



THE CITY OF
NOVATO
CALIFORNIA

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Design Review Commission Meeting

Location: Novato City Hall, 901 Sherman Avenue

January 6, 2016

MINUTES

Present: Marshall Balfe, Vice Chair
Michael Barber
Joe Farrell
Patrick MacLeamy

Absent: Beth Radovanovich, Chair

Staff: Hans Grunt, Senior Planner
Brian Keefer, Planner II
Matt Gilster, Planner I

CALL TO ORDER / ROLL CALL:

The meeting was called to order at 7:05 p.m.

APPROVAL OF FINAL AGENDA:

M/s: Farrell/MacLeamy: 4-0-1

PUBLIC COMMENT: None

CONSENT CALENDAR: None

PUBLIC HEARING: None

CONTINUED ITEMS: None

NEW ITEMS:

1dm0615

**1. SHELL GAS STATION REMODEL (MG)
P2015-039; DESIGN REVIEW
APN 141-244-16, 7473 REDWOOD BOULEVARD**

Conduct a public hearing to consider final site design, architecture, and landscape plans proposed for a complete remodel of the Shell gas station, drive through carwash, and convenience market located at 7473 Redwood Blvd. It has been determined that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15302, replacement or reconstruction.

Planner 1 Matt Gilster presented the project proposal and gave an overview of the previous design review workshop and revised project plans.

The applicant Muntthana Ibarium gave a short presentation describing the revisions made in response to comments by the commission at the August 19th, 2015 Design Review workshop. Revisions included relocating the driveway onto Olive Avenue for better egress onto the site and the addition of a Redwood Tree to replace the removal of Redwood from the site.

Public Comments: Business owner across the street, (Randall Brothers), voiced his approval of the project and that he had no problems with the renovation.

Commissioner Barber asked the applicant to describe the findings made by the acoustical study and to clarify how the new equipment will produce lower noise than the existing ambient noise levels caused by traffic on Olive Avenue.

Acoustical engineer Mike Carr explained the process of the acoustical study, explaining that existing ambient noise levels of 79 Dba were collected on site and that predictions of noise levels from the proposed carwash were supported by noise level specifications from the equipment manufacturer. The study reviewed the potential noise generator for consistency with the City of Novato exterior noise level criteria, and concluded that the proposed facility will operate within the parameters of the City of Novato exterior noise level criteria by being quieter than the existing ambient noise level of 79 Dba.

Commissioner Balfe inquired whether or not a fence was going to be constructed that would separate the carwash from the residential areas to the west or any other potential ways to mitigate noise impacts to the surrounding neighborhood.

The applicant responded that there were no plans to replace the existing fence that borders the property and reaffirmed that the new facility will be quieter than the existing facility.

Commissioner Farrell voiced his approval with the applicant's attentiveness and overall architectural design.

Commissioner MacLeamy presented an alternate roof design for the convenience market that included a hipped roof with a more subtle appearance. The alternate design was accepted by the

commissioners and the applicant and was included as a condition of approval (condition #52).

Motion/second, Farrell/ MacLeamy, Ayes 4 (Farrell, MacLeamy, Balfe, Barber), to recommend approval of the revised site design, architecture, and landscaping plans proposed for the Shell gas station located at 7473 Redwood Boulevard, APN 141-244-16 pursuant to the plans received on 11/24/15, dated 9/30/14, based on the findings and subject to the conditions of approval listed below:

1. CEQA Finding

The proposal is exempt from the Requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15301.

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) and the City of Novato Environmental Review Guidelines pursuant to CEQA Guidelines Section 15302, *Replacement or Reconstruction*. CEQA Guidelines Section 15302 exempts projects involving replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity. The proposed project will not result in a substantial increase or intensify the existing uses on site. The proposed project meets the criteria of the CEQA Guidelines Section 15302 and is categorically exempt from CEQA.

2. Design Review Findings

The DRC's decision regarding the Shell station proposal must be based on the findings of approval required for design review actions specified in the Novato Municipal Code Section 19.42.030 F. To assist the DRC in making its decision, the analysis below lists each finding and discusses whether the project's site design, massing, and conceptual architecture conforms thereto.

Design Review Finding No. 1: The design, layout, size, architectural features and general appearance of the proposed project is consistent with the general plan, and any applicable specific plan and with the development standards, design guidelines and all applicable provisions of this code, including this title and any approved master plan and precise development plan.

General Plan Consistency

The revised site, landscape, and architectural plans proposed for the Shell gas station have been reviewed to determine if the project is consistent with the land use policies of the 1996 Novato General Plan. As conditioned below, the Shell station site is judged to be consistent with the General Plan Community Identity Policies, 1, 7, 12, 15 and 32, based on the observations made in the staff analysis above.

Novato Zoning Ordinance

The plans prepared for the Shell station have been reviewed to determine if the project complies with the development standards of Novato Municipal Code Chapter 19, *Zoning*. The project, as conditioned and as discussed above, is found to comply with all applicable requirements of the Novato Zoning Code, including Division 19.12, *Non Residential Land Use* (setbacks, height, floor area ratio, and lot coverage), Division 19.20, *Site Planning and General Development Standards* (mechanical equipment screening and solid waste and recyclable materials storage); Division 19.21, *Art Program*, Division 19.28, *Landscaping*, and Division 19.30, *Parking and Loading*.

Design Review Finding No. 2: The proposed project would maintain and enhance the community's character, provide for harmonious and orderly development, and create a desirable environment for the occupants, neighbors, and visiting public.

The proposed renovation to the existing Shell gas station site is designed in a manner that maintains and enhances the community's character, provides for harmonious and orderly development, and creates a desirable environment for occupants, neighboring businesses, and visiting public. The renovations at this site present a local and efficient site design, attractive landscaping and pleasing architecture, resulting in a project that is compatible with and complimentary to the surrounding commercial businesses. Likewise the proposed project is designed for the intended operation of drivers and customers, including sufficient on-site parking, and efficient vehicle ingress and egress. Finally, renovations at the Shell gas station site would create a desirable environment for employees, nearby businesses, and visiting public by offering adequate parking, as well as effect vehicle and pedestrian circulation. As such, the proposed project is judged to maintain and enhance the character of Novato, provide for harmonious and orderly development, and create a desirable environment for the building's future occupants, neighboring businesses, and the public.

Design Review Finding No. 3: The proposed development would not be detrimental to the public health, safety, or welfare; is not materially injurious to the properties or improvements in the vicinity; does not interfere with the use an enjoyment of neighboring existing or future developments and does not create potential traffic, pedestrian or bicycle hazards.

The proposed project has been reviewed by the applicable public agencies. Comments received indicate that the proposed improvements will improve public safety by creating improved onsite site circulation and site ingress and egress. The proposed building upgrade will improve the enjoyment by neighboring, existing, and future developments. As discussed above no potential pedestrian, traffic, or bicycle hazards are identified as a result of this project.

The Novato Municipal Code prescribes standards that were developed to maintain public health, safety, and welfare, as well as prevent the diminishment of the enjoyment and use of existing and future development, and avoid potential traffic, pedestrian, and bicycle hazards. Accordingly, a project found to comply with the requirements of the Novato Municipal Code is judged to not be: a) detrimental to the public health, safety, or welfare; b) materially injurious to the properties or improvements in the vicinity; c) interfere with the use and enjoyment of neighboring existing or future developments; and d) does not create potential traffic, pedestrian or bicycle hazards. As discussed herein, the location, organization, site design, architecture, and landscaping proposed

for Shell station, convenience market and carwash, as conditioned, meets all applicable requirements of the Novato Municipal Code.

CONDITIONS OF APPROVAL

1. Design Review shall expire two (2) years from the date of approval unless a building permit has been issued and remains valid.
2. The approval granted herein shall not become effective until all appropriate fees billed by the City of Novato to the application account are paid in full in accordance with the City's cost Base Fee System. Failure to pay said fees may result in the City withholding issuance of related building permit, certificate of occupancy, recordation of final maps or other entitlements.
3. All grading and construction activities shall comply with the noise and construction hours specified in section 19.22.070 of the Novato Zoning Ordinance.
4. The applicant shall comply with the procedures and requirements of Novato Municipal Code Division 19.21, *Art Program*, by either proposing the on-site installation of an art piece or the payment of a fee in-lieu of providing art with the proposed project, subject to approval by the Director of Parks, Recreation, and Community Services. Compliance with the provisions of the Art Program shall be achieved prior to issuance of a building permit for the proposed project.
5. The signs shown on the plans prepared for the Shell station prepared by MI Architects, are not approved as part of this Design Review action. A separate sign permit shall be required for each sign consistent with the requirements of the Novato Municipal Code Division 19.32, *Signs*.
6. The proposed project is required to provide one (1) bicycle parking stalls on-site. As per requirements in Novato Municipal Code Section 19.30.090, *Bicycle Parking and Support Facilities*.
7. The main tower element of the convenience market must substantially conform to the hip roof design sketch presented by Commissioner MacLeamy at the January 6, 2016 Design Review Commission meeting.

The following conditions must be met to the satisfaction of the City of Novato Public Works Department:

General:

8. Applicant shall design and construct all necessary and required improvements and facilities in accordance with Chapter V – Development Standards of the Novato Municipal Code (NMC), unless specific design exceptions have been approved. Approval of a site plan depicting improvements that do not conform to the NMC does not constitute approval of a design exception, unless explicitly stated herein.
9. Applicant shall be responsible for all City plan check and inspection costs. The Applicant shall enter into a Cost Recovery Agreement and deposit funds with the City upon the initiation of plan check services. The amount of the initial deposit shall be determined by the City Engineer. Additional funds may be required based upon actual plan check and inspection costs.

Improvement Conditions:

10. Applicant shall submit for review and approval civil Improvement Plans prepared by a California Registered Civil Engineer for all necessary and required on-site and off-site public and private improvements. Improvement Plans must be approved by the City Engineer prior to any on-site or off-site construction including grading. The Improvement Plans shall identify the location of existing and proposed utilities, above and below ground, including water, sanitary sewer, storm sewer, telephone, cable television, electricity, natural gas, transformers, vaults and meters
11. All existing and proposed electrical and communications lines, service cabinets, and devices shall be placed underground at the Applicant's expense. All pull boxes, junction structures, service cabinets, vaults, valves and similar devices shall be installed behind the back edge of walkways or within a public utility easement, at locations approved by the City Engineer. If any utility appurtenances are permitted to be above ground, such as vaults and boxes, they shall be painted a color approved by the City. New improvements within existing and proposed utility easements shall be approved by the appropriate utility company
12. Unless otherwise explicitly permitted, all existing wells, septic tanks and/or underground fuel storage tanks shall be abandoned or removed under permit and inspection of Marin County Department of Environmental Health Services or other designated agency. If there are none, the project engineer shall provide a letter describing the scope of the search done to make this determination. This condition shall be satisfied prior to approval of the Improvement Plans.
13. A detailed Soils Investigation/Geotechnical Report shall be prepared and submitted for review with the initial submittal of the Improvement Plans. The report shall address, at a minimum, potential for liquefaction, R-values, expansive soils and seismic risk. The improvement plans shall incorporate all design and construction criteria recommended in the Geotechnical Report. Prior to City approval of the Improvement Plans, the geotechnical engineer shall sign the cover of the Improvement Plans to confirm that the plans are in conformance with their recommendations.

- a. If at any time, prior to final acceptance of the project improvements, the City Engineer requests an independent geotechnical investigation and report, then an independent geotechnical engineer, shall be retained by the City at the applicant's expense, to conduct requested investigations.
14. Applicant shall submit for review and approval a Stormwater Control Plan (SWCP) prepared in accordance with the current Bay Area Stormwater Management Agencies Association (BASMAA) Post Construction Manual. Site improvements shall incorporate Low Impact Design (LID) principles and permanent storm water pollution post-construction stormwater BMPs. The SCWP shall be submitted for review with the initial submittal of the Improvement Plans. Note that the preliminary SWCP submitted with the application was not considered complete or approved. It was, however, acceptable conceptually.
15. Prior to the approval of the Improvement Plans and prior to the issuance of any grading permit, the applicant shall submit a construction work plan for soil and groundwater testing and disposal to prepare for the possibility of encountering residual contamination on the site. The construction work plan shall be approved by the Regional Water Quality Control Board.
16. Prior to the approval of the Improvement Plans and prior to the issuance of any grading permit, the applicant shall obtain all necessary permits, approvals and/or clearances from other regulatory agencies with jurisdiction over the project. Proof of approval and/or clearances shall be submitted to the City prior to approval of the improvement plans. A complete set of improvement plans shall be submitted to all agencies, districts, and utilities affected by, or providing service to the development, for review and comment.
17. Applicant shall obtain signatures from representatives of the Novato Fire District, North Marin Water District and the Novato Sanitary District on the final Improvement Plans acknowledging their review of those plans prior to City approval.
18. The existing driveway aprons along all frontages shall be reconstructed to meet current City standards and ADA requirements including a 4-foot wide sidewalk at 1.5% maximum cross-slope.
19. The driveways along Redwood Boulevard shall be marked and signed to limit vehicle exiting movements to right-turn only.
20. The design and construction of all new pedestrian walkways and handicap ramps shall meet current ADA standards.
21. Landscape plans shall be submitted with the improvement plans and shall meet the requirements of site distance to the satisfaction of the City Engineer.

22. All outside refuse enclosures facilities shall be designed to be fully enclosed with a roof meeting Marin County's storm water pollution prevention best management practices, and shall be graded to prevent stormwater from flowing into the enclosure area.
23. Stenciling shall be provided on curb inlets to prohibit dumping of pollutants. The stencil shall be noted in the improvement plans.

Construction Storm Water Pollution Prevention:

24. Consistent with the requirements of the statewide Construction General Permit, the project applicant shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce potential adverse impacts to surface water quality through the project construction period. The SWPPP shall be prepared by a Qualified SWPPP Developer. The SWPPP shall include the minimum Best Management Practices (BMPs) required, based on final determination of the project's Risk Level status.
25. BMP implementation shall be consistent with the requirements in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook-Construction or the Caltrans Storm Water Quality Handbook Construction Site BMPs Manual.
26. Applicant shall submit a copy their SWPPP and Notice of Intent for coverage under the State Water Resources Control Board's General Construction Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order 2009-0009-DWQ) prior to approval of the Improvement Plans.
27. A Qualified SWPPP Practitioner shall be responsible for implementing the BMPs at the site and performing all required monitoring and inspection/maintenance/repair activities. The project applicant shall also prepare a Rain Event Action Plan (if required based on the determined risk level) as part of the SWPPP.

Construction:

28. Construction activities shall be limited to the days and hours stipulated in Novato Municipal Code 19.22.070B. City established inspection hours are Monday through Thursdays, and alternating Fridays from 7 a.m. until 4 p.m. except on City recognized holidays. Applicant shall be responsible for the City's additional cost to provide inspection during times not established as regular City inspection hours.
29. A City of Novato Encroachment Permit shall be obtained prior to any grading, trenching, pavement, construction of improvements or any other work in the public right-of-way.
30. If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Marin County Environmental Health Service

Department, the Novato Fire Protection District, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.

31. Upon completion of the project and prior to acknowledgment of completion, all storm drains 12" and larger, that are installed with this project shall be professionally televised and a video of the recording delivered to the City Engineer for review. The video shall indicate the pipe being televised, indicate station points along each pipe, and shall have the bottom of the pipe at the bottom of the monitor when viewed. The televised speed shall be slow enough to enable viewers to ascertain the pipe condition and the speed shall be reduced or paused as necessary at sags, gaps, obstructions and damaged areas of the pipe. Prior to acknowledgment of completion of the project, pipe damage and obstructions shall be repaired to the satisfaction of the City Engineer.
32. During construction, the Applicant's contractor shall provide dust control seven (7) days a week, twenty-four (24) hours a day and this provision shall be noted on the plans.
33. The following shall be added to the general notes on the civil plans, "All roads used within the City of Novato during construction shall be cleaned daily, or more often as required by the City Engineer, of all dirt and debris spilled or tracked onto the City streets, or private driveways."
34. Utilities to be abandoned shall be removed, filled with suitable material and/or capped to the approval of the applicable utility agency and to the approval of the City Engineer.
35. Upon completion of the building and site improvements, the Applicant shall clean, repair, or reconstruct the curb, gutter, and sidewalk along the entire frontage of the developed property as may be required by the City Engineer to conform to the City standards prior to receiving an occupancy permit for the building.

Occupancy:

36. Prior to occupancy, a final grading observation report, prepared by the project geotechnical engineer, shall be submitted stating that all work was accomplished in accordance with the recommendations of the project geotechnical engineer.
37. Prior to occupancy, the Applicant shall submit to the City Engineer for review and approval a draft Operations and Maintenance Plan for the ongoing maintenance, inspection and reporting of the permanent stormwater treatment facilities.
38. Prior to occupancy, the Applicant shall record the final approved Operations and Maintenance Plan for the ongoing maintenance of the permanent stormwater treatment facilities.

The following conditions must be met to the satisfaction of the Novato Fire Protection District:

39. Automatic fire sprinklers are required per NFPA Std. 13. Plans and calculations shall be submitted under permit with the NFPD for review and approval. Automatic sprinklers are required for both the convenience store and carwash tunnel.
40. Fire hydrants shall be capable of flowing 1,500 GPM, spotted by the Fire Marshal, and spaced not to exceed 300 feet. New fire hydrant shall be spotted by the fire marshal and installed prior to combustible construction.
41. All fire sprinkler alarms and valves shall be monitored and zoned by an approved UL Central Station conforming to NFD Standard #400.
42. A serially numbered UL certificate shall be issued by the approved monitoring company on the alarm monitoring system.
43. Fire hydrants shall have at least two 2 ½" and one 4 ½" inch outlet.
44. "No Parking Fire Lane" signs and curb markings shall be installed conforming to NFD Standard #204.
45. Knox key access shall be installed conforming to NFD Standard #202.
46. The address shall be installed conforming to NFD Standard #205.
47. NFPA placards conforming to NFD Standard #309 shall be installed.
48. NFD fire Code permits required for underground fuel tank removal and installation.
49. NFD permit required for operating a fuel dispensing station.

The following conditions must be met to the satisfaction of the North Marin Water District:

50. The project must conform to District Regulation 15- Mandatory Water Conservation Measures. Occupancy approval shall not be granted until compliance with water conservation measures, as applicable, can be verified.
51. Installation of an above-ground, reduced pressure principle (RPP) backflow prevention device at the meter is required in accordance with the district's regulation 6 and California Department of Health Regulations. Upon installation, an inspection report

must be completed and returned to the District prior to the commencement of business activities.

52. Indemnity and Time Limitations

- a. The applicant shall defend, indemnify and hold harmless the City, 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 City's decision to approve the application and associated environmental determination at issue herein. This indemnification shall include damages or fees awarded against the City, if any, cost 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 shall defend, indemnify and hold harmless the City, its agents, officers, employees, and attorneys for all costs incurred in additional investigation (such as the environmental determination at issue herein or any subsequently required Environmental Document), if made necessary by said legal action and if 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. The applicant indemnifies the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.
- d. Unless a shorter 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.
- e. 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), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. The applicant is 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 the applicant fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

PROJECT DESIGN WORKSHOP:

- 2. **HAMILTON COTTAGES (BK)**
FILE: P2015-071; DESIGN REVIEW
APN 157-860-03 AND -04; SENIOR HOUSING TRIANGLE, HAMILTON PARKWAY

Conduct a public workshop to review and provide comments on a conceptual site design, circulation, building massing, and architecture for the development of 16 single family (55+) senior housing units on a 1.5 acre parcel known as the Senior Housing Triangle of the Hamilton Field Master Plan area; Assessor's Parcel Number 157-860-03. The project includes an access drive, 16 public/guest parking stalls, and a bio-retention area to be constructed in an easement on an adjacent City-owned parcel, APN 157-860-04.

Planner II Brian Keefer provided overview of the project proposal, including site plan, building architecture, and traffic circulation along with applicable city processes and design considerations.

Commissioner MacLeamy asked staff to review the steps the project will take towards final approval.

Brian Keefer responded that the workshop was the first formal meeting by the city, and the proposal would then return to the Design Review Commission (DRC) for a formal recommendation, then move onto a Planning Commission Recommendation, then a final action by the City Council with a possible follow up with the DRC for final architectural details.

Commissioner Barber expressed concern regarding the change in project scope with regards to affordable housing and low income units.

Planner Grunt explained that the Regional Housing Needs Allocation (RHNA) for the current planning period will still be met based on the inventory of available housing sites inclusive of the proposed change in unit yield for this site; several years ago a non-profit low income senior housing developer evaluated the site for 25 affordable units and determined that they would need a greater number of units for a project on the site to be financially feasible.

Community Development Director Bob Brown explained that it is the City Council's decision on which affordable sites will be utilized and the City has currently met affordable housing numbers required by the State. The council has the flexibility to apply affordable housing to sites. He added that as Planner Grunt indicate, another non-profit developer of affordable senior housing determined that the level of service required for low and very low income senior housing is not supported sufficiently by 25 units.

Ian Gillis, representing the applicant Hamilton Cottages, LLC, introduced the developers as a partnership between Urban Community Partners and Ryder Homes, and gave a brief history of the project with their consideration of the site potential and the negotiated purchase. He liked the site's location in relation to SMART, shopping, and amenities to serve senior residents. He described their approach to site design given the triangular shape of the lot, utility easements, etc. He showed slides of the former Mercy proposal and Oma Village, but said it was too dense. So they looked at the Pocket Neighborhood concept with senior living universal design elements, massing of garages of carriage structures, and iterations of site design/organization of parking structures, etc. He referred to Ross Chapin's book on Pocket Neighborhoods and how it influenced the design. He introduced the architect, Adam Gardner from William Hezmalchal Architects, Inc.

Adam Gardner, architect, explained the overall design concept in further detail, including that the front porches of the homes are stepped up two or 3 steps from the common green area to provide a sense of privacy for the front porches. He explained that the garages provide a separation from SMART, and described the home architecture and accessibility, and explained that some of the garages had a bonus room on the second floor above.

Patrick McLeamy questioned how there are steps up to the front porches, but the houses are slab on grade.

Gardner explained that there will be a low retaining wall at the front, but the sidewalks will slope up to the side and rear entrances of the homes so that the occupants never need to climb steps to access the front porches.

The applicant introduced the Landscape Architect, Annika Carpenter from Ripley Design Group, who have a brief description of the landscape design concept, including hardscape features and walkways, outdoor use areas, outdoor kitchen, fire pit, etc.

Marshall Balfe asked what kinds of trees they intend to use. Annika said that the specific types of trees are not yet identified, only the basic role i.e. shade tree, accent tree, or evergreen. Marshall mentioned that the DRC will want to see the types of trees at the next workshop. Marshall also asked if the proposal meets the parking requirements of the zoning code. Staff affirmed.

Michael Barber asked about density with parking/access on city property and for clarification on wall and fence heights.

The applicant explained the density calculations onsite and responded to the parking design questions by explaining the limitation of site design due to the small triangular shape of the parcel and the agreement with the City to allow parking on the adjacent city owned property. Adam Gardner showed where the 8' tall masonry wall occurs along North Hamilton Parkway to be consistent with the neighboring developments, and where the fences are located within the development to create security and privacy for the back yards of the residences, but the fence between the houses is held back to provide more visible space in the town green and in front of the homes.

Michael Barber then asked about the slope/elevation change between the project and neighboring development, and clarifications of two-story design elements at the garages, and the architect showed a sample slide.

Patrick McLeamy asked if they had considered any common walls/duplexes at all, and if they had considered connecting the garages to the adjacent houses. He pointed out the common space restrictions.

Ian Gillis said that they had considered it, but preferred the 4-sided homes, and mentioned that the garages were exclusive use common areas.

Aaron Roden with Ryder Homes explained the garages and bonus rooms above would be exclusive use common areas, maintained by the HOA.

Commissioner Balfe then opened the project for public comment.

Speaker 1 questioned the bathroom design and suggested that there be no step into shower/bath.

Speaker 2 was an Ignacio resident with children that attend Novato Charter School; is concerned with the access to SMART train, concerned with the increase in traffic from new development and diminished circulation and increased congestion on Main Gate to SMART; critical that B Street be constructed to reduce congestion on Main Gate; this project aggravates concern over the cumulative effect of all projects being constructed in the area; is concerned about traffic safety, pedestrian conflicts, etc.; expressed that the left turns with children accessing the schools is a disaster; was aggravated that they had to sit through 1 ½ hours of stuff that doesn't affect them.

Speaker 3 is a member of the Hamilton community and a prospective purchaser of one of the units, said they could be more attractive and questioned the energy efficiency of the units. Would like to see 240 volt outlets in the garages for electric vehicle charging, fiber optics in the units, and solar stub-outs; would like to see a Title 24 for the project; suggested making the second story bonus rooms over the garages common use for all the residences rather than exclusive use spaces; said it would affect profitability, but greatly improve the quality of life; commended the conceivers on the nice project.

Speaker 4 questioned the change from 25 units, need access to the SMART station from the north, and B Street needs to be constructed for access; questioned the City's noticing process, saying only found out about the project the day before; didn't see the senior utility in the design; wants one-level living for access with secure access to parking garages, and pointed out that the example slides show more space than the plans; was concerned that the 55 and over development was discriminating against children.

Speaker 5, an adjacent neighbor, commented that the project should continue the Spanish themed architecture of the adjacent neighborhoods, and that there is no other architecture similar to the proposed style within line of sight of the project; pointed out that the project was a very tight fit in relation to the adjacent Newport and surrounding neighborhoods; was concerned that the project may be cutting off an emergency access easement onto the neighboring development (later addressed by the applicant that there is a public utility easement that they are respecting but that no such emergency access easement exists), and suggested the access drive being moved to be adjacent to the Newport homes.

Speaker 6, another neighbor from across North Hamilton Parkway commented that the site was challenging, complimented the pocket neighborhood concept, and suggested to consider in-law units in the bonus rooms to account for affordable housing.

Speaker 7, another Hamilton resident echoed sentiment regarding the noticing process, and expressed concern about traffic congestion; said there is a need to connect B Street access form North Hamilton Parkway to the SMART station and Main Gate Road.

Speaker 8, a resident of Marblehead Lane commented that they are less concerned about pedestrian/vehicular conflicts in the neighborhood; did not think it was necessary to open B Street through to Main Gate, agreed with moving garages adjacent to the Newport homes, and supported the project as a great addition to the neighborhood.

Bob Brown addressed traffic, said he met with SMART, and SMART chose the Main Gate location for access, not from B Street.

Staff explained that the affordability requirement will be subject to a Master Plan Amendment.

Ian Gillis commented that he had met with Hamilton Forum twice regarding the project.

Aaron Roden explained the developer's intended accessibility within the units, energy efficiency, and that they are partnered with Solar City, offering solar panels as a no additional cost upgrade to homes in all their projects. He mentioned that he expects that by the time the project is complete, electric car charging outlets will be required in all homes, but if not, may be necessary to satisfy market demands. He also mentioned that they could change the bonus rooms to common space, but some seniors may not want this. Also, the age restriction of 55+ does not preclude children from living there, only requiring one person on the title to be 55 or older to purchase the home.

Ian Gillis reiterated that per Public Works requirements B Street will be stubbed out for future extension.

Staff added that the SMART access off of B Street would have to be completed at the cost of the City.

Commissioner Balfe closed the public hearing and opened the discussion to Design Review Commission Feedback:

Summary of Commission Comments:

Commissioner Farrell

- Pocket Neighborhood is an interesting concept, and agreed that it is likely in demand.
- Density is appropriate for a strange shaped parcel, the project is right at the density requirement per the General Plan, and there are limited options to increase the density to achieve affordable housing.
- He agreed with the breadth of Spanish style architecture in area, but that the Traditions neighborhood is not a Spanish style and blends nicely into the Hamilton area. He is

comfortable with the proposed architectural style and commends the architect and landscape architect for the innovation necessary to fit everything in, and that they are on the right track.

- Courtyard is an interactive space that the people will love, and the common use site is charming.
- Garage cluster and relation of 4 homes is problematic. The 10' back yards will have 2 stories on both sides, and they will be dark holes. He suggested to consider another plan type through that portion of the project, with possibly side yards instead.
- Would also like to see a context map for neighborhood context and how this project relates to SMART.
- Suggested applicant produce a computer or physical 3d model of the project to illustrate how the units and the courtyard work.

Commissioner McLeamy

- Commended the applicant and the city for encouraging this type of development. He agreed with the reduction from the designated 25 units, as the applicant had to work hard to achieve 16 on this difficult site. He thanked the city for allowing access and guest parking outside of the property line, and liked that there are no roads within the site. He said that the idea of the common space is good.
- It seems tight even at a density of only 10 units/acre, and the design of the site is driven by 4-sided homes. He asked the applicant to show again the nice example picture of common space, and explained that the architecture was not as important as the space in between, and that the space should not be filled completely up with trees.
- He said the commons are too confined as proposed. He suggested pushing the houses along the garage cluster back to connect them to the garages, changing the private yards from rear to side yards. The commons could then get bigger, and only four units would be different plans than what is shown. The houses could then be partly over the attached garages, saving room. The relatively worthless back yards would be gone. This would help increase ability (central area) to make it work as a pocket neighborhood. Suggested focusing on site design for now.

Commissioner Barber

- Liked the idea of a common community room, providing indoor space for socialization in winter is a great idea.

- Concerned with the pinch points in the design and that some units don't open onto the common space. The layout presently does not have the pocket park advantage for all units.
- Break up the garages more, as they appear as a wall.
- The entrance(s) needs to be a lot more prominent, with a gateway affect. Entrances to the inner court yard should be redesigned.
- He doesn't think the fire pit will get used. The courtyard would be used better if redesigned, and as it is now will not have the appeal of the cover photograph on the slide show.
- Consider doubling up some units to get more space. Units are not laid out to take advantage of the views. Would like to create a better site plan where every unit will be appealing.
- Architecture should respect surrounding architecture.

Commissioner Balfe

- Likes the concept, and appreciates trying to achieve a sense of community.
- The courtyard is too small and could be more flowing in different ways.
- Interior space could be better and larger.
- He likes the recessed fencing – serves to open up common space feel.

GENERAL BUSINESS: None

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