



THE CITY OF
NOVATO
CALIFORNIA

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

Interim City Manager
Cathy Capriola

Planning Commission Meeting

Location: Novato City Hall, 901 Sherman Avenue

August 29, 2016

Present: Peter Tiernan, Chair
Susan Wernick, Vice Chair
Dan Dawson
Justin Derby
Curtis Havel
Robert Jordan
Jay Strauss

Absent:

Staff Present: Robert Brown, Community Development Director
Steve Marshall, Planning Manager

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

APPROVAL OF FINAL AGENDA: M/s: Strauss/Dawson; Passed 7-0-0

PUBLIC COMMENT: None.

CONSENT CALENDAR: None.

CONTINUED ITEMS: None.

NEW ITEMS:

1. **HAMILTON COTTAGES (BK)**
P2015-071; DESIGN REVIEW
P2016-024; MASTER PLAN AMENDMENT
P2016-025; PRECISE DEVELOPMENT PLAN
P2016-026; VESTING TENTATIVE MAP
MITIGATED NEGATIVE DECLARATION
APN 157-860-03 & -04; SENIOR HOUSING TRIANGLE, HAMILTON PARKWAY

Conduct a public hearing to consider a formal recommendation to the City Council for adoption of a Mitigated Negative Declaration, and approval of a Master Plan Amendment, Precise Development Plan, Design Review, and Vesting Tentative Subdivision Map, for the development of 16 single family (62+) 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 bio-

retention facilities to be constructed in an easement on an adjacent City-owned parcel, APN 157-860-04.

M/s: Havel/Jordan: Recommend the City Council adopt a Mitigated Negative Declaration for Hamilton Cottages.

Passed: 7-0-0

M/s: Dawson/Derby: Recommend the City Council adopt the proposed Master Plan amendments for Hamilton Cottages.

Passed: 7-0-0

M/s: Derby/Havel: Recommend the City Council adopt the proposed Precise Development Plan and Design Review for Hamilton Cottages.

Passed: 7-0-0

Amended M/s: Tiernan/Strauss: Recommend the Precise Development Plan for Hamilton Cottages be modified to prohibit boat and recreational and oversize vehicle parking.

Passed: 7-0-0

Amended M/s: Havel/Dawson: Recommend the applicant identify design features supporting senior and disabled accessibility.

Passed: 6-1-0; Strauss abstained.

Amended M/s: Wernick/Jordan: Recommend additional parking be fitted into the parking, access, and utility easement on city-owned property.

Passed: 7-0-0

M/s: Jordan/Wernick: Recommend the City Council adopt the proposed Vesting Tentative Map for Hamilton Cottages.

Passed: 7-0-0

2. MESSAGE ORDINANCE (BB)

Consider amendments to the Novato Municipal Code relating to regulation of massage establishments and massage technicians, including adding subsection 19.34.190 (Massage Establishments) and amending Tables 2-4, 2-7, 2-9 and 3-7 (Allowable Uses and Parking Tables), paragraphs 19.60.020 M and P (Definitions), and modifying section 19.34.080 (Home Occupations) and finding that the adoption thereof is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15061(b)(3).

Three massage practitioners addressed the Commission raising concerns about the cost and time of Use Permit applications and about the prohibition of massage as a home occupation, noting that massage businesses are commonly single proprietors and a relatively low-income profession.

The Planning Commission concluded that there was not sufficient justification for requiring a Use Permit and that massage as a home occupation has not proven to be problematic in Novato to warrant a prohibition of in-home massage services.

M/s: Havel/Derby: Recommend the City Council adopt the zoning code amendments addressing massage establishments.

Failed: 0-0-7

GENERAL BUSINESS: None.

UPCOMING AGENDAS AND QUORUMS: None.

ADJOURNMENT: Adjourned by the Chair at 9:55 PM.

DRAFT