



DESIGN REVIEW COMMISSION (DRC) STAFF REPORT

WORKSHOP

DATE: February 6, 2019

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SUBJECT: **7711 REDWOOD BOULEVARD RESIDENCES
P2018-085; DESIGN REVIEW
APN 125-580-16 & -17; 7711 REDWOOD BOULEVARD
AFFORDABLE HOUSING OPPORTUNITY SITE NO. 3**

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REQUESTED ACTION

Conduct a design workshop to review and comment on the site design, building massing and height, and conceptual landscaping and architecture for 7711 Redwood Boulevard Residences (“Project”), featuring two site plan options for the development of 80 for-sale condominium units, including 16 affordable residences.

PROJECT SITE DESCRIPTION

The 4-acre project site is relatively flat and sits adjacent to hills with native trees, open grassland, and several seasonal wetlands and drainage courses. The site is undeveloped and has been continuously used for cattle grazing. The site sits approximately 4-feet above the grade of surrounding land as a result of soil imported to the property prior to annexing to Novato. Two natural gas transmission pipelines (Lines 21F and 21G), owned and maintained by Pacific Gas & Electric (PG&E), border the project site to the west.

Adjacent development includes: Single-family homes to the west in the Partridge Knolls II neighborhood (approximately 150-feet above and 1,300 feet horizontally from the project site); the Buck Institute for Research on Aging to the northwest, which includes an approved (but not built) 130-unit multi-family development; and the Fireman’s Fund office complex to the south. Redwood Boulevard and U.S. 101 bound the site to the east.

PROJECT DESCRIPTION

The Project features the following components:

- 80 condominium units designed in a townhome style (e.g., two floors of living space over garage);
- building heights ranging from approximately 38-feet and 44-feet for units with a covered stairwell accessing a roof deck;
- 8 units (10%) affordable to low income households
- 8 units (10%) affordable to very low income households

The Design Review Commission will note the plan package submitted for the Project includes two site plan options. Both site plan options have the same basic components as listed above. However, the alternative site plan includes a surface parking area (west side of the project site) providing 29 parking stalls. For comparison, the preliminary site plan includes 153 on-site parking stalls versus 181 on-site stalls shown on the alternative site plan.

The conceptual plan package may be downloaded at: [7711 Redwood - DRC Workshop Plans](#)

The applicant's project description can be accessed at: [7711 Redwood Description](#)

AFFORDABLE HOUSING OVERLAY ZONING DISTRICT

The project site is designated and zoned with the City's "Affordable Housing Opportunity Overlay" ("AHO"). There are five sites so designated in Novato and are intended to allow housing development to meet the City's Regional Housing Needs Allocation ("RHNA") as assigned by the Association of Bay Area Governments ("ABAG"). The project site is referred to as "AHO Site No. 3" in the Housing Element and its certified environmental impact report ("EIR").

Sites assigned the AHO designation are subject to the development standards and review procedures specified in Novato Zoning Ordinance Section 19.16.070. According to this Section, housing projects must meet two key requirements:

1. Achieve a residential density of 20 to 23 units per acre; and
2. Provide ten percent of the total units for low-income households and ten percent for very low-income households.

In this instance, the Project must provide 80 residential units based on a 4-acre parcel size and provide 16 affordable units (8 low income and 8 very low income). The Project proposes and is designed to meet both of these requirements.

Section 19.16.070 may be downloaded at: [NMC Section 19.16.070](#)

HOUSING ACCOUNTABILITY ACT & STATE DENSITY BONUS REQUEST

Housing Accountability Act

The City is subject to complying with the California Housing Accountability Act ("HAA"), California Government Code §65589.5, relating to the review of new housing projects. In summary, the HAA stipulates specific time frames to take action on qualified housing proposals, imposes limitations on an agency's ability to deny housing projects or reduce density, and prohibits the application of subjective criteria. Of relevance to the Design Review Commission are the prohibitions on reducing density and application of subjective criteria.

State Density Bonus Law

The Applicant has requested the City grant a density bonus pursuant to California Government Code §65915 ("State Density Bonus Law"). In this instance, the Project qualifies as a "housing development" and provides a sufficient number of affordable housing units to be eligible to receive the benefits offered by State Density Bonus Law, including consideration of requests for

“concessions or incentives” and “waiver or reductions” related to City imposed development standards.

State Density Bonus Law obligates a local agency to grant a specific number of concessions or incentives where doing so would result in identifiable cost reductions to a project in support of the provision of affordable housing. Similarly, a local agency is obliged to grant waivers to and reductions of development standards (e.g., setback, height limit, etc.) where it can be shown that such standards would prevent development of a housing project at the density levels prescribed by State Density Bonus Law. Generally, State Density Bonus Law is biased to the benefit of the developers of housing projects and a local agency has limited ability to deny concession, incentive, waiver, and reduction requests.

The Applicant’s request for a density bonus is not intended to increase the number of dwelling units in the Project, but rather to receive relief from specific development standards that are reported to prevent development of the site at the density levels prescribed in State Density Bonus Law and to reduce costs to the Project in support of the provision of affordable housing units. The following specific requests have been made by the Applicant:

- a. Allow the placement of residences within a 50-foot wetland buffer applicable to jurisdictional wetlands adjacent to the project site as established by Novato Municipal Code Division 19.36, *Wetland Protection and Restoration*;
- b. Allow building heights exceeding the 35-foot height limit of the AHO overlay district;
- c. Allow reduced building setbacks at the property lines delineating the project site;
- d. Allow an eight (8) stall reduction in required on-site parking – applicable to preliminary site plan, not the alternative site plan; and
- e. Waive the payment of development impact fees.

Staff is working with the Applicant to obtain more information to assess the requests above pending feedback from the Design Review Commission regarding the Project’s design. Accordingly, the requests above may be amended or augmented as the Project progresses.

The Design Review Commission will not take any action regarding the requests above since the Commission will be serving in an advisory capacity to the Planning Commission in this instance. However, staff feels it is important for the Design Review Commission and interested residents to understand there are limitations on what can and cannot be imposed on housing developments subject to the HAA and State Density Bonus Law and that it may not be possible to compel project modifications to meet subjective design preferences as has been the traditional practice in Novato. Nevertheless, the Design Review Commission and residents are encouraged to offer comments on design related items that would improve the appearance and function of the Project regardless of whether or not modifications can be required – a developer can voluntarily agree to make project changes.

REQUIRED DEVELOPMENT APPROVALS & PROCESS

The following development approvals are required for the Project based on the two site plan options presented:

Preliminary Site Plan Option

- Design Review – review and action on the Project’s site design, landscaping, architecture, finish materials, and colors.
- Tentative Subdivision Map – review and action to subdivide the project site into a condominium development.
- State Density Bonus – review and decision on eligibility and acceptability of requests for concessions, waivers, and reductions to development standards and fees.

The Design Review Commission would provide a recommendation to the Planning Commission regarding the design aspects of this site plan option. The Planning Commission would take action on the tentative subdivision map, design review, and state density bonus requests.

Alternative Site Plan Option

- General Plan Amendment – Apply the Affordable Housing Opportunity Overlay land use designation to the land area taken from the parcel (APN 125-580-17) to the west of the project site to provide additional surface parking for the Project.
- Zoning Map Amendment - Apply the Affordable Housing Opportunity Overlay zoning district to the land area taken from the parcel (APN 125-580-17) to the west of the project site provide additional surface parking for the Project.
- Design Review - Review and action on the Project’s site design, landscaping, architecture, finish materials, and colors.
- Tentative Map – Modify the boundaries of the site to incorporate the land area taken from the parcel (APN 125-580-17) to the west of the project site and subdivide the resulting property into condominium units.

The Design Review Commission would provide a recommendation to the Planning Commission and City Council regarding the alternative site plan option. The Planning Commission would provide a recommendation to the City Council regarding the general plan and zoning map amendments, tentative map, design review, and state density bonus requests. The City Council would consider and take action on all of the items addressed by the Planning Commission.

BACKGROUND

Property Owner: WCJA LP

Applicant: LandSea Homes

Assessor's Parcel No.: 125-580-16 & -17

Property Size: 4 acres

General Plan Designation: Business and Professional Offices (BPO); Maximum FAR of 0.40
Affordable Housing Opportunity Overlay (AHO); 20 – 23 units per acre

Current Zoning: Planned District (PD); San Marin Commerce Park Master Plan
Affordable Housing Opportunity Overlay (AHO) District

Existing Use: Vacant/Cattle Grazing

Adjacent Land Use/Zoning/Uses:

North- Light Industrial/Office (LIO) & Research/Education – Institutional (REI); Planned District (PD); single-family residence and the Buck Institute for Research in Aging

South- Business and Professional Office (BPO); Planned District (PD); undeveloped

East- Redwood Boulevard/U.S.101 with Light Industrial/Office (LIO) further east.

West- Business and Professional Office (BPO) & Low Density Residential (R1); Planned District (PD); undeveloped/single-family residences (Partridge Knolls II)

ENVIRONMENTAL ASSESSMENT

An environmental assessment is not required to conduct a design review workshop. However, it is noted the environmental impact report (EIR) prepared in 2013 for the Novato Housing Element evaluated the project site as one of five affordable housing overlay (AHO) sites.

STAFF ANALYSIS

The Design Review Commission (DRC) is asked to conduct a workshop to obtain public comment on and provide feedback to staff and the applicant regarding the site plan, building massing and height, and conceptual architectural and landscape theme proposed for the Project. The DRC will not be making a decision to approve or deny the Project at the public workshop.

The following discussion details recent resident feedback addressing the Project, direction received on future land use and design criteria for the project site through the North North Redwood Boulevard Corridor Study and draft General Plan 2035, a listing of design related policies of the 1996 General Plan (effective pending adoption of General Plan 2035), and the zoning standards and findings of approval applicable to the design of the Project. This information is provided to help focus the Design Review Commission's preliminary review of the Project.

Neighborhood Meeting

The Applicant hosted a neighborhood meeting on December 13, 2018. The meeting was attended by approximately 20 people, including residents of the nearby Partridge Knolls II neighborhood. Design related feedback received from the attendees included the following:

- Preference for the alternative site plan since it provides additional on-site parking;
- Consider the visibility of lighting for roof decks from homes in Partridge Knolls;

- Recommendation to utilize setbacks and landscaping to “soften” the project appearance from Redwood Boulevard and Highway 101; and
- Maintain access and connectivity to the balance of undeveloped land surrounding the project site;

North, North Redwood Corridor Study & Draft General Plan 2035

In January 2014, the City completed the North, North Redwood Boulevard Corridor Study (“Study”). The Study involved a public outreach and design charrette process to determine appropriate land use and general design guidelines to achieve appropriate, high quality, transit-oriented development of the properties in the North, North Redwood Boulevard corridor. The Study was used by the City Council to provide direction to staff regarding preferred land uses, development intensity, and design guidelines to study as part of the City’s ongoing General Plan update.

The Study does not specifically identify the project site as an independent parcel, but rather a component of the larger 40-acre “Campus Properties Parcel.” The Study offers the following recommended land use and design guidance for development on the Campus Properties Parcel:

- Respect existing wetlands and oak trees in project design.
- Take into account slope stability and the presence of gas transmission pipelines in project design and siting of buildings.

The Study acknowledges the project site was designated as a housing opportunity site in the General Plan Housing Element, noting the possibility of residential development of up to 92 multi-family residences (23 units per acre) or up to 120 senior multi-family housing units with a senior housing density bonus (30 units per acre).

Draft General Plan 2035 captures the area analyzed in the Study as the “North, North Redwood Corridor Focus Area.” The project site is noted as being part of “Site 3” of the Focus Area and lists the same guidelines noted above in the Study.

The following observations are relevant to the Project’s consistency with the draft policies above:

- The project site is flat and is not subject to any known or apparent slope stability issues;
- The project site contains a single, heritage-size oak tree that is not slated for removal due to the Project;
- The Project, while encroaching into the City’s prescribed 50-foot wetland buffer, does not fill or otherwise create any disturbances within the mapped wetland boundaries adjacent to the project site; and
- The Project does not place habitable structures within the natural gas pipeline easements.

1996 Novato General Plan

The 1996 Novato General Plan is currently the operative policy document for new development proposals pending future approval of draft General Plan 2035. The 1996 General Plan provides a

framework of policies that were adopted to coordinate all major components of Novato's physical development over a 20-year period. These policies serve as a basis to assess whether public and private development proposals are consistent with the General Plan. In this instance, the Design Review Commission should consider the Project's design in light of the design related policies of the Novato General Plan listed below.

Housing Chapter Policy 3.2 Design that Fits into the Neighborhood Context. It is the City's intent that neighborhood identity and sense of community will be enhanced by designing all new housing to have a transition of scale and compatibility in form to the surrounding area.

Housing Chapter Policy 3.3 Housing Design Principles. The intent in the design of new housing is to provide stable, safe, and attractive neighborhoods through high quality architecture, site planning, and amenities that address the following principles:

- a. Reduce the perception of building bulk. In multi-unit buildings, encourage designs that break up the perceived bulk and minimize the apparent height and size of new buildings, including, for example, the use of upper story stepbacks and landscaping. Application of exterior finish materials, including siding, trim, windows, doors and colors, are important elements of building design and an indicator of overall building quality.
- b. Recognize existing street patterns. Where appropriate, encourage transitions in height and setbacks from adjacent properties to respect adjacent development character and privacy. Design new housing so that, where appropriate, it relates to the existing street pattern.
- c. Enhance the "sense of place" by incorporating focal areas where appropriate. Design new housing around natural and/or designed focal points, emphasized through pedestrian/pathway or other connections.
- d. Minimize the visual impact of parking areas and garages. Discourage home designs in which garages dominate the public façade of the home (e.g. encourage driveways and garages to be located to the side or rear of buildings, or recessed, or along rear alleyways or below the building in some higher density developments).

Environment Chapter Policy 26 Trees in New Development. Require that the site planning, construction and maintenance of development preserve existing healthy trees and native vegetation on site to the maximum extent feasible. Replace trees and vegetation not able to be saved.

Environment Chapter Policy 39 On-Site Recycling Areas. Require on-site areas for recycling in commercial/retail, office and multi-family residential developments as required by State law.

Community Identity Chapter Policy 1 Compatibility of Development with Surroundings. Ensure that new development is sensitive to the surrounding architecture, topography, landscaping, and to the character, scale, and ambiance of the surrounding neighborhood. Recognize that neighborhoods include community facilities needed by Novato residents as well as homes, and integrate facilities into neighborhoods.

Community Identity Chapter Policy 3 Variety in Design. Discourage sameness and repetitive designs.

Community Identity Chapter Policy 14 Open Areas and Landscaping. Require provision of adequate landscaped, open areas in project design.

CI Policy 15 Pedestrian Paths. Provide for maximum feasible pedestrian circulation.

Novato Zoning Ordinance

As noted earlier, the project site is located in the AHO overlay zoning district. As such, a housing project at the project site is subject to the development standards of Zoning Ordinance Section 19.16.070, barring the granting of concessions, waivers, or reductions under State Density Bonus Law to provide relief from such standards.

The following table lists key development standards and zoning sections applicable to the Project. At this conceptual stage of plan development, it is not possible to determine compliance with all applicable standards. Staff will perform a subsequent completeness and compliance review pending submittal of more fully detailed plan information.

Development Feature	Zoning Development Standards	Preliminary Project Compliance Condominiums w/o Individual Lots
Minimum/Maximum Density	20 to 23 units per acre; 80/93 units	Yes. 80-units
Front	20 ft.	No. Encroachment at BLDG 13 Subject of density bonus concession/waiver request
Sides	10 ft.	Yes
Rear	20 ft.	No. Encroachment at BLDG 4 Subject of density bonus concession/waiver request.
Building Coverage	40%	Yes. Approximately 30%
Height Limit	35 ft./up to 42-feet with Design Review approval.	No. 38-feet to 44-feet Subject of density bonus concession/waiver request
Landscaping	As required by Division 19.28 (Landscaping).	TBD based on subsequent detailed landscape plan submittal.
Parking	As required by Division 19.30 (Parking and Loading)	Preliminary Site Plan. No, 160 required – 153 provided. Subject of density bonus request. Alternative Site Plan. Yes, 160 required – 181 provided.
Open Space	150 square feet of usable open space per unit; may be a combination of private and common open space; balconies and decks with no dimension of less than 6-feet.	TBD based on subsequent submittal of more detailed plans.
Wetland Buffer	50-feet from edge of wetland as delineated by Army Corps of Engineers; reduced buffer may be considered.	No. Buffer of 3 ft. to 21 ft. provided. Subject of density bonus request concession/waiver request.
Trash & Recycling	As required by Section 19.20.120.	TBD based on subsequent submittal of more detailed plans.

Design Review Findings

The Design Review Commission should consider the design of the Project from the perspective of the following uniform findings of approval. These are the finding the Design Review Commission will be asked to make when forwarding a recommendation on the Project's site design, massing and height, and architectural and landscaping concepts to the Planning Commission.

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.

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.

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 and enjoyment of neighboring existing or future developments and does not create potential traffic, pedestrian or bicycle hazards.

RECOMMENDATION

Conduct the public workshop and provide comments to staff and Applicant regarding the site design options, building massing and height, and architectural and landscape concept proposed for the Project.

FURTHER ACTION

A future public hearing will be scheduled with the Design Review Commission to consider making a formal recommendation to the Planning Commission regarding the Project's site design options, building massing and height, and architectural and landscape concepts.