

Date June 9<sup>th</sup> 2023.

75 unit Residential application  
Individual Building sq ft tabulation.

A) TOWNHOME BUILDING (75)

Building dimensions per plan 17'x40' = 680sqft X 3 floors (including garage)

TOTAL GROSS AREA (APPROX) = 2000sqft

Note: Colors and annotations were added by savedominicanvalley.com

Proposed  
12 residences

GOLD HILL  
GRADE

LOCUST

LOCUST PARK

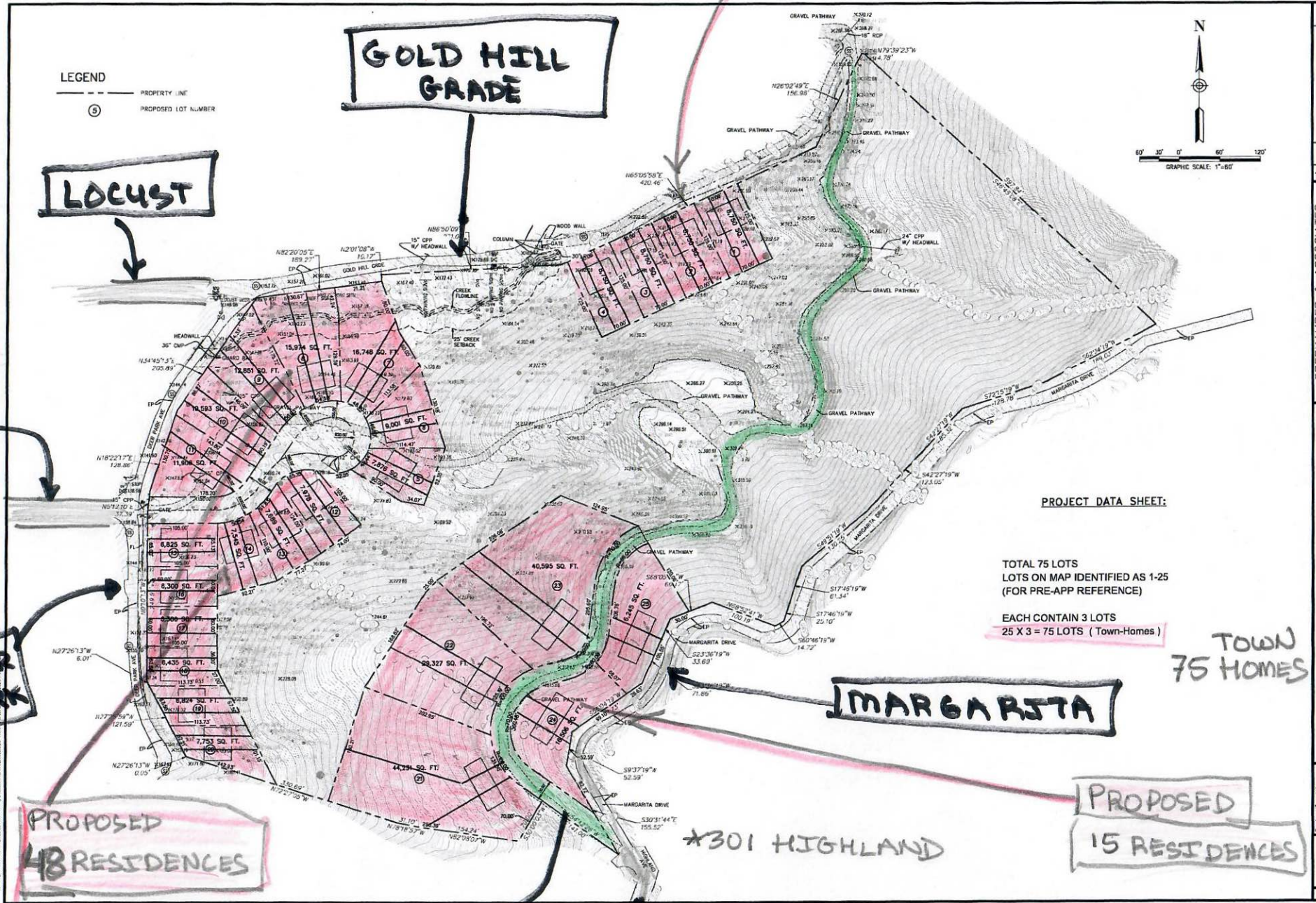
PROPOSED  
48 RESIDENCES

PIER  
TRAIL

HIGHLAND

MARGARITA

PROPOSED  
15 RESIDENCES



PROJECT DATA SHEET:

TOTAL 75 LOTS  
LOTS ON MAP IDENTIFIED AS 1-25  
(FOR PRE-APP REFERENCE)

EACH CONTAIN 3 LOTS  
25 X 3 = 75 LOTS (Town-Homes)

TOWN  
75 HOMES

OBERKAMPER & ASSOCIATES CIVIL ENGINEERS, INC. 7200 REDWOOD DRIVE, SUITE 200 DUBLIN, CA 94568 PHONE: (415) 897-7800 WWW.OBERKAMPER.COM	
PRE-APP LAYOUT DOMINICAN PARCEL A.P.N (015-163-03) MARIN COUNTY CITY OF SAN RAFAEL	
Scale: 1" = 60' Date: 08/20/23 Created by: UO	SHEET 1 OF 1 22-192



**PURPOSE**

This form serves as the preliminary application for housing development projects seeking vesting rights pursuant to SB 330, the Housing Crisis Act of 2019.

**GENERAL INFORMATION**

An applicant for a housing development project that includes (1) residential units (2) a mix of commercial and residential uses with two-thirds of the project's square footage used for residential purposes; or (3) transitional or supportive housing, shall be deemed to have submitted a preliminary application upon provision of all of the information listed in this Preliminary Application form and payment of the permit processing fee to the agency from which approval for the project is being sought.

After submitting this Preliminary Application to the local agency, an applicant has 180 days to submit a full application, or the Preliminary Application will expire.

**Submittal Date Stamp\*1,2:**

\*1Submittal of all the information listed and payment of the permit processing fee freezes fees and development standards as of this date unless exceptions per Government Code § 65889.5(o) are triggered.

\*2Note: Record keeping pertaining to which standards and fees apply at date of submittal is imperative, as penalties may apply for imposing incorrect standards.

**DETAILED DESCRIPTION OF PROJECT**

Sub Division of land ( APN # 15-163-03 ) into 75 Lots with Total 75 residential housing units  
Lots 1-75 ( Town-Homes)

The land has PD Zoning and General Plan Hillside Residential land use designation  
Applicant will request Builders Remedy, providing 20% of units to Low income residents

Notes:

1. California Environmental Quality Act (CEQA) and Coastal Act standards apply.
2. After submittal of all of the information required, if the development proponent revises the project to change the number of residential units or square footage of construction changes by 20 percent or more, excluding any increase resulting from Density Bonus Law, the development proponent must resubmit the required information so that it reflects the revisions.

**SITE INFORMATION**

**1. PROJECT LOCATION** - The specific location, including parcel numbers, a legal description, and site address, if applicable.

Street Address no street address Unit/Space Number \_\_\_\_\_

Legal Description (Lot, Block, Tract) Attached? YES  NO

Assessor Parcel Number(s)

015-163-03

**2. EXISTING USES** - The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.

Existing use is Undeveloped Land. Grading of existing site for Building Pads, streets ,sidewalks

**3. SITE PLAN** - A site plan showing the building(s) location on the property and approximate square footage of each building that is to be occupied.

Attached? YES  NO

**4. ELEVATIONS** - Elevations showing design, color, material, and the massing and height of each building that is to be occupied.

Attached? YES  NO

**5. PROPOSED USES** - The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.

Residential units, comprising of 75 Town-Homes . Sqft provided on <sup>#</sup>3

**a. RESIDENTIAL DWELLING UNIT COUNT:**

Please indicate the number of dwelling units proposed, including a breakdown of levels by affordability, set by each income category.

	Number of Units
Market Rate	65
Managers Unit(s) – Market Rate	
Extremely Low Income	
Very Low Income	
Low Income	10
Moderate Income	
<b>Total No. of Units</b>	<b>75</b>
<b>Total No. of Affordable Units</b>	<b>10</b>
<b>Total No. of Density Bonus Units</b>	<b>25</b>

Other notes on units:

**6. FLOOR AREA** - Provide the proposed floor area and square footage of residential and nonresidential development, by building (attach relevant information by building and totals here):

	Residential	Nonresidential	Total
<b>Floor Area (Zoning)</b>	95,000		95,000
<b>Square Footage of Construction</b>	140,000		140,000

**7. PARKING** - The proposed number of parking spaces:

150

**8. AFFORDABLE HOUSING INCENTIVES, WAIVERS, CONCESSIONS and PARKING REDUCTIONS** - Will the project proponent seek Density Bonus incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915?

YES  NO

If "YES," please describe:

Yes, project will request parking reduction, Density bonus incentives, waivers and concessions

**9. SUBDIVISION** - Will the project proponent seek any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a vesting or tentative map, or a condominium map?

YES  NO

If "YES," please describe:

Yes, project applicant shall request subdivision Map Act approvals, including but not limited to ; Parcel map, vesting or tentative map, or Condo map.

**10. POLLUTANTS** - Are there any proposed point sources of air or water pollutants?

YES  NO

If "YES," please describe:

**11. EXISTING SITE CONDITIONS** - Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied. Provide attachment, if needed.

	Occupied Residential Units	Unoccupied Residential Units	Total Residential Units
Existing	0	0	0
To Be Demolished	0	0	0

**12. ADDITIONAL SITE CONDITIONS –**

- a. Whether a portion of the property is located within any of the following:
- i. A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection, pursuant to Section 51178?  
YES  NO
  - ii. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)?  
YES  NO
  - iii. A hazardous waste site that is listed pursuant to Section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code?  
YES  NO
  - iv. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by any official maps published by the Federal Emergency Management Agency?  
YES  NO
  - v. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2?  
YES  NO
  - vi. A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code?  
YES  NO

If "YES" to any, please describe:

Natural drainage pattern for the subject site traverses both into the intermittent stream to the sisters creek located north site and along the drainage ditch within the Deer Park Ave., ROW, which drains into sisters creek. Additionally, the project site has a shallow swale traversing through an area which carries seasonal storm drain runoff from upper slope to the drainage ditch along Deer Park Ave.

Natural drainage pattern for site, traverses into intermittent stream to sisters creek, located north site & along drainage ditch within Deer Park Row, which drains into sisters creek. Additionally project site has a shallow swale traversing through an area which carries seasonal storm drain runoff from upslope to drainage ditch along Deer Park.

- b. Does the project site contain historic and/or cultural resources?  
YES  NO

If "YES," please describe:

c. Does the project site contain any species of special concern?

YES  NO

If "YES," please describe:

d. Does the project site contain any recorded public easement, such as easements for storm drains, water lines, and other public rights of way?

YES  NO

If "YES," please describe:

e. Does the project site contain a stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code? Provide an aerial site photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands.

YES  NO

If "YES," please describe and depict in attached site map:

*Stream on site, Drainage Ditch along road. Explained in page 5 Aerial map provided with all detail to reference.*

f. **COASTAL ZONE** - For housing development projects proposed to be located within the coastal zone, whether any portion of the property contains any of the following:

a. Wetlands, as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations.

YES  NO

b. Environmentally sensitive habitat areas, as defined in Section 30240 of the Public Resources Code.

YES  NO

c. A tsunami run-up zone.

YES  NO

d. Use of the site for public access to or along the coast.

YES  NO



g. **PROJECT TEAM INFORMATION** - The applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application.

Applicant's Name Ray Cassidy  
Company/Firm Dominican Valley LLC  
Address PO BOX 150173 Unit/Space Number \_\_\_\_\_  
City San Rafael State CA Zip Code 94915  
Telephone \_\_\_\_\_ Email marindevelop@gmail.com  
Are you in escrow to purchase the property? YES  NO

**Property Owner of Record**  Same as applicant  Different from applicant  
Name (if different from applicant) \_\_\_\_\_  
Dominican Valley LLC  
Address PO BOX 150173 Unit/Space Number \_\_\_\_\_  
City San Rafael State CA Zip Code 94915  
Telephone \_\_\_\_\_ Email marindevelop@gmail.com

**Optional: Agent/Representative Name**  
Ray Cassidy  
Company/Firm \_\_\_\_\_  
Address \_\_\_\_\_ Unit/Space Number \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Telephone \_\_\_\_\_ Email marindevelop@gmail.com

**Optional: Other** (Specify Architect, Engineer, CEQA Consultant, etc.)  
Name: \_\_\_\_\_  
Company/Firm \_\_\_\_\_  
Address \_\_\_\_\_ Unit/Space Number \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Telephone \_\_\_\_\_ Email \_\_\_\_\_  
Primary Contact for Project:  Owner  Applicant  Agent/Representative  Other

## PROPERTY OWNER AFFIDAVIT

Before the application can be accepted, the owner of each property involved must provide a signature to verify the Preliminary Application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts, the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service or process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25 percent interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the Preliminary Application form may be provided if the property is owned by a partnership, corporation, LLC or trust, or in rare circumstances when an individual property owner is unable to sign the Preliminary Application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized to file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items 1-3 below. In the case of partnerships, corporations, LLCs or trusts, the LOA must be signed by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide Copy of the Grant Deed if the ownership of the property does not match local records. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g., John and Jane Doe, or Mary Smith and Mark Jones) signatures are required of all owners.

1. I hereby certify that I am the owner of record of the herein previously described property located in San Rafael CA which is involved in this Preliminary Application, or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC, or trust as evidenced by the documents attached hereto.

2. I hereby consent to the filing of this Preliminary Application on my property for processing by the Department of Community Development for the sole purpose of vesting the proposed housing project subject to the Planning and Zoning ordinances, policies, and standards adopted and in effect on the date that this Preliminary Application is deemed complete.

3. Further, I understand that this Preliminary Application will be terminated and vesting will be forfeited if the housing development project is revised such that the number of residential units or square footage of construction increases or decreases by 20 percent or more, exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision, and/or an application requesting approval of an entitlement is not filed with San Rafael Community Development within 180 days of the date that the Preliminary Application is deemed complete.

4. By my signature below, I certify that the foregoing statements are true and correct.

Signature *Martin Coyne* Signature *Marcia May*

Printed Name MARTIN COYNE Printed Name MARCIA MAY

Date 6/6/23 6/6/23  
@ P.O. Box 150173 @ P.O. Box 150173  
San Rafael CA 94915 San Rafael CA 94915

CONDITIONS OF APPLICATION

- 1) All materials submitted in conjunction with this form shall be considered a part of this application.
- 2) This application will not be considered filed and processing may not be initiated until the Planning Division determines that the submittal is complete with all necessary information and is "accepted as complete." The City will notify the applicant of all application deficiencies no later than 30 days following application submittal.
- 3) The property owner authorizes the listed authorized agent(s)/contact(s) to appear before the City Council, Planning Commission, Design Review Board and Zoning Administrator and to file applications, plans, and other information on the owner's behalf.
- 4) The Owner shall inform the Planning Division in writing of any changes.
- 5) **INDEMNIFICATION:** As a condition of this application, applicant agrees to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities ("indemnities"), the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of any environmental document which accompanies it. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the applicant, third parties and the indemnities, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the indemnities.  
 In the event that any claim, action or proceeding as described above is brought, the City shall promptly notify the applicant of any such claim, action or proceeding, and the City will cooperate fully in the defense of such claim, action, or proceeding. In the event the applicant is required to defend the City in connection with any said claim, action or proceeding, the City shall retain the right to (1) approve the counsel to so defend the City, (2) approve all significant decisions concerning the manner in which the defense is conducted, and (3) approve any and all settlements, which approval shall not be unreasonably withheld. Nothing herein shall prohibit the City from participating in the defense of any claim, action or proceeding, provided that if the City chooses to have counsel of its own to defend any claim, action or proceeding where applicant already has retained counsel to defend the City in such matters, the fees and the expenses of the counsel selected by the City shall be paid by the City.
- 6) **ATTORNEY'S EXPENSES COST REIMBURSEMENT:** As a condition of this application, applicant agrees to be responsible for the payment of all City Attorney expenses and costs, both for City staff attorneys and outside attorney consultants retained by the City, associated with the reviewing, process and implementing of the land use approval and related conditions of such approval. City Attorney expenses shall be based on the rates established from time to time by the City Finance Director to cover staff attorney salaries, benefits, and overhead, plus the actual fees and expenses of any attorney consultants retained by the City. Applicant shall reimburse City for City Attorney expenses and costs within 30 days following billing or same by the City.
- 7) **RECOVERY OF ATTORNEY'S FEES BY PREVAILING PARTY:** In any action brought to enforce the applicant's obligations, including the Indemnification and Attorneys' Expenses Cost Reimbursement conditions set forth above, the prevailing party shall be entitled to an award of reasonable litigation costs, including attorneys' fees and costs.
- 8) **COST BASED FEE SYSTEM (not applicable to flat fee applications):** Applicant agrees to pay to the City all incurred costs, both direct and indirect, including State-mandated costs, associated with review and processing of the accompanying application for land use approval(s), even if the application is withdrawn or not approved. Reimbursable costs include all staff and overhead costs as established in the City's adopted Cost Recovery Fee Program Master Fee Schedule, as well as the cost of required professional consultants to assist in environmental, engineering or legal review.  
 If expenditures exceed 75% of the deposit amount required by the Cost Recovery Fee Program, additional deposits will be requested. Applicant understands and agrees that nonpayment of deposit requests within the time period specified in the request shall be deemed a withdrawal of the application. Any unexpended funds will be refunded by the City after completion of application processing.

I have read and agree with all of the above. I declare under penalty of perjury that the information contained in this application is true and correct to the best of my knowledge.

Property Owner: Dominion Valley LLC Dated: 6/6/23  
 Authorized Agent/Applicant: [Signature] Dated: 6/6/23

CITY OF SAN RAFAEL | 1400 FIFTH AVENUE, SAN RAFAEL, CALIFORNIA 94901 | CITYOFSANRAFAEL.ORG