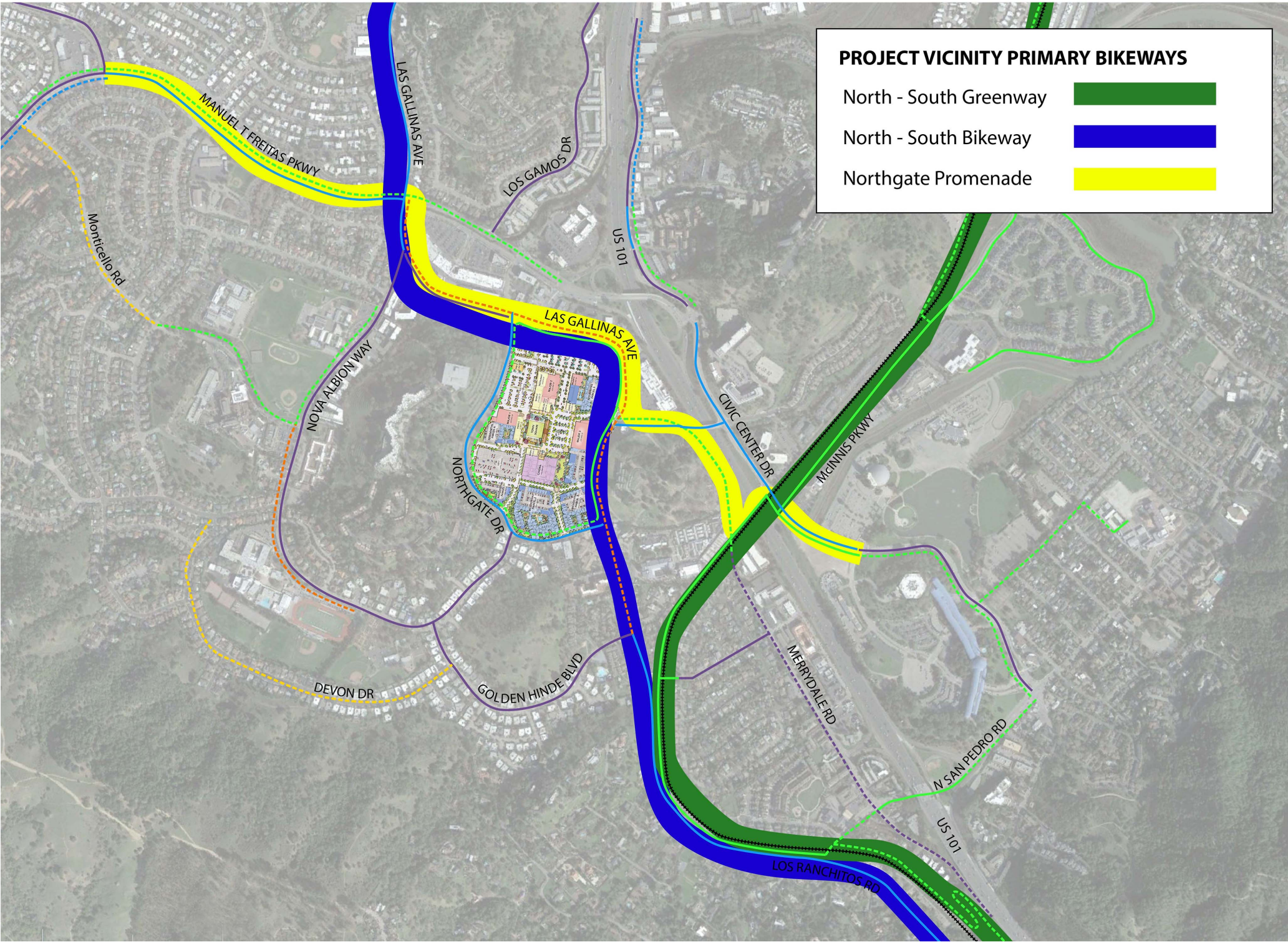


Patrick Seidler  
President

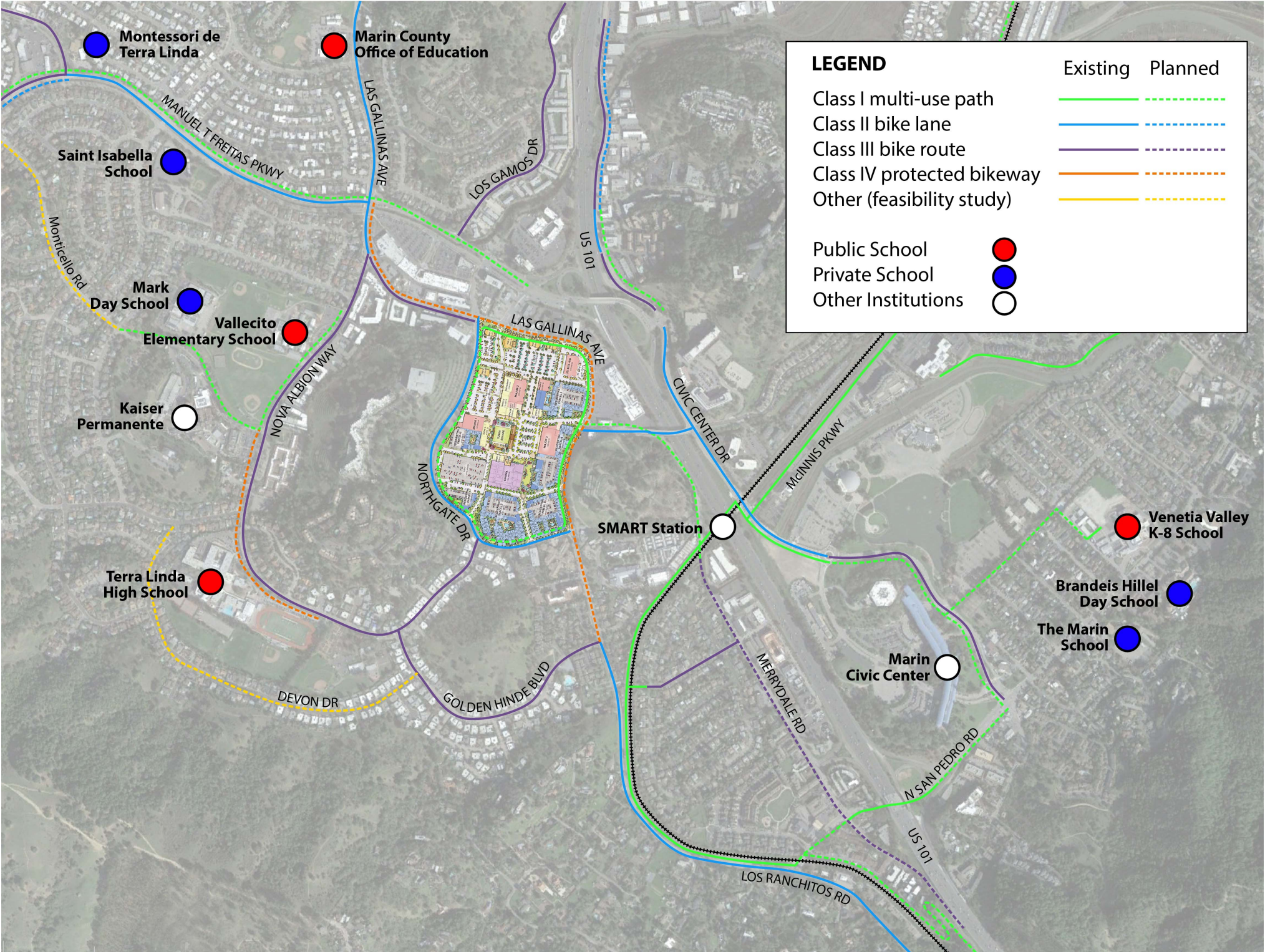
Matthew Hartzell  
Director of Planning & Research

cc: Leslie Mendez  
    Planning Manager, City of San Rafael  
Stephen Logan  
    Vice President of Development, Merlone Geier Partners  
David Geiser, AIA  
    Managing Director, Merlone Geier Partners  
Christopher Beynon  
    Principal, Director of Planning and Design Services, MIG  
Warren Wells  
    Policy and Planning Director, Marin County Bicycle Coalition  
Tarrell Kullaway  
    Executive Director, Marin County Bicycle Coalition

**Exhibit 1: Project Vicinity Primary Bikeways**



**Exhibit 2: Modified SD-5 Multi-Modal Site Connectivity Map**



**LEGEND**

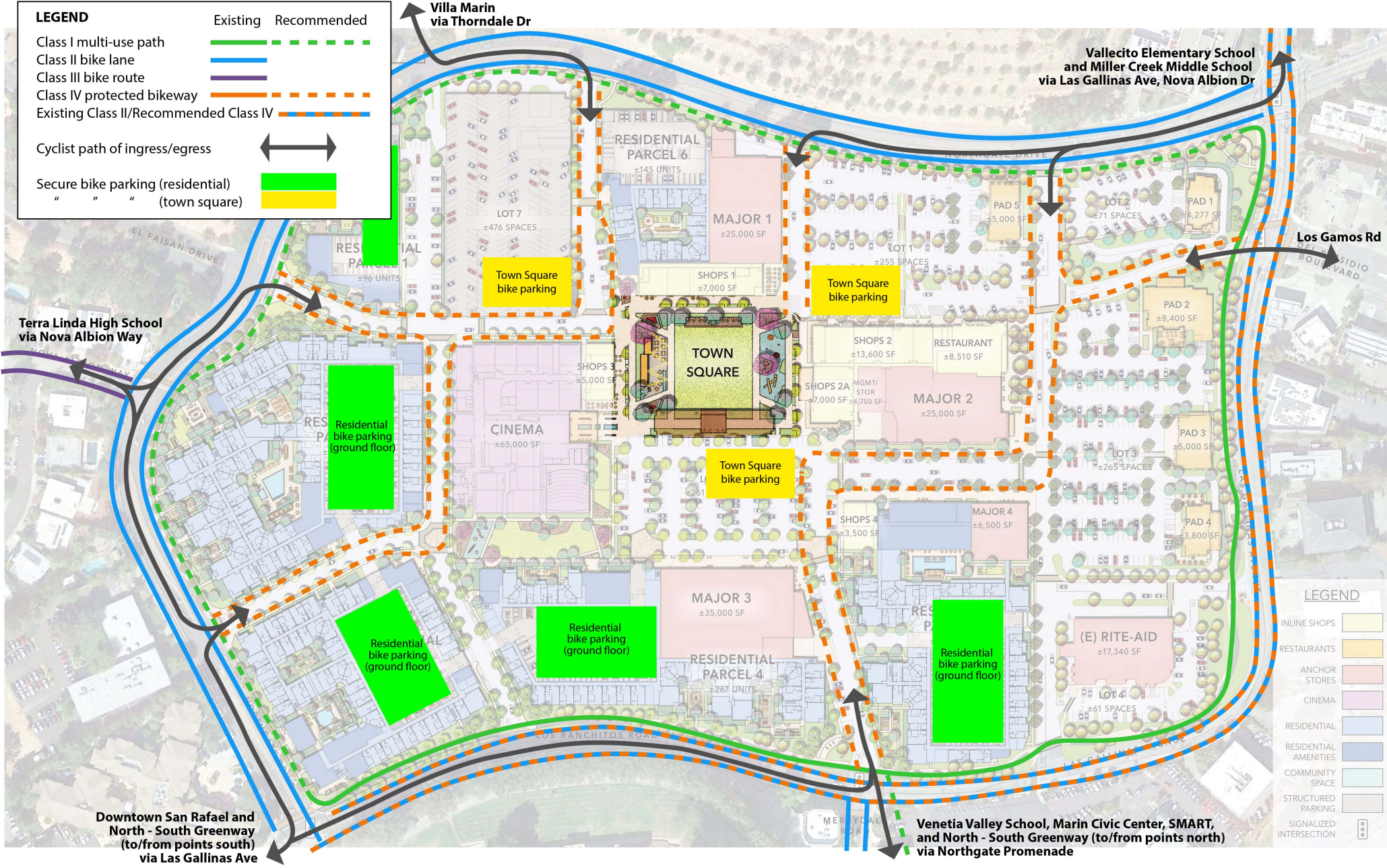
	Existing	Planned
Class I multi-use path		
Class II bike lane		
Class III bike route		
Class IV protected bikeway		
Other (feasibility study)		
Public School		
Private School		
Other Institutions		

- Montessori de Terra Linda (Private School)
- Marin County Office of Education (Other Institution)
- Saint Isabella School (Private School)
- Mark Day School (Private School)
- Vallecito Elementary School (Public School)
- Kaiser Permanente (Other Institution)
- Terra Linda High School (Public School)
- SMART Station (Other Institution)
- Venetia Valley K-8 School (Public School)
- Brandeis Hillel Day School (Private School)
- The Marin School (Private School)
- Marin Civic Center (Other Institution)

**Exhibit 3: Site Plan with recommended bicycle facilities and regional connections**

**LEGEND**

	Existing	Recommended
Class I multi-use path		
Class II bike lane		
Class III bike route		
Class IV protected bikeway		
Existing Class II/Recommended Class IV		
Cyclist path of ingress/egress		
Secure bike parking (residential)		
" " " (town square)		



**LEGEND**

INLINE SHOPS	
RESTAURANTS	
ANCHOR STORES	
CINEMA	
RESIDENTIAL	
RESIDENTIAL AMENITIES	
COMMUNITY SPACE	
STRUCTURED PARKING	
SIGNALIZED INTERSECTION	

January 14<sup>th</sup>, 2022



Protecting Marin Since 1934

Tricia Stevens, Consulting Planner  
City of San Rafael  
1400 5<sup>th</sup> Street  
San Rafael, CA 94901

Via email: [Tricia.Stevens@cityofsanrafael.org](mailto:Tricia.Stevens@cityofsanrafael.org)

RE: Comments on the Initial Study and Environmental Impact Report (EIR) for the Northgate Mall Redevelopment Project (Project) and its Development Process

Dear Ms. Stevens:

Marin Conservation League (MCL) has a long history of protecting natural resources in Marin County and much of our work today is based on tracking and advocating on local issues, planning processes, and proposed developments that have the potential to create environmental impacts and benefits. MCL has followed recent planning for the redevelopment of the Northgate Mall. We attended the presentation of the Project at San Rafael's Planning Commission meeting on January 11<sup>th</sup> and we offer the following comments while City representatives negotiate a Development Plan with the Project applicants and begin an environmental review process as the Lead Agency.

In October 2019, MCL voiced concern over the Pre-Application and Conceptual Design Review application for the proposed Costco Project and its accompanying gas pump facility at Northgate Mall. Since then much has changed, not only in Merlone Geier's proposed plans for redeveloping the site, but changes include San Rafael's nomination and the subsequent Association of Bay Area Governments (ABAG) adoption of Northgate Mall and adjacent properties as a newly designated Priority Development Area (PDA) (July 2020), and the adoption of San Rafael's General Plan update 2040 (GP 2040) (August 2021). These two community development directives should inform the review and development process of Project entitlements as well as the environmental review of the Project.

### **PDA designation**

According to the Metropolitan Transportation Commission (MTC), PDAs are places near public transit that are planned for new homes, jobs, and community amenities. "By bringing transit, jobs, and housing together ..., [PDAs] help the Bay Area reduce greenhouse gas emissions and begin to solve the region's housing crisis. Since they are located in places with existing transit infrastructure, they make the most of public investments and limit development impacts on communities and the environment." MTC's statements about PDAs should inform the Project's Objectives since the Project is in a PDA-designated area. Additionally, we request that the Project Description, or other Project documentation include the proposed number of very low-, variations of low-, and moderate-income units as defined by the Marin County

175 N. Redwood Dr., Ste. 135, San Rafael, CA 94903 | 415.485.6257 | [mcl@marinconservationleague.org](mailto:mcl@marinconservationleague.org)

Marin Conservation League was founded in 1934 to preserve, protect and enhance the natural assets of Marin County.

**Rental Affordability schedule for 2021; an estimate of the number of jobs that will be located on the redeveloped site; a list of the planned community amenities; and a statement of how the Project will help the Bay Area specifically reduce GHG emissions.**

With the adoption of the PDA designation, a funding grant for developing a Specific Plan for the Northgate PDA site was anticipated. Though not received in 2020, a grant could be applied for in the 2022 funding cycle. To best assist the Northgate PDA in meeting planning grant deliverables requested by MTC/ABAG, we suggest the Project include the following information during its development planning process: market demand analysis, an affordable housing and anti-displacement strategy, a multi-modal access and connectivity plan that meets pedestrian design standards and contains accessibility designs for persons with disabilities, a parking policy and management plan, an infrastructure development plan and budget, and an implementation plan and financing strategy.

### **GP 2040 and San Rafael's Climate Change Action Plan (CCAP) 2030**

The goals, policies, and programs delineated in the updated GP 2040 are the result of two and a half years of work by City staff, consultants, and San Rafael community members. MCL participated as a stakeholder and was pleased with the quality and depth of the effort. In lieu of having a current Specific Plan for the Northgate PDA, the GP 2040 is the most recent document delineating the City's intentions for the future of the area. **Each Element of the GP2040, including but not limited to the North San Rafael section of the Neighborhood Element, should be reviewed in detail during the development process of the Project to ensure that it meets the goals, policies, and programs of the plan. Similarly, the Project should incorporate and align with the measures outlined in San Rafael's CCAP 2030 (April 2019) in order to contribute to San Rafael achieving its climate action goals.**

### **Scoping Comments**

During Project Scoping at the Planning Commission meeting on January 11<sup>th</sup>, several members of the public and Planning Commissioners expressed frustration with the timing of initiating an environmental review process for a project that was continuing to make substantial revisions to the Project proposal. **The applicant is seeking a twenty-year Development Agreement. If successfully negotiated, the applicant will not be required to prepare an EIR for future changes to the property.** Though it was stated that the revisions are anticipated to be consistent with the scope of the EIR, **MCL shares the concern that impacts from the Project cannot be adequately scoped and evaluated until the final Project proposal is revealed. It's critical that the EIR address the actual proposal, not one that is not yet public.**

However, MCL encourages that baseline studies begin now to adequately assess impacts once the Project revisions are completed. Though the project is an infill project, the number of dwelling units proposed is on par with developing an entirely new community. **Baseline studies should not only document the current status of resources in the Project area, but also the current capacities of the physical and social infrastructure that serve it.**



Baseline studies should include those that address the following:

- Determine current ambient air quality and current ambient noise levels.
- Conduct soil studies throughout the site.
- Determine current water absorption rates, drainage patterns on the site, and rate and amount of surface runoff. Where do surface waters and/or groundwater currently discharge and how do they impact temperature, dissolved oxygen or turbidity of that body of water?
- What restoration planning or opportunities exist for the Gallinas watershed and its tributaries in relation to the site?
- What is the source of water supply and current use of both fresh and recycled water?
- Will the project produce new light and glare? What neighboring communities or wildlife would be impacted? Consider a future “Dark Sky” ordinance as outlined in GP 2040.
- Determine current and desired emergency response times and the current emergency evacuation plan capacity.
- **Conduct traffic studies of the greater Project area. Include all areas within the PDA. Along with calculations for Vehicle Miles Traveled (VMTs), include Level of Service (LOS) study (as required by GP 2040) to be delivered at the same time as the VMT studies.** How many additional vehicles would be added to the local roads and arterials during Phase 1 and then Phase 2 of the Project? What impact would that have on vehicular and nonmotorized movement and circulation? How might the Project alter circulation? How might traffic hazards increase for motor vehicles, bicyclists, and pedestrians?
- Study priority and other projects in San Rafael’s Bicycle Pedestrian Master Plan (2018) for the site and surrounding area.
- Study existing parking facility capacity, demand for new parking, and impacts on neighboring communities.
- How is the area served by transit? What is current ridership?
- Determine cumulative transportation impacts from other projects proposed and in various phases of planning and development in the PDA.
- Determine current availability and/or unmet need of government services for fire protection, police protection, schools, parks and recreation facilities and recreation opportunities, maintenance of road.
- What are current sources of energy to the site? How will the Project increase demand on existing sources or require the development of new sources? What efficiencies can and should be employed?
- Survey current utilities to assess the need for additional systems or alterations to existing utilities for electricity, phone or cable, water, sewer, stormwater drainage, trash disposal.
- Study whether the Project will obstruct scenic views from various vantage points on the site.
- What other projects and planning processes are underway in the area and what will be the cumulative impacts?

The environmental topics as required by the California Environmental Quality Act (CEQA) and as listed in the staff report seem to adequately address the areas of potentially significant impacts on both environmental resources and on the North San Rafael community surrounding the proposed

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mcl@marinconservationleague.org

Marin Conservation League was founded in 1934 to preserve, protect and enhance the natural assets of Marin County.

project. These topics should be analyzed both for the periods of construction and for the life of the Project. **The Draft EIR should address the impacts of the project as proposed, before subdividing into parcels. The parcels are planned to be developed together as a whole, in two phases, but ultimately as a redevelopment of an entire site. The cumulative impacts on the environment and the neighboring communities must be considered together and not piecemealed.**

**Northgate Town Square has the potential to become a highly desirable walkable, bikeable, transit-served community with retail and services integrated with a mix of housing types and employment opportunities.** Such a community should be planned for an energy efficient, all-electric future; with integrated transportation charging infrastructure; bus stops within the site for frequent and accessible local and commuter service; continuous and integrated pathway infrastructure for bikes and pedestrians; green infrastructure to absorb rainwater, capture runoff, filter, and reuse stormwater; greywater for toilets; recycled water for landscapes; trees and drought-tolerant vegetation that will help with cooling the built environment.

As has been the standard practice of the City in the past, we anticipate that project plan updates and technical studies will be made available to the public on the City's website as they are completed, as well as all notices and documents related to the CEQA review for the project.

MCL intends to actively participate in the review of this project as it moves forward. Please include MCL on the mailing list for all future notices. We anticipate the City's diligence in providing the public with an open and thorough environmental review of the Northgate Town Square project. Thank you for this opportunity to comment.

Sincerely,



Robert Miller  
President



Kate Powers  
Land Use, Transportation, and Water Committee

---

**From:** Robert Pendoley <rpendoley@comcast.net>  
**Sent:** Friday, January 14, 2022 12:02 PM  
**To:** Planning Public Comment  
**Subject:** INCLUDE FOR PUBLIC COMMENT: DRAFT EIR

The Marin Environmental Housing Collaborative (MEHC) is a consortium of advocates building support for projects and policies that advance affordable housing as well as environmental integrity and social justice. Please include this email in the scoping comments for the EIR on the Northgate Mall redevelopment project.

We strongly support the proposed increase in residential units to 1,443 homes. We cannot support and strongly object to the proposal that only 7% of the units would be affordable to lower income households.

The current Housing Element includes a goal to build 569 affordable housing units. But the most recent performance report shows that only 84 affordable units have been approved or built in the current housing cycle. San Rafael is more than three quarters through the current Housing Element cycle, but we have only met 15% of the city's affordable housing goal. This project is an opportunity to make substantial progress on San Rafael's affordable housing goals.

San Rafael's RHNA affordable housing assignment for the next Housing Element cycle, which begins in 12 months, is over 1800 units. The affordable component in the Northgate project could be a start on reaching this goal.

Substantial progress on meeting San Rafael's affordable housing needs will depend on maintaining the housing count in the Northgate redevelopment project description and assuring that at least 10% of the units are affordable.

Bob Pendoley  
(415) 225-6335





Jan. 14, 2022

San Rafael Planning Commission

[PlanningPublicComment@cityofsanrafael.org](mailto:PlanningPublicComment@cityofsanrafael.org)

**RE: Comments for Northgate Town Square Project Scoping Session for EIR**

Dear San Rafael Planning Commission:

The Watershed Alliance of Marin, a 501 c 3 non-profit is grateful for the opportunity to comment on the Northgate Town Square housing project EIR.

Because of our involvement over the past years within the Gallinas Creek watershed, where we conduct stream surveys, and our involvement with Gallinas Watershed Council (GWC), we concur with them. We support in total the comments and recommendations in their letters of January 10, 2022 and addendum of January 14, 2022.

We hope you will regard our comments in your decision-making process with the hope of bringing health to our watershed and sustainable, healthy lives to our citizens.

Thank you so much for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Laura Chariton".


Laura Chariton, Watershed Alliance of Marin, President, Watershed Alliance of Marin

[watermarin@comcast.net](mailto:watermarin@comcast.net) Watermarin.org 446 Panoramic Hwy, Mill Valley, CA 94941 (415) 234-9007

501(c)(3) EIN#46-5026355

**From:** [Regina Kretschmer](#)  
**To:** [Planning Public Comment](#)  
**Subject:** Fw: January 11th, 2022 meeting  
**Date:** Saturday, January 8, 2022 1:46:52 PM

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from: 

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We have lived in Terra Linda since 1970 and over the years, obviously have since many changes, some positive and some negative.

My family and I are very concerned about the density and possible overpopulation of the planned Northgate development. Noise level, traffic impact, water, sewage, street accessibility for fire trucks and ambulances, and the list goes on.

Also, we find it very important that the housing should be a mixture of rentals and ownership, plus the rentals mainly, those should be intermingled and not segregated.

Thank you for your attention to these matters, just a few of many.

Regina Kretschmer

## To be included for Friday, January 14th

Regina Kretschmer <Regina\_Kretschmer@hotmail.com>

Wed 1/12/2022 2:54 PM

To: Tricia Stevens <Tricia.Stevens@cityofsanrafael.org>

I have written before and wish to reiterate that we have been residents in Terra Linda since 1970.

We believe development is inevitable since population has increased. There is controlled development and the Planning CM must realize that the Northgate Mall area in Terra Linda, cannot accommodate close to 2000 more housing with families occupying it.

A gathering place, A TOWN CENTER, GREEN SPACE, ETC, of a very decent size, where teenagers, families with small and older children can segregate, adults and seniors can spend some time outdoors and see the outside world and rejoice in seeing young ones is an absolute MUST for the Town Center. Presently what the owners are offering is not acceptable, and instead of filling the town center with parking lots and cars, think of the people that live here and will want to come and visit. Cars belong in a garage, out of sight.

I am familiar with big buildings that were put up by the Russians in Eastern Germany, and although they did not have car issues then, they made sure that there were plentiful green areas between the buildings and promenades for people to safely move around and gather.

This is just one of the many issues and the EIR should be voted on once the Mall owners present their latest revision of the plan.

Thank you for your time, Regina Kretschmer

## Northgate Mall Redevelopment EIR

Candiece Milford <candiece321@gmail.com>

Sat 1/8/2022 6:45 AM

To: Tricia Stevens <Tricia.Stevens@cityofsanrafael.org>

Our concerns about this project relative to the current plan are:

- density and height of the buildings. 5 stories is too tall and out of character with anything in the entire Terra Linda neighborhood. It will loom over the southeast and southwest corners of the property.

- density = traffic in an area already very busy, especially during the early morning and around 3 pm due to the high school and Kaiser traffic patterns. This area is one of the oldest demographics in the entire Bay Area and walking will be severely impacted in order to negotiate hundreds of additional cars.

- there are several, perhaps 4, underground streams that need to be considered. In the recent construction of Oakmont San Rafael, the project was delayed when they drilled down into a stream and had to pump water out continually. How are these streams being addressed to prevent flooding in areas that never flooded before?
- light pollution is a real concern for residents who both live on the hills overlooking the development as well as those on the same level. At night, it is relatively dark and with thousands of lights from parking areas and apartments, the entire area will be forever changed in character. There should be NO lights on top of buildings or parking structures on top of buildings, especially on the south ends of the property.

Thank you for your consideration.

Candiece Milford

Quail Hill Town Homes

sent from across the cosmos - please excuse typos

---

**From:** Cherie Herzog [REDACTED]  
**Sent:** Sunday, January 9, 2022 3:56 AM  
**To:** Planning Public Comment  
**Subject:** Northgate

NO NO NO this is way too dense. If you must put housing like that in Northgate at least cut it down to a third of what you're proposing. Pretty soon we're going to have rental housing in all of Marin and they will outnumber those of us who own homes. This will end Marin being the county that's peaceful bucolic and fairly crime free

Cheers  
Cherie



## Northgate Mall Redevelopment Project (5800 Northgate Drive) EIR Scoping Comments

jvbialik@gmail.com <jvbialik@gmail.com>

Mon 1/10/2022 5:10 PM

To: Tricia Stevens <Tricia.Stevens@cityofsanrafael.org>

Tricia Stevens  
Project Planner  
Planning Division  
Community Development Department  
City of San Rafael, CA

Dear Ms. Stevens:

I am writing in response to the NOP for preparation of an EIR relating to the Northgate Mall Redevelopment Project (5800 Northgate Drive).

I am a 26-year resident of the San Rafael Park neighborhood of San Rafael, and actively involved in advocating for affordable housing through Housing Action Crisis, Marin Interfaith Council, and the Marin Organizing Committee's Affordable Housing Team.

Northgate is my local mall, and I am generally in support of this project and anxious to review the Draft EIR when it is available.

Regarding the scope of the EIR, I would ask you and the Planning Commission to direct the EIR consulting team to study the following:

- An alternative project that increases the proposed number of housing units by at least 10%. The current scope indicates that the EIR will determine the maximum development potential for the proposed project but does not clarify whether that will include studying a project that is larger than currently proposed by the applicant.
- An alternative project that increases the total number of affordable units built on site to 10%. The current project indicates that only seven percent will be built on site and the remaining required units will be built offsite (or through other options – presumably a fee paid to the City).
- An analysis of the impact of not including 10% affordable units in the proposed project. The lack of affordable housing for teachers, care givers, and food service workers places a burden on these essential services, and forces people to commute long hours in private automobiles and/or live in cramped and sometimes unsafe conditions. Any analysis of the impact of building this project should also include an analysis of the impact of not building it out to its full potential.
- An analysis of the expected water use of this project, broken out between the residential use and the commercial use, and with a comparison of the proposed residential use to the current residential use in the surrounding neighborhood.
- An analysis that compares the traffic impact of a residential unit in this project with that of an average house in the surrounding residential neighborhood.

Thank you for the opportunity to comment on the EIR scope for this important project.

Sincerely,

Jeff Bialik  
12 Salvador Way  
San Rafael, CA 94903

## Public Comment for Agenda Item 3: Northgate Mall Redevelopment Project

Ethan Strull <ethan.strull@gmail.com>

Mon 1/10/2022 11:32 AM

To: Planning Public Comment <PlanningPublicComment@cityofsanrafael.org>; Tricia Stevens <Tricia.Stevens@cityofsanrafael.org>

Commissioners,

Thank you for your consideration today to permit the renovation of the Northgate Mall. As a neighbor living 2 minutes away and housing advocate in San Rafael, we all know that this area requires significant changes to adequately serve the surrounding community. The last time I saw those parking lots in use was completely unrelated to the mall itself: when the starlings settled in the Eucalyptus trees just across the street.

The proposed changes move away from the antiquated design of big box malls and towards an urbanist community center where people can more sustainably live and work and recreate all in the same place without getting in a car. As we move forward with the planning process, there are a few specific aspects I would like to speak to.

First, maintaining as much housing, and affordable housing, as possible onsite. Our housing element requires these homes for good reason: our lack of affordable housing forces thousands of individuals to burn time and carbon driving into Marin every day, increasing pollution and inequities across the Bay Area. **All of the proposed homes at Northgate are more affordable than Marin's expensive single family housing, yet more subsidized affordable homes will decrease forced car commutes because of the cost of housing.**

Second, ensuring quality integration with public transportation. Though Marin still depends on cars, **these mixed-use buildings begin to offer alternatives to driving**, which will allow us to replace Northgate's many parking spaces with more efficient uses of our valuable space.

Considering this CEQA review, I urge the commissioners to prioritize **long term environmental considerations**, especially climate change. This is the type of smart planning that will help San Rafael have a positive impact on our environment.

Thanks,  
Ethan

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**From:** [John Andersen](#)  
**To:** [Planning Public Comment](#)  
**Subject:** Northgate redevelopment  
**Date:** Tuesday, January 11, 2022 8:47:51 AM

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Planning commission members:

I have reviewed the northgate redevelopment plan and would like to provide the following comment. The plan overall looks reasonable with one major issue. The plan as proposed will result in considerable traffic on the roads surrounding northgate. I understand the hope is that the new residents at northgate would have limited driving, but I think the commission must assume that is not likely to be the case. In addition, as a resident in this area, I have seen heavy weekday traffic (8am and 5pm) on frietas parkway to the freeway and regular traffic backup at las gallinas ave to del presidio blvd to frietas parkway without any new residential units at northgate. These problems could be mitigated by:

1. design for 4 traffic lanes on Northgate drive, los ranchitos road, and las gallinas avenue.
2. use synchronized traffic lights on las gallinas avenue, los ranchitos road, and del presidio blvd.
3. consider adding a new southbound freeway onramp at merrydale.

If the traffic is not mitigated I expect serious traffic backup around northgate if the redevelopment plan goes forward as planned. If these mitigations can not be done then the redevelopment plan must significantly reduce the number of residences to allow for reasonable traffic on the existing roadways.

Thank you for your time.

John Andersen  
Terra Linda Resident

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**From:** [REDACTED]  
**Sent:** Tuesday, January 11, 2022 11:40 AM  
**To:** Planning Public Comment  
**Subject:** Public Comment on Northgate Development

*Please include in public comment-I am very excited and appreciative of many of the changes that have been proposed for the Northgate Mall, but I would ask for additional consideration for an expended town center for the project. Merlone Geier has done similar open air spaces with other projects, but something of substantial size and function that creates a center and a “heart” of the location. Something more similar to the size of Sonoma or Healdsburg Squares, where there could be open grass areas for kids/people to play, a large gazebo or stage for drama performances, bands, or weddings, trees and water features to match the surroundings and places for kids to play, and space for activities such as bocce courts and dog park. This could be surrounded by various outdoor restaurants around the perimeter that create an inclusive feel and allows adults to have a nice dinner on the patio of their favorite restaurant while they watch their kids play in the grass and listen to a band play on the stage. This all creates the reality of a true “live/work/play” concept, rather than just talking about it. The housing proposal of this size needs legitimate space of this magnitude and caliber. Please don’t miss this opportunity. This kind of space has also been outlined in both 2020 and 2040 Master Plans. Please hold true to that vision. Thank you.*

Eric Boales, 7 year Terra Linda resident  
[REDACTED] San Rafael, CA 94903

**Eric Boales**

SVP | Business Banking Manager, California Region  
Small Business Relationship Banking

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Pronouns: He/Him

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## Leslie Mendez

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**From:** Eric Boales <edge.boales@gmail.com>  
**Sent:** Tuesday, January 11, 2022 8:28 PM  
**To:** Planning Public Comment  
**Subject:** EIR Northgate Project

Please submit for public comment- I am very much in favor of the fundamental proposal for the project at Northgate Mall. I have submitted comments about the need for a more substantial town center and have expressed concerns over the need for greater connection to transit centers, but this is to address the EIR concerns I have. Both issues are related to traffic and safety of the project.

As we have learned from the devastating fire in Paradise and various firestorms in Sonoma county, effective escape routes are critical in emergency situations. For the project as it is currently presented, there are significant concerns over the ability of the current routes away from Northgate to be able to handle to evacuation if necessary in an emergency. There are already significant backups to leave the Northgate area and get onto to the freeway via Freitas Parkway numerous times of the day. The same situation exists leaving via Los Ranchitos, with limited traffic capacity available to leave the project site heading South.

Outside of any emergency evacuation scenario, the entrances and exits into the project area are already significantly problematic without a likely additional 3000+ residents traveling those same roads/exits every day. The Southbound entrance to Hwy 101 at Freitas backs up every day without this additional traffic. The Northbound Hwy 101 exit at Freitas Parkway is an extremely dangerous intersection and that is a significant project that needs to be addressed prior to approval of the EIR and the overall project at Northgate.

Due to these issues, a lower number of units should be considered to help mitigate these safely and traffic concerns. Thank you for your consideration.

-Eric Boales, 9 year Terra Linda resident  
725 Knocknaboul Way  
San Rafael, Ca, 94903

Sent from my iPhone

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**From:** timothy hale [REDACTED]  
**Sent:** Tuesday, January 11, 2022 11:57 AM  
**To:** Planning Public Comment  
**Subject:** PLANNING COMMISSION MEETING JANUARY 11, 2022 PUBLIC COMMENT

Why can there not be a set back with less density on the south side of the development?

In Merlone Geier presentation I viewed the designer said "it will be like Emeryville, only bigger." That does not seem appropriate to the area.

Is there going to be available recreation area within the development? The center parking lbracketed by existing shops and a new grocery marked as open space does not seem ideal for renter's greenspace.

Merlone Geier statement that the existing roadways "where built for this kind of traffic" does not match the existing complaints about exit roads and freeway access. Also the Las Gallinas Sanitary already seems to have problems with yearly flooding.

Tim Hale

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**From:** Claire Halenbeck <claire@rma.studio>  
**Sent:** Tuesday, January 11, 2022 10:02 AM  
**To:** Planning Public Comment  
**Subject:** Don't Delay Realization of the Town Center at Northgate - FOR PUBLIC COMMENT - CORRECTION

**DON'T FORGET THE TOWN CENTER**

Please do not allow 1000+ new dwelling units in Phase I of the Northgate development to be built in a concrete jungle with no Town Center as has been envisioned for more than 20 years. The new residents will have virtually no parkland to access. The children and pets will have no way to play outside. The only parks within .5 miles are two tiny pocket parks that are non-functional and in disrepair. In the time of COVID, we can't allow this many new residents (2,000+) to live in an unhealthy place **WITHOUT** hospitable outdoor areas - only parking lots!

Respectfully,  
Claire Halenbeck, Terra Linda



Claire Halenbeck, IIDA, CID  
*principal*  
415.720.7090 | [www.rma.studio](http://www.rma.studio)

## **Leslie Mendez**

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**From:** Vikki Johnson [REDACTED]  
**Sent:** Tuesday, January 11, 2022 12:26 PM  
**To:** Planning Public Comment  
**Subject:** Planning Commission meeting - Northgate

**In strong agreement with the comments submitted below by Claire – but also want to add that my only expertise being retail development, I find the layout and positioning of the retail components is not beneficial to way-finding and customer experience. Specifically as mentioned below, the parking in the middle area further alienates the walk-ability of a customer to travel from one retail door to another without crossing a parking lot. Retail requires a strong GLA and on-point merchandising in close proximity to each other to succeed. Movie theaters can be destination – retail cannot. Restaurants should open onto the center courtyard – not be freestanding pads. The separation and distance between the buildings is not conducive to impulse buying and window shopping. In today’s culture , where in-person shopping is not a necessity, it is more important than ever to create that environment as the draw for the customer. Further, with the extensive residential component, the residents will become a significant customer base, which is a different customer profile than the existing neighborhood, therefore the mix has to serve both bases. Converting an enclosed regional center to a mixed-use town center is not an easy undertaking. If Merlon Geier does not have an in-house person with that specific expertise (understandably), I would suggest they hire an outside consultant for this important role. (...can provide recommendations).**

Vikki Johnson

### **PLANNING COMMISSION MEETING JANUARY 11, 2022 PUBLIC COMMENT**

#### **DON'T FORGET THE TOWN CENTER**

Please do not allow 1000+ new dwelling units in Phase I of the Northgate development to be built in a concrete jungle with no Town Center as has been envisioned for more than 20 years. The new residents will have virtually no parkland to access. The children and pets will have no way to play outside. The only parks within .5 miles are two tiny pocket parks that are non-functional and in disrepair. We can't allow this many new residents (2,000+) to live in a place with no heart.

#### **DON'T LEAVE OUT THE PROMENADE BIKE/WALKING PATH**

Please require the owner to fulfill their promise to complete the Promenade on their two properties (Northgate and Northgate III). They promised to do this in their Project Description of March 2021.

#### **BUILD A NEW NEIGHBORHOOD, NOT HEARTLESS HIGH-RISES ON THE SOUTH**

Please require a more sensitive interface to the existing one-story Eichler homes on the South side of the site. Walkable, treelined streets, gentler set-backs, more open spaces for outdoor activities.

#### **ONE AND TWO BEDROOM APARTMENTS ARE NOT FAMILY HOUSING**



The entire development is planned as 1 and 2 bedroom rental units only. As promised by the owner, please provide options for families and require a varied palette of housing types, including ownership options such as townhomes and condos.

Also attached is RGM's comment package on the Draft EIR Scope. Been working on it all weekend due to extremely short notice!

thanks everyone!  
/claire

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**From:** Jean Mazza [REDACTED]  
**Sent:** Tuesday, January 11, 2022 10:46 AM  
**To:** Planning Public Comment  
**Subject:** Planning Commission Meeting Jan 11, 2022

As a 35 year resident of Quail Hill Townhomes, I am concerned about the proposed plan to convert Northgate to mostly residential occupancy.

1.). Speeding on Northgate Drive

This area is rarely patrolled by San Rafael police for traffic violations. The speeders are usually going 20 to 25 miles faster than the posted speed limit of 25. Stop signs are ignored and my observation of violators is of people usually under 40. Apartment dwellers are in this age group. I can see more of this speeding happening and eventually a tragedy occurring. Speed bumps on Northgate would be annoying but may prevent some of the blatant speeding.

2.). We're in a water crisis and it's unlikely that will change much in the coming years since global warming is not going away. More people, more water use. How do we manage that? And the great amount of water used in construction will add to our problems.

3.). There's a great need in our community for affordable housing. 10% seems stingy in this project. And, what's "affordable"? We need to have housing for the folks that provide essential services but earn minimum wage. The traffic coming from the East Bay in the morning jams up our highways, and those commuters are the ones we need to provide housing for to get them off the commuter grid.

Thank you for considering my concerns.

Jean Mazza

[REDACTED]  
San Rafael

Sent from my iPhone

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**From:** Cecil Nielsen [REDACTED]  
**Sent:** Tuesday, January 11, 2022 10:06 AM  
**To:** Planning Public Comment  
**Cc:** Michael Sharp  
**Subject:** Northgate Town Square

Dear Planning Commission,

As a member of VIA (Vision in Action) for many years and having worked on many projects at Northgate, I would like to recommend that the following be considered for the Northgate Town Square:

It is important that we not forget that our main focus should be on **recreation and health for all**. Here are some ideas for you to keep in mind:

1. That the bicycle and pedestrian path connections be upgraded and finished all the way to public transportation (train, etc)
2. That existing trees be respected and more native trees be planted; solar panels on all roof tops;
3. Children and Seniors be the priority. A **NEW park for children**, a **healthy park for adults** with benches, exercise bars, etc. A park that can be used year round;
4. More residents, **means more people**. A **PUBLIC** swimming pool, tennis courts, park for children, dog park and a library. An amphitheater for concerts;
5. An indoor track for our residents to use during excessive heat during the hot months and rainy season. (Currently, many use the mall for walking)
6. Bike rentals, bike lockers, charging stations. Good lighting, but lighting that does not take away from our night skies.

Lastly, it is imperative that this development be **inclusive of all**. That it be a place where people can go to cool off in the hot summer months. A place where people can go walking on those rainy and hot days and feel safe. A place you can ride your bike to and park it in a safe location and go shop, eat, exercise, watch a movie, etc.

Good luck and thank you,

Cecil Nielsen

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**From:** Michael Sharp [REDACTED]  
**Sent:** Tuesday, January 11, 2022 1:58 PM  
**To:** Planning Public Comment  
**Subject:** Northgate Town Square Public Comment

Dear Planning Commission,

I support the plans to improve the Northgate Center, it is currently no longer appealing to many members of the community, the plans look great. However, there are currently a lack of usable recreation areas for younger children and adults outside of the High School facilities in our area, especially during the fall and winter months when there are no community lighted facilities. With an additional 1,300 residences being proposed, the city in partnership with the developer needs to improve the current recreational spaces near the center to accommodate the additional residents as well as modernize the current recreational spaces that are unusable for the currency members of the community.

1) Vellecito park is in need of a major upgrade and the additional property tax revenue should be used to update and modernize this huge space, add artificial turf, improve the running track. Add exercise areas, water stations etc.

I also think it is important to invest in the access routes to the proposed new Town Center to encourage people to take public transportation and ride bikes to the center.

1) The path to the SMART Train needs to be updated and made more appealing for people to use.

2) Improve and add new walking and bike trails to the center.

3) Add bike lockers, charging stations.

4) Include lighted pickleball courts

5) include a large lawn for kids to play, the designs show some areas but they look small and not ideal for families with energetic children.

6) Engage with local teenagers to come up with facilities they can use.

Regards  
Michael Sharp  
[REDACTED]

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**From:** Sophie Shehi [REDACTED]  
**Sent:** Tuesday, January 11, 2022 8:31 AM  
**To:** Planning Public Comment  
**Subject:** Northgate Mall

I am writing to give my input on the redo of the Northgate Mall.

- 1)- one of my concerns is the height of the proposed buildings. 5 stories does not fit in the surrounding area.
- 2)-the construction of the Town Center will be done on the very last stage of construction. If anything -this should be done in the initial stages.
- 3)- the number of housing units is excessive. The number of units in The Millennium Tower in San Francisco is around 600. The proposed number for the Northgate Mall is more than double that. Again-it does not fit in to the surrounding neighborhood.
- 4)- when we are in the middle of a drought-a proposal for an extremely large commercial and residential project-doesn't make any sense. Where will the water come from?
- 5)-on a good day-our San Rafael police-are stretched extremely thin. There are only 2 officers assigned to the Terra Linda area. When you add this enormous development-with all the thousands of people being added to our community-permanently and commuting to jobs-how will the San Rafael's police be able to respond to the growing crime that comes with such a development?
- 6)- the developers said that commercial malls are all a thing of the past. That they are not financially viable. That doesn't make any sense. We have 3 extremely successful malls in Southern Marin. Strawberry-The Village and Corte Madera Center. They are shining examples of how to do it right.
- 7)-I'm definitely pro development of the Northgate Mall. I just want it to fit into our community. Where members of our community will want to go to. For shopping-dining and recreation.

Thank you-  
Sophie Shehi  
[REDACTED]  
San Rafael, CA. 94903  
[REDACTED]

Sent from my iPhone

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**From:** Laura Silverman [REDACTED]  
**Sent:** Tuesday, January 11, 2022 9:04 AM  
**To:** Planning Public Comment  
**Cc:** TriciaStevens@cityofsanrafael.org  
**Subject:** FOR PUBLIC COMMENT - PLANNING COMMISSION MEETING - 11, 2022

Dear Tricia,

The development of a true Town Center in Phase I that serves all of the community including the new residence in Northgate is a critical aspect of the success and vitality of Northgate.

Throughout the last 25 years, in various planning documents, the community has supported a Town Center at Northgate and now we have the perfect opportunity to do so.

Merlone Geier, in their Project Description, promotes the concept of a Town Center, so why is this not being promoted and instead we're seeing a postage sized Town Square which is a parking lot. Plus their proposal is to develop the Square in Phase II (2040), not Phase I (2025). Why???

It doesn't seem logical to not use this beautiful space to welcome not only our community but other Marinites to enjoy a vibrant welcoming Town Center with views of the surroundings hillsides with retail/restaurant, open space, entertainment and close to public transportation.

Why force us to drive South to other communities to participate in their Town Centers when we can make Northgate a perfect destination conveniently located, offering a unique live-work-play community (in OUR ownbackyard)?

We will miss out on opportunity to meet the needs of the community and deprive the city of valuable revenue if we don't enforce a genuine Town Center in Phase I and carefully consider what is needed to make the Town Center the 'heart' of Northgate, not just an afterthought.

Best regards,

Laura Silverman  
[REDACTED]  
San Rafael

## Northgate Mall Redevelopment Project EIR

Rachel Zwillinger [REDACTED]

Tue 1/11/2022 1:27 PM

To: Planning Public Comment <PlanningPublicComment@cityofsanrafael.org>; Tricia Stevens <Tricia.Stevens@cityofsanrafael.org>

Ms. Stevens,

I live on Devon Drive, approximately .5 miles from the proposed project site. I'm writing to request robust consideration of traffic impacts to communities surrounding the project site. Under existing conditions, traffic on Nova Albion Way is a major problem, particularly during morning and afternoon commute hours. Traffic from Terra Linda High School often backs up all the way to Northgate Drive, and the traffic continues past Kaiser and Vallecito Elementary School. Adding a high-density development to this area will exacerbate these traffic problems, and I am eager to understand what mitigation measures are being proposed.

I am also concerned about parking in the region surrounding the project area, and request that the EIR investigate parking impacts in nearby neighborhoods. I have noticed that other apartment complexes in the region -- particularly those across from Vallecito Elementary School -- include insufficient parking, and have had a major impact on parking availability in surrounding neighborhoods. How will the project be designed to accurately account for residents' parking needs and mitigate impacts to surrounding communities? For example, will the city consider resident-only overnight parking permits for neighborhoods surrounding the development to ensure adequate parking for current residents?

Many thanks for considering these comments.

Rachel Zwillinger

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**From:** Shirley Fischer <sfischer94903@gmail.com>  
**Sent:** Wednesday, January 12, 2022 12:19 PM  
**To:** Tricia Stevens; Alicia Giudice; Leslie Mendez  
**Subject:** EIR scoping comments

Good morning, Tricia, Ali, and Leslie.

I was told that my verbal comments at the Planning Commission meeting last night were muffled, so I am sending a written version to be included in the public record and distributed to the Planning Commissioners.

Shirley Fischer: Thank you for the opportunity to comment this evening.

I would like to review some of the history dealing with this project site that applies to the preferred alternative that will be developed in the Draft EIR.

In October, 1996, over 200 residents spent a day at Terra Linda High School. They started with blank pieces of paper and came up with essential things that they wanted to be developed in the community over the following decades, including a Town Center at Northgate to form a focal center for the community and the North San Rafael Promenade to unite the eastern and western neighborhoods.

This event was followed by 13 public meetings, focus sessions with 43 neighborhood groups and school classes, and individual questionnaires which generated over 3,500 comments on likes, dislikes and desired changes. The 25-member Vision Steering Committee integrated these comments into specific themes and goals in the ***Vision North San Rafael 2010***, which was presented to the City Council in December, 1997.

Over the following 5 years, the City supported a 12-member Vision in Action (VIA) Committee to work on implementation of this Vision. The VIA Committee refined plans for several aspects of the Plan, including the Town Center, and sponsored workshops (also attended by close to 100 people) which led to the creation of the ***North San Rafael Promenade Conceptual Plan*** (November, 2002).

All of this work was funded and staffed by the City of San Rafael. Costs included \$125,000 (1990s dollars) that was spent on consultant fees\*, in addition to staff time of three City staff members over multiple years.

The principles in the North San Rafael Vision have been reiterated in General Plan 2020 and General Plan 2040. **These principles are not a pipe dream and are not just the wishes of a few individuals!** They have been developed with participation of a large segment of the North San Rafael community and with substantial investment by the City of San Rafael. They should be the guiding principles for designing the Northgate Project EIR's Preferred Alternative.

In particular, the North San Rafael Vision's concept of a Town Square at Northgate "a place where residents and workers can gather--formally and informally--to share community life" should be a guiding principle.

Surface parking lots do not belong in a Town Center. Parking can be accommodated under nearby retail and residential (like the parking near the Whole Foods Market in Novato) and the entire central square should be developed as a recreational and cultural gathering place and green space in Phase 1 for both new residents and the surrounding community. This is a modest request, far less than the 4 acres of parkland per 1000 new residents that is the standard specified in General Plan 2040.

I question why the EIR is proposing to study the current proposed plan, which is essentially unchanged since March, 2021. Despite multiple promises from the applicant over the last nine months, no revised plans have been submitted. If the applicant truly does have updated plans, they should be brought forward before EIR studies are conducted to avoid escalating costs of revisions and to allow the Commission and the public timely input into the "real" plans for the project.



Thank you for the opportunity to comment on this important matter.

Shirley Fischer

\*Costs of North San Rafael Vision and VIA Committee:

- The City hired MIG to prepare the Vision at a cost of \$78,000 (1996)
- As part of, but separate from, the MIG budget, the City Council authorized an additional \$17,700 for set asides and direct cost.
- During the second year of the Vision process, the City authorized an additional approx. \$20,000 for consultant support (Jeff Baird)
- At some point, Royston, Hanamoto, Alley and Abey were hired to prepare graphics for the promenade at a cost of approximately \$10,000
- Total cost was about \$125,000

This cost did not include in-house staff time (Jean Hasser and Chantry Bell, then Linda Jackson).

## northgate development

joy sidon <joysdn1@gmail.com>

Wed 1/12/2022 12:30 PM

To: Tricia Stevens <Tricia.Stevens@cityofsanrafael.org>

I am sure you are aware of the impact particularly with our water shortage that is inevitable to come in the future and will increase with warmer temperatures. Many civilizations have been lost without enough water. Please be mindful of the repercussion, mainly our survival, especially if you wish to remain in power.

San Rafael needs a small shopping center. I live in San Rafael and as a senior think it would be worth to raise my anxiety level to drive in that kind of traffic congestion, compete for parking and mix with crowds to buy clothes or go to a restaurant or coffee shop. Too dangerous. What about outlets for the seniors?

Joy 69 vendola drive, san rafael, actually santa venetia

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**From:** Lee FitzGerald <leebfitzgerald@gmail.com>  
**Sent:** Thursday, January 13, 2022 2:14 PM  
**To:** Planning Public Comment  
**Subject:** Include for public comment : draft eir-northgate

To whom it may concern,

I strongly support the recommendations presented by Responsible Growth Marin in regards the impact of redevelopment of the Northgate Mall property in the Terra Linda neighborhood.

Sincerely,

Lee FitzGerald  
60 Trellis Drive  
San Rafael

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**From:** Robert Freinkel <tamalpais101@gmail.com>  
**Sent:** Thursday, January 13, 2022 4:59 PM  
**To:** Planning Public Comment  
**Subject:** Public Comment Draft EIR

Hello:

We are in full support of the RGM proposal regarding this project.

Additionally, it is too massive, not oriented towards the local area, and will generate a very large traffic burden in the vicinity.

It is total nonsense that residents of 1400 apartments will stop driving, park their vehicles, and take non existent public transportation which is both unreliable and infrequent. It is also very dependent on the operators unions not striking on a whim.

As far as the Smart Train to no where, exactly. Useless.

Adjust the plan to the RGM proposal.

Very truly yours,  
Robert L Freinkel  
23 San Marcos Place  
San Rafael, CA 94901



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**From:** Seth <sethrobot@gmail.com>  
**Sent:** Thursday, January 13, 2022 3:10 PM  
**To:** Planning Public Comment  
**Subject:** Northgate  
**Attachments:** 2022-01-11+RGM+Final+scoping+letter+V9+with+diagrams.pdf

Hello,

I live in San Rafael very close to Northgate and I wholly support RGM's letter and the three points they have surfaced in response to the proposal from Merlone Geier. I have attached the letter here for your reference. Please take this into consideration when reviewing the current proposal from Merlone Geier.

Thank you,

Seth Harris  
(415) 518-7016  
426 Chula Vista Dr.  
San Rafael, CA 94901

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**From:** Greg Hinson <hinsongreg3@gmail.com>  
**Sent:** Thursday, January 13, 2022 9:58 PM  
**To:** Planning Public Comment  
**Subject:** INCLUDE FOR PUBLIC COMMENT: DRAFT EIR

Dear City of San Rafael,

Please let me voice my support for the RGM's position for the Northgate Mall renovation.

Thank you,

Greg Hinson  
435 Nova Albion Way  
San Rafael, CA. 94903

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**From:** Holleran Karen <bugsandbeetles@gmail.com>  
**Sent:** Thursday, January 13, 2022 2:46 PM  
**To:** Planning Public Comment  
**Subject:** Include for public comment EIR Northgate

We want to add our strong support for the Responsible Growth Marin's ( RGM) position on the proposed changes to the Northgate mall.

It is vitally important that this new town center have the attributes detailed within their proposal.

San Rafael residents

Karen P Holleran and Walter M Holleran

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**From:** Bill Keck <bkeck@villa-marin.com>  
**Sent:** Thursday, January 13, 2022 2:54 PM  
**To:** Planning Public Comment  
**Subject:** Northgate Redevelopment project

Overwhelming in favor of this project. It will transform a decrepit mall space in to a lively work/live “community in itself” that will add valued business and services along with much needed housing to include affordable options.  
Thank you

**Bill Keck**  
Chief Executive Officer  
Villa Marin  
100 Thorndale Drive  
San Rafael, CA 94903  
(415) 492-2637 Direct

[bkeck@villa-marin.com](mailto:bkeck@villa-marin.com)





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**From:** Kirsten Meadows <kirsten@meadowsgreenbuilding.com>  
**Sent:** Thursday, January 13, 2022 2:09 PM  
**To:** Planning Public Comment  
**Subject:** INCLUDE FOR PUBLIC COMMENT: DRAFT EIR

To Members of the San Rafael Planning Commission,

I was unable to attend the recent meeting regarding the Northgate Mall Redevelopment Project. However, we live close by and are hopeful about the project, as aspects of the proposal are much needed in our community, but we are also concerned about possible negative impacts as well, particularly traffic, water use, and pollution, and the lack of a town center which was something that we were looking forward to initially. We support RGM's position which was emailed to the city on January 10<sup>th</sup>. Thank you for your time.

Best,  
Kirsten

Kirsten Meadows

**From:** Eva Porter <eva@skysound.com>  
**Sent:** Thursday, January 13, 2022 3:02 PM  
**To:** Planning Public Comment  
**Subject:** Development of Northgate Shopping Mall

Hello,

I heard you are still taking comments. Please be assured though we can't gather as we could many of us locally support RGM's position. Shopping Malls around the country are all in a unique position to become more integral to their community. RGM had been organizing before Covid but this is an opportunity for Marin to be an example nationwide.

**Eva Porter**

**p:415.662.1348**  
**c:415.793.0722**

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**From:** Erik Revai <ezrevai1@gmail.com>  
**Sent:** Thursday, January 13, 2022 2:48 PM  
**To:** Planning Public Comment  
**Subject:** INCLUDE FOR PUBLIC COMMENT: DRAFT EIR

I support RGM's position as described in their letter re " Scoping Session for Initial Study/Environmental Impact Report for Northgate Mall Redevelopment Project - Northgate Town Square."

Best,  
Erik Revai

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**From:** Bobbi Ryals <bobbi.ryals@gmail.com>  
**Sent:** Thursday, January 13, 2022 2:22 PM  
**To:** Planning Public Comment  
**Subject:** INCLUDE FOR PUBLIC COMMENT: DRAFT EIR

I am supporting RGM's position on the development of Northgate mall.

Thank you,

Barbara Ryals, resident of Quail Hill

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**From:** Diana Vine <vineym8@yahoo.com>  
**Sent:** Thursday, January 13, 2022 4:15 PM  
**To:** Planning Public Comment  
**Subject:** Include for public comment: draft EIRsr

I support responsible growth for marin in efforts to make Northgate Mall a facility that benefits all of us.

I worry about our infrastructure:

ability to keep traffic moving; water supply; schools; quality of life for those of us who have planned and saved for retirement so as to enjoy our “golden” years.

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**From:** Cynda Vyas <cyndavyas@gmail.com>  
**Sent:** Thursday, January 13, 2022 3:54 PM  
**To:** Planning Public Comment  
**Subject:** INCLUDE FOR PUBLIC COMMENT: DRAFT EIR

Hello,

I support the *RGM* (Responsible Growth in Marin) position on the Draft EIR for the Northgate project.

Thank you,

Cynthia Vyas

## Fwd: Letter on Northgate Scoping

William Carney <[williamcarney@comcast.net](mailto:williamcarney@comcast.net)>

Fri 1/14/2022 4:23 PM

To: Tricia Stevens <[Tricia.Stevens@cityofsanrafael.org](mailto:Tricia.Stevens@cityofsanrafael.org)>

Cc: Alicia Giudice <[Alicia.Giudice@cityofsanrafael.org](mailto:Alicia.Giudice@cityofsanrafael.org)>; Planning Public Comment <[PlanningPublicComment@cityofsanrafael.org](mailto:PlanningPublicComment@cityofsanrafael.org)>

 1 attachments (87 KB)

Northgate Town Square SSR 1 10 22.pdf;

Tricia—

The letter we submitted addressed to the Planning Commission for their meeting this week stands as Sustainable San Rafael's comment letter for EIR scoping of the Northgate Town Square redevelopment.

One further suggestion growing out of the Commission meeting is that the City schedule an additional Planning Commission meeting (with public comment) to review the revised drawings now being completed by the developer in response to last fall's joint study session of the Commission and the Design Review Board and the public comments received at that time. The purpose of the meeting would be designate a 'preferred alternative' for the DEIR, based on the revised drawings. A similar process was used by the Golden Gate Bridge District during its development of the DEIR for the San Rafael Transit Center.

This process may allay some of the concerns raised this week by Commissioners and the public regarding the forthcoming drawings, and allow for fuller public involvement and City oversight of this significant development. The process would enable EIR work to start now on the 'full build-out' and 'no project' alternatives (and perhaps other alternatives and materials such as existing conditions).

Hope that's useful. We appreciate the opportunity to submit our scoping comments per our previous letter, attached again below.

Thank you.

—Bill Carney, President, Sustainable San Rafael

Begin forwarded message:

**From:** William Carney <[williamcarney@comcast.net](mailto:williamcarney@comcast.net)>

**Subject:** Letter on Northgate Scoping

**Date:** January 11, 2022 at 12:48:48 PM PST

**To:** [PlanningPublicComment@cityofsanrafael.org](mailto:PlanningPublicComment@cityofsanrafael.org)

**Cc:** Alicia Giudice <[Alicia.giudice@cityofsanrafael.org](mailto:Alicia.giudice@cityofsanrafael.org)>

Please convey the attached letter from Sustainable San Rafael for Planning Commission consideration this evening.

Thanks very much.  
—Bill Carney

415.302.0110



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**From:** Kathi Ellick <tamvalley1@gmail.com>  
**Sent:** Friday, January 14, 2022 8:30 AM  
**To:** Planning Public Comment  
**Subject:** INCLUDE FOR PUBLIC COMMENT: DRAFT EIR

I'm opposed to the Northgate shopping center becoming a mixed use residential area. The problems would be water. We have limited supplies and adding 1400 plus residence will cause a lot of difficulty with water management.

The Los ranchitos rd is two lanes and has already been maxed when there's a traffic problem on highway 101. Departing off of circle road has been a challenge when there is an accident on 101. Commuters will often try to take Los ranchitos road to avoid the accident on 101. I have seen it back up past Northgate shopping center. I believe that this is an indication of too many cars. It seems that more cars will cause more congestion in this area.

Kathi Ellick  
Knoll way

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**From:** JOHN GASKIN <ginger\_john@sbcglobal.net>  
**Sent:** Friday, January 14, 2022 11:32 AM  
**To:** Planning Public Comment  
**Subject:** Planning Commission Meeting January 11, 2022 Public Comment

We are residents and supporters of the Terra Linda community. We have lived here for 49 years and raised our family here. My wife was a 20 year educator with the Miller Creek School District (former Dixie District) serving as principal at Vallecito School from 1990 to 1997 and teaching at the former Dixie elementary for 13 years. I commuted to San Francisco and the South Bay for my career as an engineer and as a financial analyst; and changed employers four times to avoid transfers elsewhere in the country. Both of us were active in the TLHOA planning with the City to develop the Oliver Hartzel School site.

After viewing the Planning Commission Meeting of 1/11/22 via Zoom, my wife and I are moved to communicate with the City. We thought that many public comments were on target in regard to the haste in moving the project, as presented currently, forward in the EIR process.

We were disappointed in the Planning Commission appearing to be more concerned with limiting comments than in understanding and addressing concerns. Commissioner Samudzi suggested “We should be supportive of projects being able to move forward”. Our understanding suggests that the Commission’s goal is to be supportive of quality, well designed projects moving forward. The current development proposal now undergoing EIR study is deficient; blatantly deficient with regard to historical planning guidelines and agreed upon development goals and City standards. Forced high rise density appears to be the planned outcome of this development proposal which was repeatedly noted by staff as “worst case scenario”. We have reviewed and support RGM’s comment package on the Draft EIR Scope. We urge the City to address all these comments/concerns.

The EIR areas that most concern us are as follows:

The schools issue is huge both in infrastructure and financial impact. The San Rafael City Schools Development Impact Report of 2021 may have vastly underestimated the number of additional school age children per household in the proposed additional rental units. The report estimates a growth of 100 students for the additional 3000 residents. However, rental units tend to have younger families of child rearing age, often with larger families. The EIR should base its estimate on real figures such as the current number of children in school (Vallecito, TLHS, etc.) per rental unit along Los Gallinas and Nova Albion; and a number of rental units in Marinwood and across the freeway. Those rental units pay no parcel tax; so the school districts must subsidize those students. The development proposal of hundreds of homes in one parcel further undercuts school finances. The new budget proposals by the Governor, including universal preschool, will exacerbate both need for additional infrastructure and finance if accepted. Also, there may be no existing school sites large enough to accommodate the increase in students. If a new school will be needed, the plan should provide space. The EIR needs to mitigate these issues with realistic predictions. Developer’s plans need to accommodate educational and recreational needs.

The traffic issue has barely been addressed. In the Zoom meeting, city comments were “there will be very little increase in morning traffic and not much in the afternoon”, according to recently completed City traffic studies. No facts, figures, or data were provided. It’s obvious the proposal doesn’t even look at traffic. This proposal puts a minimum 1000 additional cars on a severely limited local street system. The Smart Train is no transportation solution. It is also severely limited in scope of destination and ridership, with future funding in question. Go out to the freeway at any time of day, but most specifically at the time of morning and evening commutes and observe the existing congestion. Adding freeway entrances and exits at the Merrydale overpass for an additional 1000 cars cannot be seen as a solution, but will create additional cross-merging issues, and the land requirements for such entrances and exits will conflict with the

Smart Train station access and existing infrastructure. When the freeway is congested, the surface streets also become congested, particularly on Northgate Drive, Golden Hinde, and Los Ranchitos. Emergency preparedness is an EIR issue. The fire evacuation of Lucas Valley and parts of Marinwood this summer created instant gridlock all the way onto the freeway in both directions. Terra Linda is much larger than Lucas Valley. The EIR must address all aspects of the traffic issue.

The water issue is our breaking point. The concept of installing 1300 additional water hookups in this time and place is confounding. We are and have been under drought conditions. We have to limit our showers, flush the toilet occasionally, and let our trees and landscaping die. Our yard is an embarrassment. With great effort, we have reduced our water usage to 100 cubic feet per bi-monthly billing cycle. This plan says we can add a huge number of families to the limited water resources, and the environment be damned. Brilliant! The salmon will be thrilled. Most of the currently known solutions for increasing water supply contribute to global warming, including desalination which pumps hot water and increased salt concentration back into the Bay. The EIR must responsibly address the water issue.

If we sound angry at this point, we are profoundly disappointed in our city and our Planning Commission for the development proposal which you are supporting for the Northgate area of Terra Linda. Planning Commissioners, Planning Department staff, and developers are transient investors in a community. The people who live here are the stake holders. What other places in San Rafael have existing plans for 100's of all rental apartments (one or two bedroom only) in pods of six story buildings? Who will want to live there? Who will want to live next door? Once this plan moves forward, it becomes acceptable in design and scope, and the community will have to struggle to make any changes. We should move forward with a plan that is thoughtful and well designed to be a true "Town Center" that will engage rather than enrage the community. Despite Commissioner Samudzi's belief that "There is no 'Unicorn' plan!" that will engage or please the community, what a concept to try!

Thank you for your consideration.

John & Ginger Gaskin

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**From:** timothy hale <thale\_94901@yahoo.com>  
**Sent:** Friday, January 14, 2022 4:14 PM  
**To:** Planning Public Comment  
**Subject:** Northgate Development

This is to record my support and agreement with notice filed by Responsible Growth Marin letter dated January 13, 2022.

I also agree with the opinions sent by my neighbors John and Ginger Gaskin.

Merlone Geier gave every indication in their August community presentation that they were going ahead with whatever investment and development plan worked for themselves alone, and now we see the City of San Rafael is willing to give them that.

I am realistic that there will be change and development, it could include the concerns and needs of the large community that is already here in Terra Linda.

Tim Hale

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**From:** Henri Lese <hklese28@gmail.com>  
**Sent:** Friday, January 14, 2022 12:50 PM  
**To:** Planning Public Comment  
**Subject:** Northgate Mall Redevelopment Project

I fully support the recommendations made by Responsible Growth in Marin.

Henri Lese

## Northgate Mall Redevelopment Project EIR Scope Comments

David Moller <david@mollers.us>

Fri 1/14/2022 3:10 PM

To: Planning Public Comment <PlanningPublicComment@cityofsanrafael.org>; Tricia Stevens <Tricia.Stevens@cityofsanrafael.org>

Cc: Distrib- City Clerk <City.Clerk@cityofsanrafael.org>

**RE: Northgate Mall Redevelopment Project EIR Scope Comments**

**Dear San Rafael Planning Commission,**

Thank you for the opportunity to comment on the scope of issues to be addressed in the EIR for the proposed Northgate Mall Redevelopment Project.

I am representing two broad-based citizen groups here in Marin County that are advocating for policies and actions to reduce greenhouse gas emissions from the two biggest sources of such emissions in Marin County: passenger vehicles (approximately 60 percent of GHG emissions) and use of fossil gas for space and water heating in buildings (approximately 25 percent of GHG emissions). Several policies have been adopted or are being developed at the local, regional and state level specifically to reduce GHG emissions from these two sources. The scope of the EIR should address the issues of reducing GHG emissions in the context of these existing and under-development policies.

In particular, the entire Northgate Mall Redevelopment Project should be 100 percent electric, with no fossil gas infrastructure provided, and every residential parking space should be provided with a Level 2 EV charger. In addition, several banks of Level 3 Fast EV chargers should be provided for visitors to the Northgate Mall Redevelopment Project.

Sincerely,

**David Moller**

415.244.2734



## Northgate Town Square Redevelopment

Annika Osborn <aosborn@cooltheearth.org>

Fri 1/14/2022 4:25 PM

To: Tricia Stevens <Tricia.Stevens@cityofsanrafael.org>

Hi Tricia,

I am an 18 year resident of San Rafael and am writing on behalf of [Cool the Earth](https://cooltheearth.org) in regards to the Northgate Town Square Development project. In order to reach our climate goals, I urge you to develop the project with the consideration of installing EV charging stations in the amount that will be needed in 2040. This is imperative especially for income qualifying residents who will need to charge their EVs with clean and affordable electricity at home.

I'm not sure if you are the right person to send this to, and if not, please forward appropriately.

Thank you,  
Annika

--

ANNIKA OSBORN (she/her)  
Community Outreach & Program Director  
Cool the Earth | [cooltheearth.org](https://cooltheearth.org)  
415.286.1077

## Northgate Mall development comments

Diana Steinbach <steinbachdiana@gmail.com>

Fri 1/14/2022 11:10 PM

To: Tricia Stevens <Tricia.Stevens@cityofsanrafael.org>

To Tricia,

I am strongly opposed to using the Northgate mall for the current housing proposal.

This development consists of 1400 residential units, 90-95% of which will be market rate, not affordable. Where will the water come from for these units? Why are any housing developments being considered at all when we, the citizens of Marin, were being told 2 months ago that we do not have sufficient water for the residents that live here already?

Develop the mall in a way that strengthens the communities and families of Marin. The mall is the perfect site for recreation and community activities. Marin does not have an ice rink, a roller rink, a trampoline house or a bowling alley (anymore). Put these businesses at the mall. There is ample parking to support these types of businesses at Northgate and most importantly, this will provide healthy fun outlets for kids, teens and families. The city will still collect its almighty tax dollars from these businesses but in such a way that does not add to the water burden on our already insufficient system or add more students to our already pathetically funded schools.

Time and again, we have seen out of town developers come in and propose "affordable" housing in Marin which never ends up truly being affordable. Develop the mall real estate instead in a way that improves the quality of life for our county's residents.

DO BETTER and think about the community's needs and wants and stop letting out of town developers decide how our community will look. These developers don't live here or have to contend with the effects of their developments. LET THE RESIDENTS OF SAN RAFAEL AND TERRA LINDA DECIDE WHAT THEY WANT AT THIS SITE.

Diana Steinbach



**Fwd: Comments on San Rafael project**

Tricia Stevens &lt;tstevens@migcom.com&gt;

Tue 1/18/2022 7:46 AM

To: Tricia Stevens &lt;Tricia.Stevens@cityofsanrafael.org&gt;

----- Forwarded message -----

From: **Cynthia Shallit** <[cynthiashallit@gmail.com](mailto:cynthiashallit@gmail.com)>

Date: Sat, Jan 15, 2022 at 9:02 AM

Subject: Comments on San Rafael project

To: <[tstevens@migcom.com](mailto:tstevens@migcom.com)>

Hi Tricia- could you consider trying to fight climate change on the Northgate Mall project? The most important thing we can do is eliminate use of fossil fuels, so

1. Require the developer to have enough electric car charging station capacity for all residents. (Not all EVs need expensive stations, they can just be plugged into the building .)
2. Do not allow a new gas station. We all have to switch to electric cars.
3. Put on solar panels for ALL the buildings' electrical needs. Install back-up batteries-- these also are getting a lot less expensive and more efficient.

Can you add these to the official comments?

ps,

Is this the Tricia Stephen's I know from SHRA?

Cynthia Shallit

--

Tricia Stevens, AICP  
*Contract Planner*  
*she/her/hers*



800 Hearst Avenue  
Berkeley, California 94710  
916-698-4592 | [www.migcom.com](http://www.migcom.com)

## New housing construction at Northgate shopping mall

Dave Sahn <dssahn@gmail.com>

Mon 1/17/2022 9:01 PM

To: Tricia Stevens <Tricia.Stevens@cityofsanrafael.org>

Cc: Joy Sidon <joysdn1@gmail.com>

Good evening Tricia,

As a Santa Venetia resident I wish to express my opposition to the 14,000 units contemplated for the mall, the increased traffic and pollution, and the loss of stores that have faithfully served the community in some cases for decades. Thank you for your attention.

Dave Sahn



Virus-free. [www.avg.com](http://www.avg.com)