



## DESIGN REVIEW COMMISSION STAFF REPORT

### MEETING

DATE: May 19, 2021

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SUBJECT: **VILLAGE AT NOVATO**  
**P2020-037; DESIGN REVIEW**  
**APNs 143-011-05 & -08; VACANT PARCELS**  
**AFFORDABLE HOUSING OPPORTUNITY SITE No. 4 (portion)**

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### REQUESTED ACTION

Conduct a design review hearing to review and make a recommendation to the Planning Commission and City Council regarding the site design, building architecture and massing, circulation, and landscaping for the Village at Novato mixed-use project, which includes 178 residential units, 14,000 square feet of commercial space and 395 surface parking spaces.

### NEED FOR DESIGN REVIEW

Pursuant to Novato Municipal Code (NMC) [Section 19.42.030](#) (Design Review) design review approval is required for new multi-family and new non-residential structures. This project proposal involves the development of two (2) multi-family residential buildings, and one (1) mixed-use building that includes multi-family residential units and 14,000 square feet of commercial space.

### SITE DESCRIPTION

The project site is a single, 5.9-acre legal parcel (with two APNS) located north and east of 7514 Redwood Boulevard (Trader Joe's store) along Redwood Boulevard and along the north side of Olive Avenue (project site identified in Figure 1, below). The project site is vacant and relatively flat, with an average slope between 1.85 and 2.6 percent.

Immediately north of the project site is the approved [Residence Inn](#) project (103-room hotel and 8,000 square foot commercial building). West of the project site, across Redwood Boulevard, [Atherton Place](#) (50-town homes and 1,360 square foot retail building) is under construction, and the SMART railway line is located to the east.

### PROJECT DESCRIPTION

The project site plan illustrates three contemporary (3) buildings separated by parking, drive aisles, and a landscaped central outdoor area. Building A is a three-story 35-foot-tall mixed-use building located along the Redwood Boulevard frontage of the project site. This building has 14,000 square feet of ground floor retail space and 2-stories of residential units above with 26 residential units. North of Building A is an outdoor plaza which may accommodate outdoor seating for the commercial portion of the project. East of Building A and located towards the inner portion of project site are two 4-story 45-foot-tall buildings that are split into 94 (Building B) and 58

(Building C) residential units. The residential units included in this mixed-use project include studio, one-bedroom and two-bedroom units that range in sizes as listed in the table below.

Unit type	Unit Sizes
Studio	<ul style="list-style-type: none"> <li>▪ Ground Floor: 532 sq. ft.</li> <li>▪ 2<sup>nd</sup> &amp; 3<sup>rd</sup> Floor: 573 sq. ft.</li> <li>▪ 4<sup>th</sup> Floor: 540 sq. ft.</li> </ul>
One-Bedroom	<ul style="list-style-type: none"> <li>▪ Ground Floor: 771 sq. ft.</li> <li>▪ 2<sup>nd</sup> &amp; 3<sup>rd</sup> Floor: 805 sq. ft.</li> <li>▪ 4<sup>th</sup> Floor: 771 sq. ft.</li> </ul>
Two-Bedroom	<ul style="list-style-type: none"> <li>▪ Ground Floor: 1,126 sq. ft. 1,282 sq. ft.</li> <li>▪ 2<sup>nd</sup> &amp; 3<sup>rd</sup> Floor: 1,162 sq. ft. 1,282 sq. ft.</li> <li>▪ 4<sup>th</sup> Floor: 1,126 sq. ft.</li> </ul>

There is a central outdoor area located between the courtyard areas of Buildings B and C. This outdoor area includes community amenities (e.g., barbecue areas, bicycle parking, bocce ball court, lounge, and garden areas) in addition to pedestrian access between all three (3) of the proposed buildings. Additional project components include 395 surface parking spaces located throughout the project site area and landscaping throughout the project site area.

Frontage improvements (i.e., curb, ramps, gutter, sidewalk, bike lane and restriping) for Olive Avenue are not shown on this project plan set and are not a part of this project scope. These improvements are a City of Novato managed project that is separate from this proposal.

### *Development Entitlements*

The following entitlement approvals are required for the proposed project:

- **General Plan Amendment.** A general plan amendment is requested to change the existing land use designation for the project site from General Commercial (CG) to Mixed-Use (MU) to allow for multi-family dwellings in a mixed-use project.
- **Zoning Map Amendment.** A zoning map amendment is requested to change the current zoning classification of the project site from General Commercial (CG) to Mixed-Use (MU) consistent with the MU land use designation.
- **Use Permit.** An approved use permit is required where multi-family residential units are proposed in a mixed-use project within the MU zoning district. The use permit procedure is intended to address design and operational compatibilities between commercial and multi-family residential uses in the same building and/or on the same site to ensure commercial activities do not conflict with the use and enjoyment of the residential units in mixed-use projects.
- **Design Review.** Design review approval is required for new multi-family dwellings and non-residential development projects.

## **BACKGROUND**

Applicant:	Metrovation (Chris Cole)
Property Owner:	ROIC California, LLC.
Property Size:	5.85± acres
General Plan Designation:	General Commercial (CG) Affordable Housing Opportunity (AHO) Overlay (APN 143-011-08)
Existing Zoning:	General Commercial (CG) Downtown (D) Overlay Affordable Housing Opportunity (AHO) Overlay (APN 143-011-08)
Existing Use:	Vacant
Adjacent Zoning and Uses-	North: Planned District (PD); Hotel (approved) East: Medium Density Detached Residential (R4-6.0); Homes Light Industrial Office (LIO); Golden Gate Bridge District Community Facilities (CF); Pump Station West: Planned District (PD); Residential South: General Commercial (CG); Commercial

**Figure 1:** Aerial view of the Project site outlined in red (property line locations are approximated)



## **AFFORDABLE HOUSING OVERLAY ZONING DISTRICT**

A portion of the project site is identified as one of five sites in the City assigned the Affordable Housing Opportunity Overlay (AHO). The AHO designation is 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 designated AHO Site No. 4 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 Municipal Code (NMC) [Section 19.16.070](#) (Affordable Housing Opportunity (AHO) Overlay District). 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.

The portion of this project site designated as an AHO site must provide 35 residential units based on a 1.76-acre site size and provide 7 affordable units (4 very low-income and 3 low-income).

## **STATE DENSITY BONUS LAW REQUEST**

The applicant has requested the City grant a density bonus based on the criteria California Government Code §65915 (State Density Bonus Law). Since the project site is not currently designated for residential development, the City is not compelled to grant a density bonus under State Density Bonus Law. Nevertheless, an applicant can request a density bonus in conjunction with legislative amendments to allow residential development. In such cases, the City Council, as the legislative authority, has the discretion to grant a density bonus, but not an obligation as is the case for a site already designated for residential use.

The project proposal includes a base unit count of 122 residential units, 18 of which are offered as affordable units at the very low-income level, or 14.75% of the base residential unit count. The project also includes another 7 units reserved at the low-income level, bringing the total level of affordable units to approximately 20% of the base unit count. With a very-low-income unit contribution of 14.75%, the project meets the criteria required for 46.25% density bonus. A density bonus of 46.25% results in a total of 178 residential units.

The applicant has not formally submitted an application request for State Density Bonus based on the criteria of State Density Bonus Law. However, the following listed items are concessions and waivers that staff anticipates will be requested. Concessions are applied where a project requires relief from standards imposing costs that financially impair the ability to provide affordable housing. Waivers are offered under State Density Bonus Law to allow a project to obtain relief from standards physically precluding development of the number of dwelling units allowed via a density bonus. In this instance, it is anticipated that the applicant will request the following:

1. *Concession from the private open space requirement for mixed-use projects;*

As required by NMC [Section 19.34.124](#) (Multi-Family Dwellings), 150 square feet of usable open space per unit is required, and may be a combination of private and common open space; balconies and decks with no dimensions of less than 6-feet.

2. *Waiver from the 20-foot front setback requirement for the MU zoning district for the portion of the project that fronts on Redwood Boulevard;*
3. *Waiver from the 0.80 floor area ratio (FAR) limit for the MU zoning district;*
4. *Waiver from the 42-foot maximum height limit allowed for the MU zoning district through design review (20 percent increase to the maximum height of 35-feet for the MU zoning district);*

The project proposal includes two 4-story residential buildings (Buildings B and C) that have building heights of 45-feet. The MU zoning district allows a maximum building height of 35-feet, with an increase of 20 percent of this maximum height through design review, allowing for a maximum building height of 42-feet with design review approval. As proposed, these two residential buildings do not conform to this height limit.

5. *Waiver from some, or all the required number of covered parking spaces for a multi-family project; and*

As proposed this project does include 178 multi-family residential units. Table 3-7 of NMC [Section 19.30.040](#) (Number of Parking Spaces Required) does require that multi-family dwelling units provide at least one covered parking space per unit (i.e., within a garage or carport).

6. *Waiver from some, or all of the required 10-foot landscaped planting strip width adjacent streets, between the street right-of-way and parking area.*

Parking areas adjoining a public street shall be designed to provide a 10-foot-wide landscaped planting strip, exclusive of curbing, between the street right-of-way and parking area. The landscaping shall be designed and maintained to screen cars from view from the street to a height of 36 inches. As proposed the landscaped planting strip along Olive Avenue ranges from 6-foot wide to approximately 8-foot wide.

The Design Review Commission will not take any action regarding the requests listed above since the Commission will be serving in an advisory capacity to the Planning Commission and City Council. However, staff feels it is important for the Design Review Commission and interested residents be aware of the requested modifications.

## **ENVIRONMENTAL ASSESSMENT**

This project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA). An environmental assessment is not required for a design recommendation to the Planning Commission and City Council. Following a recommendation from the Design Review Commission, City staff will assess the project pursuant to the CEQA and draft an appropriate environmental document for consideration by the Planning Commission and City Council for action. The project design recommended by the Design Review Commission will form the basis of the project description for the CEQA process.

## **PUBLIC MEETINGS**

The following public meetings have been held regarding this proposal.

*Neighborhood Meeting – August 27, 2020*



A neighborhood meeting was held on August 27, 2020 at 6:00 PM via teleconference. This meeting was lightly attended, and staff did not receive any specific comments related to the project proposal.

*Design Review Commission Workshop – October 7, 2020*

The project was presented to the Design Review Commission (DRC) at a public design workshop on October 7, 2020, to garner feedback and comments from the DRC on the proposed site design, circulation, building massing, architectural design, and landscaping. For more background on this meeting please refer to [Attachment 1](#) for the workshop staff report and [Attachment 2](#) for the workshop meeting minutes.

The DRC provided comments about the project’s design and encouraged exploring alternative options that included more green spaces to help connect the three apartment buildings. The following table is a summary of the design revisions that have been made that are now incorporated into the plans based on the DRC’s workshop feedback.

DRC Feedback	Applicant Revision
Consider a site plan configuration that better connects the three apartment buildings	The circulation onsite now includes a pedestrian pathway that connects all three buildings and leads to Redwood Boulevard in addition to a revised parking configuration that better connects the rear buildings, Buildings B and C.
Include a more meaningful green space to serve as a common area for all the buildings and help to better connect the ground level areas of the buildings.	The revised site plan introduces a new contiguous central green area that extends between Buildings B and C. The parking area that was previously separating Buildings B and C was removed and footprint of Building C has been reconfigured to allow for a new parking arrangement in the south eastern portion of the project site.
Provide more screening along the rear of the Trader Joe’s building and consider relocating the project site’s driveway away from the alleyway behind the Trader Joe’s existing building.	A new driveway off Redwood Boulevard has been included. This driveway is adjacent to the rear of the existing Trader Joe’s alleyway and has been included to create a clear separation of the project site’s entrance from Trader Joe’s. The new driveway along with an increased landscaping strip width will help provide screening for the alleyway behind Trader Joe’s.

**STAFF ANALYSIS**

The DRC’s recommendation regarding the site design, building architecture and massing, circulation, and landscaping, must be based on the findings of approval required for design review actions specified in Novato Municipal Code (NMC) [Section 19.42.030](#) (Design Review).

***Design Review Findings***

To assist the DRC in making its recommendation, the analysis below lists each design review finding and discusses whether the project’s site design, conceptual architecture, circulation, building massing and landscaping 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.***

Novato General Plan 2035 –

Novato General Plan 2035 provides a framework of policies that were adopted to coordinate all major components of the City 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 concepts in light of the design related policies of [Novato General Plan 2035](#), including the [Novato Housing Element 2015-2023](#). The following is a listing of applicable design policies and programs of General Plan 2035 followed by a discussion addressing the project’s consistency therewith.

**Land Use (LU) Policy 26 *North Redwood Corridor*.** *Consider the following preferred land use concepts and design guidelines for the bounded area and individual sites depicted in Figure GP-7 in evaluating development and infrastructure proposals for the North Redwood Corridor:*

*Preferred Land Use Concept for Site 5a [project site]:*

- *Create a retail development composed of smaller shops and medium-sized retailers of 20,000 – 30,000 square feet each along with restaurants and entertainment facilities.*
- *Allow for second and/or third story office or recreational space, if practical and if a minimum 0.3 Floor Area Ratio of retail space is provided in this subarea.*
- *Consider studying land use and zoning amendments for mixed-use development at Site 5a if proposed by the property owner [emphasis added].*

*Design Guidelines for Site 5a:*

- *Provide for public gathering places and ample outdoor seating area throughout the area.*
- *Incorporate extensive landscaping with shade trees.*
- *Provide pedestrian and bicycle connections between retailers and public spaces to the bicycle/pedestrian facilities along the SMART corridor and along Redwood Blvd.*
- *Explore incorporating design features or portions of the Dairymen’s Milling building into the retail development.*
- *Create wide pedestrian sidewalks and a bicycle path along the Redwood Blvd. frontage*
- *Locate buildings near the Redwood Blvd. frontage, with shop entries and/or display windows facing the street and gathering places.*

- *Minimize views of parking areas from Redwood Blvd. typically by locating parking behind buildings.*

Discussion/Analysis: The project site is identified on Figure GP-7 (North Redwood Corridor Sites) as Site 5a and currently has a general plan land use designation of General Commercial (CG) and a zoning classification of General Commercial (CG). The applicant's proposal involves a general plan amendment and a zoning map amendment to change the current land use designation and zoning classification to Mixed-Use (MU) to allow for this project proposal.

The project proposal includes a new 14,000 square-foot ground floor retail/commercial space that is oriented along the Redwood Boulevard frontage of the project site. This retail/commercial space will also feature an outdoor dining/seating area located at the northern Redwood Boulevard site entrance adjacent to the grain silo signage structure. This building configuration allows for shop entries and/or display windows to be oriented towards Redwood Boulevard, as well as gathering spaces such as the outdoor dining/seating area, while also minimizing any public views of the parking areas located behind Building A.

Additional outdoor spaces are provided throughout the project site by way of a common green area which extends between Building B and Building C. This common green area includes many community amenities that encourage public gathering (e.g., community garden areas, bocce ball court, firepit lounge areas, dining, and barbecue areas) and provides a pedestrian pathway between the three buildings. This pathway also allows for a direct pedestrian connection to the Redwood Boulevard frontage from the rear buildings (Buildings B and C). This frontage area will include a protected bicycle lane located between diagonal street parking stalls and a new sidewalk that will continue north from the existing sidewalk along the Trader Joe's building.

The included landscaping and planting plan (Sheets L-1 to L-8 of [Attachment 3](#)) demonstrates that the common green area and the balance of the project site will be adequately landscaped with a variety of plant species and types and shaded by a variety of tree species as listed on Sheet L-6 of [Attachment 3](#).

Based on the project's plans and design features described above, it is considered consistent with the design guidelines of LU Policy 26 applicable to the project site (site 5a.).

**Community Character (CC) Policy 7 *Mixed Use Development.* Accommodate additional housing on upper floors over commercial and office uses where appropriate.**

Discussion/Analysis: This project proposal involves the construction of a new mixed-use building, Building A, which includes two (2) floors of 28 residential units over 14,000 square feet of retail/commercial space. The project is therefore consistent with CC Policy 7. The project includes a horizontal mix of commercial and residential development that likewise meets intent of CC Policy 7 by expanding housing opportunities in combination with new commercial development.

**CC Policy 8 *Pedestrian-Oriented Land Uses.* Encourage pedestrian-oriented, rather than auto-dependent uses in areas such as, but not limited to, Downtown, Pacheco Plaza, Hamilton Town Center, The Square Shopping Center and other activity centers where mixed uses, shared parking (on- and off-street), transit service, and other conditions facilitate pedestrian circulation and community interaction.**

Discussion/Analysis: The project includes a pedestrian-oriented mixed-use building frontage along Redwood Boulevard. Pedestrian amenities, such as wide sidewalks, street trees, and space for café seating, will enhance the pedestrian experience along Redwood Blvd. The site is located



less than ½ mile walking distance from the Downtown SMART Station and the frontage amenities are intended to match the frontage improvements associated with the Residence Inn project, immediately to the north of the site. The project is considered to be consistent with CC Policy 8.

**CC Policy 12 *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, and consistent with adopted City policies and design guidelines. Recognize that neighborhoods include community facilities needed by Novato residents as well as homes and integrate facilities into neighborhoods.*

Discussion/Analysis: The project site is currently an undeveloped parcel. For neighborhood context, directly north of the project site is the location of the [Residence Inn](#) project which was approved by City Council on November 13, 2018, and includes the construction of a 103 room 3-4 story hotel building, as well as a separate 8,000 square foot commercial building. To the south of the project site is the existing Trader Joe’s retail building. To the west is the location of the [Atherton Place](#) project, which was approved by City Council on December 19, 2019, and includes the development of 50 townhomes as well as a 1,360 square foot retail space. East of the project site is the Golden Gate Transit District bus storage yard and a single-family residential neighborhood (Elmwood Court).

There is no clearly defined architectural style on this portion of the Redwood Boulevard corridor. The architectural style of the development to the south of the project site (Trader Joe’s building) is of a Spanish Colonial Revival, to the north (Residence Inn) the development uses a contemporary architectural style, to the west (Atherton Place/Atherton Ranch) the townhomes use Craftsman and Victorian architectural styles, and to the east (Elmwood Court) are an eclectic architectural mix of single-family homes.

Neighborhood scale in this area of Redwood Boulevard is defined by the existing Trader Joe’s retail building and the Residence Inn project. The Trader Joe’s building is a 21,000 square foot single-story retail building that is 24-feet in height with building elements (i.e., tower) that is 43-feet tall. The Residence Inn project includes a 103-room 3-4 story hotel building that has 77,532 square feet of building area and is 53-feet in height, as well as, a 15-18 foot tall single-story 8,000 square foot commercial/retail building.

Based on the statements of fact above, the applicant’s proposed site plan is considered to fit into the existing and future development in this portion of Redwood Boulevard. The building orientation, articulated contemporary design, landscaping, scale and mix of colors/materials is intended to create interest and variety in design, while also being sensitive to the surrounding architecture, topography, landscaping, and to the character, scale, and ambiance of the surrounding neighborhood. Based on the project’s design features described above, the project is consistent with CC Policy 12.

**CC Policy 13 *Architectural Character.*** *The architecture of new development should be authentic to the style being expressed, with appropriate finish details (materials, colors, application techniques)*

Discussion/Analysis: Building materials include horizontal Hardie plank lap siding and red brick veneer. Proposed paint colors include *Warm and Toasty*, and shade of yellow. and *Indian River*, a shade of taupe. Based on the project’s design and materials and colors, the project is consistent with CC Policy 13.

**CC Policy 18 Parking Standards.** *Reduce the visibility of parking facilities and the amount of land necessary for them to the maximum extent feasible. Encourage shared parking facilities where feasible.*

Discussion/Analysis: As discussed above in the analysis portion of LU Policy 26, the orientation of the project buildings, namely Building A, provides visual screening along Redwood Boulevard for the parking areas in the rear portion of the project site. The balance of the parking areas on-site will be located in areas that are not visible from public streets or include landscaped areas on the perimeter and throughout the project site that will reduce the visibility of the required on-site parking. Based on the project's design features described above, the project is consistent with CC Policy 18.

**Living Well (LW) Policy 12 Public Art.** *Promote public art that enhances the cultural life of the community.*

Discussion/Analysis: An art piece is proposed within the community green area of the project site. Additionally, this project is required to comply with the City's Art Program as further detailed below in the zoning consistency portion of this staff report. Based on the project's design features described above, the project is consistent with LW Policy 12.

**Housing Element (HO) 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.*

Discussion/Analysis: The project site is in an area of Redwood Boulevard that is in transition, with a mix of both new commercial and residential development nearby. The layout of the project site and project buildings, including landscaping is designed in a manner to soften the project's massing and scale from Redwood Boulevard and adjoining parcels by creating upper story building step backs along the Redwood Boulevard frontage and transitioning to taller building heights closer to the railroad line, which is a similar design approach used with the adjacent Residence Inn project. Across the street at the Atherton Place project site, the building roof peak have a height of 34-feet; the proposed mixed-use building along the Redwood Boulevard frontage has a building height of 35-feet, however, the upper two floors are stepped back from Redwood Boulevard. Additionally, landscaped parking areas create buffers along the rear and side portions of the project site. The project also includes frontage improvements (i.e., pedestrian pathway and bicycle path "cycletrack") that will match the existing pedestrian pathway and bicycle path along the Residence Inn Redwood Boulevard frontage. Based on the project's design features described above, the project is consistent with HO Policy 3.2.

**HO 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).*

Discussion/Analysis: This project proposal includes 178 residential units, and 14,000 square feet of commercial/retail space spread out between three (3) separate buildings. The orientation of these three (3) buildings along with the use of landscaping elements (i.e., common green area), and building step backs allows for the reduction of the perceived bulk of this project proposal. The building oriented along the Redwood Boulevard frontage (Building A) is a mixed-use building, with the lower portion of this project building dedicated to commercial/retail uses, and the upper two floors for residential units. This building will reduce the perceived bulk of this building by using a 11-foot upper floor step back on the front and rear portion of the building, and a 7.75-foot upper floor building step back for the side portions of the building. All three buildings also have varied wall faces with large windows that create architectural interest, while also visually breaking up the massing of these buildings.

The building’s contemporary architecture benefits from the use of brick veneer siding material and contrasting window trim and parapet colors.

As discussed above in the analysis portion of HO Policy 3.2, the project includes frontage improvements (i.e., pedestrian pathway and bicycle path) that will match the existing pedestrian pathway and bicycle path along the Residence Inn project frontage and connect to the existing pedestrian pathway in front of the Starbucks/Dapper Cleaners portion of the Trader Joe’s building. On-site parking areas will be largely hidden from public view because of the orientation of the project buildings as illustrated on Sheet A2.0 of Attachment 3 and through the use of trees and landscaped areas throughout the surface parking areas. Based on the project’s design features described above, the project is consistent with HO Policy 3.3.

### ***Novato Zoning Ordinance***

As noted above, the project site currently has a zoning classification of General Commercial (CG), however, the applicant has requested a Zoning Map amendment to change the zoning classification

to Mixed-Use (MU). Accordingly, this project review is based on applicable MU development standards, as well as the Downtown (D) and AHO overlay zoning district development standards, barring the granting of concessions, waivers, or reductions under State Density Bonus Law to provide relief from such standards.

The following tables list key development standards and zoning sections that are applicable to this project and where a waiver or concession to said standard has been requested.

<b>Development Standards for the MU Zoning District</b>						
Project Parcel Size: 5.85 acres	Setback			Building Coverage	Height Limit	Floor Area Ratio
	Front	Side	Rear			
Codified Standard	20'	None	None	40%	35' <sup>2</sup>	0.80
Project Proposal	6' <sup>1</sup>	50' / 146'	79.6'	26%	45' <sup>3</sup>	0.90 <sup>4</sup>

**Notes:**

- <sup>1</sup> Waiver of the front setback requirement is requested for the portion of the project site that fronts onto Redwood Boulevard.
- <sup>2</sup> The height limits of [Article 2](#) may be increased by a maximum of 20 percent through Design Review approval in accordance with [Section 19.42.030](#) (Design Review), except for the Downtown Core. This increase allows for a maximum height of 42-feet within the MU zoning district with design review approval.
- <sup>3</sup> Anticipated subject of State Density Bonus waiver from the 42-foot maximum height limit allowed for the MU zoning district through design review.
- <sup>4</sup> Anticipated subject of State Density Bonus waiver of the maximum allowable FAR for the MU zoning district.

<b>Applicable Zoning Ordinance Sections and Project Consistency</b>		
Development Feature	Zoning Development Standard	Project Compliance
Trash & Recycling	As required by NMC <a href="#">Section 19.20.120</a> , a minimum of 384 square feet of solid waste storage, and 384 square feet of recycling shall be required for multi-family projects with 176-200 unit.	Yes
Art	As required by NMC <a href="#">Division 19.21.030</a> , art may be located on-site in an area visible from the public street or sidewalk, on an adjacent public property, or otherwise in an area determined appropriate by the design review authority. The art project shall have a value of not less than one-third of one percent of construction cost. Alternatively, payment of an in-lieu fee may be permitted if approved by the City’s Director of Parks, Recreations and Community Services.	Planning staff is recommending a condition of approval that would require an art piece to be reviewed and approved by the DRC subsequent to a City Council approval of the project, or payment of an in-lieu fee in accordance with <a href="#">Division 19.21</a> (Art Program).

Light and Glare	As required by NMC <a href="#">Section 19.22.060</a>	Yes
Landscaping	As required by NMC <a href="#">Division 19.28.</a>	Yes
Parking	As required by NMC <a href="#">Division 19.30.</a>	Project proposal does not comply with portions of this division, this is an anticipated subject of density bonus waiver request.
Bicycle Parking	As required by NMC <a href="#">Section 19.30.090</a> , multi-family project shall provide a minimum of 10 percent of the required vehicle spaces, and retail commercial uses shall provide a minimum of 5 percent of the required vehicle spaces.	Yes, 202 bicycle parking spaces are provided
Mixed-Use Projects	Standards provided by NMC <a href="#">Section 19.34.100.</a>	Yes
Open Space	As required by NMC <a href="#">Section 19.34.124</a> , 150 square feet of usable open space per unit, may be a combination of private and common open space; balconies and decks with no dimensions of less than 6-feet.	Project proposal does not comply with this standard, this is an anticipated subject of density bonus concession request.

Based on a review of project plans, the only deviations from codified standards are the three items listed in the density bonus request, and those identified as anticipated waivers for 1) Redwood Blvd. building setback; 2) Private open space requirements; and 3) Maximum floor area ratio; 4) Maximum building height; 5) Covered parking required 6) Street-side landscaped planting strip width. The City Council may waive the noted items if it accepts the requested density bonus and approves the general plan land use amendment and rezoning of the property. Notwithstanding the pending density bonus and noted development standards waivers, the project is considered to be consistent with Finding No. 1.

***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.***

Discussion/Analysis: The project site is currently an undeveloped parcel along Redwood Boulevard and Olive Avenue. The current state of the site does not present an attractive environment and does not currently provide a sense of community. As proposed, the project site will include frontage improvements along Redwood Boulevard to encourage pedestrian access to the project site, as well as retail/commercial opportunities in this portion of Redwood Boulevard. The project site also includes a large community green area with many community and pedestrian oriented amenities as discussed in the analysis portion of LU 26. Given the existing condition of the site, the project would significantly improve the character and appearance of the property which in doing so will help in creating a more desirable environment for occupants, neighbors, and the visiting public. The project is considered to be consistent with Finding No. 2.



***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.***

Discussion/Analysis: The project plans were referred to public agencies responsible for reviewing and providing services, including Novato Public Works, North Marin Water District, Novato Sanitary District, and Novato Fire Protection District. These agencies have submitted comments and/or conditions addressing matters such as pedestrian and bicycle access, adequacy of drainage facilities, and water and sewer service. While the construction level plans have yet to be prepared, none of the responsible agencies identified issues requiring significant changes to the site and/or building design that, less addressed, represent a detriment to public health, safety, or welfare, nor be materially injurious to project occupants, visitors and surrounding properties or improvements in the vicinity. The project is considered to be consistent with Finding No. 3.

### **RECOMMENDATION**

Staff recommends the Design Review Commission recommend approval of the site design, conceptual architecture, circulation, building massing and landscaping for the Village at Novato mixed-use project as presented on the plans prepared by Trachtenberg Architects, dated April 30, 2021, based on the findings discussed in the staff analysis section of this report above and subject to the conditions below.

### **ALTERNATIVES**

1. Recommend approval of the site design, conceptual architecture, circulation, building massing and landscaping for the Village at Novato mixed-use project, as designed; or
2. Recommend approval of the site design, conceptual architecture, circulation, building massing and landscaping for the Village at Novato mixed-use project with recommended revisions; or
3. Do not recommend approval of the site design, conceptual architecture, circulation, building massing and landscaping for the Village at Novato mixed-use project; or
4. Continue the public hearing with direction to staff and the applicant.

### **COMMISSION FINDINGS**

1. In accordance with Section 19.42.030.F. of the Novato Municipal Code and on the basis of the discussion in the staff analysis section of this report above, the Design Review Commission finds that:
  - a. The design, layout, size, architectural features and general appearance the project is consistent with the general plan and with the development standards, design guidelines and all applicable provisions of this code.
  - b. The 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.

- c. The project 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 of approval shall be met to the satisfaction of the *Planning Division*:

1. The applicant shall comply with Novato Municipal Code Division 19.21 (Art Program) prior to issuance of a building permit.
2. Subsequent a City Council decision regarding the project entitlements, the applicant shall submit the following final design details to the Planning Division for review and approval prior to issuance of the first building permit:
  - a. Location and type of all exterior lighting;
  - b. Location and size of all mechanical and utility equipment including power and telephone equipment, meters, and transformers;
  - c. Landscape plans in construction detail showing the location, type, and size of plant materials, estimated height and spread at maturity; the area and type of top dressing; tree staking; soil mix; planting area separators; fencing; area lighting; and all other landscaping improvements;
  - d. Adequate enclosures or screening of all rooftop equipment;
  - e. Enclosure design for utility meters and trash areas;
  - f. Final colors approved by DRC, as reflected on the color board presented to DRC on May 19, 2021;
  - g. Type, size, appearance, and location of all signage based on compliance with master sign program.

The following conditions of approval shall be met to the satisfaction of the *North Marin Water District (NMWD)*: Please contact the NMWD at (415) 897-4133 if you have questions about these requirements:

3. The owner/applicant must apply to the NMWD to enter into an agreement and complete financial arrangements for new water use facilities. Review of new and existing water use facilities are required.
4. Installation of both in-tract potable and recycled water mains are required. Provisions shall be made, as directed by the NMWD to provide for connection to the existing recycled water distribution main in Redwood Boulevard.
5. The property owner must dedicate easements where necessary for NMWD facilities (both potable water and recycled) to serve this project proposal. Separate fire services would be required for commercial structures and separate recycled water meters for landscaping demands would also be provided.

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

The following conditions of approval shall be met to the satisfaction of the *Novato Sanitary District (NSD)*. Please contact the NSD at (415) 892-1694 if you have questions about these requirements:

8. The project will need to make a determination of Public vs Private onsite sanitary sewers. If the onsite sanitary sewers are to be Public, then the project will be required record dedicated exclusive ten-foot wide sanitary sewer easements to be held by the Novato Sanitary District.
9. The District will require Buildings B&C, (152 apartments) be connected with an eight-inch sewer system, which will then connect to the District's MH H15086 in the Olive Ave right of way.
10. The eight-inch onsite sanitary sewer system will be constructed to NSD standards and should be located in the center of the parking travel ways to be accessible to maintenance equipment.
11. The District will require that Building A, (Commercial Mixed Use), be constructed with a Domestic sewer system and a Commercial Grease Waste System, (GWS). There are at least three Commercial suites that could develop into Restaurants or Food Service. The GWS needs to be accessible to all of the proposed Commercial suites, in the event that they develop into Food Service Establishments (FSEs) in the future. As a component of the GWS, the project will install a 1,250-gallon minimum, in ground interceptor tank at the South end of Building A. The discharge line of the interceptor tank can then be connected to the public sanitary sewer. The remaining twenty-six residential apartments and the domestic flow for the Commercial suites should be connected to the proposed new manhole at the north/west property corner being constructed by the adjacent Marriott Residence Inn project.
12. The project's proposed sewer main extension shown within Redwood Blvd. makes an angle to the east and then runs south parallel to the right of way of Redwood Blvd. The District will require that the sewer main extension not diverge from the previous downstream sewer main alignment and stay consistent to the right of way of Redwood Blvd. The preferred sewer main alignment may require that the proposed storm drain structure on Redwood Blvd be relocated some distance to the east to avoid conflict.
13. The portion of the proposed sewer improvements reconnecting the Trader Joe's building resides within a private service road that is off the project's property. The District assumes that the reconnection of the Trader Joe's building will be with a private sewer line. The District

cannot permit the modification of another property's private lateral. The District will require written proof of permission that the project has access to modify the Trader Joe's private lateral prior to issuing a District lateral modification permit.

14. Both Trash enclosures onsite must have a sewer drain that is connected to the District's minimum standard size grease interceptor prior to connection to the sanitary sewer. The trash enclosures must also be covered, to prevent rainwater from entering the sanitary sewer system.
15. The existing six-inch sewer within the project's parcel shall not be abandoned until the District's Board has accepted the Redwood Blvd replacement sewer main.
16. The District will not allow the existing sewer main to be abandoned until the sanitary sewer easement proposed by the Marriott project is dedicated to the District and recorded with the Marin County Recorder.
17. Prior to the issuance of a District sewer main extension permit, the project must complete a District sewer main extension permit application, provide construction bonding and pay all appropriate fees prior to receiving Board approval of the sewer main extension plans.

The following conditions of approval shall be met to the satisfaction of Pacific Gas and Electric (PGE):

18. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
19. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
20. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe. Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas. Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

21. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
22. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So, to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24-inch-wide trench being dug along a 36-inch pipeline, the centerline of the trench would need to be at least 54 inches [ $24/2 + 24 + 36/2 = 54$ ] away or be entirely dug by hand.). Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away. Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
23. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations. For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.
24. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line ‘kicker blocks’, storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement. If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.
25. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E’s ability to access its facilities.



26. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16-foot-wide gate for vehicular access. Gates will be secured with PG&E corporation locks.
27. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.
28. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.
29. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.
30. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.
31. Buildings and Other Structures: No buildings or other structures including the footprint and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "RESTRICTED USE AREA – NO BUILDING."
32. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
33. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
34. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that

do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.

35. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
36. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case-by-case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
37. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.
38. Streets and Roads: Access to facilities must be maintained at all times. Streetlights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.
39. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.
40. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.
41. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.
42. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 ([http://www.cpuc.ca.gov/gos/GO95/go\\_95\\_startup\\_page.html](http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html)) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.
43. Indemnity and Time Limitations
  - a. The applicant and any successor in interest, whether in whole or in part, shall defend, indemnify, and hold harmless the City and 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 decision at issue herein. This indemnification shall include damages or fees awarded against the City, if any, costs 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 and any successor in interest, whether in whole or in part, shall defend, indemnify, and hold harmless the City, its agents, employees, and attorneys for all costs incurred in additional investigation of or study of, or for supplementing, preparing, redrafting, revising, or amending any document, if made necessary by said legal action and 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. In the event that a claim, action, or proceeding described in no. a. or b. above is brought, the City shall promptly notify the applicant of the existence of the claim, action, or proceeding, and the City will cooperate fully in the defense of such claim, action, or proceeding. Nothing herein shall prohibit the City from participating in the defense of any claim, action, or proceeding; the City shall retain the right to (i) approve the counsel to so defend the City, (ii) approve all significant decisions concerning the manner in which the defense is conducted, and (iii) approve any and all settlements, which approval shall not be unreasonably withheld. The City shall also have the right not to participate in said defense, except that the City agrees to cooperate with the applicant in the defense of said claim, action, or proceeding. If the City chooses to have counsel of its own to defend any claim, action, or proceeding where the applicant has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the applicant.
- d. The applicant and any successor in interest, whether in whole or in part, indemnifies the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.
- e. Unless a shorter limitation 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.
- f. 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), the conditions constitute written notice of a statement of the amount of such fees and a description of dedications, reservations, and other exactions. You are 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 you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

## **FURTHER ACTION**

This Project will be presented to the Planning Commission and City Council at future public hearings for consideration.

## **ATTACHMENTS**

1. [Design Review Commission Staff Report \(October 7, 2020\)](#)
2. [Design Review Commission Meeting Minutes \(October 7, 2020\)](#)
3. [Project Plan Set \(April 30, 2021\)](#)
4. [Village at Novato Project Webpage](#) (City of Novato maintained webpage)