

# Agenda Item 2



THE CITY OF  
NOVATO  
CALIFORNIA

## Planning Commission Meeting

Location: Novato City Hall, 901 Sherman Avenue

December 18, 2017

922 Machin  
Novato, CA 94945  
415/899-8900  
FAX 415/899-8213  
[www.novato.org](http://www.novato.org)

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

City Manager  
Regan M. Candelario

**Present:** Curtis Havel, Chair  
Justin Derby, Vice Chair  
David Gabriel  
Jay Strauss  
Peter Tiernan  
Susan Wernick

**Absent:** Dan Dawson

**Staff Present:** Veronica Nebb, Senior Assistant City Attorney  
Steve Marshall, Planning Manager  
Hans Grunt, Senior Planner  
Michelle Johnson, Planner II

### CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

### APPROVAL OF FINAL AGENDA:

M/s: Tiernan/Derby to approve final agenda. Passed: 6-0-1 (Ayes: Havel, Derby, Gabriel, Strauss, Tiernan, and Wernick; Nays: none; Absent: Dawson)

**PUBLIC COMMENT:** None.

### CONSENT CALENDAR:

#### **1. APPROVAL OF PC MINUTES OF JANUARY 12, 2017 (CH, DD, JD, JS, PT)**

M/s: Tiernan/Derby to approve minutes as presented. Passed: 3-1-1-2 (Ayes: Havel, Derby, and Tiernan; Nays: Strauss; Abstain: Wernick and Gabriel; Absent: Dawson)

#### **2. APPROVAL OF PC MINUTES OF MARCH 6, 2017 (JD, CH, JS, PT, SW)**

M/s: Wernick/Derby to approve with modification – replace “very expensive” with “overly expensive.” Passed: 5-0-1-1 (Ayes: Derby, Havel, Strauss, Tiernan, and Wernick; Nays: none; Abstain: Gabriel; Absent: Dawson)

**3. APPROVAL OF PC MINUTES OF APRIL 3, 2017 (DD, JD, CH, RJ, JS, PT, SW)**

M/s: Tiernan/Derby to approve minutes as presented; Passed: 5-0-1-1 (Ayes: Derby, Havel, Strauss, Tiernan, and Wernick; Nays: none; Abstain: Gabriel; Absent: Dawson)

**4. APPROVAL OF PC MINUTES OF APRIL 17, 2017 (JD, CH, RJ, PT, SW)**

M/s: Tiernan/Wernick to approve minutes as presented. Passed: 4-0-2-1 (Ayes: Havel, Derby, Tiernan, and Wernick; Nays: none; Abstain: Gabrielle and Strauss; Absent: Dawson)

**5. APPROVAL OF PC MINUTES OF DECEMBER 4, 2017 (DD, CH, PT, SW)**

M/s: Tiernan/Wernick to approve minutes as presented. Passed: 3-0-3-1 (Ayes: Havel, Tiernan, and Wernick; Nays: none; Abstain: Derby, Gabriel, and Strauss; Absent: Dawson)

**CONTINUED ITEMS:** None.

**NEW ITEMS:**

**6. McPHAIL'S OFFICE COMMERCIAL DEVELOPMENT(HG)  
CEQA MITIGATED NEGATIVE DECLARATION  
P2016-038; GENERAL PLAN AMENDMENT  
MASTER PLAN  
PRECISE DEVELOPMENT PLAN  
APNs 153-220-16 & 19, 5400 HANNA RANCH RD.**

**Conduct a public hearing to consider and adopt resolutions recommending the City Council approve a mitigated negative declaration, a General Plan Land Use Map amendment from Business and Professional Office to Light Industrial Office, and replace zoning text applicable to allowed land uses in the master plan and corresponding precise development plan for the approved, but not yet constructed, McPhail's Commercial Office Development consisting of three buildings totaling approximately 61,900 square feet on a combined 4.9 acre site.**

Senior Planner Grunt presented the staff report and noted an additional condition of approval addressing a Class II bicycle lane on Hanna Ranch Road.

The Planning Commission asked clarifying questions of staff.

Casey Clement, representing Thompson Development (Applicant), provided background regarding the reasons for the requested land use modifications, including economic data indicating Marin County has a large inventory of vacant office space and low inventory of light industrial/office flex space. Presented photo and description of "The Vineyard" as an example of an office/light industrial development that is similar to what is proposed for the project site.

The Planning Commission asked clarifying questions of the applicant.

The public hearing was opened. No person wished to address the Planning Commission. The public hearing was closed.

The Planning Commission asked some additional clarifying questions and provided individual comments on the proposal.

M/s: Tiernan/Wernick to adopt resolution recommending City Council approve a CEQA Mitigated Negative Declaration. Passed: 6-0-1 (Ayes: Havel, Derby, Tiernan, Wernick, Strauss, and Gabriel; Nays: none; Absent: Dawson)

M/s: Tiernan/Derby to adopt resolution recommending City Council approve a General Plan land use amendment from Business and Professional Office (BPO) to Light Industrial Office (LIO). Passed: 6-0-1 (Ayes: Havel, Derby, Tiernan, Wernick, Strauss, and Gabriel; Nays: none; Absent: Dawson)

M/s: Tiernan/Wernick to adopt resolution recommending City Council approve amending the master plan for the McPhail's Commercial Office Development. Passed: 6-0-1 (Ayes: Havel, Derby, Tiernan, Wernick, Strauss, and Gabriel; Nays: none; Absent: Dawson)

M/s: Tiernan/Wernick to adopt resolution recommending City Council approve amending the precise development plan for the McPhail's Commercial Office Development with the addition of the condition of approval regarding a Class II bicycle lane as presented by staff. Passed: 6-0-1 (Ayes: Havel, Derby, Tiernan, Wernick, Strauss, and Gabriel; Nays: none; Absent: Dawson)

**7. MONTESSORI PRESCHOOL (MJ)  
P2017-067; USE PERMIT  
APN: 157-180-42; 600 PALM DR**

**Conduct a public hearing to consider and adopt a resolution granting a use permit allowing the operation of a Montessori preschool at the existing Unity In Marin church located at 600 Palm Dr. Proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(B)(3).**

Chair Havel acknowledged the Commission received a copy of an email from Joan Goode.

Planner II Johnson presented the staff report.

Dr. Cindy Acker presented the Montessori preschool proposal on behalf of Unity In Marin.

The Planning Commission asked clarifying questions of staff and the applicant.

The public hearing was opened.

Dr. Christine Sleight – expressed support for the Montessori proposal.

Sue Sommer – expressed support for the Montessori proposal.

Don Davey – asked all those supporting the Montessori preschool to raise their hand. All members of the audience (approximately 20) raised hands. All those opposed – none raised hands. The public hearing was closed.

A member of the public expressed support for the Montessori proposal.

The Planning Commission asked a few additional clarifying questions.

M/s: Strauss/Derby to adopt resolution granting a use permit to operate a Montessori preschool at Unity In Marin with an additional condition of approval recommended by staff - Operator shall operate preschool in compliance with the use permit application statement and operational components of the Hamilton Montessori School Parent Handbook, dated 2017 – 2018, as may be amended to be consistent with state law and incorporated herein by reference. Passed: 6-0-1 (Ayes: Havel, Derby, Tiernan, Wernick, Strauss, and Gabriel; Nays: none; Absent: Dawson)

**GENERAL BUSINESS:** None.

**UPCOMING AGENDAS AND QUORUMS:** Planning Manager Marshall noted no regular meetings in January 2018 due to holidays.

**ADJOURNMENT:** Meeting adjourned at 8:50 PM.