

**DATE:** ~~NOVEMBER 30~~MARCH 29, 2017  
**TO:** Public Agencies, Organizations and Interested Parties  
**FROM:** Sean Kennings, Contract Planner  
**SUBJECT:** RECIRCULATED NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A  
MITIGATED NEGATIVE DECLARATION

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Town of Fairfax has prepared an Initial Study on the following project:

**Project Name:** Victory Village – Fairfax Senior Housing

**Location:** 2626 Sir Francis Drake Boulevard, Fairfax, CA 94930

**Assessor's Parcel Nos.** 174-070-17

**Property Description:**

-The affected property is approximately 20 acres in size, of which two +/- acres comprises an existing private church facility and a private elementary school for pre-school through fifth grades with situs address of 2626 Sir Francis Drake Boulevard, Fairfax CA 94930.

The development sponsor proposes to first subdivide the existing 20-acre site into three parcels: one 2-acre parcel (Lot 1) and two remaining 9-acre parcels (Lot 2 & 3). A new General Plan land use designation, RM-S (Residential Multi-Family – Senior), will be adopted and the The General Plan land use designation for the 2-acre parcel will remain PDD be changed from PDD to RM-S (Residential Multi-Family – Senior), while the two 9-acre parcels will also require a General Plan amendment in order to re-designate those properties from PDD to UR-7-10. In addition, the two 9-acre parcels will remain zoned UR-7, while the 2-acre parcel will need to be rezoned PDD RM-S (Residential Multi-Family – Senior). A new Planned Development District RM-S district ordinance in the Fairfax Municipal Code will be adopted for the 2-acre parcel to establish the land uses and development standards applicable to the site for senior residential and specific to the subject property. -The development potential of other potential RM-S zoned properties or of the two 9-acre remainder parcels is not included as part of the proposed project. There is no potential development beyond that proposed by Victory Village for the MND to analyze because there are no RM-S (Residential Multi-Family – Senior) zoning districts proposed elsewhere in the Town of Fairfax. Because the subject property is currently zoned UR-7, the subdivision to allow two remainder parcels of 9-acres each does not create a new intensity of development or create a change in land use for the subject property. Any future development proposals for those parcels would require a separate application to the Town of Fairfax including design review and environmental review and approval. Similarly, the development potential for RM-S eligible

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properties would also require separate analysis pursuant to the Town dDevelopment -Code and environmental review.

On the 2-acre site, the applicant proposes to demolish the existing primary school and church structures, A-frame building, and parking area and replace them with 54 total residential units (53 affordable apartments for low-income seniors and one manager's apartment) and ~~39~~43 parking spaces, including 40 resident spaces and 3 staff spaces. The development will be seeking a State Affordable Housing Density Bonus and Concessions for height, covered parking, ~~a small portion of the required parkland dedication and overall density.~~ Housing developments that are 100% affordable to very low households are eligible to receive a density bonus of at least 35%. The Fairfax General Plan has established that the 2-acre portion of the property has a land use density of 20 units/acre (not including any additional density that may result from the application of a density bonus). As applied to this site, the proposed RM-S zoning district would recognize this 20 units/acre density. ~~The development intensity density and design standards included in the proposed project are the exact same that are allowed in the RM-S (Residential Multi-Family – Senior) district for this site. No other intensity density could be established on the project site than what is included in the proposed project. The increase in intensity (over the 20 units/acre allowed) is due to the Density Bonus requested by the project applicant regardless of what zoning district it could be developed in. (Note that the density standards of the RM-S zoning district would generally set the density at 10 units/acre, unless a different density was established by the Town's General Plan, as is the case for the 2-acre site here.) Therefore, Bb~~Because the 2-acre portion of the property is designated 20 units/acre, the density bonus allows an additional 14 units for a total of 54 units. As proposed, 18 of the total units will ~~serve very~~serve very low-income households, and 35 will be affordable to low income households. The two 9-acre remainder sites will remain undeveloped. The proposed project also includes parkland dedication of .32 acres located at the rear of Lots 2 and 3.

The new building on the 2-acre portion of the site is proposed to be approximately 50,755 sf in an "E" shaped building with two- and three-story wings that wrap around two courtyards that terrace as the grade changes. The heights of the structure vary as the building moves uphill away from Sir Francis Drake Boulevard. The two-story front façade has a roofline of 26' above existing grade, but becomes a three-story structure 33'-6" above grade at the ridgeline of the first wing of the building. Moving uphill, the building reaches a maximum height of 40'-10" at the ridgeline of the middle wing and then drops down to 32'-10" at the ridgeline of third wing. Solar panels would be installed on west and south facing roof slopes. A new access point and driveway will have the same curb cut location as the existing drive and will run along the southeast edge of the property to the rear and northeast corner of the new building be constructed directly off Sir Francis Drake Boulevard and run west to east and parallel to (south of) to the proposed building footprint. There are perpendicular parking spaces along the drive for the convenience of residents and guests, with accessible parking along the drive and at the rear parking area. The parking areas also include potential to construct future electrical vehicle charging stations (EVCS). The rear parking area extends behind the upper building where trash collection, recycling, and servicing of the building will take place outside of the public view. There is also over 800 sf of secured interior bicycle storage space including 27 resident bicycle parking stalls. Sidewalks are also included connecting the entire 2-acre site to pedestrian access along Sir Francis Drake with an internal pedestrian

circulation system. An on-site drainage system, including two detention basins, and an upgraded drainage ditch and drainage swales has been designed to capture stormwater flows from the new housing development consistent with Town standards for 10 to 100-year storm events.

~~The proposed project also includes an alternative access to connect to the existing storm water drainage system and an alternative vehicle access located off Sir Francis Drake Boulevard that aligns with the drive along the southeast edge of the site. Currently, the~~ Presently, the project site is accessed via a driveway off Mitchell Drive, the primary access for the Canon Village residential development. Mitchell Drive is a private street controlled by the Canon Village Homeowners Association. Currently, the Christ Lutheran church located on the subject property has a ~~prescriptive~~ prescriptive easement to access the project site via Mitchell Drive. Stormwater Existing stormwater drainage is also routed through this driveway access. The previous iteration of the proposed project include ~~included~~ ans this alternative drainage and driveway access due to the fact the road and infrastructure connections at Mitchell Drive are located on the Canon Village Homeowners Association (CVHOA) property. Currently ~~At present,~~ the CVHOA must vote to ~~continue to allow a prescriptive~~ the proposed project and access easement for the subject property. This vote is not subject to the local application review and permitting process and therefore cannot be guaranteed to occur prior to project approval from the Town of Fairfax. ~~Therefore~~ The previous IS/MND evaluated the proposed vehicular access and drainage routing connecting the project site through Mitchell Drive as well as the alternative access to connect project infrastructure directly through Sir Francis Drake Boulevard. Based on public comment at the December 15, 2016 Planning Commission hearing, the project applicant determined that four additional parking spaces would make for a superior project thus necessitating the alternate access utilized as the primary access. Therefore, the original access drive off Mitchell is no longer considered in this environmental document and the alternative access is considered the primary (and only) access. As the alternate drainage and access is ~~was~~ previously evaluated for potential environmental impacts, the previous discussion and environmental assessment is still valid in the recirculated document. Where new analysis is needed in the Checklist, text has been inserted as redlined text. ~~included as part of the project, and will be reviewed in this environmental document for impact assessment.~~

### Discretionary Actions

Development of the proposed project would require discretionary approvals by the Town as the Lead Agency. The Town's discretionary actions would include the following:

- **General Plan Amendment.** The General Plan land use designation for the entire 20-acre site is currently PDD. The ~~A new~~ General Plan land use designation will be created RM-S (Residential Multi-Family – Senior), and applied to for the 2-acre parcel, ~~will remain PDD,~~ while the two 9-acre parcels will require a General Plan amendment in order to re-designate those parcels UR-7-10. Clarifications and corrections needed to implement these changes will likewise be made.
- **Residential Multi-Family District Ordinance.** A new Residential Multi-Family district ordinance (Town Code Chapter 17.112.090) will be adopted to establish the land uses and development standards applicable to sites within the new zone. The new zone will

- accommodate parcels between 2-3 acres in size and be limited to only senior housing. The density will be limited to either 10 units per acre, or as established in the General Plan
- **Zone Change and Text Amendment.** Lot 1, the 2-acre proposed project site, will be rezoned from PDD to RM-S (Residential Multi-Family – Senior). The two 9-acre parcels will remain zoned UR-7, while the 2-acre parcel will need to be rezoned PDD. In addition, the existing Planned Development District Ordinance (Town Code Chapter 17.112) will require revision in order to reflect General Plan requirements and to allow a more streamlined review process for sites, such as this one, that are identified as Opportunity Sites in the Town's Housing Element.
  - ~~Planned Development District Ordinance.~~ A new Planned Development District ordinance will be adopted for the 2-acre parcel to establish the land uses and development standards applicable to the site.
  - **Parcel Map.** A parcel map will be necessary to subdivide the existing 20-acre site into three parcels, one consisting of 2-acres and two parcels of 9-acres each.
  - **Density Bonus Agreement.** The project proposes to develop at densities in excess of what is permitted by the General Plan. The new General Plan designation (RM-S) will be consistent with the development intensities established in the evaluation of this site, which is identified as Opportunity Site #1 in the Town's Housing Element. In accordance with the Density Bonus Statute (California Government Code § 65915), the project proposes to offer all 53 resident units at rents affordable to very low and low income households and thus qualifies for a density bonus of not less than 35%. This density bonus allows for a total of 54 units on the 2-acre portion of the proposed project. Eighteen of the total units will also serve very low-income households, and 35 will serve low income households. With this density bonus, the project can develop at the proposed density. In order to document the terms of the density bonus, the applicant will be required to enter into a Density Bonus Agreement with the Town.
  - **Traffic Impact Permit.** Town Code Chapter 17.056 requires a traffic impact permit as a prerequisite to any building permit, site improvement, occupancy permit or any discretionary approval from the Town for applicable projects, including the proposed project.
  - **Design Review.** The project will require design review approval.
  - **Excavation Permit.** The project will require an excavation permit from the Planning Commission because it will entail the excavation/fill of 315-2,110 cubic yards of material and 440 cubic yard of fill.
  - **Tree Removal Permit.** The project will require a tree removal permit.

### **Ministerial Actions**

Ministerial permits and approvals would be issued by the Town (or other appropriate agency) to allow site preparation, curb cuts, utility connections and other project features subject to ministerial permits.

The Initial Study was completed in accordance with the Lead Agency's Guidelines for Implementing the California Environmental Quality Act (CEQA). The Initial Study was undertaken for the purpose of deciding whether the project may have a significant effect on the environment. On the basis of such Initial Study, the Lead Agency's Staff has concluded that the Project will not have a significant effect

on the environment, and has therefore prepared a Draft Mitigated Negative Declaration. The Initial Study reflects the independent judgement of the Lead Agency.

The Project site IS NOT on a list compiled pursuant to Government Code section 65962.5 and is not known to contain any hazardous waste.

The proposed project IS NOT considered a project of statewide, regional or area wide significance.

The proposed project WILL NOT affect highways or other facilities under the jurisdictions of the State Department of Transportation.

A scoping meeting WILL NOT be held by the Lead Agency.

Copies of the Initial Study and Draft Mitigated Negative Declaration are on file and are available for public review at the Lead Agency's office, located at 142 Bolinas Road, Fairfax CA 94930.

The Proposed Mitigated Negative Declaration can be obtained in electronic format by the following method: Contact Linda Neal, Fairfax Principal Planner at (415) 499-8223 or by e-mailing lneal@townoffairfax.org.

Comments from all Responsible Agencies are also requested.

If the Lead Agency finds that the project will not have a significant effect on the environment, it may adopt the Mitigated Negative Declaration. This means that the Lead Agency may proceed to consider the project without the preparation of an Environmental Impact Report.

A twenty-day (20-day) public review period shall commence on ~~November 30~~ March 29 2016 ~~2017~~. Written comments must be sent to the Town of Fairfax Planning Department, 142 Bolinas Road, Fairfax CA 94940 ~~by December 20~~ April 19, 2016. The Town of Fairfax will hold a public hearing on the Initial Study/Negative Declaration and project merits on ~~December 15~~ April 20, 2016 ~~2017~~, 7:00 PM in the Fairfax Women's Club at 46 Park Road. Correspondence and comments can be delivered to ~~Larry Sean~~ Kennings, Contract Planner, phone: (415) 207-2780 ~~533-2111~~, email: [larrysean@lakassociates.com](mailto:larrysean@lakassociates.com).

Date received for Filing: \_\_\_\_\_

Staff

TOWN MANAGER

Title

(Clerk's Stamp)