

350 MERRYDALE ROAD, SAN RAFAEL

NOVEMBER 2019

**Environmental and Design Review
Tentative Map
Re-Zoning to new Planned Development
Environmental Review
Affordable Housing Ordinance/Density Bonus Law Requests**

ED18-100/TS18-006/UP18-039/1518 -001/NM18-001

PROJECT SETTING

The proposed Project is located at the end of the south portion of Merrydale Road and Redwood Highway close to the new Civic Center SMART station in an area comprising a combination of commercial and residential uses. Redwood Highway presently dead ends into the Project site. Nearby commercial uses are generally located to the south along the Highway 101 frontage road, Redwood Highway, the exception being the soon to be built Oakmont senior living facility. A public storage facility is located directly to the north. Multifamily residential condos and apartments are located to the south along the east side of Merrydale Road. The predominantly one-story Rafael Meadows residential neighborhood is to the west. The Highway 101 right-of-way forms the Project site's eastern boundary, though the Highway is elevated by as much as 18 feet to 8 feet above the Project site.

Las Gallinas Creek straddles the northern property line and an unidentified drainageway straddles the eastern property line. The southern bank of Las Gallinas Creek generally comprises rip rap placed there some years ago by the City of San Rafael for erosion control. The western bank of the drainageway is unimproved. The top of bank of each is almost 100% well defined with a 6" curb.

The Project site was improved in the late 1950s with school buildings and playground/parking lot.

The Project site enjoys excellent views of the surrounding hills, the Civic Center and the wetlands to the east over the freeway.

The Project site is easily walkable to the SMART station, commuter and local buses, Civic Center area employment opportunities, Northgate Mall and local shops, restaurants and service businesses. School children attend Venetia Valley (K-8) Elementary School and San Rafael High or Terra Linda High School.

PROJECT DESCRIPTION

The goal of the Project is to provide attractive yet affordable work force housing for a range of family sizes at a density that is appropriate to its location and to community goals.

The project consists of a mixture of 45 for-sale townhomes and stacked flats, and a Community Room on an approximate 2.28-acre site. The Project site has primary access from Merrydale Road and secondary access from Redwood Highway. A new T-shaped private road will link Merrydale Road with Redwood Highway.

There are 41 three-story townhomes proposed and 4 stacked flats in 5 different building types. A total of 9 buildings will range from 4 to 8 units. Building 4 will include 4 stacked flats over parking at one end, and over parking and the Community Room at the other end.

The project will provide 20% of the units (9 units) for sale to persons of Low and Moderate Income earning 50–80% and 80–120 % respectively of the Area Wide Median Income adjusted for family size. Five (5) units will be affordable to persons of Low Income and four (4) units affordable to persons of Moderate Income. The location of the Low and Moderate Income units are shown on the plans.

The Project has generally been oriented to the north and west to take advantage of the view opportunities and to provide an attractive Merrydale Road street frontage, and to celebrate the creek with a dual-purpose Creek Promenade. This orientation has the additional advantage of limited exposure to the freeway and providing a noise block to the adjacent Rafael Meadows neighborhood.

The Merrydale Road frontage will be improved with new curb, gutter, sidewalk and landscaping providing for 9 street parking spaces. In addition to the new Merrydale Road sidewalk, pedestrian access will be available along the Creek Promenade and Private Street A and Private Street B providing continuous pedestrian access from Redwood Highway to Merrydale Road.

Primary vehicular access will be from Merrydale Road via a two-way street (Private Street A), and from Redwood Boulevard via a two-way street (Private Street B). All sides of each building will be within 150 feet fire hose pull length of any fire apparatus parked equipment. At least one side of each building will have an eave height not to exceed 30 feet. Therefore, no aerial ladder fire truck access will be necessary.

Architecture

The architecture for 350 Merrydale Road is inspired by its dynamic, transitional setting which is nestled between an existing neighborhood of single-family homes, apartments, commercial buildings and Highway 101. Fresh, contemporary styling is created through the use of a mix of modern and classic materials: stone, glass, and plaster. The elegant, rectilinear massing of the building is balanced by numerous projections and recesses; positive and negative planes that

produce articulation, movement, and deep shadows. A playful and interesting façade that continues on all four sides of each building is enhanced with the use of a smooth plaster wall surface. The plaster walls are further enhanced with strategically placed score lines and a rich palate of three different colors that provide interest and variety while maintaining a continuity of design. Accents of different materials such as horizontal wood toned siding appear at the projections as well as a neutral colored cut stone that grounds the buildings at the base and provides a rich texture for the pedestrian. To achieve an elegant and timeless look, additional details consist of contemporary windows, simple posts, wire mesh railings and composition shingle roofing. Furthermore, each unit attains an identity through varied entry door colors.

The fourth level roof decks have been eliminated to reduce the height, mass and bulk and to enhance the privacy of adjacent properties. To further protect privacy, the private, useable outdoor living spaces are limited to decks at the second level rather than at the fourth level.

Landscape Plan

The proposed landscape plan includes Merrydale Road frontage, two pedestrian Paseos, and the dual-purpose Creek Promenade. The homes along Merrydale Road are proposed to have private front patios with low stucco walls and gates to promote interface with neighbors, while creating a sense of separation from the street. The Paseo between Buildings 7 and 8 is 23 feet wide and provides access to the entries of the homes at either side. It has a central planter which serves as a bio-filtration treatment area. Two decks span the central planter, creating points of connection from the front walks. These decks have bench seating to foster neighbor interaction. The Paseo between Buildings 2, 3 and 4 is 29 feet wide and provides access to the entries of Building 2 and connectivity to the Creek Promenade. This Paseo also has a central planter which serves as a bio-filtration treatment area. There is a Boardwalk proposed which spans the center of the planter and provides a connection from the Paseo walk to Private Alley 2. A large 480 sq. ft. deck area is proposed off of the Community Room to serve as space for the residents to gather. This deck is furnished with tables and planters with vertical screens and vine plantings to provide separation to the adjacent entries at Building 2.

Dual Purpose Creek Promenade

A key feature of the Project is the Creek Promenade. The Creek Promenade has been designed to celebrate the Creek as opposed to turning the Project's back or side onto it. The Creek Promenade will be dual purpose combining pedestrian access, passive outdoor use and children's play opportunities with the occasional creek maintenance requirements. A segregated dual purpose 10' wide linear path will be provided with trees on the creek side. Vehicular access for Marin County Flood Control District (MCFCD)/City of San Rafael creek maintenance vehicles will be provided from Private Alley 1 and Private Street B at which points there will be reinforced paved concrete pads for a crane to use in the event a tree needs to be removed from the creek. Three sections of removable fence will be provided for direct creek access. The creek and the freeway drainageway will be protected from the migration of debris

and other objects with a continuous mesh fence along the top of bank. The top of creek bank will be lined with trees.

Privacy Concerns

At the August 2018 Conceptual Design Review Meeting a small number of homeowners from the San Rafael Meadows neighborhood expressed concerns about potential view and privacy impacts to their homes on Las Flores. All but one of the Las Flores homes have one or more mature trees that at least partially block views of the Project. Further to address those concerns the proposal for roof top decks on Buildings 1 and 9 units was dropped and a line of trees has been included on the Merrydale frontage. Views of the July 4th fireworks from the Las Flores homes should not be materially blocked.

At the same DRB meeting, one tenant of the northernmost building of the Monte Vista Apartments (300 Merrydale Road) expressed concerns about the potential loss of privacy resulting from the side windows of Buildings 7, 8 and 9. There are 8 units in this two story building, each with one or two bedroom windows (and a small high level frosted bathroom window) facing the Project. Five mature and tall (40') California Bays and a substantial and mature property line shrub screen (15') are located between the Monte Vista building and the property line providing adequate privacy screening.

Additionally, a substantial and mature property line shrub screen (15') along with three trees (#42, #43 and #44) are located to the east screening the Monte Vista Apartments pool. Trees #42, #43 and #44 were previously proposed for removal but are now proposed to be retained. However tree #34 located on the south west corner of the Project site is proposed to be removed because of its poor health and condition, and the manner in which it encroaches into the public right of way. This should not impact privacy of the pool area from the Project.

To further address the privacy concerns of the Monte Vista apartment tenants we will provide high level windows, with frosted glass on bathroom windows, only on the south side of Buildings 7, 8 and 9.

Townhomes (All Buildings)

Individual homes will all generally be accessed from Merrydale Road, the new T-shaped private street, the Creek Promenade and the Paseos. In all cases garage access will be from the opposite side of the primary access, and all units, except the flats, will have direct access from the garages to the homes.

Generally, bedrooms are located on the top floor with living spaces on the middle floor. Only access and garage spaces are on the ground floor of Plans 1 and 2. Plan 3 is a deeper unit allowing for a 4th bedroom option on the ground floor along with access and garage spaces. There are 10 of these units, up to 8 will have the 4th bedroom option. In the other 2, that space

will be a bonus room used for any one of a variety of home-based uses such as a kid's playroom, home office, TV room or even storage.

Building 4/Stacked Flats/Community Room

Building 4 comprises one Plan 1, two Plan 3s, four stacked flats and a Community Room. The Community Room will be located at the west end of the building adjoining the Paseo so that a patio over a portion of the bio-retention area can be provided. A kitchen, bathroom and storage area will be provided as part of the Community Room. The intent of the Community Room is to keep it flexible so that a variety of uses may be accommodated, such as meetings, card games, after school homework room and the like. Two single car garages will be located to the rear and two stacked flats will be located above (Plan 4 and Plan 5) the Community Room. At the east end of Building 4 there will also be two stacked flats (Plan 4X and Plan 5X slightly modified for this location closer to the freeway and close to the trash enclosure). In this location, Plan 4X will have a one-car garage and Plan 5X will have a 2-car tandem garage.

Plan Types

There will be 5 different Plan Types comprising a mixture of 2-, 3- and 4-bedroom units (with some variations).

Plan 1 (1,285 sq. ft.) is a three-story 2-bed/ 2.5 bath with tandem garage townhome unit. Plan 2 (1,461 sq. ft.) is also a three-story 2-bed/2.5 bath townhome unit but with a conventional side by side 2-car garage. Plan 2X (1,461 sq. ft.) is the same as Plan 2 but with 3 beds/3.5 baths. Plan 3 (2,116 sq. ft.) is a three-story 3-bed/2.5 bath plus bonus room with a 2-car side by side garage townhome unit with an option for a 4th bedroom in lieu of a bonus room. The 4th bedroom option will be available for up to 8 of the 10 Plan 3 units.

Plan 4 (785 sq. ft.) and Plan 4X (741 sq. ft.) is a second level 2-bed/1 bath stacked flat with a 1-car garage. Plan 5 (836 sq. ft.) and Plan 5X (836 sq. ft.) is a third level 2-bed/2 bath stacked flat. Plan 5 has a one-car garage, Plan 5X has a two-car tandem garage.

UNIT SUMMARY									
Unit Type	QTY	# of Bedrooms/ Unit	# of Bathrooms/ Unit	Garage Parking/ Unit	Private Open Space/ Unit (s.f.)	Private Open Space (s.f.)	Unit Area/ Unit (s.f.)*	Unit Area (s.f.)	# of BMR Units**
PLAN 1	9	2	2.5	2	117	1,053	1285	11,565	2
PLAN 2	12	2	2.5	2	82	984	1,461	17,532	1
PLAN 2X	10	3	3.5	2	82	820	1,461	14,610	3
PLAN 3	2	3	2.5	2	108	216	2,119	4,238	1

PLAN 3X	8	4	3.5	2	108	864	2,119	16,952	0
PLAN 4	1	2	1	1	0	0	785	785	1
PLAN 4X	1	2	1	1	132	132	741	741	1
PLAN 5	1	2	2	1	0	0	836	836	0
PLAN 5X	1	2	2	2	132	132	836	836	0
Total	45	-		-	-	4,201	-	68,095	9

* Measured from the exterior wall, excluding garage

** Units 4, 9, 18, 24 (2nd floor), 19 (second floor), 29, 30, 36 and 43 are BMR units. See SP2 for details.

Parking

Since the Project is a residential development project of five (5) or more units, providing 20% of the units as affordable to persons of Low and Moderate Income, the applicable parking standards are those provided in San Rafael Municipal Code s.14.16.030.H.3.a.i.

Maximum Affordable Housing Required Parking: San Rafael Municipal Code s. 14.16.030. H. 3. a. i. Concession not requiring Financial Pro Forma inclusive of tandem, handicapped and guest:

0—1 bedroom dwelling unit	1 on-site parking space
2—3 bedroom dwelling units	2 on-site parking spaces
4 or more bedroom dwelling units	2.5 parking spaces

San Rafael Municipal Code s. 14.18.040. A Table 14.18.040 does not apply.

REQUIRED PARKING				
Unit Type	Quantity	# of Bedrooms	Required Parking/Unit	Total Required Parking
PLAN 1	9	2	2.0	18
PLAN 2	12	2	2.0	24
PLAN 2X	10	3	2.0	20
PLAN 3	2	3	2.0	4
PLAN 3X	8	4	2.5	20
PLAN 4	1	2	2.0	2
PLAN 4X	1	2	2.0	2
PLAN 5	1	2	2.0	2

PLAN 5X	1	2	2.0	2
Total	45	-	-	94

PROVIDED PARKING					
Unit Type	Quantity	Provided Garage Parking/Unit	Provided Garage Parking	Provided On-street On-site Parking	Total Provided Parking
PLAN 1	9	2	18	7	94
PLAN 2	12	2	24		
PLAN 2X	10	2	20		
PLAN 3	2	2	4		
PLAN 3X	8	2	16		
PLAN 4	1	1	1		
PLAN 4X	1	1	1		
PLAN 5	1	1	1		
PLAN 5X	1	2	2		

Note that there is a total of 10 Plan 3s, up to 8 of which will have the option of having a ground level 4th bedroom, increasing the parking requirement to 2.5 spaces per unit inclusive of guest and handicap parking. These 8 units will be selected at the time of sale. The remaining 2 units will have a ground level bonus room instead of a 4th bedroom.

Of the 7 on street parking spaces one will be assigned to Unit 25. Units 19 and 24 will not have an assigned on-street parking space.

All units have at least one covered space in garages. Garages will be provided with Electric Vehicle hookups.

Easements

The property is constrained by 5 easements, 3 of which are currently paved:

1. A 25 feet wide Marin County Flood Control District (MCFCD) flood control easement (the creek). This easement is to remain.
2. A 15 feet wide Marin County Flood Control District (MCFCD) maintenance access easement immediately adjacent to the 25 feet wide MCFD flood control easement. This easement was Quit Claimed to the City of San Rafael in 1977. Maintenance appears to be administered by the MCFCD but is expected to be the responsibility of the City of San Rafael in the future. This easement is to remain unless the City of San Rael or Marin County require that it be re-written. In addition a Public Access Easement/Public Utility Easement (PAE/PUE) will be provided at the time of recordation of the Final Map. This PAE/PUE will cover a portion of the Creek Promenade.
3. A north south easement of variable width for Roadway and Utility purposes to an unstated party but presumably to the City of San Rafael along the eastern (freeway) property line. This easement is to remain. In addition, a Public Access Easement/Public Utility Easement (PAE/PUE) will be provided at the time of recordation of the Final Map. This PAE/PUE comprises Private Street B providing pedestrian, vehicular, fire truck and trash truck access and required parking.
4. A north south Las Gallinas Valley sewer easement, a portion of which is currently unoccupied. This easement is to be Quit Claimed and replaced with a PAE/PUE at the time of recordation of the Final Map.
5. An east west private water line easement serving the property to the south. This easement is to remain.

Upon recordation of the Final Map, all maintenance responsibilities of the PAE/PUE easement areas will become the responsibility of the owner, and subsequently the Home Owners Association.

Site Area

The gross acreage of the Project site is reduced by the MCFCD/City of San Rafael easements as follows:

Gross Area:	2.28 acres
Less:	
MCFCD 25-foot wide flood control easement	(0.21 acres)
MCFCD 15-foot wide maintenance easement	(0.11acres)

City of San Rafael Roadway/Utility easement	(0.25 acres)
Overlap of easements	0.03 acres
Net Area exclusive of easements	1.74 acres

The existing improvements cover almost 100% of the Project site when the MCFCD easement (creek) and the freeway drainage drainageway are excluded.

The Project is contained within the existing development envelope. No encroachment is proposed within the MCFCD (creek) Easement or the freeway drainageway except that a new storm water outfall will be required with a s.1602 permit from the California Department of Fish and Wildlife (CDFW) to replace an existing one. The new storm water outfall will be above the High Tide Mark of the Las Gallinas Creek. Therefore, no Army Corps of Engineers (ACE) s. 404 permit will be required.

Both the MCFCD and the City of San Rafael require that the Project respect the creek and the maintenance easement, and that no fixed vertical improvements be installed in them, though the planting of trees at the top of bank has been allowed. The MCFCD/City of San Rafael February 2019 Joint Agencies Guidelines were used to design the most user-friendly dual-purpose Creek Promenade possible while providing adequate vehicular access for maintenance purposes.

Jurisdictional Agencies

The Applicant met with the Marin Interagency Project Coordination Committee on January 4, 2019 and April 2, 2019. On each occasion the focus was on anything that might encroach into the relevant agency's jurisdiction such as the storm water outfall and any planting at the top of bank. Since the proposed outfall does not fall below the High Tide Mark, ACE will not take jurisdiction and will provide written confirmation of this when requested. The other agencies said that they are not allowed to comment in writing without a permit application. There was no objection from any agency to planting trees at the top of bank provided they do not destabilize the bank.

Creek Setback: No Concession/Incentive or Modification/Waiver required.

San Rafael Municipal Code s. 14.16.080 Creeks and Other Watercourses requires a setback of between 25' and 100' between any structure and high top of bank. To accommodate the proposed Project at the density proposed and with the Concessions/Incentives, Modifications/Waivers and Parking Reductions allowed, Applicant is requesting a creek setback of 25 feet.

The criteria for determining the amount of setback is set forth in San Rafael Municipal Code s. 14.16.080. C.

1. The setback provides for adequate maintenance, emergency vehicle access, adequate debris flow avalanche corridors, flood control and protection from damage due to stream bank undercutting.

The proposed 25-foot setback from top of bank including the existing 15-foot MCFCD maintenance easement from top of bank in addition to two reinforced concrete crane pads provides MCFCD maintenance access, emergency vehicle access, adequate debris flow avalanche corridors, flood control and protection from damage due to stream bank undercutting.

2. The setback adequately protects and preserves native riparian and wildlife habitat.

According to the biological report prepared by WRA dated March 28, 2018 neither the portion (south bank) of the creek or the portion (west bank) of the freeway drainageway located on the Project site support any native riparian vegetation and provide only marginal habitat for wildlife. The Project does not propose to impact either the creek, the banks of the creek or the freeway drainageway. Development will be confined to the existing developed envelope.

3. The setback protects major view corridors and provides for recreation opportunities where appropriate.

There are presently no major view corridors from the Project site or the proposed setback. A one- and two-story storage facility is located directly to the north, the elevated freeway is located to the east, the area to the south is completely developed with residential and commercial uses and the area to the west comprises the Rafael Meadows neighborhood.

4. The setback permits the provision of adequate and attractive natural landscaping.

The setback is at least partially constrained by the MCFCD maintenance easement and the City of San Rafael roadway and utility easement. The Project proposes the use of adequate and natural landscaping to the extent permitted by the February 2019 Joint Agencies Guidelines.

San Rafael Municipal Code s. 14.16.080. E provides development guidelines for improvements within creek setbacks:

Development Guidelines. Pedestrian and bicycle access is encouraged along creek and drainage way corridors where feasible. However, they should be designed and located so as not to adversely affect important habitat areas. Creeks and drainageways should also be enhanced where feasible to serve as wildlife habitat as well as drainage facilities.

All of the proposed improvements within the 25-foot creek setback are feasible and appropriate.

Utility closet doors at the north end of Buildings 1 and 2, when opened, do encroach into the 25-foot creek setback by up to the full width of the door (3 feet). This would occur on a few occasions each month and is better than leaving the closets open. Metal roll up shutter doors cannot be used to screen gas meters. While closet doors are technically part of the building structure, the doors themselves are not structures. San Rafael Municipal Code s. 14.16.080 Creeks and Other Watercourses requires a setback of between 25' and 100' between any structure and high top of bank, not appurtenances to the structure.

Tentative Map San Rafael Municipal Code s.15.02.040

The Tentative Map shows just one Common Parcel with PAE and PUE in addition to the existing waterline easement benefiting the adjoining property which is to remain.

Proposed site improvements (at a conceptual level) are shown on the Tentative Map prepared by BKF Engineers dated April 2019. Private site improvements are anticipated to consist of private streets and drive alleys serving the residential buildings, pedestrian sidewalks winding through the site, and supporting infrastructure including private sewer, water and storm drain pipes in addition to bioretention facilities to comply with storm water quality regulations. Public improvements are anticipated to consist of re-paving and the installation of public sidewalk along the project side of Merrydale Road along the project frontage.

s. 15.01.120 Exception to San Rafael Municipal Code s. 15.06.050 (d)

s. 15.06.050 (d) of the San Rafael Municipal code requires that all new public streets that are local streets have a minimum pavement width of 40 feet in a minimum Right of Way of 60 feet. S. 15.01.050 (h) of the San Rafael Municipal Code provides that all new private streets be developed to the same standard.

The Project requests a reduction in the Right of Way and pavement width standards in s. 15.06.050 (d) to a minimum pavement width of 20 feet and minimum Right of Way of 30 feet.

Required Findings:

Findings. In reviewing and approving an exception from the regulations and provisions of this title, the planning commission shall make the following findings, which shall be included in the record of action on the map application:

- (1) That there are special circumstances and/or conditions of the property proposed for subdivision that warrant the approval of the exception;

The Project Site comprises 2.28 acres but is encumbered by two Marin County Flood Control District easements comprising 0.32 acres reducing the net area of the Project Site available for development to 1.96 acres. The proposed project comprises 45 townhomes and stacked flats resulting in a net density of 22.5 du. The two MCFCD easements present a special circumstance.

- (2) That the exception is necessary for the preservation and enjoyment of a substantial property right of the subdivider or property owner; and

The Project site has been identified in the SMART Station area Specific Plan as a target residential site at a density of up to 43 du.

- (3) That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity in which the property is situated.

The development standard for the construction of new private streets is the same as those for public streets and was adopted in the 1950's. Since that time narrower streets have become commonplace in San Rafael, California and through out the United States as being effective in increasing densities while not compromising public welfare or public safety.

Infrastructure Improvements.

The Project proposes to connect four new water line laterals to the existing water lines in Merrydale, install new curb, gutter and sidewalk along the Project frontage and reinstate the Merrydale Road right of way affected by the installation. This section of Merrydale is lightly trafficked, access being provided only to the Project site and the storage facility beyond. The existing road surface is generally in good condition with no pot holes whatsoever. The Project proposes to resurface the section of Merrydale in front of the Project site shown on the Tentative Map and slurry coat full width of Merrydale to Las Gallinas Ave.

The Project proposes to extend a gravity sewer line from the so called Mulligan Line in Las Gallinas Ave to the Project site in the Redwood Highway right of way enabling all the property owners along that frontage to connect thereto enabling the future abandonment of the existing old undersized sewer located on private property between the Redwood Highway and Merrydale Road property frontages. The Project will reinstate the Redwood Highway right of way affected by the installation.

If the proposed gravity line proves infeasible, the Project proposes to extend a force main line from the Project site in Redwood Highway and Las Gallinas Avenue to Las Flores Avenue to connect to the Las Flores Avenue gravity line to the Las Flores pump station.

Home Owners Association/CC & Rs

The common areas of the Project will be governed by a home owners association (HOA) which will manage, maintain and operate the Project in accordance with Conditions, Covenants and Restrictions (CC&Rs) to be recorded against each unit and the common areas, Articles of

Incorporation (Articles) and Bylaws. The HOA will have the right to adopt rules, regulations and guidelines, including design guidelines and community space rules to implement the CC&Rs. All common areas including the Creek Promenade and the Paseos will be owned, managed and controlled by the HOA.

Initially the builder will own all units within the project and will control the HOA until sufficient units have been sold for a HOA Board of Directors to be elected. The builder will pay HOA dues to the HOA for each unit until each unit is sold.

Trash Removal Plan

Space has been allocated in garages for the storage of waste and recyclables in bags or bins. Homeowners will take bags to the central trash enclosure for disposal. Marin Sanitary Service will not provide carts to homeowners where there is a central trash enclosure. The HOA CC&R's will allow for the use of a concierge service to collect the trash bags one or more times per week at additional cost to the HOA upon a vote of approval of the HOA. The trash enclosure is located on Private Street B and has been designed with a separate home owners access and a covered screen. The trash enclosure has been expanded from the earlier proposal to address the concerns of Marin Sanitary District. The trash enclosure will now include the following:

Two Bins one 4-yard bin for trash and a second 2-yard bin for cardboards.

A minimum of 3 carts, 1- Blue 96 gal., 1-Brown 64 gal. cart, and 1-Green 64-gal. cart.

Marin Sanitary Service garbage pick-up will occur one or two times per week. Recyclables will be picked as frequently as requested by the HOA at no additional cost.

Front loading service trucks will typically enter from Redwood Boulevard (along Private Street B) and park at the Trash enclosure for as long as it takes to load. A reinforced concrete pad sufficient to take the weight of service trucks will be provided at the trash enclosure. Marin Sanitary Service personnel will wheel out (and wheel back) the bins and carts, closing the trash enclosure gate before leaving. Service trucks will typically reverse into Private Street A, picking up from a recyclable paper bin next to the mail boxes before leaving along Private Street B to Redwood Blvd.

Marin Sanitary Service offers new communities an informational workshop to new home owners on the proper handling and disposal of garbage and recyclables. One or more workshops will be arranged through the HOA during the sales period using the new Community Room as a venue.

Open Space 14.07.060 K.

All units with the exception of the two freeway-oriented stacked flats (Plans 4X and 5X) will have private decks. In addition, the Project will provide a Community Room with an outdoor

patio, and the amenity laden Creek Promenade. The Project exceeds the open space requirement.

Community Room: San Rafael Municipal Code s.15.12.060

A flexible use Community Room comprising +/- 500 sq. ft. that includes a clear 14' 6" x 20' 6" space, kitchen and storage with access to an almost 500 sq. ft. outdoor patio is being provided at the center of the Project. A ping pong table and an appropriate number of stackable tables and chairs will be provided.

Phasing

- Pre – Phase: All on and off site improvements, except tree removal along the southwest property line, landscaping, the final lift of on site pavements and the resurfacing and slurry coat of Merrydale Avenue)
- Building Phase 1: Buildings 1 – 4, all landscaping and the final lift of pavements north of and including Private Street A, and the resurfacing and slurry coat to Merrydale Avenue.
- Building Phase 2: Buildings 5 – 9, tree removal along the southwest property line, all remaining landscaping and paving.

All construction will be completed within +/- 2.5 years from issuance of the first building permit subject to market condition remaining positive. Two phases of building construction are required given the size of the Project and the possibility of market conditions deteriorating. The following is a preliminary estimate of the schedule:

Start Pre - Phase	Spring 2020
Substantially Complete Pre - Phase	Summer 2020
Start Building Phase 1	Summer 2020
Start Building Phase 2	Summer 2021
Complete Building Phase 1	Fall 2021
Complete Building Phase 2	Summer 2022

Tree Removal

A total of 43 mature trees and 1 dead tree of varying condition located on the Project site. All trees have been proposed for removal except the grove of Redwoods on the northwest and northeast corners of the Project site, three on the south property line and the Bishop Pines and Coast Live Oak at the Redwood Highway entry. The trees proposed for removal are highlighted on the Tree Inventory. There is a total of 28 trees proposed for removal. A total of 16 trees will be retained. More than 50 replacement trees will be planted.

Initial Study/CEQA Review

All requested studies have been submitted updated as appropriate for the Initial Study to commence.

Summary

The project will provide 45 much needed workforce for-sale townhomes and stacked flats of varying size, that should be very attractive to a wide variety of home buyers. In addition, the Project will provide a Community Room with outdoor community gathering space, and a dual-use Creek Promenade with activity areas. The Project will start the transformation of the north end of the Merrydale Road/Redwood Highway corridor close to the SMART station from commercial to residential in character.