



**Frequently Asked Questions**  
**Building Affordable Homes on the Northern Portion of 1 Hamilton Drive**  
**Update #4: October 13, 2022**

**Frequently Asked Questions:** Below are some answers to frequently asked questions recently received as part of the September 19, 2022 City Council meeting. See project website for additional FAQs: [www.cityofmillvalley.org/hamilton](http://www.cityofmillvalley.org/hamilton).

**1. Q: Is the City conducting Environmental review for 1 Hamilton? If so, when?**

**A: Yes.** The City is currently analyzing the concept of housing on the 1 Hamilton site on a programmatic level in the Draft Housing Element Environmental Impact Report (EIR) and the details of any specific development of the property in a project-level California Environmental Quality Act (CEQA) document. The Housing Element EIR is a “program EIR” which analyzes the impacts of the policies laid out in the Housing Element on the City of Mill Valley as a whole, pursuant to CEQA. The Housing Element EIR will not include a site-specific, project-level analysis of the proposed 1 Hamilton development or any other site described in the sites inventory, nor is it required to include such an analysis.

The City is also working to prepare a project description for a site-specific project-level CEQA analysis. While nothing is finalized at this point in time, the City anticipates that the project-level CEQA analysis will be an EIR or focused EIR, and that it will be circulated for public comment after publication of the Housing Element EIR.

Upcoming next steps in the process include a community meeting scheduled for October 13, 2022 and joint Planning Commission/City Council meeting scheduled for November 2, 2022 to obtain additional input and direction on the building location and conceptual building design. Direction received at these meetings will allow the Project Team to establish a “project description” under the CEQA and submit planning applications for further review and consideration by the City through Planning Commission and City Council hearings.

The City will complete CEQA review requirements before any commitment to a housing development occurs. City Council will also review all the required elements prior to considering the approval of the rezoning, ground lease, and other entitlements associated with the proposal.

**2. Q: When will “rezoning” occur?**

**A:** The 1 Hamilton parcel is approximately 11 acres in size and is zoned Open Area (O-A) with a land use designation of Community Facility (C-F) containing the Bayfront and Hauke Park, Public Safety Building (PSB), Hauke Park and PSB parking lots, electric vehicle charging stations, ground-mounted solar panels, and community garden. In order to build affordable housing on the site, the City will create a separate parcel with rezoning required. Zoning amendments are expected to be similar as those multi-family residences in the surrounding area, which are zoned Multi-Family Residential Bayfront (RM-B) with a land use designation of Multi-family (MFR-2) allowing up to 29 units/acre.

The Housing Element is a policy-level document that provides direction but does not result in the actual “rezoning” of 1 Hamilton. It does, however, amend the General Plan (since the Housing Element is one of the required elements of the General Plan). Therefore, to maintain internal consistency within the General Plan, City planners will amend the land use designations in the General Plan Land Use Element to identify a certain level of “population density and building intensity” for the 1 Hamilton site, which will occur concurrently with the adoption of the Housing Element. See, Government Code Section 65302(a).

The actual “rezoning” for 1 Hamilton, which will establish the full array of development regulations applicable to the site, will occur later, concurrently with the project-level environmental review and approval of a ground lease for the site. Housing Element law envisions that the rezoning of sites identified in the sites inventory may occur subsequent to the adoption of the Housing Element. See, Government Code Section 65583(c)(1).

**3. Why is 50 Units being identified in the Housing Element’s Environmental Review?**

**A:** The anticipated range of units is between 40-50 units (see Question 7 below). The environmental analysis will therefore evaluate the maximum number of units anticipated.

**4. Is the City making any efforts to identify other locations for affordable housing, if so where?**

**A:** The City, through the Housing Element process, must identify other developable privately-owned sites that are adequately zoned to accommodate over 900 new housing units at a range of affordability. The Housing Element also identifies further work to remove existing barriers to housing on other City-owned sites, such as the Floodway designation for the Miller Avenue Public Parking Lot and the open space easement on the Edgewood Reservoir property. For more information, see the sites inventory list and map available on the Housing Element project website: [www.cityofmillvalley.org/housingelement](http://www.cityofmillvalley.org/housingelement).

**5. Where will the existing facilities on the site be located, including the 38 public parking spaces, electric vehicle charging and public restrooms?**

**A:** On September 19, 2022 City Council considered input received and directed planning staff to further pursue relocating existing facilities on the site by reconfiguring the adjacent Public Safety Building (PSB) parking lot. Should City Council ultimately approve building affordable housing on the northern portion of 1 Hamilton, the City and EAH will move the above-referenced facilities to the adjacent Public Safety Building (PSB) parking lot. Construction to reconfigure the PSB Parking Lot will occur prior to and in conjunction with the approval of building affordable housing on the northern portion of 1 Hamilton Drive.

**6. Will public parking be increased in the area?**

**A: Yes.** Public parking will be increased in the area as part of the approval of building housing on the site. Based on preliminary drawings, the Project Team anticipates adding up to 50 public parking spaces in the reconfigured PSB parking lot (see question 5 above). The City is also pursuing additional public parking outside and independent of building housing on the 1 Hamilton site at the PG&E parking lot, pending additional review, negotiation, and funding.

**7. Will a housing proposal at 1 Hamilton include a recreation-related access improvements or propose changes to the one-way roadway configuration?**

**A: No.** The City is currently working to develop a project description for building affordable housing on the proposed site. The one-way roadway configuration is not part of project description nor are the recreation-related improvements identified as part of initial community meetings. At its September 19, 2022 meeting, City Council directed staff to provide input and preliminary drawings related to recreational access and circulation improvements, including drop off zone and/or traffic circle to the Parks and Recreation Department and preliminary drawings for expanded parking at the PG&E parking lot to the Public Works Department for further review. These design features will be further evaluated and developed independent and separate from building housing on the 1 Hamilton site.

**8. Q: Why the location at 1 Hamilton?**

**A:** The site at 1 Hamilton was selected after an extensive analysis of all City-owned parcels throughout Mill Valley by City staff and the Housing Advisory Committee, followed by a consultant to further evaluate and explore public-owned land. The consultant provided two memos, available online at [www.cityofmillvalley.org/HAC](http://www.cityofmillvalley.org/HAC), that further evaluated public land and then determined the financial feasibility building on those sites with potential to build on. The 1 Hamilton site was identified as the best-suited site to build affordable housing on a City-owned site. Building on City-owned land provides lower costs to a housing developer and reduces the need for other financial subsidies to build affordable homes. The site at 1 Hamilton, unlike other City-owned parcels, contains a relatively flat portion which contains construction costs; is not affected by floodplains or floodways; is located in walking distance to schools, shops, and public transit; and provides recreational site amenities near Hauke Park.

**9. Q: Are other sites being considered?**

**A: Yes.** The City is currently updating its Housing Element, which includes policy guidance illustrating to the State of California that the City has capacity to accommodate 900 new units based on its land use and zoning regulations. As part of this effort, the City plans to rezone over 65 commercial sites to increase the allowable densities on the

privately owned sites to maintain existing uses while also provide the opportunity to build new units on the sites. The Draft Housing Element also includes a housing program to eliminate barriers to housing on other city-owned sites, including the Miller Avenue parking lot (floodway) and Edgewood Reservoir site (open space easement). For more information, go to Chapter 4 of the Draft Housing Element available on the project website: [www.cityofmillvalley.org/housingelement](http://www.cityofmillvalley.org/housingelement).

### **Previous FAQs...**

#### **10. Q: Is the project already approved and moving forward?**

**A: No, the project has not been approved.** As of March 2022, the City Council has approved an Exclusive Negotiating Agreement (ENA), which is a contract stating that the City of Mill Valley has agreed to work exclusively with EAH Housing during a set period, through September 2023, to conduct community outreach and technical studies necessary to: 1) develop a conceptual design with the community and 2) further evaluate the feasibility of building affordable homes on the northern portion of the 1 Hamilton site.

#### **11. Q: What is the size of the affordable housing parcel?**

A: The northern portion of the 1 Hamilton parcel is expected to be *approximately* 1.6 acres, with the understanding that the City may need to modify the actual size of site based on community input and physical design of the proposed housing.

City Council has identified the northern portion of the 1 Hamilton site as surplus land for the sole purpose of building affordable homes on the site. Once the City and community have developed the conceptual design, the project team can draw the physical boundaries of the housing site. Modifications to the physical boundary would only likely occur to address the boundary between residential and public parking; underlying easements or community interest.

#### **12. Q: How many units will be in the affordable housing development?**

A: The exact number of homes is not yet determined and will rely on several factors, including financing requirements that may dictate unit mix and/or income levels served, location of the building(s) on site, construction costs and satisfying the City's development standards. The City's consultants have advised that a range of 40 to 50 apartments is necessary to compete for affordable housing financing and to support a full-time property manager.

#### **13. Q: Why isn't the project economically feasible below 40 to 50 units?**

A: The project is likely not economically feasible below 40 to 50 units because, at a smaller scale, the property would not produce sufficient income to cover operating expenses or allow sufficient debt leverage (a bank loan).

#### **14. Q: What is CEQA, and at what point in the timeline will it happen?**

A: The California Environmental Quality Act (CEQA) is a California statute passed in 1970 intended to inform government decision-makers and the public about the potential environmental effects of proposed activities and to prevent or mitigate significant avoidable environmental damage to the extent feasible. The project team has initiated several technical studies and reports which will be folded into an initial study and environmental analysis which will be made available for public review and input later this year, once a planning application is submitted. CEQA analysis requires a conceptual design and project description in order to commence; therefore, the timeline and level of CEQA review will be determined when the project description is finalized.

#### **15. Q: Who oversees the CEQA process?**

A: The City of Mill Valley serves as the lead agency for CEQA review and will manage the environmental contract and consultant hired to conduct the work.

#### **16. Q: Where will the residents of proposed housing at 1 Hamilton Drive park their cars?**

A: Parking for the proposed residential use will be contained within the northern portion of 1 Hamilton Drive as part of the footprint of the housing site. These residential parking spaces located on the proposed housing site are in addition to the 84-110 public spaces noted above. The actual number of residential spaces will be based on the total number of units (and bedroom mix) that can be accommodated on the property. Establishing the location and

placement of the residential building will help planners and community members better understand the approximate unit count and subsequent parking spaces needed.

**17. Q: How will the City manage the increase in traffic?**

**A:** The project team does not yet know the impacts on traffic related to housing at the 1 Hamilton site. Traffic studies will be done as part of the environmental review process for the proposed affordable housing development, after preliminary design work and the development of a project description. Should significant impacts to traffic be identified through the environmental review process, mitigation measures will be developed and discussed with the community to minimize or reduce the potential impacts.

**18. Q: When will the City conduct a traffic study? Will it include high usage times during the school year and during soccer season?**

**A:** Traffic studies will be initiated in the upcoming months. Data collection will not take place during summer months to ensure the traffic studies include the academic school year and soccer season, which are peak usage times for the areas surrounding Hauke Park.

**19. Q: When will the City make technical studies available to the community?**

**A:** Technical studies will be used to inform the environmental analysis under CEQA described above and will be attached to or made available as part of the environmental review process.

**20. Q: How will the City account for the existence of serpentine rock on the potential affordable housing development site?**

**A:** The geotechnical consultants are aware of the potential existence of serpentine rock and will complete testing to determine concentrations. Should there be a determination of an environmental impact, the project team will work with the environmental consultants to determine possible mitigations.

**21. Q: How will the project minimize water usage?**

**A:** EAH Housing, as a matter of design practice, uses low flow toilets and faucets, submeters water to ensure residents' accountability for usage, uses drought-tolerant landscaping, and, where possible, uses greywater systems for irrigation. In addition, any new building will be required to meet the City's Tier 1 Green Building standards and any requirements established by Marin Municipal Water District.

**22. Q: Will the affordable apartments at Hamilton have a local live and/or work preference?**

**A:** Local preference is yet to be determined. The project team acknowledges that the Mill Valley community and City Council is interested in a local live/work preference for occupancy of the potential Affordable Housing at 1 Hamilton for the local workforce and their families. A preference would provide an advantage for local Mill Valley residents or workers in accessing the Affordable Housing opportunity. The project team plans to initiate research into the feasibility/legality of such a program after initial feasibility is determined. There are a fair number of examples in the surrounding area, including Menlo Park, Livermore, American Canyon and San Mateo where this goal was achieved in compliance with all federal and state laws.

**23. Q: What is Supportive Housing, and will the City include it in the development?**

**A:** Supportive Housing is Affordable Housing that provides housing combined with services to help individuals and households maintain stable housing and appropriate care. Supportive Housing serves households unable to function without additional support and typically consists of studio and one-bedroom floor plans. The proposed Affordable Housing at 1 Hamilton is contemplated as Family Housing which may include a special needs set aside which could consist of any number of populations (examples: formally homeless, individuals with intellectual disabilities, or traditional age youth), dependent on community preference and funding sources.

**24. Q: Will the project accept residents with Section 8 housing vouchers?**

**A:** It is illegal in the State of California to discriminate against a potential tenant based on their source of income, including Section 8 vouchers.