



# Design Review Commission Meeting

Location: Novato City Hall, 901 Sherman Avenue\*

June 5, 2019 – 7:00 p.m.

THE CITY OF  
NOVATO  
CALIFORNIA

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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  
Michael Edridge

**Absent:** Beth Radovanovich  
Patrick MacLeamy

**Staff:** Steve Marshall, Planning Manager  
Vivek Damodaran, Planner I

### **CALL TO ORDER / ROLL CALL**

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

### **APPROVAL OF FINAL AGENDA:**

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

**PUBLIC COMMENT:** None

### **CONSENT CALENDAR:**

#### **1. APPROVAL OF MINUTES OF MAY 1, 2019 (MB, JF, PM, ME)**

M/s: Farrell/Edridge; (3-0-0-2) to approve the Minutes.

**PUBLIC HEARINGS:** NONE

**CONTINUED ITEMS:** NONE

### **NEW ITEMS:**

#### **2. P2019-010 MCDONALDS FAÇADE REMODEL (VD) APN 153-061-22; 7340 REDWOOD BLVD. CEQA CATEGORICALLY EXEMPT – SECTION 1530**

Consider approval of a Design Review application for exterior architectural modifications to the existing building façade at 7340 Redwood Boulevard (McDonalds).

Vivek Damodaran, Planner I, presented the staff report. Damodaran provided the commission a suggestion to consider the incorporation of a cornice detail to the proposed roofline.

Commissioner Farrell asked of staff to clarify the zoning district's height limit, whether lighting had been reviewed and staff's cornice detail recommendation.

Planner Damodaran confirmed that proposal is under the zoning district's 35-foot height limit, and that lighting had been reviewed for off-site spillover/shielding. Damodaran clarified that staff's recommendation on the cornice detail was to help tie into the surrounding architecture (999 Grant and Peet's Coffee building).

Chair Barber asked staff if the Design Review Commission would be reviewing signage.

Planner Damodaran informed the commission that the action tonight would only be for the façade improvements proposed and that a separate sign permit would be required for the signage. Staff would review proposed signage for compliance with the municipal code.

Mike Yao of Core States Group, Applicant, presented the project and covered specific design details of the proposal. Mr. Yao outlined McDonald's intent of upgrading the façade to provide a more attractive "up-scale" design that is representative of more high-end restaurants and not fast-food restaurants.

Commissioner Farrell asked the applicant what the backing material for the batten would be.

Mr. Yao, responded that it would be sheathing material and stucco.

Chair Barber asked whether the yellow trim trellis structures would be solid panels and how water would drain off of them.

Mr. Yao confirmed that they would be solid panels, and would be sloped.

Commissioner Barber asked the applicant if this is McDonald's new look.

Mr. Yao informed the commission that this is a new design that McDonald's is trying out for Northern California. They decided to pursue a neutral "up-scale" design to help fit into many different jurisdictions.

Chair Barber asked if there are any proposed changes to the trash enclosure.

Mr. Yao indicated that they would only be painting the enclosure to match the building, there are no other changes proposed.

Chair Barber asked the applicant if staff's cornice detail recommendation is doable.

Mr. Yao confirmed that the cornice detail is doable.

Chair Barber asked the applicant whether there were darker colors available for the batten. He also observed that the lighting proposed is pointed at blank wall areas on the building, he asked why it was not pointed at the signage.

Mr. Yao clarified that the color chosen is the darkest one available and that the signage would be illuminated, so there would not be a need for the lighting to point at the signs.

Commissioner Edridge asked for clarification of whether a structure illustrated on an elevation drawing was a ladder leading up to the parapet area.

Mr. Yao clarified that the structure is indeed the access to the roof mounted equipment.

Commissioner Farrell asked the applicant if they had explored the idea of varying the parapet height to further emphasize the darker painted wall faces and batten material.

Mr. Yao indicated that reducing parapet heights is possible, however increasing the height may pose some structural issues.

SUMMARY OF PUBLIC COMMENT

# OF SPEAKERS: 0

None.

SUMMARY OF COMMISSION COMMENTS:

Commissioner Joe Farrell: Commented that he was glad to see McDonalds pursue a revision to the existing building's architecture and that the design is neutral with the corporate architecture toned down. He observed that the proposed architecture blends well with the surrounding area, and that the signage is subdued. Commissioner Farrell reiterated that a change to the parapet heights by reducing the parapet along the lighter painted areas by about 1-foot and maybe exploring raising the batten height slightly to help with the hierarchy of wall height.

Chair Michael Barber: Agreed with Commissioner Farrell and is also glad to see McDonalds trying to up-scale the design. He also commented on a good color selection.

Commissioner Michael Edridge: Commented that the project looked great.

**M/s Farrell/Edridge to approve the façade improvements proposed with added conditions of approval number 6 and 7 which state that the applicant slightly step the parapet height down along the lighter painted elevations and increase the profile of the cornice cap along based on the findings and conditions of approval below as supported by the Commission's report dated July 5, 2019; motion passed (3-0-0-2).**

FINDINGS FOR APPROVAL

CEQA Finding: The proposed building modifications have been determined to be 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 15301 (Existing Facilities).

Design Review Findings: In accordance with NMC Section 19.42.030.F. and on the basis of the discussion above in support of the findings in the staff analysis section of this report, the Design Review Commission finds that:

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 the Municipal Code, including the Zoning Ordinance and any approve Master Plan and Precise Development Plan.
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.
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.

## CONDITIONS OF APPROVAL

The following conditions shall be met to the satisfaction of the *Planning Division of the Novato Community Development Department*:

1. Design Review shall expire two (2) years from the date of approval unless within that time 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. Significant design alterations shall be brought to the Planning Division for consideration. No deviation from approved plans, including color changes or substitution of materials shall be made without staff approval.
4. To comply with Novato's Art Program, the applicant/owner shall present a proposed art work for review and approval by the Community Development Director (CDD), pursuant to NMC Section 19.21.060, or pay an in-lieu fee pursuant to NMC Section 19.21.070, prior to final occupancy.
5. Construction associated with this approval shall conform to NMC Section 19.22.070 – Noise and Construction Hours
6. Parapet heights along the proposed lighter painted portions of the elevations shall be reduced by 1-foot to further emphasize darker painted elevations.
7. Profile for the cornice cap shall be increased.

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

8. If the interior roof which encompasses the floor area of the building is removed or altered, additional submittal shall be required for the determination for fire sprinklers.

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

9. The project must conform to the NMWD's Regulation 15 – Mandatory Water Conservation Measures. Final occupancy approval shall not be granted until compliance with water conservation measures, as applicable, and can be verified.
10. Installation of an above ground, reduced pressure principle backflow prevention device at the meter is required in accordance with the NMWD Regulation 6 and California Department of Health Regulations (Title 17). Upon installation, an inspection report (device testing) must be completed and returned to the NMWD prior to the commencement of business activities.

## 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.

Moved: Commissioner Farrell; Second: Commissioner Edridge

Vote: Ayes: 3; Noes: 0; Abstain: 0; Absent: 2.

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

**GENERAL BUSINESS: NONE**

**ADJOURNMENT:** The meeting was adjourned at 7:25 P.M.