

4.4 CULTURAL RESOURCES

This section describes existing cultural resource conditions within the project site and vicinity, identifies potentially significant impacts to such resources that may result from development of the proposed project, and recommends mitigation measures to reduce the severity of potentially significant impacts. Cultural resources are sites, buildings, structures, objects, and districts that may have traditional or cultural value for their historical significance. Examples of cultural resources include precontact (Native American) and historic-period archaeological sites, and historic buildings and bridges of architectural significance. The California Environmental Quality Act (CEQA) requires agencies that are considering projects subject to discretionary action to consider the potential impacts on cultural resources that may occur from project implementation (see Section 15064.5 and Appendix G of the *State CEQA Guidelines*). Section 4.5, Tribal Cultural Resources, of this Environmental Impact Report (EIR) addresses the topic of tribal cultural resources.

In addition to the references listed in this section, an Archaeological Resources Inventory Report (Archaeological Report)¹ and Historical Resource Evaluation (HRE)² were prepared by the project sponsor's consultant for the built environment and potential archaeological resources located within the project site. The Archaeological Report and HRE were used in the analysis provided in this section and are included as Appendices B and C, respectively. The Archaeological Report and HRE were peer reviewed by LSA before being relied on for this EIR.^{3,4,5}

4.4.1 Setting

To characterize the setting for cultural resources at the project site, the following tasks were completed: (1) record searches were conducted at the Northwest Information Center (NWIC) and local historical archives; (2) a field survey was completed to identify cultural resources; and (3) the Northgate Mall and adjacent Terra Linda Valley neighborhood were evaluated to determine their eligibility for listing in the California Register of Historical Resources (California Register). The results of these tasks are summarized below. This section also includes an overview of the applicable regulatory context related to cultural resources.

4.4.1.1 Records Searches

The results of the records searches at the NWIC and local historical archives are discussed below.

¹ Dudek. 2022a. *Archaeological Resources Inventory Report for the Northgate Town Square Project, City of San Rafael, California*. February 7.

² Dudek. 2022b. *Final Built Environment Inventory and Evaluation Report, Northgate Town Square Project, San Rafael, California*. September.

³ LSA Associates, Inc. 2022a. *Peer Review of an Archaeological Resources Inventory Report prepared by Dudek for the Northgate Town Square Project in San Rafael, Marin County, California (LSA Project No. CSR2001.03)*. January 19.

⁴ LSA Associates, Inc. 2022b. *Peer Review of the March 2022 Built Environment Inventory and Evaluation Report, Northgate Town Square Project, San Rafael, Marin County, California (LSA Project No. CSR2001.03)*. April 14.

⁵ LSA Associates, Inc. 2023. *Built Environment Inventory and Evaluation Report Response Northgate Town Square Project, San Rafael, Marin County, California (LSA Project No. CSR2001.03)*. April 19.

Northwest Information Center. The NWIC records search was conducted on October 12, 2021. The NWIC, an affiliate of the State of California Office of Historic Preservation (OHP), is the official State repository of cultural resource records and reports for Marin County. The NWIC database indicates there are no recorded cultural resources at, nor are there any previous studies of, the project site. There have been 60 previous studies (including their addendums and supplemental reports) that have been prepared within a 0.5-mile radius of the project site. There are five recorded cultural resources located within the 0.5-mile radius. Of these resources, two are prehistoric sites that include bedrock milling and habitation debris, and three are historic resources, including the Mt. Olivet San Rafael Cemetery, Northwestern Pacific Railroad, and Marin Center Veterans Memorial Auditorium.

Local Historical Archives. The following local history archives were also reviewed or consulted to obtain information on the historical context of the Northgate Mall: the Marin County Recorder; the San Rafael Community Development Department's online records; the Marin History Museum; San Rafael Heritage; the California Room of the Marin County Free Library; the University of California Berkeley's Environmental Design Archives; the Cultural Landscape Foundation; the University of Pennsylvania Stuart Weitzman School of Design Architectural Archives; and historical newspapers, maps, and aerial photographs. A synthesis of the information obtained about the Northgate Mall is presented in the HRE included in Appendix C and in the historical context provided below in Section 4.4.1.4.

4.4.1.2 Field Survey

A qualified architectural historian and qualified archaeologist conducted field reviews at the project site. The findings of the field surveys are discussed below.

Historical Architectural Survey. A qualified architectural historian conducted a field review of the Northgate Mall on October 19, 2021. The survey entailed walking the property and documenting it with notes and photographs. Specific note was taken of character-defining features, spatial relationships, observed alterations, and any historic landscape features on the project site. Three buildings within the Northgate Mall were determined to be over 45 years old.

Additionally, qualified architectural historians conducted a combination windshield and reconnaissance-level survey of the Terra Linda Valley neighborhood for historic built resources on October 26, 2021. The survey entailed a windshield survey of the entire neighborhood, documenting it with notes and photographs and accounting specifically for character-defining features, spatial relationships, observed alterations, and any historic landscape features observed to be common throughout the neighborhood. Following completion of the windshield survey, the reconnaissance-level survey entailed a more intensive survey from the public right-of-way, documenting representative examples of homes from the neighborhood with photographs and notes. The Terra Linda Valley neighborhood was determined to have been built between 1959 and 1960.

Archaeological Survey. A qualified archaeologist conducted a pedestrian archaeological survey of the project site on October 25, 2021. In addition to visual identification of any potential archaeological resources, exploratory trenches were dug in bare soils with hand tools. The project site is fully developed; only the landscaped islands in the parking lot are areas with exposed soil.

These areas were surveyed for any cultural material. Parking areas were also surveyed for any exposed areas in the asphalt. The interior of the mall and other building interiors were not surveyed because these areas contain no ground visibility. Development has resulted in substantial disturbance on the project site. However, there is some potential for existing development, notably parking areas, to have capped and preserved native soils at depth. No archaeological cultural resources were identified within the project site.

4.4.1.3 Geomorphology

The topography of Marin County consists of north-to-northwest-trending mountain ranges and intervening valleys that are characteristic of the Coast Range geomorphic province. The underlying geology is composed primarily of Franciscan complex rock bounded on the east by the Hayward Fault and on the west by the San Andreas Fault. The Franciscan rocks are formed by pieces of former oceanic crust that have been accreted to North America by the subduction and collision of the North American and Pacific Plates. These rocks are primarily marine sandstone and shale. However, chert and limestone are also found within the assemblage.

The Marin County landscape has been subject to substantial change since the Late Pleistocene. Between 15,000 and 9,000 years ago, sea levels rose approximately 230 feet, resulting in the initial infilling of San Francisco Bay. Over time, stream and river channels were diverted by sediments, resulting in the creation of large alluvial floodplains like the San Pablo Peninsula. The Bay continued to grow in size over the last 4,000 years, allowing the formation of large tidal mudflats and peat marshes, further promoting the deposition of sediment around the Bay. By approximately 3,500 years ago, the Bay was 22 feet below its current level. Landforms became more stable after approximately 2,800 years ago, after which there was less comparative deposition of alluvial sediments. Radiocarbon dates taken from the Palo Alto Marsh and lower Colma Creek suggest that these were formed in the last 2,000 years.

The landform on the project site is comprised of Urban land-Xerorthents complex, 0 to 9 percent slopes, which is normally associated with valley floors that have been highly developed. Historically, a drainage to South Fork Creek passed through the project site. The project site is fairly level, consisting of slopes ranging from 0 to 9 percent. Based on review of this information and notwithstanding its disturbed context, the flat topography and proximity to a drainage indicates the project site would be well suited to support the formation or continued presence of buried archaeological deposits or surface manifestations, but most or all of these would have been disrupted by extensive excavation from the west side of the site and fill on the east side, beginning in 1957, to construct the Northgate Mall. See Section 4.6.1.1, Geologic Conditions.

4.4.1.4 Prehistoric and Historical Background

The prehistoric and historical context of the project area is discussed below.

Marin County. Studies and analysis of archaeological materials uncovered in the San Francisco Bay Area (Bay Area) indicate that native peoples have occupied the Bay region for over 11,000 years. At the time of the European settlement in the Bay Area, San Rafael was part of the Coast Miwok territory. The Coast Miwok were hunter-gatherers who lived in rich environments that allowed for dense populations with complex social structures. They settled in large, permanent villages about

which were distributed seasonal camps and task-specific sites. Primary village sites were occupied throughout the year, and other sites were visited to procure resources that were especially abundant or available only during certain seasons. Sites often were situated near freshwater sources and in ecotones where plant life was diverse and abundant.

It is believed that members of the Coast Miwok were the Native Americans who met with both Sir Francis Drake and Sebastian Rodriguez Cermeño during their voyages to California. After those two contacts, there were no recorded contacts with the Coast Miwok for nearly 200 years until the construction of the San Francisco Presidio and Mission Dolores in 1776. The present-day territory of Marin County was first encountered by Spanish Lieutenant Juan de Ayala in 1775 when he led a military reconnaissance expedition into the San Francisco Bay.

Post-contact history for the State is generally divided into three periods: the Spanish Period (1769–1822), Mexican Period (1822–1848), and American Period (1848–present). Although Spanish, Russian, and British explorers visited the area for brief periods between 1529 and 1769, the Spanish Period began with the establishment of a settlement at San Diego and the founding of Mission San Diego de Alcalá, the first of 21 missions constructed between 1769 and 1823. Independence from Spain in 1821 marks the beginning of the Mexican Period, and the signing of the Treaty of Guadalupe Hidalgo in 1848 (ending the Mexican-American War) signals the beginning of the American Period when California became a territory of the United States.

Spanish Period (1769–1822). Despite early exploration of the San Francisco Bay by British explorer Sir Francis Drake, the present-day territory of Marin County was first encountered by Spanish Lieutenant Juan de Ayala in 1775 when he led a military reconnaissance expedition into the San Francisco Bay Area. Beyond exploration, a major emphasis during the Spanish Period in California was the construction of missions and associated presidios to convert the Native American population to Christianity and integrated communal enterprise. Mission San Francisco de Asís, commonly known as Mission Dolores, was established in San Francisco in 1776. By the early 19th century, the high rate of death among the Native American neophytes at Mission Dolores prompted a provisional move across the Bay to what was believed to be a more beneficial climate on a site within the modern city of San Rafael. Initial settlers to this new area indicated that the move was advantageous for the Native American population, which prompted the establishment of Mission San Rafael Arcángel in 1817.

Outside of the mission sites, several factors kept growth within Alta (Upper) California to a minimum, including the threat of foreign invasion, political dissatisfaction, and unrest among the indigenous population. In 1783, Pedro Fages served as the fifth Governor of Alta California and was given permission from the King of Spain to make land grants in California as an incentive to settlers to form pueblos or towns. The majority of these Spanish-era land grants were presented to Spanish military officers following the conclusion of their life-long military service.

Mexican Period (1822–1848). After more than a decade of intermittent rebellion and warfare, New Spain (Mexico and the California territory) won independence from Spain in 1821. In 1822, the Mexican legislative body in California ended isolationist policies designed to protect the Spanish monopoly on trade and decreed that California ports be open to foreign merchants. In

addition to eliminating the system of Spanish nobility in California, the Spanish missions across the territory were secularized during this period. The secularization of the Spanish Missions meant that all communal mission property was placed in a trust with the intention of being eventually returned to the local Native American population.

Extensive land grants called 'Ranchos' during the Mexican period were established in part to increase the population inland from the more settled coastal areas where the Spanish first concentrated their colonization efforts. During the supremacy of the ranchos in the Mexican Period, landowners largely focused on the cattle industry and devoted large tracts to grazing. The number of nonnative inhabitants increased during this period because of the influx of explorers, trappers, and ranchers associated with the land grants. Land grants to citizens covered the majority of present-day Marin County. The project site forms a portion of the Rancho San Pedro, Santa Margarita Y Las Gallinas granted by Governor Micheltorena to Timothy (Timoteo) Murphy in 1844. Murphy was an Irish immigrant who arrived in Monterey, California in 1828 to oversee the shipment of beef for Hartnell and Company. While there, Murphy became acquainted with General Mariano Vallejo, who not only considered him as a possible son-in-law, but also appointed him the administrator of the now secularized Mission San Rafael Arcángel in 1837.

American Period (1848–Present). Mexican control of California was brief, and the territory became part of the United States following the end of the Mexican-American War with the Treaty of Guadalupe Hidalgo in 1848. This ushered California into its American Period. Marin was designated as one of the 27 original counties of California on February 18, 1850. On September 16, 1850, Marin County had a population of 323 people and was divided into four townships: Bolinas, Novato, San Rafael, and Sausalito.

Prior to California becoming a state in 1850, the discovery of gold in 1848 prompted a massive influx of fortune seekers who steadily flooded into the rural counties throughout Northern California. Horticulture and livestock, based primarily on cattle as the currency and staple of the rancho system, continued to dominate the economy through the 1850s. After the Gold Rush began in Northern California in 1848, cattle were no longer desired mainly for their hides but also as a source of meat and other goods to support the influx of people seeking gold. The mild climate of Marin County became known for its ability to support the production of a wide selection of dairy products, the most desirable of which was butter.

While dairy production continued as the leading industry of the various townships in Marin County, agriculture also benefited from the fertile soil and temperate climate in the valley areas of the county. The principal crops in Marin County consisted of beets, potatoes, grains, and vine fruit. Lumber also formed an early industry in Marin County but became less common by the 1880s. Mining also emerged as an early, but short-lived industry in the county in the mid-19th century with the discovery of copper near Bolinas township in 1863. Speculation about the value of Marin County land rising if a reliable connection to San Francisco could be established encouraged a number of ferry companies. The Sausalito Land and Ferry Company began operations in 1868 and eventually was purchased by the Southern Pacific Railroad.

As Marin County progressed into the 1900s, dairy and agriculture continued as the region's most prominent economic drivers, supporting a general population of 15,702 in 1900. An influx of more than 10,000 refugees from San Francisco reestablished their lives in Marin County following the devastating effects of the 1906 earthquake. This caused the population of Marin County to grow to 25,114 by 1910. During this period, Marin County was still only accessible from San Francisco via ferry. The idea of a bridge across the strait was first proposed in 1916 but did not realistically take hold until the 1920s. Following the end of World War I, new manufacturing jobs throughout the Bay Area prompted the population of Marin County to nearly double from 27,342 residents in 1920 to 52,907 by 1940. During this period, construction on the first bridge connecting Marin County to San Francisco (i.e., the Golden Gate Bridge) was initiated in 1933 and completed in 1937.

The proximity of Marin County to major business and manufacturing centers in San Francisco and the Bay Area caused another population surge following the end of World War II. In 1950, the County maintained a population of 85,619; by 1960, that number had risen to 146,820. This large swell in population was supported by the completion of numerous large-scale "bedroom" residential developments throughout Marin County that sought to provide housing and associated amenities for the burgeoning surplus of Bay Area residents. Population growth in Marin County continued in the ensuing decades, reaching 206,038 by 1970 and 247,289 by 2000. Presently, management occupations, sales occupations, and office and administrative support are the key industries that provide the economic base for Marin County's 262,321 residents.

City of San Rafael. The City of San Rafael began its development with the establishment of the Mission San Rafael Arcángel in 1817. After being appointed the administrator of the now secularized Mission in 1837, Timothy Murphy was granted a section of land adjacent to the Mission in 1839 at the present intersection of Fourth Street and C Street. The adobe residence that Murphy completed on this grant was the first building completed in San Rafael that was not related to the establishment of the Mission. In 1850, San Rafael was named the seat of Marin County, and a town plat was laid out by surveyors Myers and McCullough that consisted of 300-foot square blocks.

The City of San Rafael was incorporated in 1874, 3 years after the Marin County Courthouse building was completed in 1871. In 1875, the narrow-gauge, North Pacific Coast Railroad was completed, providing an ease of travel between Sausalito and Tomales, which had been formerly impeded by the rugged terrain of the country.

The development of San Rafael during the 20th century closely mirrored development patterns found elsewhere in Marin County, which were largely characterized by residential expansion that supported the economic growth in San Francisco and other manufacturing locales in the Bay Area. As transportation corridors such as the Golden Gate Bridge were completed in the early 20th century, San Rafael developed into a bedroom community for these proximate centers of economic activity. Precipitated by growth throughout the Bay Area in the period during and following World War II, the population of San Rafael rose from 13,848 citizens in 1950 to 20,460 citizens by 1960. Census data indicate that the jump in population was supported by the construction of new suburban housing developments along United States Route 101 (US-101) in unincorporated areas of Marin County that were gradually annexed to San Rafael. The rate of growth continued to accelerate

during the 1960s, and the population reached 38,977 citizens by 1970. This suburban expansion prompted the corresponding development of regional commercial centers to support the populations located there. In 1964, the Northgate Mall, an open-air regional shopping mall, was developed to support the growing population of the Terra Linda Valley neighborhood in North San Rafael.

By 2000, San Rafael's population had risen to 56,063 with the majority of open space lots seen in the 1960s infilled with single-family residences, apartment complexes, and commercial properties. As of 2020, the population of San Rafael has remained consistent, with 59,800 people residing in the city who are principally employed in management and professional occupations, sales and related occupations, or customer service occupations.

Both subareas known as the North San Rafael Town Center and Terra Linda are located in North San Rafael, which encompasses the area to the west and east of US-101 north of Puerto Suelo Hill, including the Las Gallinas Valley. The North San Rafael Town Center subarea contains the Northgate Mall, and the Terra Linda subarea contains the Terra Linda Valley neighborhood. North San Rafael was initially developed from rural ranch land owned by the Manuel T. Freitas family, which formed a section of the Rancho San Pedro, Santa Margarita Y Las Gallinas land grant. In the period following World War II, the Freitas Ranch was subdivided into the densely populated mix of suburban residential neighborhoods, commercial shopping centers, and business parks that comprise the area today. The incorporated subareas of North San Rafael include Terra Linda, the North San Rafael Town Center, Mont Marin/San Rafael Park, Rafael Meadows/Merrydale, the Northgate Business Park/Los Gamos, the Marin County Civic Center and Smith Ranch. The unincorporated San Rafael Planning Area subareas include Marinwood-Lucas Valley, Santa Venetia and Los Ranchitos.

The Northgate Mall. The Northgate Mall (i.e., the project site) is located in the North San Rafael Town Center subarea of North San Rafael, a commercial area initially developed in the late 1950s that includes retail, automotive, service, and office uses. The North San Rafael Town Center includes the Northgate Mall at its core along with the Northgate One and the Northgate Three shopping centers. Following the construction of the Emporium building in 1964, the Northgate Mall was expanded in multiple stages over the course of a 46-year development period. In addition to physical redevelopment projects, the property has been referred to by multiple names within its history, including the Northgate Regional Shopping Center, the Northgate Shopping Center, and the Northgate Mall.

Between the 1930s and 1960s, the site of the Northgate Mall was primarily open space. In 1962, the Draper Company announced plans for the construction of a 400,000-square-foot shopping center on the west side of US-101 that would include a 200,000-square-foot branch of the Emporium department store as an anchor store. A newspaper article in the *Daily Independent Journal* in 1962 indicates that a preliminary conceptual design for the open-air regional shopping center was drafted by architect Welton Beckett & Associates and landscape architect Lawrence Halprin. Overall, the property was initially expected to be developed in phases between 1963 and 1969, and it was originally conceptualized to include two department stores and 50 small retail stores and offices clustered around common pedestrian pathways at the interior with parking at the exterior of the site.

The first phase of the property's development began in 1963 with the construction of a 200,000-square-foot Emporium department store at the northwestern corner of the Northgate Mall. Completed in June 1964, the three-story, New Formalist-style building was designed by architect Welton Beckett & Associates and was constructed from reinforced blue-colored, rough-textured, split brick masonry walls with panels of blue-green and yellow ceramic tile. A two-story, columned balcony adorned the northern elevation below a flat cornice that projected out 8 feet from all sides of the building. Consistent with 20th century department store planning, the Emporium building had very few exterior window displays, instead favoring a select few exterior window-box display cases and interior displays in each department. The interior plan of the building included two main floors, a smaller third floor used for stock storage and the maintenance department, and a furnished customer patio surrounded by glass-sided escalators. Also, in keeping with the times, the large store was constructed with abundant customer parking surrounding it on the west, north, and east.

Modifications and expansion of the Northgate Mall began in 1972. This second major phase of development took place south of the original core facility on the remaining 10 acres of the property. Sears and Roebuck began construction on a 225,000-square-foot Sears Department store. The two-story, Post-Modern-style building was designed by Parkin Architects, Engineers, and Planners of Los Angeles (Parkin Architects); the project engineers were Simpson, Stratts, and Associates of San Francisco. The building was constructed by Williams and Burrows contractors of Belmont and featured angled walls, thick, arched indentations, and a light grey brick exterior with orange ceramic tile trim. The interior plan of the building included two main floors and a basement. The main Sears building was supplemented by a stand-alone automotive service building and seasonal sales building. In addition to the 2,323 parking stalls surrounding the existing areas of the Northgate Mall, development of the Sears building entailed the installation of another 700 parking spaces.

The Northgate Mall Unit 2 Addition and Units 4 and 5 were also completed during this development phase. The one-story buildings provided a connection between the buildings completed during the first phase of development in 1964 and the new Sears Department store, and offered new space for smaller retail shops. Following the development of the Sears buildings and the two new units in 1972, historic aerial photographs and building permits issued by the City of San Rafael (City) confirm that the property remained relatively unchanged until 1986. At this time, the Northgate Mall underwent a large-scale enclosure and expansion redevelopment, which resulted in the destruction of the original design. The once open-air center pedestrian walkways that were key features of the original mall concept by Welton Beckett & Associates and that featured Halprin's landscape design elements were eliminated by a process of connecting all of the buildings through enclosure of the original open-air areas with metal-framed glass ceiling panels. The end result was that all of the original 1964 and 1972 buildings were connected and joined into a single unit, essentially creating a new, massive building. The landscaped areas in the main and secondary corridors of the mall designed by Halprin were completely removed during this renovation. The original exterior concrete aggregate walkways were replaced with interior flooring punctuated by palm trees.

Three new free-standing buildings were also added to the property during this redevelopment period, including a department store building that is currently occupied by Kohl's; a parking garage to the west of the main Northgate Mall; and another store to the east that presently houses Home Goods. According to permit research, the mall underwent another large-scale exterior remodel in

2008, which resulted in modifications to exterior storefront walls to accommodate signage and designs based on modern brand recognition, including BJ's Restaurant, Chipotle, and Peet's Coffee & Tea. The interior landscaping installed during the 1986 (not associated with Halprin) redevelopment had been removed, although it is not clear if this change was made as part of the 2008 renovation work or earlier. Subsequent building additions to the property include the development of a Rite Aid in 2009 in the northeastern corner of the site and the addition of a Panera franchise store onto the eastern elevation of the Kohls department store in 2010. Today, only fragments of the original 1964 Northgate Mall construction remain at the site.

New Formalism Architecture. The Emporium building designed by Welton Beckett & Associates and completed in 1964 employs a New Formalist design. New Formalism developed during the 1950s as a response to rigid, inflexible characteristics dictated by the International Style. The new style sought to explore classical architectural elements and forms in monumental size and stature but fabricated from the innovative modern building technologies advanced by the International Style during the preceding decades. New Formalism was frequently employed for civic and institutional architecture during the 1950s and 1960s due to its playful yet striking colossal forms. Characteristics of the New Formalism style include:

- Architectural reference to Classicism, such as the use of evenly spaced columns, repetitive patterns, arches and use of decoration;
- Symmetry;
- Monumental scale;
- Formal landscape, often using pools, fountains, and sculptures within a central plaza; and
- Use of traditionally rich materials, such as travertine, marble, and granite or manmade materials that mimic their luxurious qualities.

Post-Modernism Architecture (1970s–1990s). The Sears department store designed by Parkin Architects and completed in 1972 displays elements associated with the Post-Modern style of architecture. Post-Modernism developed during the late 1960s as a stark response to the popularity of modernist architecture, which customarily disregarded the use of traditional architectural language in its designs. Post-Modernism embraced a diverse stance on stylistic representation that sought to combine the vocabulary of traditional classical forms present in the architecture of the Italian High Renaissance and Baroque periods, the 18th-century French, German, and English Rationalists, and early 20th century Classicism with the newer architectural language generated by modernism. Conventional symmetry and proportions associated with classic forms are rarely present, although classical features such as the column, arch, and entablature are commonly employed. These elements, however, are rarely at the heart of the design aesthetic and often are paradoxical in application to the overall design. Examples of Post-Modern architecture range widely in style, owing to the wholly contradictory and eclectic theory at the center of the style's aesthetic. Characteristics of the Post-Modernism style include:

- Architectural reference to classical forms on modern, playful architectural forms;
- Lack of traditional classical symmetry and proportions;

- Pronounced entablatures and projecting cornices;
- Use of columns, usually the Tuscan order;
- Use of arches, typically with overly defined voussoirs and keystones;
- Use of lunette and circular windows; and
- Defined entrances demarcated by columns, piers, arches, and entablatures.

Terra Linda Valley Neighborhood. The Terra Linda Valley neighborhood is located in the North San Rafael subarea of Terra Linda. The Terra Linda subarea occupies the Las Gallinas Valley to the west and the northwest of the North San Rafael Town Center subarea. Subdivision of the Terra Linda subarea began in the early to mid-1950s and included the development of over 900 Mid-Century Modern-style homes by Joseph Eichler in two distinct residential neighborhoods, known respectively as Terra Linda (1955–1961) and Terra Linda Valley (1959–1960). The first Eichler Homes, Inc. homes in San Rafael were completed as part of the Eichler Terra Linda subdevelopment, also known as “Terra Linda North,” in two phases between 1955 and 1956 and 1959 and 1961. This initial development contains over 600 homes concentrated around the intersection of Del Ganado and Las Raposas Road, approximately 1.10 miles northwest of the project site. These neighborhoods were later joined by other subdevelopments by Alliance and Kenney that featured homes in a similar style to Eichler’s developments, causing the residential zones of the Terra Linda subarea to maintain a cohesive architectural appearance.

The residential neighborhood of Terra Linda Valley was developed by Eichler Homes, Inc. between 1959 and 1960 and was the second Eichler neighborhood to be constructed in the Terra Linda subarea. It is situated to the southeast of the initial Eichler Homes, Inc. Terra Linda neighborhood and southwest of the Northgate Mall. The neighborhood is comprised of two contiguous subdevelopment units, Terra Linda Valley Unit 1 (1959) and Terra Linda Valley Unit 2 (1960), which feature three Eichler model homes. The three main arteries through the neighborhood include Nova Albion Way, Golden Hinde Boulevard, and Devon Drive and the minor streets of Sao Augustine Way, Don Timoteo Court, Cermenho Court, Corte Pacheco, Dias Way, Anchorage Court, Del Haro Way, Arcangel Way, Ayala Court, De Anza Way, Sussex Court, and Drakes Cove. The Mid-Century Modern Post-and-Beam-style homes in the neighborhood were designed by architectural firms Jones & Emmons and Anshen & Allen, and each three- or four-bedroom/two-, three- or four- bathroom model floor plan is designed around a “Mediterranean courtyard” entryway. The private street-facing elevations of the homes in the Terra Linda Valley neighborhood are balanced by the rear-facing elevations that feature floor-to-ceiling glass walls that overlook the private backyard spaces behind the homes.

Post-and-Beam Architecture (1950–1970). Post-and-Beam is a method of construction in which the structural framing consists of load-bearing beams supported by columns, rather than solid bearing walls. Highly architectonic in Modern designs, Post-and-Beam construction utilizes the structural members as architectural details, creating symmetry through the direct expression of vertical columns at regular intervals. Between the columns, the limited need for solid load-bearing walls allowed for the expansive use of glass on exterior walls. In fact, extensive use of glass (including entire walls of floor-to-ceiling glass) is a primary characteristic of this style. Character-defining features of the Post-and-Beam style include:

- Direct expression of the structural system, usually wood or steel frames;
- Horizontal massing;
- Flat or shallow-pitched roofs, with deep overhangs or no parapet;
- Floor-to-ceiling glass;
- Repetitive façade geometry;
- Minimal use of solid load-bearing walls;
- Absence of applied decoration;
- Strong interior/exterior connections;
- Open interior floor plans; and
- Exterior finish materials, including wood, steel, and glass.

4.4.1.5 Regulatory Context

The following describes the State and local regulatory and policy requirements for cultural resources that are relevant to the proposed project.

National Register of Historic Places (National Register). The National Register was first established in 1966, with major revisions in 1976. Federal regulations for the National Register are set forth in 36 Code of Federal Regulations (CFR) 60, which establishes the responsibilities of the State Historic Preservation Officers (SHPOs), standards for their staffs and review boards, and describes the statewide survey and planning process for historic preservation. Within these regulations, guidelines for nominations by the SHPO are set forth in 36 CFR 60.6. In addition, further regulations are found in 36 CFR 63 and 800 and *Bulletin 15: How to Apply the National Register Criteria for Evaluation* (1990) (Bulletin 15)⁶, which define procedures for determination of eligibility, identification of historic properties, recovery, reporting, and protection procedures. The National Register was established to recognize resources associated with the accomplishments of all peoples who have contributed to the country's history and heritage. Guidelines were designed for federal and state agencies in nominating cultural resources to the National Register. These guidelines are based upon integrity and significance of the resource. Integrity applies to specific items such as location, design, setting, materials, workmanship, feeling, and association. Quality of significance in American history, architecture, archaeology, engineering, and culture is present in resources that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and meet at least one of the following criteria:

- **Criterion A:** Associated with events that have made a significant contribution to broad patterns of our history.
- **Criterion B:** Associated with the lives of persons significant in our past.
- **Criterion C:** Embodies distinctive characteristics of type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.
- **Criterion D:** Have yielded, or are likely to yield, information important in prehistory or history.

⁶ United States Department of the Interior National Park Service (NPS). 1990. *Bulletin 15: How to Apply the National Register Criteria for Evaluation*.

Integrity is defined in the United States Department of the Interior National Park Service (NPS) Bulletin 15 as “...the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property’s historic or prehistoric period. If a property retains the physical characteristics it possessed in the past then it has the capacity to convey association with historical patterns or persons, architectural or engineering design and technology, or information about a culture or peoples.” There are also seven aspects of integrity that are used: (1) location, (2) design, (3) setting, (4) materials, (5) workmanship, (6) feeling, and (7) association.

California Environmental Quality Act (CEQA). CEQA applies to all discretionary projects undertaken or subject to approval by the State's public agencies (14 California Code of Regulations [CCR] Section 15002(i)). Under the provisions of CEQA, “A project with an effect 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” (14 CCR Section 15064.5(b)).

State CEQA Guidelines Section 15064.5(a), briefly summarized here, defines a “historical resource” as a resource that meets one or more of the following criteria:

- Listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources
- Listed in a local register of historical resources, unless the preponderance of the evidence demonstrates that it is not historically or culturally significant
- Identified by the lead agency as significant in a historical resource survey meeting the requirements of Public Resources Code (PRC) Section 5024.1

If an impact on a historical or archaeological resource is significant, CEQA requires feasible measures to minimize the impact (14 CCR Section 15126.4 (a)(1)). Mitigation of significant impacts must lessen or eliminate the physical impact that the project would have on the resource. Generally, a project that follows the Secretary of the Interior’s *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* shall be considered mitigated to a level of a less than significant impact on the historical resource (14 CCR Section 15064.5(b)(3)). As noted in Section 15126.4(b)(2) of the *State CEQA Guidelines*, “In some circumstances, documentation of an historical resource, by way of historic narrative, photographs or architectural drawings, as mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment will occur.” Finally, CEQA requires that all feasible mitigation be undertaken even if the mitigation does not reduce impacts to less than significant levels (14 CCR Section 15126.4(a)(1)).

California Register of Historical Resources (California Register). PRC Section 5024.1 established the California Register. The requirements for listing in the California Register, including the criterion for listing and having integrity, are similar to those of the National Register. Generally, a resource is considered by the lead agency to be “historically significant” if the resource meets the criteria for listing in the California Register (14 CCR Section 15064.5(a)(3)). For a cultural resource to qualify for listing in the California Register, it must be significant under one or more of the following criteria:

- **Criterion 1:** Associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
- **Criterion 2:** Associated with the lives of persons important in our past.
- **Criterion 3:** Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- **Criterion 4:** Has yielded, or may be likely to yield, information important in prehistory or history.

In addition to being significant under one or more of these criteria, a resource must retain enough of its historic character and appearance to be recognizable as a historical resource and be able to convey the reasons for its significance (14 CCR Section 4852(c)). Generally, a cultural resource must be 50 years or older to be eligible for the California Register (14 CCR Section 4852(d)(2)).

In addition to meeting one or more of the significance criteria, a cultural resource must retain its historical integrity to be considered eligible for listing in the California Register. Historical integrity is defined as “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance.”⁷ The evaluation of integrity must be grounded in an understanding of a resource’s physical features and its environment, and how these relate to its significance. There are seven aspects of integrity to consider when evaluating a cultural resource (i.e., location, design, setting, materials, workmanship, feeling, and association), which are described as follows:⁸

1. **Location** is the place where the historic property was constructed or the place where the historic event occurred. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons.
2. **Design** is the combination of elements that create the form, plan, space, structure, and style of a property. Design includes such elements as organization of space, proportion, scale, technology, ornamentation, and materials.
3. **Setting** is the physical environment of a historic property. Setting refers to the character of the place in which the property played its historical role. Physical features that constitute the setting of a historic property can be either natural or manmade, including topographic features, vegetation, paths or fences, or relationships between buildings and other features or open space.
4. **Materials** are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.

⁷ California Office of Historic Preservation. n.d. California Office of Historic Preservation Technical Assistance Series #6, *California Register and National Register: A Comparison*. California Office of Historic Preservation, Sacramento.

⁸ National Park Service (NPS). 1997. *National Register Bulletin: How to Apply the National Register Criteria for Evaluation*. United States Department of the Interior, Washington, D.C.

5. **Workmanship** is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. It is the evidence of the artisan's labor and skill in constructing or altering a building, structure, object, or site.
6. **Feeling** is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character.
7. **Association** is the direct link between an important historic event or person and an historic property.

California PRC Section 5097.98. Section 5097.98 of the PRC states that the Native American Heritage Commission (NAHC), upon notification of the discovery of Native American human remains pursuant to Health and Safety Code Section 7050.5 (discussed below), shall immediately notify those persons (i.e., the Most Likely Descendant or "MLD") it believes to be descended from the deceased. With permission of the landowner or a designated representative, the MLD may inspect the remains and any associated cultural materials and make recommendations for treatment or disposition of the remains and associated grave goods. The MLD shall provide recommendations or preferences for treatment of the remains and associated cultural materials within 48 hours of being granted access to the site.

California Health and Safety Code Section 7050.5. Section 7050.5 of the California Health and Safety Code states that, in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the NAHC within 24 hours of this identification. The NAHC will identify a Native American MLD to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

City of San Rafael General Plan. The following policies of the San Rafael General Plan 2040 pertaining to cultural resources would be applicable to the proposed project:

Policy CDP-5.1: Historic Buildings and Areas. Preserve buildings and areas with special and recognized historic, architectural or aesthetic value, including but not limited to those on the San Rafael Historical/Architectural Survey. New development and redevelopment should respect architecturally and historically significant buildings and areas.

Program CDP-5.1A: Preservation Ordinance. Continue to implement the City's Historic Preservation Ordinance. The Ordinance should be reviewed at least once every 10 years to ensure that its criteria, classifications, and procedures provide the most effective measures to assess proposed changes to historic properties and are consistent with Secretary of the Interior standards.

Program CDP-5.1B: Oversight Responsibilities. Create a more formal means of oversight for review of planning and building applications affecting historic resources.

This could include a contract with an architectural historian, or an advisory committee convened as needed to advise the Planning Commission and Design Review Board on matters and policies related to preservation or the modification of historic structures. If an oversight body is created, it should represent diverse perspectives and interests.

Policy CDP-5.3: Districts. Encourage the formation of historic or architectural conservation districts in areas where important historic resources are concentrated and where there is property owner and community support for such designations. Such districts should provide for preservation, restoration, and greater awareness of the resources they contain, while providing financial and property tax incentives for property owners.

Policy CDP-5.6: Protecting the Integrity of Historic Properties. Ensure that modifications to designated historic properties, including additions, alterations, and new structures, are visually compatible with the property's contributing features, as defined by the San Rafael Municipal Code.

Program CDP-5.6B: Design Guidelines. Address historic preservation in the City's design guidelines, including successful examples of (a) adaptive reuse, alterations, and other changes; and (b) new infill development in the context of an older neighborhood, including examples of contemporary architecture. Infill development in older areas does not need to mimic historic development but should acknowledge and respect its context.

Program CDP-5.6C: Landscapes and Natural Features. Consider landscapes, gardens, mature trees, and natural features as contextually relevant when defining historic value. Encourage the preservation of such features when they are determined to be significant.

Policy CDP-5.13: Protection of Archaeological Resources. Protect significant archaeological resources by:

- Consulting the City's archaeological resource database prior to issuing demolition or construction permits in known sensitive areas.
- Providing information and direction to property owners to make them aware of these resources and the procedures to be followed if they are discovered on-site.
- Identifying, when possible, archaeological resources and potential impacts on such resources.
- Implementing measures to preserve and protect archaeological resources, including fines and penalties for violations.

Program CDP-5.13A: Archaeological Resources Ordinance. Continue to implement the existing Archaeological Resources Ordinance and the City's Archaeological Resources database.

Policy NH-4.5: Eichler and Alliance Homes. Preserve the design character of the neighborhood's iconic Eichler, Alliance, Kenney, and other single-story mid-century modern homes.

City of San Rafael Municipal Code Section 2.18.048 – Criteria for Designation as a Landmark. The following set of criteria is applied by the Cultural Affairs Commission and by the City Council in designating buildings, places, and areas as historic landmarks or historic districts:

- (a) Historic, Cultural Importance
 - (1) Has significant character, interest, or value as part of the development, heritage or cultural characteristics of the city, state or nation; or is associated with the life of a person significant in the past;
 - (2) Is the site of a historic event with a significant effect upon society; or
 - (3) Exemplifies the cultural, political, economic, social or historic heritage of the community.
- (b) Architectural, Engineering Importance
 - (1) Portrays the environment in the era of history characterized by a distinctive architectural style;
 - (2) Embodies those distinguishing characteristics of an architectural type or engineering specimen;
 - (3) Is the work of a designer whose individual work has significantly influenced the development of San Rafael or its environs;
 - (4) Contains elements of design, detail, materials or craftsmanship which represent a significant innovation; or
 - (5) The work of a designer and/or architect of merit.
- (c) Geographic Importance
 - (1) By being part of or related to a square, park or other distinctive area, should be developed or preserved according to a plan based on a historic, cultural or architectural motif; or
 - (2) Owing to its unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood, community or city.
- (d) Archaeological Importance. Has yielded information important in prehistory or history.

4.4.1.6 Historical Evaluations

The results of the historical resource evaluation of the Northgate Mall and the Terra Linda Valley neighborhood⁹ and peer reviews^{10,11} are summarized below according to the criteria for listing in the

⁹ Dudek. 2022a. *Archaeological Resources Inventory Report for the Northgate Town Square Project, City of San Rafael, California*. February 7.

¹⁰ LSA Associates, Inc. 2022b. *Peer Review of the March 2022 Built Environment Inventory and Evaluation Report, Northgate Town Square Project, San Rafael, Marin County, California (LSA Project No. CSR2001.03)*. April 14.

¹¹ LSA Associates, Inc. 2023. *Built Environment Inventory and Evaluation Report Response Northgate Town Square Project, San Rafael, Marin County, California (LSA Project No. CSR2001.03)*. April 19.

National Register/California Register (Criteria A/1 through D/4, as well as historic integrity)¹² and the City's landmarks inventory. Please note that the criteria for listing are described in Section 4.4.1.5, Regulatory Context.

Northgate Mall. The Northgate Mall is comprised of six parcels containing a large commercial building flanked by several stand-alone buildings and landscaped spaces on approximately 44.76 acres. The complex was gradually developed and displays a variety of architectural styles and materials. The former Emporium building (now a Macy's department store) anchors the northeastern end of the mall complex, and the southern end is anchored by the Sears building. Between these two anchor stores is the central axis of the indoor Northgate Mall. Detached from the mall complex is the Sears Automotive Center to the southeast; the Sears Seasonal Sales Building, the parking garage, Kohls, and Panera to the west; Rite Aid to the northeast; and the Home Goods store to the east. Figure 3-3 in Chapter 3.0, Project Description, shows the locations of the existing buildings on the project site.

The Northgate Mall was modified and expanded in multiple stages over the course of a 46-year period, with major renovations in 1972, 1986, and 2009–2010. Alterations and modifications to each of the buildings are identified in detail in the HRE, which is included as Appendix C.

National Register of Historic Places and California Register of Historical Resources. Criteria A/1 through D/4 for listing on the National Register/California Register are discussed below, followed by a discussion of potential integrity.

Criterion A/1. Development of the Northgate Mall began in 1962 when the Draper Company announced plans for the construction of a 400,000-square-foot shopping center on the west side of US-101. Construction began in 1963 with the completion in 1964 of a 200,000-square-foot branch of the Emporium department store and three stand-alone shopping units comprising an open-air shopping center. The Emporium opened in 1965. The development of the Northgate Mall directly correlates to the residential and subsequent commercial expansion of Marin County and San Rafael during the 1950s and 1960s. Commonly referred to as the post-World War II era, communities throughout California and the United States experienced an unprecedented boom of expansion and growth. Specifically, residential developments in newly developed suburban areas located outside of city cores spurred the need to establish places for residents to acquire goods and services and gather. Near Detroit, architect Victor Gruen designed the first suburban outdoor shopping mall in 1954, and in 1956 he designed the first enclosed shopping mall in the United States located in Edina, Minnesota. Thousands of similar developments were established in the years and decades following their invention across the country and throughout the State.

Development of the Northgate Mall is a representative regional example of the commercial growth that developed to bolster suburban communities like Terra Linda Valley, which grew in response to the massive population surge in the Bay Area during the post-war period. The

¹² Due to their similar criteria, the evaluation for listing in the National Register of Historic Places and the California Register of Historical Resources has been combined.

Northgate Mall therefore provided a centralized commercial area to support the existing population of Terra Linda Valley, as well as population growth within Marin County and the greater Bay Area. Therefore, the Northgate Mall is associated with the post-World War II period of growth in Marin County and particularly in San Rafael as it contributed to the overall growth of the city in the mid-20th century and beyond. For these reasons, *the Northgate Mall is significant under National Register Criterion A/California Register Criterion 1* due to its association with events that have made a significant contribution to the broad patterns of California's history. Therefore, an integrity evaluation is further provided below.

Criterion B/2. According to Bulletin 15, Criterion B "is generally restricted to those properties that illustrate a person's important achievements." Examples of property types that have proven association with significant individuals under this Criterion include "the homes of an important merchant or labor leader, the studio of a significant artist, and the business headquarters of an important industrialist." To be found eligible under National Register Criterion B or California Register Criterion 2, the property has to be directly tied to the important person and the place where the individual conducted or produced the work for which he or she is known. Archival research failed to indicate any direct association between individuals known to be historic figures at the national, State, or local level and the Northgate Mall. Additionally, as a multi-component property, the Northgate Mall comprises several different stores and/or restaurants where companies and individuals occupy spaces and utilize the property to sell goods and services. Essentially, the Northgate Mall represents the collective efforts of many individuals and businesses, rather than the work of any single individual. Nevertheless, in consideration of all factors, the Northgate Mall is not known to have any historical associations with people important to the nation's or State's past. Due to a lack of identified significant associations with important persons in history, the Northgate Mall *does not appear eligible for listing under National Register Criterion B or California Register Criterion 2.*

Criterion C/3. As stated in Bulletin 15, for a property to be found eligible for listing under National Register Criterion C or California Register Criterion 3, a property is required to meet at least one of the following thresholds: represent the work of a master; embody distinctive characteristics of a type, period, or method of construction; or possess high artistic value.

In consideration of the Northgate Mall as a representative work of a master, the Northgate Mall, initially constructed in 1964, was conceptualized architecturally by Welton Beckett & Associates as an open-air regional shopping center designed in the New Formalist architectural style. The original shopping center complex featured several individual buildings loosely linked together almost like a school campus. The complex of buildings included open air walkways, with hardscape and softscape design elements from Lawrence Halprin. The landscape elements featured walkways that provided circulation patterns linking the buildings, outside seating areas, plantings, and a fountain. Following the initial creation of the site, it remained as originally conceptualized for only a few years.

By the early 1970s, the shopping area remained open air but was enlarged with the addition of Sears and Roebuck buildings just south of the original complex. Parkin Architects planned

and designed the Sears buildings, which were completed on the property in 1972. Parkin Architects was known for their designs of hospitals, schools, airports, and factories and became one of the most prolific architectural firms in Canada prior to the establishment of a branch firm in Los Angeles in 1970. The Sears buildings at the Northgate Mall was one of many large-scale commercial commissions the firm designed and does not represent a distinct or intact example of the firm's work. Although Parkin Architects was involved in the planning of commissions for large commercial clients including Sears, the lack of information related to the contributions of Parkin Architects to the overall field of architecture and engineering indicates they are not recognized as a master in the area of commercial property design.

Through the remainder of the 1970s and into the early 1980s, the subject property remained unchanged from its original concept as an open-air shopping center. In 1986, the property was redeveloped and converted from an open-air shopping center to a large, enclosed mall. Essentially, the result of this redevelopment was that all of the original 1964 and 1972 buildings were connected and joined into a single unit, creating a new, massive mall building. Building permit research did not identify the architects or engineers associated with the 1986 redevelopment.

Architectural firm Welton Beckett & Associates is responsible for the design of the Emporium anchor store and the first three Northgate Mall units completed in 1964. The senior partner of the architectural firm, Welton Beckett, is a recognized master architect for his daring modern designs, which include high-profile commissions such as the Capitol Records Tower in Hollywood, California, and the Music Center of Los Angeles County in Los Angeles, California. The Northgate Mall was one of several shopping centers Beckett designed during the post-World War II period. The Northgate Mall displays typical and ubiquitous features associated with open-air regional shopping centers during the mid-1960s and stands as a representative example of Beckett's shopping center work. For these reasons, *the Northgate Mall is significant under National Register Criterion A/California Register Criterion 3* due to its association with the work of an important creative individual. Therefore, an integrity evaluation is further provided below.

Regarding Halprin, the 1986 redevelopment that resulted in conjoining all the existing buildings under one roof to create a large mall structure resulted in the demolition of all of his contributions to the property, so there is no longer any existing material or physical connection between Halprin and the Northgate Mall.

Criterion D/4. This criterion is typically used to evaluate the potential for archaeological deposits to contain information important in understanding past lifeways. Its application to architecture is less common in eligibility assessments due to the prevalence of popular publications that thoroughly document the form, materials, and design of a building type. *The Northgate Mall is not significant under Criterion D of the National Register or Criterion 4 of the California Register* as a source, or likely source, of important historical information nor does it appear likely to yield important information about historic construction methods, materials, or technologies.

Integrity. Historic integrity is what qualifies a property that has associative significance under a criterion or under multiple criteria. In addition to being significant under one or more criteria, a resource must retain enough of its historic character and appearance to be recognizable as an historical resource and retain its integrity, which is defined as the ability of a resource to convey the reasons for its significance. There are seven aspects of integrity used to measure a property's ability to convey its significance, as further defined in Section 4.4.1.5, Regulatory Context: location, design, setting, materials, workmanship, feeling, and association. Historical resources eligible for listing in the National Register and/or the California Register must meet one of the criteria of significance described above and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. As described above, the *Northgate Mall is significant under National Register Criterion A/California Register Criterion 1* due to its association with events that have made a significant contribution to the broad patterns of California's history and is *also significant under National Register Criterion A/California Register Criterion 3* due to its association with the work of an important creative individual. As such, the following discusses the Northgate Mall with respect to all seven aspects of integrity:

- **Location:** The Northgate Mall has not been moved and retains its integrity of location.
- **Design, Materials, and Workmanship:** The Northgate Mall does not retain its integrity of design, materials, or workmanship. Most of the project site no longer displays any characteristics of the New Formalist architectural style. This was the result of multiple large-scale alterations including: construction of a Post-Modern-style Sears building, a Sears Automotive Center, and a Sears Seasonal Sales building at the south end of the Northgate Mall (1972); enclosure of the open-air mall (1986); addition of a parking garage, a Kohl's building, and a Home Goods building (1986); and replacement of all exterior materials on Mall Units 1 through 5 (2008). The Northgate Mall was constructed in 1964 as an open-air regional shopping center and retains the following characteristics of this property type: inward-facing orientation, large surface parking lots surrounding the building, anchor stores, separation from the street, one-story in height, boxlike massing, and a location outside an established urban center or downtown. Despite retaining these characteristics, key elements such as a roofless center pedestrian walkway and the unifying design that would make the property appear as a single, unified complex have been lost. Additionally, there are no longer low-key openings and signs. Architectural features associated with the original New Formalist design including symmetry and a formal landscaped area featuring a central plaza with a fountain have all been lost as a result of the aforementioned alterations, particularly the enclosure of the open-air mall in 1986. Alterations have eliminated the features of the Northgate Mall that once distinguished it as a New Formalist open-air regional shopping center identifiable with its mid-century design and construction date.
- **Setting and Feeling:** The Northgate Mall retains its integrity of feeling and setting. The Northgate Mall was developed nearly a decade after the adjacent Terra Linda Valley neighborhood, which still exists today. The surrounding areas have largely been

developed with commercial uses that are compatible with those within the Northgate Mall. As described above, the Northgate Mall has undergone multiple large-scale alterations since it was constructed. However, this change has not diminished the experience of viewing or using the building.

- **Association:** The building partially retains its integrity of association. The building remains a regional shopping center and therefore remains a visual and functional link to San Rafael's post-World War II past. However, alterations to the original buildings within the Northgate Mall and the introduction of new buildings have largely resulted in the removal of key elements of the original design by Beckett and Halprin.

In summary, extensive alterations since its original construction have diminished the historic integrity of the Northgate Mall to the extent that it could not convey significance. The Northgate Mall does not appear to be eligible for inclusion individually or as part of a historic district in the National Register or California Register, or as a city landmark. Therefore, *the Northgate Mall does not qualify as a historical resource pursuant to the National Register or California Register criteria.*

City Landmarks. The criteria for designation of the Northgate Mall as a city landmark are discussed below.

Historical, Cultural Importance. As stated under the Integrity discussion above, the Northgate Mall does not maintain significant character, interest, or value as part of the development, heritage, or cultural characteristics of San Rafael, the state, or the nation. Archival research also failed to indicate any direct association with individuals that are known to be historic figures at the national, State, or local level and the Northgate Mall.

Archival research did not indicate that the Northgate Mall is the site of any historic event that has had a significant effect upon society.

Other than its role in accommodating the post-World War II period growth of San Rafael and being one of many shopping centers constructed in the 1950s and 1960s, archival research did not indicate that the Northgate Mall is associated with any other events that have resulted in significant contributions to the cultural, political, economic, social, or historic heritage of the community. The Northgate Mall followed the typical development history of a mid-century shopping center, including expansion and modifications in the 1970s, 1980s, and 2000s to ensure its continued commonplace use as a location where residents can purchase goods and services and gather. As discussed under Criterion 1/A, the Northgate Mall is directly associated with the post-World War II development of San Rafael and Marin County but lacks the integrity to convey this significance. Accordingly, the subject property is not significant under this city landmark criterion.

Architectural, Engineering Importance. As discussed in National Register Criterion C and California Register Criterion 3, the Northgate Mall as it currently stands displays multiple, incompatible architectural styles and does not present a unified design. However, as stated above, this shopping mall property is representative of the important work of a master

architect (Welton Beckett) but lacks the integrity to convey this association. For these reasons, the Northgate Mall does not appear significant under any of the above-listed architecture and engineering importance related criteria for San Rafael.

Geographic Importance. Archival research failed to indicate a historical relationship between the Northgate Mall and a square, park, or other distinctive area that should be developed or preserved according to a plan based on a historic, cultural, or architectural motif.

Despite the centralized location of the Northgate Mall and its proximity to the Terra Linda Valley neighborhood, the extensive alterations to the property over time have caused the mall to be incapable of representing an established and familiar visual feature of the neighborhood, community, or city. For this reason, the Northgate Mall does not appear eligible for listing under the theme of geographic importance.

Archaeological Importance. As discussed under National Register Criterion D and California Register Criterion 4, the Northgate Mall is not significant as a source, or likely source, of important archaeological pre-historical or historical information, nor does it appear likely to yield important information about historic construction methods, materials, or technologies.

Terra Linda Valley Neighborhood. As described above, the Terra Linda Valley Neighborhood consists of two contiguous subdevelopment units, Terra Linda Valley Unit 1 and Terra Linda Valley Unit 2, which were completed in 1959 and 1960, respectively

Research indicates that the Terra Linda Valley neighborhood is listed on the San Rafael Historical/Architectural Survey (Survey) as an area requiring further study as a historic district. The Survey, completed in 1986, assigned the neighborhood the California Register Status Code 7J: Received by OHP for Evaluation or Action but Not Yet Evaluated; however, the California Built Environment Resource Directory records the neighborhood as maintaining a California Register Status Code of 7W: Submitted to OHP for Action – Withdrawn or Inactive. It appears that the Terra Linda Valley neighborhood has not been formally evaluated for historic significance under National Register, California Register, or local criteria to determine whether the neighborhood is considered a historical resource for the purposes of CEQA. However, the City regards structures and areas included on the Survey as presumed significant historic resources warranting preservation, unless evidence to the contrary is provided. For this reason, *the Terra Linda Valley neighborhood is presumed eligible for listing as a historical resource under CEQA as a local historic resource.*

Additionally, the Neighborhoods and the Community Design and Preservation Elements of the San Rafael General Plan 2040 establish the following policies that seek to provide local protections for mid-century Eichler subdevelopments like the Terra Linda Valley neighborhood at the local level.

- **Neighborhoods Element Policy NH-4.5:** Eichler and Alliance Homes seeks to preserve the distinct character of the single-story mid-century modern subdevelopments present in the Terra Linda subarea and continues to enforce the conditions of an established Eichler-Alliance Overlay District, which limits the height and requires a design review for most modifications to roofs in Eichler and Alliance subdevelopments.

- **Community Design and Preservation Element Policy CDP-5.3: Districts**, outlines the formation of Conservation Districts as an alternative to historic districts or the designation of individual landmarks, and it also outlines the recognition of mid-century neighborhood districts planned by Eichler, Kenny, and Alliance in North San Rafael as important features of San Rafael's architectural heritage.

Based on this, *it appears that the Terra Linda Valley neighborhood may qualify as a historical resource at the local level of significance.*

The Terra Linda Valley neighborhood contains over 100 possible contributing buildings, appears historically significant at the local level as a district, and is significant as an example of mid-century neighborhood districts planned by Eichler in North San Rafael, and its ability to convey characteristics of the Post-and-Beam architectural style as designed by architects Anshen and Allen, and Jones and Emmons (historic significance is under architecture). The period of significance would be 1959–1960, which marks the date the neighborhood construction was completed, and the historic district boundary is limited to the extent of the neighborhood.

Integrity. Multiple buildings within the neighborhood have been altered since their original construction. Examples of consistently observed alterations throughout Terra Linda Valley include the following:

- Replacement cladding
- Reroofing
- Replacement windows and/or additional windows added to front elevation
- Replacement entry doors
- Replacement garage doors
- Alteration of original roofline including construction of second story

Despite alterations seen throughout the neighborhood, it is possible to identify many intact or mostly original examples of the three models of homes designed by Anshen and Allen and/or Jones and Emmons. Overall, the limited number of models offered within the neighborhood has contributed to a strong visual connection and sense of neighborhood cohesion. For this reason, *the neighborhood maintains a high degree of integrity overall in the areas of location, setting, design, materials, workmanship, feeling, and association.*

Character-Defining Features. The Terra Linda Valley neighborhood, to be considered a historic district with significance under architecture, must retain the following physical attributes (character-defining features) as they relate to the integrity of workmanship, materials, design, location, setting, feeling, and association:

- Maintains cohesion as a Mid-Century Modern subdivision.
 - Exhibits most construction methods, architectural details, and circulation patterns associated with the potential district's period of significance (1959–1960).

- Maintains its original residential setting and location.
- Continues to function as a residential neighborhood.

Individual residences in the Terra Linda Valley neighborhood share the following general character-defining features associated with significance under architecture:

- Mid-Century Modern Post-and-Beam construction
- Broad, single-plane front elevation with recessed entry at center
- Private street-facing elevations with minimal windows
- Flat and/or shallow-pitched, front-facing gable roofs
- Clerestory windows
- Vertical wood, wood shingle, or concrete masonry unit siding
- Uniform setback from the street
- Mature landscaping in front yards
- Concrete driveways
- Double- and single-width garages
- Integrated covered parking areas
- Mediterranean Courtyard entryway
- Mass-produced and economic materials

Actions that result in the diminishment of any of these features, such as removal or alteration, could result in a significant impact under CEQA. Additionally, a significant impact could occur if a project were to remove the ability of the Terra Linda Valley neighborhood to demonstrate any of these features, such as introducing new structures or landscaping that would substantially reduce their visibility.

4.4.2 Impacts and Mitigation Measures

As described above, the presence of and potential for significant cultural resources was determined by assessing previously documented cultural resources through archival background research, a field survey, and an evaluation of cultural resources in the project site to determine their eligibility for listing in the California Register. These findings were then compared to the *CEQA Guidelines'* cultural resource significance criteria identified below to determine if the project would have the potential to result in significant impacts to those types of cultural resources.

The following describes the project's potential impacts on cultural resources, consisting of historical resources, archaeological resources, and human remains. The section begins with the criteria of significance, which establish the thresholds used to determine whether an impact is significant. The latter part of this section presents the impacts associated with the proposed project and identifies mitigation measures, as appropriate. Impacts would be the same under the development of Phases 1 and 2; therefore, impacts of phasing are not differentiated in the discussion below and are focused on total project buildout.

4.4.2.1 Significance Criteria

Implementation of the proposed project would have a significant impact related to cultural resources if it would:

- Threshold 4.4.1:** Cause a substantial adverse change in the significance of a historical resource as defined in *CEQA Guidelines* Section 15064.5;
- Threshold 4.4.2:** Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to *CEQA Guidelines* Section 15064.5; or
- Threshold 4.4.3:** Disturb any human remains, including those interred outside of formal cemeteries.

For the project to cause “a substantial adverse change” on a historical resource, it would have to demolish, destroy, relocate, or alter the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired (*State CEQA Guidelines* Section 15064.5(b)). Archaeological sites may qualify as historical resources under CEQA (*State CEQA Guidelines* Section 15064.5(c)(1)).

Generally, for purposes of CEQA, the significance of a historical resource is materially impaired when a project demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register or an officially recognized local register of historical resources, or its identification in a historical resources survey meeting the requirements of PRC Section 5024.1(g).

4.4.2.2 Project Impacts

The following describes the project’s potential impacts to cultural resources according to the significance criteria described above.

Impacts to historical resources could occur from project implementation. Note that under the *CEQA Guidelines*, “historical resources” can include both significant built-environment resources and archaeological deposits. Potential impacts to these two types of historical resources are discussed under the separate threshold discussions below.

Threshold 4.4.1: Built Environment Resources. As described above, the Northgate Mall was evaluated for its eligibility for listing in the California Register, National Register, and as a city landmark. The Northgate Mall does not appear eligible for inclusion in any of these three listings, and therefore would not be considered a historic or eligible historic resource under CEQA. Therefore, demolition of the Northgate Mall would not result in a substantial adverse change to a historic architectural resource under CEQA, and there would be **no impact**.

The project site is located immediately adjacent to the Terra Linda Valley neighborhood. As described above, this neighborhood is a historic resource under CEQA because it appears to be eligible as a city landmark as an important example of a mid-century neighborhood planned by Eichler in North San

Rafael, and for its ability to convey characteristics of the Post-and-Beam architectural style as designed by architects Anshen and Allen, and Jones and Emmons. The period of significance would be 1960, which marks the date the neighborhood was completed. The historic district boundary is limited to the extent of the neighborhood.

The project site is located adjacent to, but not within, the Terra Linda Valley neighborhood. The proposed project would not include any modifications to any of the buildings, contributing elements, or character-defining features of the historic district. Therefore, because the proposed project would not include any direct impacts, review under the Secretary of the Interior *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* would not be required.

The proposed project could result in indirect impacts to the historic district in the event that new sources of light, glare, or shadow are introduced within the district that could in turn diminish or disrupt the ability of the district to convey its architectural significance. The proposed project would be located north of the district, and therefore would not be expected to cast shadows that would impact the district. Additionally, lighting elements included in the proposed project would be designed to minimize light and glare spillover.

Project construction activities could also generate ground-borne vibration that could damage buildings located within the historic district, particularly along Sao Augustine Way. However, as noted in Section 4.12, Noise, of this EIR, all predicted vibration levels are lower than the occupant annoyance threshold of 72 vibration velocity decibels (VdB), and lower than the building damage risk threshold of 0.2 inches per second (in/sec) peak particle velocity (PPV). Therefore, implementation of the proposed project would not result in impacts to the Terra Linda Valley neighborhood as a historic district that would diminish the district's ability to convey significance, and indirect impacts would be **less than significant**.

Threshold 4.4.2: Archaeological Resources. No archaeological cultural resources were identified at the project site. However, as previously noted, the project site has moderate potential for the discovery of prehistoric archaeological resources due to the flat topography and the previous presence of a drainage to South Fork Creek. This is a **potentially significant** impact.

Impact CUL-1 Project ground disturbance has the potential to unearth significant archaeological deposits or resources, resulting in a potential substantial adverse change on historical resources, as defined in State CEQA Guidelines Section 15064.5. (S)

If significant archaeological deposits or resources were unearthed during project construction, a substantial adverse change in the significance of a historical resource could occur from its demolition, destruction, relocation, or alteration such that the significance of the resource would be materially impaired through loss of information important in understanding San Rafael's prehistory (*State CEQA Guidelines* Section 15064.5(b)(1)). When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource. Those archaeological sites that do not qualify as historical resources shall be assessed to determine if these qualify as "unique archaeological resources" (California PRC Section 21083.2). The proposed project would have a potentially significant impact on archaeological historical resources and unique archaeological

resources unless mitigation described under Mitigation Measures CUL-1a through CUL-1c are incorporated.

Mitigation Measure CUL-1a

Preparation of a Cultural Resources Monitoring Plan. Prior to issuance of a grading permit or building permit, the project sponsor shall retain an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in archaeology to prepare a Cultural Resources Monitoring Plan in consultation with the Federated Indians of Graton Rancheria (Graton Rancheria). The Cultural Resources Monitoring Plan shall include (but not be limited to) the following components for archaeological and Native American monitoring:

- Person(s) responsible for conducting archaeological monitoring
- Person(s) responsible for Native American monitoring
- Procedures for notification in the event of the identification of cultural resources, as well as methods for treatment of such resources (e.g., documentation, collection, identification, repatriation)
- Methods of protection for cultural resources, including items such as protective fencing, security, and protocol for notifying local authorities (i.e., law enforcement) should looting or other resource damage occur

The Cultural Resources Monitoring Plan shall include a stipulation that, if significant archaeological or tribal cultural resources are identified, all work shall stop immediately within 100 feet of the resource(s). The Cultural Resources Monitoring Plan shall also include a stipulation that, during the course of the monitoring, the frequency of archaeological and Native American monitoring may be reduced from full-time to part-time based on the conditions and only if Graton Rancheria and the qualified archaeologist agree.

Mitigation Measure CUL-1b

Cultural Resources and Tribal Cultural Resources Sensitivity WEAP Training. Prior to issuance of a building permit, grading permit, or demolition permit involving any potential ground-disturbing activity (e.g., building foundation removal), all personnel involved in project-related ground-disturbing activities (e.g., on-site construction managers, backhoe operators) shall be required to participate in a cultural resources and tribal cultural resources sensitivity and awareness training program (Worker Environmental Awareness Program [WEAP]). The WEAP shall be developed by an archaeologist that meets the Secretary of the Interior's Professional

Qualifications Standards in archaeology, in consultation with input from Graton Rancheria.

The WEAP training shall be conducted before any project-related ground-disturbing activities (including building foundation removal) begin at the project site. The WEAP will include relevant information regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The WEAP will also describe appropriate avoidance and impact minimization measures for cultural resources and tribal cultural resources that could be located at the project site and will outline what to do and who to contact if any potential cultural resources or tribal cultural resources are encountered. The WEAP will emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans and will discuss appropriate behaviors and responsive actions, consistent with Native American tribal values.

The WEAP training shall be presented by an archaeologist and a representative from Graton Rancheria. The project sponsor shall maintain a record of all construction personnel that have received the WEAP training and provide the record to the City. WEAP training recipient records shall be maintained by the project sponsor throughout the duration of construction. A final WEAP training recipient record shall be submitted to the City of San Rafael prior to issuance of a certificate of occupancy.

Mitigation Measure CUL-1c

Archaeological Monitoring and Resource Protection.

Archaeological monitoring shall be required during initial ground-disturbing activities of sediments on the project site (including building foundation removal). For example, archaeological monitoring shall not be required during excavation of sediments that have been previously monitored by an archaeologist. Any excavations that extend below sediments that were previously monitored shall be subject to archaeological monitoring.

Monitoring procedures shall follow the Cultural Resources Monitoring Plan prepared under Mitigation Measure CUL-1. Construction crews shall stop all work within 100 feet of any archaeological discovery until an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in archaeology can assess the previously unrecorded discovery and provide recommendations. Resources could include subsurface historic-period features such as artifact-filled privies, wells, and refuse pits, and artifact deposits, along with concentrations of

adobe, stone, or concrete walls or foundations, and concentrations of ceramic, glass, or metal materials. Native American archaeological materials could include obsidian and chert flaked stone tools (such as projectile and dart points), midden (culturally derived darkened soil containing heat-affected rock, artifacts, animal bones, and/or shellfish remains), and/or groundstone implements (e.g., mortars and pestles). (LTS)

The mitigation measures described under Mitigation Measures CUL-1a through CUL-1c would ensure that: (1) if archaeological cultural resources are identified during excavation, these would be evaluated, documented, and studied in accordance with standard archaeological practice, and (2) archaeological deposits and human remains would be treated in accordance with appropriate State codes and regulations. In addition, the mitigation measures described under Mitigation Measures TCR-1a and TCR-1b in Section 4.5, Tribal Cultural Resources, would require Native American monitoring of the site by a representative of the Federated Indians of Graton Rancheria (Graton Rancheria) and a survey of the site by trained human remains detection dogs. As such, implementation of these mitigation measures would reduce the project's potential impacts to archaeological historical resources to **less than significant with mitigation**.

Threshold 4.4.3: Human Remains. There are no known human remains at the project site. However, the project site is located within close proximity to the Mt. Olivet San Rafael Cemetery. The boundaries of historic-era cemeteries are generally well mapped in this region; however, there is the potential that additional, poorly documented burials could be present in the surrounding area. In the event that human remains are identified during project construction, these remains would be treated in accordance with Section 7050.5 of the California Health and Safety Code and PRC Section 5097.98, as appropriate.

Section 7050.5 of the California Health and Safety Code states that, in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the NAHC within 24 hours of this identification. In accordance with *State CEQA Guidelines* Section 15064.5(e)(1)(B)(2), the NAHC will identify an MLD to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. In addition, as required by Mitigation Measure TCR-1b in Section 4.5, Tribal Cultural Resources, the project site would be surveyed by a trained human remains detection dog. If human remains are confirmed, then the procedures in Mitigation Measure CUL-1c would be required to be followed.

PRC Section 5097.98 states that the NAHC, upon notification of the discovery of Native American human remains pursuant to Health and Safety Code Section 7050.5, shall immediately notify those persons (i.e., the MLD) it believes to be descended from the deceased. With permission of the landowner or a designated representative, the MLD may inspect the remains and any associated cultural materials and make recommendations for treatment or disposition of the remains and associated grave goods. The MLD shall provide recommendations or preferences for treatment of

the remains and associated cultural materials within 48 hours of being granted access to the site. With these regulations in place, impacts on human remains would be **less than significant**.

4.4.2.3 Cumulative Impacts

For cultural resources, the scope for assessing cumulative impacts depends on the nature of the resource and relevant current, or probable future projects under review by the City. The proposed project would have a significant effect on the environment if it would contribute to a significant cumulative impact on cultural resources.

Because demolition of the Northgate Mall would cause no impact to historic architectural resources, it would not contribute to any cumulative impacts. Project impacts on the Terra Linda Valley neighborhood would be less than significant, and there are no projects under review by the City in the vicinity of the project site that may impact similar architectural historical resources. As such, the project is not anticipated to contribute to a cumulative impact on local architectural historical resources.

There are no current or probable future projects under City review that include recorded archaeological historical resources, archaeological resources, or human remains within the vicinity of the site. However, similar to the proposed project, ground disturbance associated with projects that could be developed throughout San Rafael under buildout of the General Plan could result in potentially significant impacts on previously unidentified archaeological sites and associated human remains that may be unearthed. However, as noted above, the City has identified no such current or probable future projects in the vicinity of the proposed project site.

Accordingly, the proposed project would not make a cumulatively considerable contribution to any significant cumulative impacts to cultural resources, and this impact would be **less than significant**.