



THE CITY OF
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CALIFORNIA

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City Manager
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Design Review Commission Meeting

Location: Novato City Hall, 901 Sherman Avenue

February 21, 2018

MINUTES

Present: Patrick MacLeamy, Chair
Michael Barber
Beth Radovanovich
Joe Farrell

Absent: Marshall Balfe

Staff: Bob Brown, Community Development Director
Steve Marshall, Planning Manager
Hans Grunt, Senior Planner
Brett Walker, Senior Planner

CALL TO ORDER / ROLL CALL:

The meeting was called to order at 7:35 p.m.

APPROVAL OF FINAL AGENDA:

M/s: Radovanovich/Farrell to approve, passed (4-0-1)

PUBLIC COMMENT: None

CONSENT CALENDAR:

1. APPROVAL OF MINUTES OF JANUARY 17, 2018 (MBar,PM,BR)

M/s: Radovanovich/MacLeamy, passed (3-0-1-1, Marshall absent - Farrell abstained)

PUBLIC HEARING:

CONTINUED ITEMS: None

NEW ITEMS:

**2. HANGAR 8 AT HAMILTON LANDING (BW)
P2017-085; DESIGN REVIEW
CEQA EXEMPTION – SECTION 15162
8 HAMILTON LANDING; APN 157-690-09**

Proposed two-story, 56,188-square-foot office building. The approximately 45-foot tall building has frontage on Hangar Avenue at South Palm Drive. Thirty additional parking spaces are proposed; parking is shared with the existing buildings in the Hamilton Landing development. Landscaping is proposed along the Hangar Avenue frontage, and on the north, south, and east sides of the proposed building.

Senior Planner Brett Walker presented the staff report, and stated that comment letters received after distribution of the packet were provided to the Commissioners at the beginning of the meeting.

Commissioner Farrell asked if the proposed window glass is reflective. Walker responded that he forwarded the comment letter to the applicant, and that the applicant's architect, Michelle Ney, can speak to the type of glass proposed.

Chair MacLeamy asked Walker to explain the entitlement process for the project. Walker explained that subsequent to design review approval, the applicant would be able to obtain a building permit to construct.

Chair MacLeamy asked the applicant to make a presentation.

Michelle Ney, applicant's architect, responded to Commissioner Farrell's questions regarding the reflectivity of the glass and described the proposed site plan, landscaping, and architecture.

Commissioner Barber asked Ms. Ney a question regarding the proposed windows vs. the windows on the existing hangar buildings and asked a question regarding the location of mechanical equipment. Ms. Ney responded.

Commissioner Radovanovich asked a question regarding the amount of parking. Walker responded that the entire Hamilton Landing has shared parking and that the project would add 30 additional spaces. Walker stated that the amount of parking is consistent with the Precise Development Plan standards.

Jonathan Matsoukis, representing SKB, stated that currently parking at the site is never fully occupied, and that there is plenty of spaces available towards the levy.

Commissioner Radovanovich asked a question regarding the building architecture. Ms. Ney responded.

Public Comment:

02dm2118

Chair MacLeamy opened the public comment portion of the meeting.

Teresa Metzger spoke in opposition to the project, including her concerns regarding environmental contamination at the site and traffic impacts.

Chair MacLeamy asked staff about Ms. Metzger's environmental concerns. Steve Marshall, Planning Manager, stated that the federal government completed environmental remediation at the site prior to the transfer of ownership, and that the site has been cleared for commercial uses. Bob Brown, Community Development Director, made comments regarding the importation of clean fill dirt for this parcel that occurred, and the adequacy of parking at the site.

Thomas Howes, representing SKB, stated that lending banks will require proof that the site is environmentally clean before lending money to construct the proposed building.

Commissioner Comments:

Commissioner Farrell stated that he is supportive of the project.

Commissioner Radovanovich stated that she like the fly-by and that the building is compatible with the neighborhood.

Commissioner Barber stated that he concurred with the commissioners comments and that he likes the small proposed differences from the existing hangar buildings.

Chair MacLeamy stated that the building is appropriate and well-scaled, is compatible, likes the matt-style foundation, and supports the project.

Chair MacLeamy asked staff to list the recommended Conditions of Approval. Walker responded.

Chair MacLeamy asked if a commissioner was ready to make a motion.

M/s: Farrell/Radovanovich. To approve the Project's design aspects, including site design, circulation/parking, building massing/height, and conceptual architecture and landscaping, proposed for the Hangar 8 at Hamilton Landing project as presented on the plans dated September 12, 2017, and revised on January 3, 2018, based on the findings as supported by the facts discussed in the staff analysis section of the staff report, and subject to the conditions of approval below. Vote passed 4-0-1, with Balfe absent.

CONDITIONS OF APPROVAL

1. The Project shall return to the Design Review Commission for action on the final details of the project's site design, architecture, and landscaping prior to issuance of a building permit. The submittal shall include architectural detailing (i.e. window and door type, and trim and/or wall relief), materials and dimensions, exterior colors, and tree and plant species locations and size, and type and style of exterior lighting fixtures.

2. The Project shall present the proposed art to the DRC, pursuant to NMC Section 19.21.060, or pay in-lieu fees pursuant to NMC Section 19.21.070, prior to issuance of a building permit.

3. If feasible, as determined by City staff, the walkways on the northern and southern sides of the building shall be extended westerly to connect to the Hangar Ave. sidewalk.

Indemnity and Time Limitations

4. The applicant and any successor in interest, whether in whole or in part, shall defend, indemnify, and hold harmless the City and its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys, or employees to attack, set aside, void, or annul the decision at issue herein. This indemnification shall include damages or fees awarded against the City, if any, costs of suit, attorney's fees, and other costs and expenses incurred in connection with such action whether incurred by the applicant, the City, and/or parties initiating or bringing such action.

5. The applicant and any successor in interest, whether in whole or in part, shall defend, indemnify, and hold harmless the City, its agents, employees, and attorneys for all costs incurred in additional investigation of or study of, or for supplementing, preparing, redrafting, revising, or amending any document, if made necessary by said legal action and the applicant desires to pursue securing such approvals, after initiation of such litigation, which are conditioned on the approval of such documents in a form and under conditions approved by the City Attorney.

6. In the event that a claim, action, or proceeding described in no. 3 or 4 above is brought, the City shall promptly notify the applicant of the existence of the claim, action, or proceeding, and the City will cooperate fully in the defense of such claim, action, or proceeding. Nothing herein shall prohibit the City from participating in the defense of any claim, action, or proceeding; the City shall retain the right to (i) approve the counsel to so defend the City, (ii) approve all significant decisions concerning the manner in which the defense is conducted, and (iii) approve any and all settlements, which approval shall not be unreasonably withheld. The City shall also have the right not to participate in said defense, except that the City agrees to cooperate with the applicant in the defense of said claim, action, or proceeding. If the City chooses to have counsel of its own to defend any claim, action, or proceeding where the applicant has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the applicant.

7. The applicant and any successor in interest, whether in whole or in part, indemnifies the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.

8. Unless a shorter limitation period applies, the time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6.

9. The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), the conditions constitute written notice of a statement of the amount of such fees and a description of dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions pursuant to Government Code Section 66020(a), has begun. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

PROJECT DESIGN WORKSHOP:

3. FIRST AND GRANT MIXED USE DEVELOPMENT (HG) P2017-092; DESIGN REVIEW 1107 & 1119 GRANT AVENUE; APNs 141-282-07 & 04

Conduct a public workshop to review and provide comments on draft plans for site design, landscaping, building massing and building architecture for a three story mixed use commercial and residential building including 13,317 SF of ground floor commercial space and 32 residential units, total, on the second and 3rd floors; 47 parking spaces are provided for the residential component. Regarding the commercial component, the proposal is seeking use of a downtown parking exemption.

Senior Planner Hans Grunt presented the staff report, and stated that a comment letter received after distribution of the packet was provided to the Commissioners at the beginning of the meeting.

Applicant's architect Dan Macdonald provided a detailed description of the project's design, landscaping and finish materials, including computer generated projected plans, design display boards, including cross sections and privacy exhibits that depict the proposed building in context to surrounding development, and distributed sample finish materials and color boards.

Commissioner Farrell asked for clarification on the depth of the public sidewalk fronting the building on Grant Ave.; Mr. Macdonald answered approximately 8'.

Commissioner Barber commented would like to see horizontal siding incorporate individual board relief, but not as heavy as that incorporated on City Hall; asked for clarification on upper deck design, the function of loading area on Industrial Way, and any improvements on Grant Ave – Mr. Macdonald described design and function of these features and noted no trees will be removed on Grant Ave. and that the existing driveway on Grant Ave. will be modified to serve as a patron drop-off and pick-up area.

Public Comment:

Marc Medoff, showed smart phone photos of limited parking condition on Mirabella Ave. and noted no sidewalk so pedestrians forced to walk in the street and the street is overly narrow resulting in constrained two-way traffic; has concern with increased parking and traffic from the project.

Mike Dacquisto, concerned about increased traffic and parking on Mirabella Ave.; suggest dropping 3rd floor from the plans to reduce these impacts.

Todd Allen, 25year resident of Novato and supports the proposed project.

Jennifer Corwin, supports the proposed project.

Craig Corwin, 51 year resident of Novato and supports the proposed project.

John Tarpey, 10 year resident, encourages more business and housing opportunities and supports the proposed project.

Daniel Barrett, supports the proposed project and expects it to bolster Downtown businesses.

Conor Linnae, supports the proposal and believes it will be a good addition to the Downtown and for businesses.

John Williams, 40 year represented the sellers who expressed support for the proposal and he too supports the project and needed housing.

Sheryl Strugnell, owner of adjacent property at 1119 Grant Ave., would like proposal to ensure truck delivery is adequately and safely designed; concerned with how the proposals west elevation will impact their parking lot e.g. security and lighting; would like to understand parking implications from retail activity for the commercial space proposed.

Ceceilia Manning, Owner of 1119 Grant Ave., noted error in addressing of the proposed project as stated in the staff report.

Ken Shapiro, supports the proposed project and believes it should add vibrancy to the Downtown.

Joyce McCarron, lived in Novato since 1990, supports the proposal especially the added housing it will provide, and thinks parking will not be a problem; wish for more projects like this in the Downtown and Grant Ave.

Commissioner Comments

Commissioner Barber indicated he is very pleased with the architecture overall; likes plaza space afforded at northeast corner and it could benefit from defining, raised concrete planters to buffer from sidewalks roadways; likes the scale and vertical statement the three story entry to the upper floor residential units affords; would like to see architecturally visible/shadow seam lines integrated into the horizontal siding, suggest a 4.5' or 5' tall vs. 4' tall raised planters along the perimeter of the second story courtyard to improve privacy from neighboring homes on Mirabella; possibly pull said planter back from Industrial Way 1' to improve separation; the south façade facing Industrial Way is fairly blank and imposing – look for ways to soften e.g. more attractive louvers.

Commissioner Farrell said he is glad and excited to see such a proposal for the former Pini site – long overdue; likes the design overall e.g. generous 2nd story courtyard that serves to greatly reduce massing facing the rear of homes along Mirabella; likes the Grant Ave. façade as it affords vertical variation and interest e.g. upper balconies, window placement etc.; possibly consider recessing glass store fronts from framing a bit to provide good architectural relief/depth; also likes the plaza space afforded at the northeast corner, the metal shade canopies, upper trellis elements, Kalwall skylights, and planter locations including vertical planting walls; consider planting living wall on elevation facing Industrial Way to soften its appearance.

Commissioner Radovanovich likes the proposed design and use of materials; questioned building height and suggest the applicant possibly consider stepping back the third floor to reduce its visual mass.

Commissioner MacLeamy started by looking at the proposal in the larger context of the Grant Ave. streetscape and very delighted that the design will activate what is now a dead zone; feels the design team has done a good job respecting and mitigating impacts on neighboring homes along Mirabella; the scale and amount of residential units above commercial space is appropriate; integration of a common and functional upper level courtyard is appreciated; working forward, suggests the applicant consider enhanced streetscape or cross sections of the project in relation to not just adjacent buildings but a continuation of existing building façades/massing both east and west of the proposed building; overall, believes this is shaping up to be a fine design.

Commissioners acknowledged the concerns raised regarding parking, and noted the parking capacity solution(s) in Downtown is not part of their purview, which is a focus on design.

GENERAL BUSINESS:

4. PROVIDE FEEDBACK TO THE CITY COUNCIL REGARDING THE DRAFTING OF ORDINANCES AMENDING THE MUNICIPAL CODE TO REGULATE:

- 1. Lighting for new and/or existing development to reduce nighttime light pollution, and**
- 2. Parking lot landscape requirements for new or renovated facilities.**

Night Lighting

Director Brown explained that the draft General Plan calls for a number of sustainability-related regulations to be considered, and staff hopes to prepare ordinances for adoption at the same time as the General Plan this summer. Staff is seeking input from the Planning Commission, DRC and City Council prior to drafting the ordinances.

Regarding potential restrictions on exterior lighting levels, Mr. Brown described the General Plan program language which calls for consideration of Dark Sky provisions, which are intended to lower nighttime illumination levels to allow viewing of the starscape. The model Dark Sky ordinance calls for limitation on exterior lighting fixture illumination levels and for a nighttime curfew on “non-essential” exterior lighting.

The Commissioners indicated a preference for requiring that exterior lighting fixtures be Dark Sky certified as part of design review conditions, rather than establishing fixture illumination limits or a citywide lighting curfew, which they indicated wouldn't be easily enforceable. Commissioner Radovanovich noted that, with minimal new development, if we really want to make a difference in exterior illumination levels, restrictions on using Dark Sky fixtures should also apply to building renovations through the building permit review. The Commissioners also advocated for public education in this area. Commissioner MacLeamy suggested that limits on the height of parking lot lighting fixtures could be considered in design guidelines.

Parking Lot Landscape

Director Brown summarized the problem with interior parking lot trees achieving their maximum

canopy size as issues of tree species, soil volume and soil preparation. Staff recommendations include creating a list of acceptable parking lot trees with 20'+ canopies (with flexibility to consider other appropriate species), increasing interior tree wells to a min. dimension of 6'x6' (from current 4'x'4 minimum) and requiring the project landscape architect to observe and certify on-site tree planting to assure proper soil preparation and compaction. He noted that the Planning Commission has recommended against the increase in tree well size due to concerns about limiting building size if parking is constrained.

The Commissioners emphasized that sizeable parking lot trees are a very important part of our long-term community infrastructure and quality of life and should be installed properly at the outset to insure maximum growth potential. They endorsed all three staff recommendations.

ADJOURNMENT: The meeting was adjourned at 10:45 p.m.