



March 18, 2024

Steve Marshall, Deputy Director of Community Development  
City of Novato  
922 Machin Avenue  
Novato, CA 94945

**RE: Response to Completeness Review**  
**Project No. P2023-056**  
**1212 and 1214 Grant Ave | APNs 141-262-12 & -13**

Dear Mr. Marshall,

Thank you for your comments and review of our application. Below please find detailed responses to each of the completeness comments made by the City and outside agencies dated August 24, 2023.

**NOVATO PLANNING DEPARTMENT: Steve Marshall & Kaitlin Zitelli**

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**1. City Comment**

AMG's did not provide a plan showing the number, location, and affordability level of the proposed housing units which are presented to qualify the Project for a density bonus. Submit a plan providing the noted information. For reference, AMG's submittal memorandum notes an item entitled "Affordability Floor Plans." However, this document was not contained in the submittal package. **Incomplete**

**AMG/CalHDF's Response:** *Affordability floor plans are provided in this resubmittal package.*

**2. City Comment**

AMG submitted four (4) concession requests regarding private outdoor open space, common outdoor open space, upper story building step-back, and retail loading space requirements. **Incomplete (see below).**

**AMG/CalHDF's Response:** *This is addressed in our responses to comments 3-6 below.*

**3. City Comment**

Project Description: Page 1 of AMG's density bonus letter describes the Project as being comprised of 173 dwelling units, 6,205 sq. ft. of retail space, and 126,505 sq. ft. of gross floor area. However, the project plans and other information submitted for the proposal indicate there are 60 dwelling units, with 1,345 sq. ft. of retail space and 47,150 sq. ft. of gross floor area. Please clarify if the letter or the plans are correct. Revise either the letter or other project information for consistency with one another. **Incomplete**

**AMG/CalHDF's Response:** *Please see the revised density bonus memo which corrects this inconsistency.*

**4. City Comment**

Parking: Notwithstanding whether the Project qualifies for parking waiver under Government Code Section 65915(p), AMG's density bonus letter states that 24-parking spaces are provided for the Project. However, the project plans do not indicate that any parking is provided. Clarify if parking is proposed and, if so,

whether it is intended to serve the retail or residential components of the Project. If parking is proposed, then show the parking in the plan set for the Project. **Incomplete**

**AMG/CalHDF's Response:** *Please see the revised density bonus memo which corrects this inconsistency.*

**5. City Comment**

Common Outdoor Open Space: AMG requests a concession to the common outdoor open space requirement of NMC Section 19.34.100 K. AMG's representation of the required common open space area is incorrect. As a result, the reported cost reduction to the Project is not accurate. For clarification, the amount of common outdoor open space required is 4,500 sq. ft. representing 50% of the total of 9,000 sq. ft. of private and common open space combined. Revise this concession request to accurately reflect the required level of common outdoor open space and the associated cost reduction claimed by AMG. Additionally, AMG's concession request covering this item indicates there are two other scenarios for consideration that are waiver related. However, the concession request does not describe what these scenarios cover or the relevance of a waiver. Clarify these statements. **Incomplete**

**AMG/CalHDF's Response:** *Please see the revised density bonus memo. The concession request has been modified to correct the open space requirement and removes any discussion of multiple scenarios.*

**6. City Comment**

Upper Story Building Step-Backs: AMG provided quantified information regarding increases in land cost per unit resulting from compliance with the upper story building step-back required by NMC Section 19.34.100 E. However, AMG did not provide any documentation listing the actual land purchase price against which the Department can verify the cost reduction claimed in this concession request. Provide the Department with the grant deed listing the purchase price for the Project Site so that AMG's conclusions regarding costs can be verified. **Incomplete.**

**AMG/CalHDF's Response:** *A NiteOwlPro report obtained through Chicago Title's online platform is provided as an attachment to our density bonus memo to confirm the land purchase price.*

**7. City Comment**

TENTATIVE PARCEL MAP: AMG is requesting a tentative parcel map (TPM) to merge two (2) existing parcels into a single parcel for the purpose of developing the Project. The TPM application submitted by AMG is complete on the basis the TPM is not subdividing but merging two existing parcels. However, AMG may consider withdrawing its application for a TPM and submit a request for a lot line adjustment (LLA) to merge the subject parcels. Please see item No. 1 of the attached memorandum from the Novato Public Works Department - Engineering Division regarding the lot line adjustment option.

**AMG/CalHDF's Response:** *Acknowledged. Response provided to Public Works.*

Thank you for your comments. Please contact me if you have any questions regarding our project or resubmittal.

Sincerely,



Amanda Locke, AMG & Associates, LLC



Dylan Casey, California Housing Defense Fund

- **PG&E Comment**

Our review indicates the proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

*AMG/CalHDF's Response: Acknowledged.*

**PG&E Comment**

Please note this is our preliminary review and PG&E deserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to the design, we ask that you resubmit the plans to the email address listed below.

*AMG/CalHDF's Response: Acknowledged.*

- **PG&E Comment**

If the project requires PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department.

*AMG/CalHDF's Response: Acknowledged. We will work closely with PG&E during the construction document phase.*

**1. City Comment**

Merging of existing parcels can be accomplished by a lot merger or lot line adjustment, as an alternative to a tentative map and parcel map process.

*AMG/CalHDF's Response: We have discussed the two options with our civil engineer and have opted to continue with the tentative map process.*

**2. City Comment**

Show all proposed bioretention basins on the preliminary grading and drainage plan with top of soil and surrounding elevations. Provide sufficient finish grade elevations within DMAs 1 – 3 to demonstrate that they will drain to the bioretention basins.

*AMG/CalHDF's Response: Updated and shown on sheet C-3.*

**3. City Comment**

Show grate and invert elevations for all proposed drainage structures.

*AMG/CalHDF's Response: Updated and shown on sheet C-2.*

**4. City Comment**

Update the preliminary Stormwater Control Plan for a Regulated Project based upon the template in Appendix D of the current BASMAA Post-Construction Manual dated January 2019.

- a. Correct the submittal date in Table 1.

*AMG/CalHDF's Response: Updated with this resubmittal package.*

- b. Include bioretention sizing calculation Tables in Section IV.B.5 for each bioretention facility showing the total minimum and proposed facility sizes.

*AMG/CalHDF's Response: Updated with this resubmittal package.*

**5. City Comment**

Submit a preliminary drainage report prepared by a California Registered Civil Engineer. The report should include hydrologic and hydraulic calculations to support the design and sizing of all public and private drainage storm drains and detention facilities. The report shall address existing downstream storm drain facilities and hydraulic conditions which may impact the design of proposed facilities and improvements. Analyses of the conveyance of onsite and downstream facilities shall be based on the 25-year storm. The peak stormwater runoff rate should not exceed the existing peak runoff rate.

*AMG/CalHDF's Response: Added hydrologic and hydraulic calculations report in the submittal.*

**1. NMWD Comment**

The North Marin Water District currently provides potable domestic water service to the above referenced property from a 3/4-inch service lateral with a 5/8-inch water meter, that serve the addresses of 1212 & 1214 Grant Avenue. Normal pressure Zone 1 water service can be provided to this parcel up to an elevation of 60 feet.

*AMG/CalHDF's Response: Acknowledged.*

**2. NWMD Comment**

Construction of new water distribution facilities is likely required for the above referenced project; however, a detailed review of both existing and proposed water facilities is needed to determine the extent. To proceed with project review, the owner must apply to the District pursuant to District Regulations Part B, 20-36 at [www.nmwd.com/about/regulations](http://www.nmwd.com/about/regulations).

*AMG/CalHDF's Response: Acknowledged.*

**3. NWMD Comment**

Prior to project completion the owner must enter into an agreement with the District and complete financial arrangements. Occupancy approval shall not be granted until water service installation and sign off is complete.

*AMG/CalHDF's Response: Acknowledged.*

**4. NWMD Comment**

The project must conform to the North Marin Water District's Mandatory Water Conservation Measures. For the full scope of the required water conservation measures for both indoor fixtures/appliances and landscaping refer to District Regulation 15 (section e. and f.) at [www.nmwd.com/about/regulations/](http://www.nmwd.com/about/regulations/).

*AMG/CalHDF's Response: Acknowledged.*

**5. NMWD Comment**

Occupancy approval will not be granted until compliance with water conservation measures, as applicable, can be verified. Please contact the District Water Conservation Coordinator at (415) 761-8933 if you have any question regarding clarification of required water conservation measures or plan submittal requirements.

*AMG/CalHDF's Response: Acknowledged.*

**6. NMWD Comment**

Installation of above-ground backflow prevention device(s) will be required in accordance with District Regulation 6 at [www.nmwd.com/about/regulations/](http://www.nmwd.com/about/regulations/) and California Department of Health Regulations (Title 17).

*AMG/CalHDF's Response: Acknowledged. Above-ground backflow prevention devices are proposed and will be installed in accordance with this Regulation as required.*

**7. NMWD Comment**

Upon installation, an inspection report (including device testing) must be completed and returned to the District prior to the commencement of business activities. Please contact our Cross-Connection Control Technician at (415) 761-8948 or [backflow@nmwd.com](mailto:backflow@nmwd.com) if you have any questions regarding clarification of cross-connection and/or backflow protection requirements.

*AMG/CalHDF's Response: Acknowledged.*

**8. NMWD Comment**

If fire sprinklers are required by the local fire authority, replacement and upsizing of both the service lateral and water meter will likely be necessary in order to provide adequate water flow required by the new sprinkler system. This response regards potential fire protection requirements. The owner should be directed to the local fire authority for determination of all final fire requirements for the project. The North Marin Water District should be informed of any changes or new requirements related to fire protection.

*AMG/CalHDF's Response: Acknowledged.*

**1. NSD Comment**

Existing Lateral Connection and District Standards: As part of our review, it has come to our attention that the existing lateral does not meet the prescribed district standards. If the existing lateral is to be used, it must be connected at a manhole to satisfy these standards. We kindly request that you provide detailed information regarding your plans for the existing lateral connection. Specifically, please indicate whether the existing laterals will be re-used for the new building or if they will be abandoned as per District standards.

*AMG/CalHDF's Response: Added a new sewer manhole connecting existing sewer later to existing sewer main. Please see sheet C-4.*

**2. NSD Comment**

Plumbing for Food Service Facilities: It has been noted that the proposed commercial units on the first floor could be intended for food service facilities. In this regard, we emphasize the importance of ensuring that these units are plumbed in such a way that they can connect to a grease interceptor. This connection is necessary to accommodate the potential operation of food service facilities and to meet sanitation and environmental requirements. We request a detailed description of your plumbing strategy for the first-floor commercial units, including how the grease interceptor connection will be established.

*AMG/CalHDF's Response: 30" X 30" grease interceptor provided inside building. See exhibit A2.0 Building plans for more information.*

- **NFD/BV Comment**

**F1:** It is understood these are preliminary plans, but at the time of submittal for permit: All submitted sheets must be wet-stamped and wet-signed by the California licensed/registered professional responsible for the design (i.e., electronic signature will be permitted if acceptable by jurisdiction). Please provide a signature on the stamp on each page of the submittal. 2022 CFC §106.1 & CA B&P Code §6737.1, 7026.12, 7057 & 7058 Typ.

*AMG/CalHDF's Response: Acknowledged. This will be addressed during the building permit stage.*

- **NFD/BV Comment**

**CS-1:** Under proposed building design information "MAXIMUM BUILDING HEIGHT", it shows the building will be comprised of five (5) aboveground stories with a height of 55'-7". Per City of Novato Design Guidelines & Municipal Code, this building elevation may not exceed 35' in total height. The California State Density Bonus Law (SDBL) §65915(d)(2)(D) cited to increase the buildings permitted height as stated above would require prior City approval as well as competently demonstrating the specific percentage (%) of affordability units proposed (Very-low income, low income or moderate- income households based on the area's median income (AMI). Provide all justifying documentation and calculations for examination by the city for review of this request. See: May 17, 2023, update to SBDL.  
California State SBDU update. May 17, 2023

*AMG/CalHDF's Response: Acknowledged. This is addressed in our response to the Planning Department.*

- **NFD/BV Comment**

**F2. CS-1:** Based on proposed use, the entire building (all five [5] stories of retail and apartments) will be required to be fully protected by a fire sprinkler system conforming to 2022 NFPA 13 & 2022 CFC §903.3.1.1. Deferred submittals please add: Fire Sprinklers, Fire Alarm, Fire Pump, Underground Fire lines, etc. Please correct as needed and provide consistency throughout. 2022 CFC 106.

*AMG/CalHDF's Response: Acknowledged. This will be addressed during the building permit stage.*

- **NFD/BV Comment**

**F3. CS-1:** Based on the proposed building height of 55'-7", this building will require a fire protection - Class III or Class I standpipe system per 2022 CFC §905.3.1. Consult Novato Fire Department for allowable standpipe types (i.e., manual, or automatic)

*AMG/CalHDF's Response: Acknowledged. This will be addressed during the building permit stage.*

- **NFD/BV Comment**

**F4. CS-1:** Based on the proposed building height of 55'-7", this building will likely require a fire protection - fire pump to support both fire sprinkler system(s) and fire protection standpipe system(s).

NOTE: If a fire pump is necessary, unless a diesel driven fire pump is provided, the city requires a letter from the local power utility company providing electricity to this site indicating the supporting electrical infrastructure to this building is considered a reliable source per 2022 NFPA 20 §9.3.2 and/or §9.3.3 for electric-motor driven fire pumps.



*AMG/CalHDF's Response: Acknowledged. This will be addressed during the building permit stage.*

- **NFD/BV Comment**

F5. Based on the utility plan provided, no new or existing fire hydrants are shown on this site plan or within surrounding areas. It will be necessary to provide fire hydrants capable of supporting the required fire flow per 2022 CFC §507.3 based on the total area of the building and the building's construction type per 2022 CFC §507. 1, Appendix B & C and City of Novato Standards.

*AMG/CalHDF's Response: A new fire hydrant is added on Grant Avenue. Please see sheet C-3.*

- **NFD/BV Comment**

F6. A1.0: Per CFC §503.1, a fire apparatus access road shall be constructed and extend to within 150-feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. The North end of the building is beyond 150-feet from the public roadway and fire department apparatus access. Planning with the Novato Fire Department is recommended.

*AMG/CalHDF's Response: Residential units proposed face east and west direction. The project has been redesigned to omit all fenestrations on the north end of the building which is out of hose pull range. See exhibit A2.0 Building plans and A4.0 Building Elevations for more information.*

- **NFD/BV Comment**

F7. A2.0: Proposed trash collection rooms and trash chute intake rooms will be required to be separated from the rest of the building by both vertical and horizontal rated assemblies with rated opening protectives and chute (shaft) vents at the roof level per 2022 CBC §707, §711, §713.2 2019 NFPA 82.

*AMG/CalHDF's Response: Acknowledged. This will be addressed further during the building permit stage.*

- **NFD/BV Comment**

F8. L1: Any proposed gates or fences on this site are required to be submitted for review and approval by both the City of Novato Building and Fire department per 2022 CFC §503.4, §503.6 & §504.1.

*AMG/CalHDF's Response: Acknowledged. This will be addressed further during the building permit stage.*

- **NFD/BV Comment**

F9. Ensure the bedroom S/D & C/O detector comply with 2022 NFPA 72, 29.11.3.4 Smoke alarms and smoke detectors shall not be installed within a 36 in. (910 mm) horizontal path from a door to a bathroom containing a shower or tub unless listed for installation in close proximity to such locations. 2022 CFC 907.2.11.8; NFPA 72, 29.11.3.4

*AMG/CalHDF's Response: Acknowledged. This will be addressed further during the building permit stage.*

- **NFD/BV Comment**

F10. Ensure the building address meets the Novato Fire Department & Novato Building Department standards. Please correct as needed and provide consistency throughout.

*AMG/CalHDF's Response: Acknowledged. This will be addressed during the building permit stage.*

- **NFD Comment**

F11. Please check with Novato Fire if Emergency Responder Radio Communication Coverage is adequate in this area or required for this proposed building. Please correct as needed and provide consistency throughout. 2022 CFC 510.

*AMG/CalHDF's Response: Acknowledged. This will be addressed further during the building permit stage.*

- **NFD/BV Comment**

F12. Section 403.1.1 Pre-Plans: When required by the fire code official, pre-plans shall be developed for target hazard buildings according to the written standards developed by the authority having jurisdiction.

*AMG/CalHDF's Response: Acknowledged. This will be addressed further during the building permit stage.*

- **NFD/BV Comment**

F13. Section 503.1.5 Aerial fire apparatus access. Buildings or facilities exceeding 30 feet or three stories in height, approved aerial apparatus access roads shall be provided. For the purposes of this section, the highest road surface shall be determined by the measurement to the eave of the pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

*AMG/CalHDF's Response: Acknowledged. Since the south side meets the requirements for the 15-to-30-foot requirement, the aerial fire apparatus access will be from Grant Avenue.*

- **NFD/BV Comment**

F14. Section 503.1.5.1 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

*AMG/CalHDF's Response: Acknowledged. Since the south side of the project meets this requirement, fire aerial apparatus access will be from this side.*

- **NFD/BV Comment**

F15. Section 503.1.5.2 Proximity to building. One or more of the required access routes meeting this condition shall be located not less than 15 feet and not more than 30 feet from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

*AMG/CalHDF's Response: Acknowledged. Since the south side of the project meets this requirement, fire aerial apparatus access will be from this side.*

- **NFD/BV Comment**

F16. Section 503.1.5.3 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus access road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

*AMG/CalHDF's Response: Acknowledged. This will be addressed further during the building permit stage.*

- **NFD/BV Comment**

F17. All driveways and parking areas shall accommodate Novato Fire District apparatus turning radius per

NFD standards.

*AMG/CalHDF's Response: Acknowledged. This will be addressed further during the building permit stage.*

- **NFD/BV Comment**

F18. 'Knox' key access shall be installed at the premises conforming to Novato Fire Protection Standard #202.

*AMG/CalHDF's Response: Acknowledged. This will be addressed further during the building permit stage.*

- **NFD/BV Comment**

F19. Commercial occupancies will require separate conditions and review based on occupancy type and use: For example, any Assembly occupancies will require a separate NFD permit.

*AMG/CalHDF's Response: Acknowledged. This will be addressed further during the building permit stage.*

- **NFD/BV Comment**

F20. Fire Department access shall be maintained to the site during demolition of the building. Fencing surrounding the demolition site shall not impede access to fire hydrants if fire hydrants are located within the demolition area. Fire extinguishers shall be onsite during any cutting or welding that takes place during demolition. Demolition and construction shall conform to 2019 CFC Chapter 33 - Fire safety during construction and demolition.

*AMG/CalHDF's Response: Acknowledged. This will be addressed further during the building permit stage.*