



THE CITY OF  
**NOVATO**  
CALIFORNIA

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**PLANNING COMMISSION STAFF REPORT**

MEETING

DATE: March 17, 2008

STAFF: Paul Bickner, Planner II  
899-8939

SUBJECT: **MEDICAL OFFICE BUILDING  
MASTER PLAN, PRECISE DEVELOPMENT PLAN & DESIGN REVIEW  
10801M, 10802P, 10722D  
APN 124-282-18; 200 SAN MARIN DRIVE**

**REQUESTED ACTION**

Consider making a recommendation to the City Council on a Master Plan Amendment, Precise Development Plan Amendment, and Design Review for a new one story office building proposed at 200 San Marin Dr., at the southeast corner of San Andreas Dr. and San Marin Dr.

**EXECUTIVE SUMMARY**

A Master Plan Amendment (MP), Precise Development Plan (PDP) and Design Review (DR) are required because the property is zoned Planned Development (PD) and the existing Master Plan specifies the use as a gas station. The one story office building proposal was considered by the Design Review Commission (DRC) on February 6, 2008 at which time they recommended approval of the proposal. The applicant held neighborhood meetings on their plan with the San Marin HOA and the adjoining San Andreas Place HOA, responded to their concerns with a complete redesign and received an endorsement letter from the San Marin HOA.

**PROJECT DESCRIPTION**

**Site Design**

The project site is a 24,304 sf parcel located on the southeast corner of San Marin Drive and San Andreas Drive. The applicant is proposing the construction of a 6,700 sq. ft. one story office building located on the southern portion of the property located 10' from the rear of the property which is adjacent to the residential uses to the south and east. There are 26 parking spaces located on the north (front) and west portion of the site. A 8' 9" by 10' 6" trash enclosure is proposed to be located on the southwest corner of the site. The 6,700 sf building represents a floor area ratio (FAR) of 28%.

The project is proposing a one way circulation pattern with the entrance from San Marin Dr. and exit on to San Andreas Dr. The driveway aisles are 24' wide with 90 degree angle parking located 10 feet from the front property lines. The building is oriented in a east to west manner parallel to San Marin

Dr. The maximum height shown on the cross section is 21' 6". Maximum height allowed by the Zoning Code is 35'.

### **Architecture**

The proposed building is 118' 6" in length by 57' 6" wide. The structure utilizes a contemporary architectural theme. Architectural elements include a hip roof and separate pillared arch entrances to breakup the mass of the building. The exterior is proposed to be stucco, synthetic stone, both stained and painted wood, with Hardieplank used primarily in the rear. The color scheme will be earth tones. There are few architectural details on the rear side of the structure facing the residences, which will be screened by a property line wall. Those residences are located some 8' to 10' below the grade line of the proposed structure. The applicant received tentative approval from the DRC for a wood fence in the rear due to the issue of the close proximity of the existing trees to the property line. See the Staff Analysis for further discussion.

### **Landscaping**

Landscaping plans utilize Chinese Pistache and Water Gum to landscape the exterior of the parking lot in a 10' wide planter. Five interior tree planters are provided for shade of the parking area. Crepe Myrtle is used at the exit on to San Andreas Dr. and Himalayan Birch is proposed to screen the trash enclosure. The rear of the property would be landscaped with an assortment of shrubs, perennials and vines.

### **NEED FOR PLANNING COMMISSION ACTION**

The application for a MP and PDP requires review and recommendation by the Planning Commission. The Planning Commission will hold a public hearing on the application, accepting the staff report and public testimony. Following closure of the public hearing, the Commission will consider the facts, recommendations, public comments and deliberations, prior to making a recommendation to the City Council.

### **BACKGROUND**

Applicant/Property Owner: Catlin Properties

Property Size: 24,304 sq. ft.

General Plan Designation: General Commercial (CG)

Existing Zoning: Planned District (PD)

Existing Use: Vacant, former gas station site

Adjacent Zoning and Uses: North – Business & Professional Office (BPO), office uses  
South – Planned District (PD), six townhouses

East – PD, single family residential

West – PD, office uses

## **ENVIRONMENTAL ASSESSMENT**

The Environmental Coordinator has determined that this project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303 ©, (New Construction or Conversion of Small Structures).

## **STAFF ANALYSIS**

The staff analysis below provides information on applicable policies of the General Plan and Zoning Ordinance.

### **General Plan**

The General Plan designation of the site is General Commercial (CG). The corner parcels to the north and west have office uses with a General Plan designation of Business and Professional Office (BPO), and the northwest corner contains the San Marin Plaza shopping center with a General Plan designation of Neighborhood Commercial (NC).

The permitted uses in the General Commercial designation, as discussed in LU Table 2, (page I-11), of the General Plan include: "Established commercial areas with off-street parking and/or clusters of street front stores; regional and local-serving retail establishments; specialty shops, banks, professional offices; motels; business and personal services; and other similar uses. This designation is typically assigned to larger parcels, located on a major arterial street." This designation allows for the widest range of uses of the three General Plan designations (NC, BPO and CG) found at this intersection. The construction of an office building on the project site would be consistent with the CG Land Use Designation. The CG designation limits the maximum building intensity to a 0.4 Floor Area Ratio (FAR). Given the nature of the site and the other uses in the area, staff would typically apply BPO development standards, which also uses a FAR of 0.4. The applicant is proposing an FAR of 0.28.

The Community Identity Policy 1 of the General Plan calls for compatibility of development with surroundings. The commercial buildings on the other corners of San Marin and San Andreas Dr. are all one story buildings. The applicant is proposing a one story building with a modest 4/12 pitch hip roof to minimize light and view intrusion to the homes to the south. The applicant is proposing separate entrances for each of the four proposed offices. The scale and exterior treatment is in proportion to the neighborhood.

### **Zoning Ordinance**

The site is zoned Planned District (PD), which allows the applicant to propose their own development standards if the project will result in a superior alternative to the conventional standards of a standard Zoned District. Staff has done research on the origins of the designation and believe

the site is part of the original Master Plan for the San Marin community, which was adopted when the area was in the County rather than the City. As the use is changing from the original designated use as a gas station, a Master Plan amendment and Precise Development Plan amendment are required. The applicant will be proposing a Precise Development Plan with the following standards: (The following chart also lists, for comparison purposes, the requirements of the GC due to the site's General Plan designation and BPO because the uses are permitted.)

Development Standards	Proposed Project	GC	BPO
minimum lot area	24,304 sf	none	10,000 sf
minimum setbacks front	57'	None	25'
side	73' & 6'	6' if adjacent to single family residential	
rear	10'	10' if adjacent to single family residential	
Maximum FAR	0.28	0.4	
Maximum lot coverage	0.28	0.4	
Maximum height	21' 6"	35'	
Minimum parking	26 spaces	4,500 sf medical office @ 1/250 sf = 18 spaces 2,200 sf general office @ 1/275 sf = 8 spaces Total: 26 spaces	

The Zoning Code (Section 19.30.070H.5.c.) requires a masonry wall separating commercial uses from residential uses. As this is a PD proposal, the applicant may propose other standards. In this particular case, there are existing large trees located close to the rear property on the residential side of the property line. Constructing a masonry wall requires continuous excavation which would threaten the welfare of those trees. The DRC has approved a wood fence in order to not impact these trees. The rest of the landscaping is designed to screen the parking area from the street and meets the Code requirement with a 10' landscape buffer.

The applicant meets the minimum requirement for parking and meets the 24' standard for aisle width, 20' entrance vehicle queuing, 9'x 19' parking space size and type (maximum 20% compact). The landscape planters between parking spaces meet the standard of being at least 4' wide. The landscape plan also provides the required one tree for each three spaces. Along the south rear property line, there are existing trees adjacent on the property to the south that will provide screening. There are three light standards indicated in each of the landscape islands adjacent to the front landscape strip. The project will return to the DRC for review of the illumination plan, landscaping and color scheme.

Based upon the above analysis, staff and the DRC recommends that the proposed project has been designed to meet or exceed the standard zoning regulations and provides a design that is compatible

with the surrounding community.

## **REQUIRED FINDINGS**

### **Master Plan, Precise Development Plan, Design Review**

The Novato Municipal Code sets forth the findings for the approval of a Master Plan (19.42.060(E)(3)), Precise Development Plan (19.42.060(F)(3)) and Design Review (19.42.030(F)). The following provides an analysis of these findings:

**Master Plan Finding 1:**     **The proposed master plan development is in conformance with the applicable goals and policies of the general plan and any applicable specific plan; and**

**Design Review Finding 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 this Zoning Ordinance and any approved Master Plan and Precise Development Plan; and**

**Precise Plan Finding 1:**     **The proposed precise development plan is consistent with the general plan, any applicable specific plan, and the approved master plan;**

***Staff Analysis:** The design, layout, size, architectural features and general appearance of the proposed project is consistent with the General Plan. Further, the proposed development standards, which must ultimately be codified through the adoption of both Master and Precise Development Plans, are consistent with the development standards of comparable commercial zoning regulations. Further, the proposed structure is a one story building with a reduced FAR which minimizes the mass of the structure and should result in minimal impacts, with respect to aesthetics, light, and air, to properties in the vicinity.*

**Master Plan Finding 2:**     **The proposed master plan development can be adequately, conveniently, and reasonably served by public conveniences, facilities, services, and utilities; and**

***Staff Analysis:** The project site will continue to be served by the public infrastructure, including all public conveniences, facilities, services, and utilities. Where necessary, the aforementioned infrastructure will be appropriately upgraded. Further, the project has been reviewed by the appropriate agencies and received their approvals with specific conditions.*

**Master Plan Finding 3:** The proposed master plan development concepts are reasonably suited to the specific characteristics of the site and the surrounding neighborhood; and

**Master Plan Finding 4:** The location, access, density/building intensity, size and type of uses proposed in the master plan are compatible with the existing and future land uses in the surrounding neighborhood; and

**Precise Plan Finding 4:** The proposed precise development plan standards are reasonably suited to the specific characteristics of the site, and are compatible with the existing and future land uses in the surrounding neighborhood; and

**Precise Plan Finding 5:** The subject site is:

- (1) Physically suitable for the type and density/intensity of development being proposed;
- (2) Adequate in shape and size to accommodate the use and all fences and walls, landscaping, loading, parking, yards, and other features required by this title; and
- (3) Served by streets and pedestrian facilities adequate in width and pavement type to carry the quantity and type of traffic expected to be generated by the proposed development.

*Staff Analysis:* The current proposal presents massing, circulation patterns, density and building intensity, landscaping, parking, loading and overall site planning that is appropriate for the site and is well-suited to the residential development pattern of the adjoining neighborhood. Development in the vicinity is predominantly residential, with commercial development on the corners and the proposed development would harmonize with the existing development pattern.

**Design Review Finding 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; and

**Precise Plan Finding 3:** The design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle access and public services and utilities (e.g., drainage, fire protection, sewers, water, etc.), would ensure that the proposed development would not endanger, jeopardize, or otherwise be detrimental to the public health, safety, or general welfare, or injurious to the property or improvements in the vicinity and zoning district in which the property is located;

**Staff Analysis:** *The proposed project will develop the currently vacant 24,304 sf parcel located on the east side of San Andreas Drive, south of San Marin Drive. As such, the proposal will enhance and appropriately utilize the aforementioned parcel. The proposal will provide a single story development, with architecture appropriate for a building adjoining a currently developed residential neighborhood. Further, the pedestrian and vehicular circulation patterns will provide safe connections to the site and the environs. The development of the site will create an aesthetically pleasing and user-friendly environment for visitors and residents. The project has been reviewed by the appropriate agencies and received their approvals with specific conditions.*

**Design Review Finding 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.**

**Staff Analysis:** *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. The proposed project plans have been reviewed and conditioned as necessary by the appropriate departments and agencies to ensure that provision for public and emergency vehicle access and public services and utilities would not be jeopardized or otherwise be detrimental to the public health, safety, or general welfare or injurious to property or improvements in the vicinity.*

**Precise Plan Finding 2:** **The proposed precise development plan would produce a comprehensive development of superior quality (e.g., appropriate variety of structure placement and orientation opportunities, appropriate mix of land uses and structure sizes, high quality architectural design, increased amounts of landscaping and open space, improved solutions to the design and placement of parking facilities, etc.) than might otherwise occur from more traditional development applications;**

**Staff Analysis:** *The proposed development standards, which must ultimately be codified through the adoption of both Master and Precise Development Plans, are consistent with the development standards and general intent of comparable commercial zoning regulations. The proposal places the mass of the structure in a sensitive manner and should result in minimal impacts, with respect to aesthetics, light, and air, to properties in the vicinity. The*

*proposed plan offers a site and architectural design solution that produces a development that is well below comparable FAR for GC and BPO uses. With the adoption of the Master and Precise Plans, all subsequent development will be required to request amendments to said plans, which thereby provides the City the most comprehensive level of zoning control over the sites.*

### **RECOMMENDATION**

Planning staff and the Design Review Commission recommends the Planning Commission approve the attached resolutions recommending that the City Council make the necessary findings and approve the Master Plan, Precise Development Plan, and Design Review.

### **FURTHER ACTION**

1. City Council review of the Planning Commission recommendation.
2. Return to DRC for review of the illumination plan, landscaping and color scheme.
3. Building Permit.

### **ATTACHMENTS**

1. Draft Resolution recommending adoption of the MP Amendment
2. Draft Resolution recommending adoption of the PDP
3. Draft Resolution recommending adoption of Design Review
4. Master & Precise Development Plan Statements
5. DRC Staff Report and draft minutes of 2/6/08
6. Applicant rendering, site plan, floor plan, elevations, topography/grading & drainage plans, landscape plan, and small plan set.

PLANNING COMMISSION RESOLUTION

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE PLANNING COMMISSION  
RECOMMENDING APPROVAL OF THE MEDICAL OFFICE  
BUILDING MASTER PLAN MAP AMENDMENT AND TEXT

WHEREAS, an application for a Master Plan Amendment for a new one story office building proposed at 200 San Marin Dr., at the southeast corner of San Andreas Dr. and San Marin Dr., APN 124-282-18, was submitted to the City for review; and

WHEREAS, notices describing the proposed Master Plan Amendment were sent to neighboring property owners pursuant to Section 19.58.020 of the Novato Zoning Ordinance; and

WHEREAS, the Planning Commission has held the required public hearing on the proposed Master Plan Amendment on March 17, 2008; and

WHEREAS, the Environmental Coordinator has determined that this project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303 ©, (New Construction or Conversion of Small Structures).

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby makes the findings as required by Section 19.42.060.E.3. of the Novato Zoning Ordinance with the respect to the Medical Office Building Master Plan Amendment based on the documentation in the staff analysis incorporated herein by reference:

- a. The proposed Master Plan development is in conformance with the applicable goals and policies of the General Plan and any applicable specific plan. The design, layout, size, architectural features and general appearance of the proposed project is consistent with the General Plan. Further, the proposed development standards, which must ultimately be codified through the adoption of both Master and Precise Development Plans, are consistent with the development standards of comparable commercial zoning regulations. Further, the proposed structure is a one story building with a reduced FAR which minimizes the mass of the structure and should result in minimal impacts, with respect to aesthetics, light, and air, to properties in the vicinity.
- b. The proposed Master Plan development can be adequately, conveniently, and reasonably served by public conveniences, facilities, services, and utilities. The project site will continue to be served by the public infrastructure, including all public conveniences, facilities, services, and utilities. Where necessary, the aforementioned infrastructure will be appropriately upgraded. Further, the project

has been reviewed by the appropriate agencies and received their approvals with specific conditions.

- c. The proposed Master Plan development concepts are reasonably suited to the specific characteristics of the site and the surrounding neighborhood. The current proposal presents massing, circulation patterns, density and building intensity, landscaping, parking, loading and overall site planning that is appropriate for the site and is well-suited to the residential development pattern of the adjoining neighborhood. Development in the vicinity is predominantly residential, with commercial development on the corners and the proposed development would harmonize with the existing development pattern.
- d. The location, access, density/building intensity, size and type of uses proposed in the Master Plan are compatible with the existing and future land uses in the surrounding neighborhood. The proposed project will develop the currently vacant 24,304 sf parcel located on the east side of San Andreas Drive, south of San Marin Drive. As such, the proposal will enhance and appropriately utilize the aforementioned parcel. The proposal will provide a single story development, with architecture appropriate for a building adjoining a currently developed residential neighborhood. Further, the pedestrian and vehicular circulation patterns will provide safe connections to the site and the environs. The development of the site will create an aesthetically pleasing and user-friendly environment for visitors and residents. The project has been reviewed by the appropriate agencies and received their approvals with specific conditions.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission does hereby approve and recommends that the City Council adopt the Medical Office Building Master Plan Maps prepared by Crome Architecture dated February 26, 2008 and Text prepared by Catlin Properties, dated February 25, 2008, subject to the following conditions:

1. A one story medical and general office building not to exceed 6,700 sf is permitted as part of the Master Plan.
2. The site development standards shall be as defined in the Precise Development Plan Resolution.
3. 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 permits, certificate of occupancy, recordation of final maps or other entitlements.
4. 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.

Design and construction of this project shall be in accordance with all City ordinances, including the Development Standards Chapter of the Municipal Code. Unless exceptions have been granted heretofore in writing, then none will be allowed by reason of Design Review approval.

Passed and adopted at a regular meeting of the Planning Commission of the City of Novato held on the \_\_\_ day of \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSTAIN:

PLANNING COMMISSION RESOLUTION

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE PLANNING COMMISSION  
RECOMMENDING APPROVAL OF THE MEDICAL OFFICE  
BUILDING PRECISE DEVELOPMENT PLAN

WHEREAS, application 10802P (Precise Development Plan) for a new one story office building proposed at 200 San Marin Dr., at the southeast corner of San Andreas Dr. and San Marin Dr., APN 124-282-18, was submitted to the City for review; and

WHEREAS, notices describing the proposed application were sent to neighboring property owners pursuant to Section 19.58.020 of the Novato Zoning Ordinance; and

WHEREAS, the Design Review Commission reviewed the development proposal on February 6, 2008. The Design Review Commission included recommendations, which have been incorporated as conditions of approval in this resolution; and

WHEREAS, the Planning Commission has held the required public hearing on the proposed Precise Development Plan on March 17, 2008; and

WHEREAS, the Environmental Coordinator has determined that this project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303c, (New Construction or Conversion of Small Structures).

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby makes the findings as required by Section 19.42.060.F3 of the Novato Municipal Code that the Medical Office Building Precise Development Plan is consistent with the following criteria based on the evidence contained in the staff analysis which is herein incorporated by reference:

- a. The proposed Precise Development Plan development is in conformance with the applicable goals and policies of the General Plan and any applicable specific plan. The design, layout, size, architectural features and general appearance of the proposed project is consistent with the General Plan. Further, the proposed development standards, which must ultimately be codified through the adoption of both Master and Precise Development Plans, are consistent with the development standards of comparable commercial zoning regulations. Further, the proposed structure is a one story building with a reduced FAR which minimizes the mass of the structure and should result in minimal impacts, with respect to aesthetics, light, and air, to properties in the vicinity.
- b. The proposed precise development plan would produce a comprehensive development of superior quality (e.g., appropriate variety of structure placement and