



Design Review Commission Meeting

Location: Novato City Hall, 901 Sherman Avenue*

May 1, 2019 – 7:00 p.m.

THE CITY OF
NOVATO
CALIFORNIA

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Mayor

Eric Lucan
Mayor Pro Tem
Denise Athas
Councilmembers
Pam Drew
Pat Eklund
Josh Fryday

City Manager

Regan M. Candelario

MINUTES

Present: Michael Barber, Chair
Joseph Farrell, Vice Chair
Patrick MacLeamy
Michael Edridge

Absent: Beth Radovanovich

Staff: Hans Grunt, Senior Planner
Brett Walker, Senior Planner

CALL TO ORDER / ROLL CALL

The meeting was called to order at 7:00 p.m.

APPROVAL OF FINAL AGENDA:

M/s: Farrell/MacLeamy; (3-0-0-2) to approve the Final Agenda.

Commissioner Edridge arrived at 7:10p.m.

PUBLIC COMMENT: None

CONSENT CALENDAR:

- 1. APPROVAL OF MINUTES OF APRIL 3, 2019 (JF, PM, ME)**
M/s: Ferrell/Edridge; (4-0-0-1) to approve the Minutes.

PUBLIC HEARINGS:

CONTINUED ITEMS: None

NEW ITEMS:

- 1. 7711 REDWOOD BLVD RESIDENCES (BW)**
P2018-085: DESIGN REVIEW
APNs 125-580-16 & -17; 7711 REDWOOD BLVD
AFFORDABLE HOUSING OPPORTUNITY SITE NO. 3
CEQA: TO BE DETERMINED

Conduct a public hearing and make a recommendation to the Novato Planning Commission regarding site design, building mass/scale and design, and

landscaping design for 7711 Redwood Boulevard Residences (“Project”), an 80-unit residential townhome-style condominium project, including 16 affordable residences.

Brett Walker, Senior Planner, presented the staff report and the entitlement process for the project. Walker noted that the staff report states that there are 3 trees on the site, but there are actually only 2.

Commissioner Farrell asked if there has been a discussion with Public Works regarding the narrowing of Redwood Blvd. Walker responded.

Michael Hooper, applicant, introduced the project. Dave Burton, KTG Architects, described the project, site plan, and architectural changes since the DRC workshop in February.

Commissioner Farrell asked about changes to the distance between the buildings near the parking lot. Burton responded.

Commissioner MacLeamy asked about colors on the roof of the buildings on the site plan. Burton responded.

Commissioner Edridge asked about the color palette, and stated that some of the colors seem a little bright. Edridge also asked if there is a plan for planters on the roof decks. Burton responded.

SUMMARY OF PUBLIC COMMENT

OF SPEAKERS: 0

None.

SUMMARY OF COMMISSION COMMENTS:

Commissioner Farrell stated that he likes the project and the color palette, and believes there are enough color accents. Farrell stated that he likes the design changes and the applicant’s willingness to collaborate with the Commission.

Commissioner MacLeamy stated that he likes the light colors, likes the rhythm, and supports the project.

Chair Barber stated that the simplicity of the plan is improved and likes the light touches. Barber stated he has some remaining concerns with colors but overall he is happy with the project.

Commissioner Edridge stated that the rooftop decks look bare and that greenery on the roofs would be nice.

Moved: Farrell; Second: MacLeamy

Commissioners discussed the color palette.

Motion amended with a condition of approval that states the following:

The applicant shall make available at the site, colors (minimum 3-foot by 3-foot per color) painted on one building for individual DRC members to view in the field. The DRC members will convey their opinion regarding colors to Planning Division staff. Planning Division staff will confer with the applicant regarding the color palette and staff shall render a final decision regarding colors for the project. The applicant shall notify Planning Division staff one week prior to the building color review period. The applicant shall make the building colors available for DRC member review for not less than 5 consecutive days.

Vote: Ayes: 4; Noes: 0; Abstain: 0; Absent: 1.

COMMISSION ACTION: Approved: N/A; Approved w/ Conditions: Yes; Continued: N/A; Denied: N/A.

Conditions of Approval:

1. The applicant shall comply with Novato Municipal Code Division 19.21 (Art Program) prior to issuance of a building permit.
2. Subsequent to a City Council decision regarding the project entitlements, the applicant shall submit the following final design details to the Planning Division for review and approval prior to issuance of the first building permit:
 - a. Location and type of all exterior lighting;
 - b. Location and size of all mechanical and utility equipment including power and telephone equipment, meters, and transformers;
 - c. Landscape plans in construction detail showing the location, type, and size of plant materials, estimated height and spread at maturity; the area and type of top dressing; tree staking; soil mix; planting area separators; fencing; area lighting; trimming of existing trees; and all other landscaping improvements;
 - d. Adequate enclosures or screening of all rooftop equipment;
 - e. Enclosure design for utility meters and trash areas;
 - f. Final colors approved by DRC, as reflected on Sheet A7.0.0, with any amendments by DRC at the May 1, 2019, DRC hearing;
 - g. Design of all exposed retaining walls; and
 - h. Type, size, appearance, and location of all signage.
3. The applicant shall make available at the site, colors (minimum 3-foot by 3-foot per color) painted on one building for individual DRC members to view in the field. The DRC members will convey their opinion regarding colors to Planning Division staff. Planning Division staff will confer with the applicant regarding the color palette and staff shall render a final decision regarding colors for the project. The applicant shall notify Planning Division staff one week prior to the building color review period. The applicant shall make the building colors available for DRC member review for not less than 5 consecutive days.
4. Indemnity and Time Limitations
 - a. 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.
 - b. 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.
 - c. 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.

- d. 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.
- e. 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.
- f. 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.

GENERAL BUSINESS: Senior Planner Hans Grunt stated that the City will be working with the County of Marin and other Marin cities to look at objective standards and possibly look at design guidelines for residential project. The City will be applying for a state grant to cover some of the costs associated with the work.

ADJOURNMENT: The meeting was adjourned at 7:43 p.m.