

MINUTE ITEM

This Calendar Item No. C13
was approved as Minute Item
No. C13 by the State Lands
Commission by a vote of 2
to 0 at its 3/6/91
meeting.

CALENDAR ITEM

A 9
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C 1 3

03/06/91
PRC 7220
N. Smith

ACCEPT QUITCLAIM DEED FOR, AND AUTHORIZE TERMINATION OF,
GENERAL LEASE - RIGHT-OF-WAY USE PRC 7220,
AND ISSUE GENERAL PERMIT - PUBLIC AGENCY USE FOR PRC 7220

LESSEE:

David Kenyon, et al
950 Northgate Drive, Suite 309
San Rafael, California 94903-3436

APPLICANT:

City of Novato
901 Sherman Avenue
Novato, California 94903

AREA, TYPE LAND AND LOCATION:

A 2.34-acre parcel of sovereign tide and submerged land,
Novato Creek, City of Novato (City), Marin County.

LAND USE:

Construction and maintenance of a bridge and utilities
crossing over Novato Creek for a proposed public road.

TERMS OF ORIGINAL LEASE:

Initial period:
Forty-nine (49) years beginning July 1, 1988.

Public liability insurance:
Combined single limit coverage of \$1,000,000.

Consideration:
\$7,420 per annum; five-year rent review.

CALENDAR ITEM NO. C 1 3 (CONT'D)

TERMS OF PROPOSED PUBLIC AGENCY PERMIT:

Initial period:

Forty-nine (49) years beginning March 1, 1991.

CONSIDERATION:

\$300 per annum and the public use and benefit, with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

N/A

OTHER PERTINENT INFORMATION:

1. Assignment of lease PRC 7220 from David Kenyon, et al, to the City of Novato upon completion of the new bridge, was approved at the Commission's October 29, 1990 meeting. However, since that meeting, all parties have agreed that the lease premises should be transferred to the City before construction of the bridge. Therefore, staff of the Commission has determined it to be in the best interest of all parties to terminate, and accept a quitclaim deed for, the existing lease issued to David Kenyon, et al, and issue a new lease to the City.
2. The Commission approved an "Agreement and Consent to Encumbrancing of Lease PRC 7220" on February 6, 1989 between David Kenyon, et al, and Security Pacific National Bank; this encumbrance is terminated upon execution of the lease between the City of Novato and the State Lands Commission.
3. Annual rental charged to the City of Novato is for the right to place privately owned utilities crossings on the bridge.

CALENDAR ITEM NO. C 1 3 (CONT'D)

4. A Negative Declaration was prepared and adopted by the City of Novato for the Golden Gate Business Park of which the project (bridge) is a component. The State Lands Commission's staff has reviewed such document.
5. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

Marin County Flood Control District and City of Novato.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description
- B. Location Map
- C. Notice of Determination

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED BY THE CITY OF NOVATO FOR THE GOLDEN GATE BUSINESS PARK, OF WHICH THE PROJECT (BRIDGE) IS A COMPONENT, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
4. AUTHORIZE ACCEPTANCE OF THE TERMINATION OF AGREEMENT BETWEEN DAVID KENYON, ET AL, AND SECURITY PACIFIC NATIONAL BANK, EFFECTIVE FEBRUARY 28, 1991 UPON THE EXECUTION OF THE LEASE BETWEEN THE CITY OF NOVATO AND THE STATE LANDS COMMISSION.

CALENDAR ITEM NO. C 1 § (CONT'D)

5. ACCEPT A QUITCLAIM DEED FOR, AND AUTHORIZE TERMINATION OF, LEASE PRC 7220, EFFECTIVE FEBRUARY 28, 1991, ISSUED TO DAVID KENYON, ET AL, UPON THE EXECUTION OF THE LEASE BETWEEN THE CITY OF NOVATO AND THE STATE LANDS COMMISSION.

6. AUTHORIZE ISSUANCE TO CITY OF NOVATO OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE, BEGINNING MARCH 31, 1991, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$300 AND THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT, FOR CONSTRUCTION AND MAINTENANCE OF A BRIDGE AND UTILITIES CROSSING OVER NOVATO CREEK FOR A PROPOSED PUBLIC ROAD.

EXHIBIT "A"

PRC 7220

LAND DESCRIPTION

Three parcels of land in Novato, Marin County, California, said parcels being portions of the area described in the deed to the State of California by Ronald and Pamela Antonioli on June 29, 1984, Recorded July 3, 1984, Recorders Serial Number 84 032105 Marin County Records, said parcels being described as follows:

PARCEL 1

BEGINNING at a point on the northerly line of said area S 77° 23' 00" E 441.89 feet from the northwest corner of said area; thence along said northerly line S 77° 23' 00" E 462.00 feet; thence leaving said northerly line S 12° 37' 00" W 85.00 feet; thence N 77° 23' 00" W 185.00 feet; thence S 12° 37' 00" W 150.00 feet to the southerly line of said area; thence along said southerly line N 77° 23' 00" W 60.00 feet; thence leaving said southerly line N 12° 37' 00" E 33.70 feet; thence N 77° 23' 00" W 30.00 feet; thence N 12° 37' 00" E 20.00 feet; thence S 77° 23' 00" E 30.00 feet; thence N 12° 37' 00" E 96.30 feet; thence N 77° 23' 00" W 217.00 feet; thence N 12° 37' 00" E 85.00 feet to the point of beginning.

PARCEL 2

BEGINNING at a point on the northerly line of said area S 77° 23' 00" E 391.89 feet from the northwest corner of said area; thence along said northerly line S 77° 23' 00" E 50.00 feet; thence leaving said northerly line S 12° 37' 00" W 85.00 feet; thence S 77° 23' 00" E 217.00 feet; thence S 12° 37' 00" W 96.30 feet; thence N 77° 23' 00" W 30.00 feet; thence S 12° 37' 00" W 20.00 feet; thence S 77° 23' 00" E 30.00 feet; thence S 12° 37' 00" W 33.70 feet to the southerly line of said area; thence along said southerly line N 77° 23' 00" W 100.00 feet; thence leaving said southerly line N 12° 37' 00" E 100.00 feet; thence N 77° 23' 00" W 167.00 feet; thence N 12° 37' 00" E 135.00 feet to the point of beginning.

PARCEL 3

BEGINNING at a point on the northerly line of said area S 77° 23' 00" E 903.89 feet from the northwest corner of said area; thence along said northerly line S 77° 23' 00" E 50.00 feet; thence leaving said northerly line S 12° 37' 00" W 135.00 feet; thence N 77° 23' 00" W 135.00 feet; thence S 12° 37' 00" W 100.00 feet to the southerly line of said area; thence along said southerly line N 77° 23' 00" W 100.00 feet; thence leaving said southerly line N 12° 37' 00" E 150.00 feet; thence S 77° 23' 00" E 185.00 feet; thence N 12° 37' 00" E 85.00 feet to the point of beginning.

END OF DESCRIPTION

REVISED OCTOBER 2, 1990 BY LLB.

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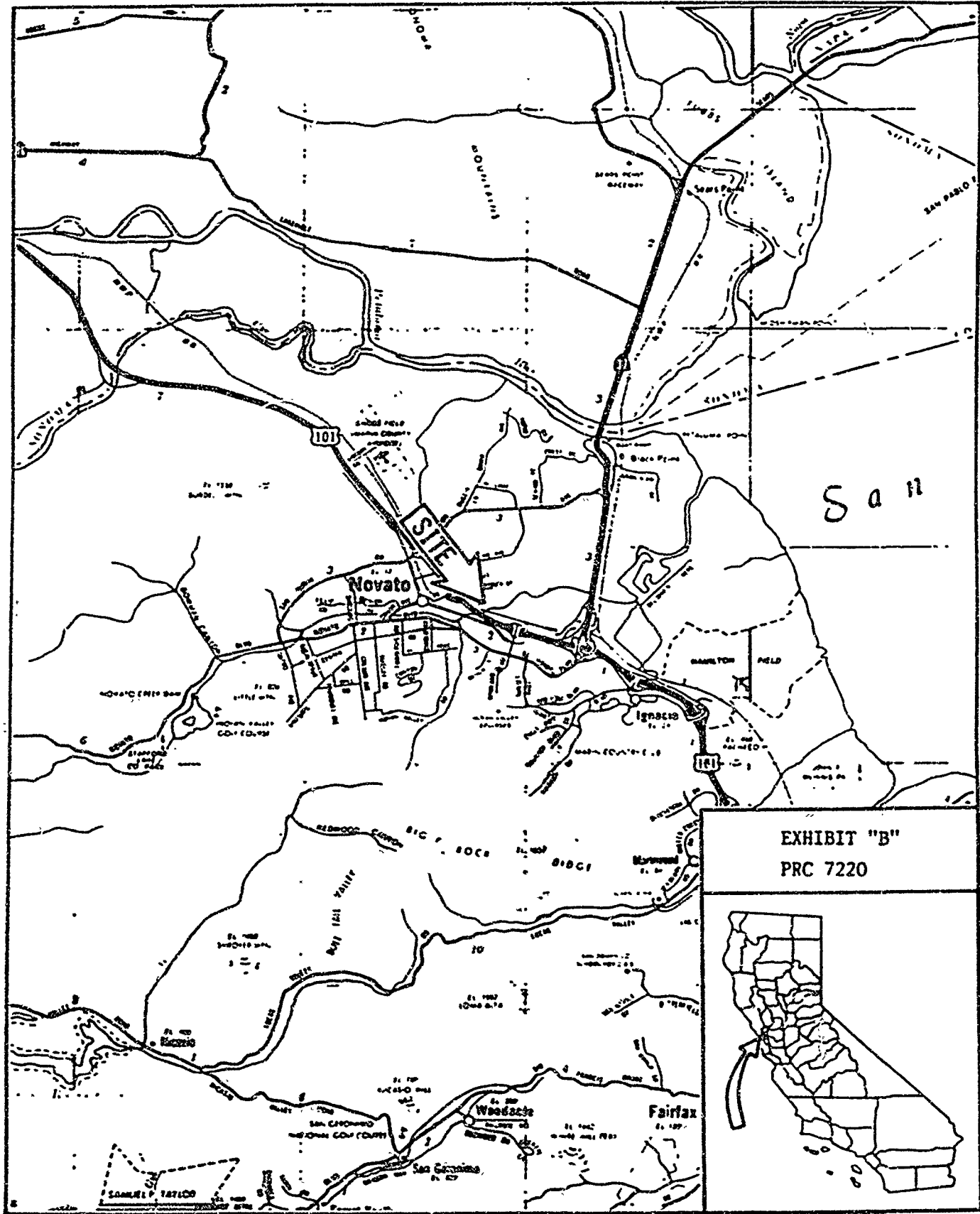
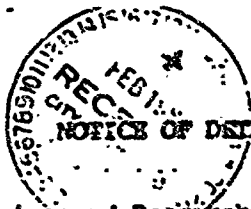


EXHIBIT "B"
 PRC 7220



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EXHIBIT "C"



FILED

JAN 7 1988

HOWARD HANSON
MARIN COUNTY CLERK
By H. Wren, Deputy

FROM: (Public Agency)
CITY OF NOVATO

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

County Clerk
County of MARIN

SUBJECT: Filing of Notice of Determination in compliance with Section 21105 or 21152 of the Public Resources Code.

Project Title

GOLDEN GATE BUSINESS PARK

State Clearinghouse Number Contact Person Area Code/Number/Extension

(If Submitted to Clearinghouse)

87102703

ALAN LAURE

(415) 897-4341

Project Location

AP'S 153-44-21 & 24 153-170-13 & 51

TERMINUS OF FRANKLIN AVE. ON THE EAST SIDE OF U.S. 101

Project Description

OFFICE/INDUSTRIAL PARK CONTAINING 300,000 SQUARE FEET OF FLOOR AREA,
ON 19.7 ACRES; SUBDIVISION INTO NINE LOTS

This is to advise that the CITY OF NOVATO

(Lead Agency, or Responsible Agency)

has approved the above described project on 12/15/87 and has made the follow-

(Date)

ing determinations regarding the above described project:

1. The project will, X will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
X A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures X were, were not made a condition of the approval of the project.
4. A statement of Overriding Considerations was, X was not adopted for this project.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:

Date Received for Filing and Posting at OPR

Alan Laure
Signature (Public Agency)

SENIOR PLANNER
Title

Revised March 1988

POSTED 1/13/88 ON 2/16/88

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E-2 GOLDEN GATE BUSINESS PARK ZONE CHANGE ZO 87-008
MASTER PLAN MP 87-003 AND APPEAL OF PRECISE DEVELOPMENT PLAN
PD 87-002 (AL) (ORDINANCE NOS. 1155 & 1156) RESOLUTION
NO. 217-87) (file 207-01)

TO CONSIDER A NEGATIVE DECLARATION, ZONE CHANGE, MASTER PLAN AND APPEAL OF THE PRECISE DEVELOPMENT PLAN FOR AN INDUSTRIAL/OFFICE PARK WITH 300,000 SQ. FT. OF FLOOR AREA LOCATED ON 20 ACRES AT THE SOUTH END OF FRANKLIN AVENUE ON THE EAST SIDE OF U.S. 101; OWNER: CAPITAL PROPERTIES ASSOCIATES; APPLICANT: INTERMARK INTERESTS; ENGINEER: STUBER-STROEH ASSOCIATES; ASSESSOR'S PARCEL NOS. 153-144-21 AND 24 AND 153-170-13 AND 51

Senior Planner Alan Lazure in his staff report noted that, even if the rezoning master plan is adopted, the property still could be developed in accordance with the precise development plan approved in 1984 for a 140-condominium project. He stated that the primary environmental concerns were noise, traffic and visual. The Design Review Committee found this proposal to be the most acceptable of the various plans seen, although there are concerns that it will block views of the open space to the east. He noted that the proposal includes two three-story buildings on-site; the other seven buildings are proposed as one-story structures.

The public hearing was opened.

Dave Kenyon, property owner, advised that the site was originally zoned commercial and then rezoned residential, and that six acres were dedicated to the Flood Control District. He noted, in response to Council Member Moore, that the plan calls for 20% coverage for the footprints of the building, and concluded that the project has the support of the neighborhood, Planning Commission and Planning staff.

Patrick McDermott, Intermark Interest, Architect, indicated that they have an option on the property and that it is a changed project from the original warehouse concept with more of a wide corridor image. He stated that \$20,000 to \$50,000 per month in sales tax could be generated and that they plan to attract more of an urban upscale clientele. He noted the estimated 660 jobs will help reduce the congestion on 101 if the employees are local or come from San Rafael. They have heard from five firms in San Rafael who are interested in locating in the park. A bridge will be constructed for access to the industrial park. He illustrated on the plans how the project is divided with a wide corridor that will be landscaped. He referred to a January 3 appeal letter (of the precise development plan) and discussed the conditions they were appealing.

Council Member Moore indicated that he was pleased they are moving away from the warehouse type buildings and asked how the project would be signed. Patrick McDermott replied that the major focus of the signing would be towards Roland Way.

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Dave Kenyon spoke to some of the issues of the appeal of the conditions of the precise development plan. He noted that they do not plan to use the Golden Gate Bridge panels stored on their property as it would be too expensive. He requested that Condition 11d dealing with bridge maintenance be eliminated. He also addressed their concerns that Conditions 12a, b & c be eliminated and that they be allowed by the City to lease the Franklin Avenue right-of-way for employee parking until such time as the City determines they need the property.

Dietrich Stroeh, Stubar-Stroeh Associates, advised that the bridge is a typical CalTrans concrete reinforced low maintenance bridge.

George Cohen, 2183 Feliz Drive, indicated that he was associated with the Bedford project next door and that the Golden Gate Business Park was a good project that fulfilled the needs for jobs and a larger tax base. He believes the City should maintain the bridge, and noted that the Golden Gate Business Park and the Bedford Project are compatible and will reinforce each other.

In response to Council Member Moore's questions regarding trip generation into the Bedford property, John Dowden of DKS & Associates, noted that figures have improved since the last time Council considered the property. He clarified that the morning peak hours are not higher and that the evening hours are much lower with the current proposed mix in the park. In response to Council Member Moore's concern he acknowledged that there was no retail planned for the proposed project.

Hanna Gaupmann, 13 Fox Court, spoke in favor of the project and supported the cul-de-sac at the north end of the freeway.

Clark Blasdell, Executive Director of NEH, recommended that Council consider finding mitigation mechanisms to help establish a job/housing balance. He also spoke in favor of the City allowing the developer to lease the City property.

Pat McDermott responded to Council Member Moore's earlier question that they anticipate 670 left-hand turns to the Bedford project during peak hours.

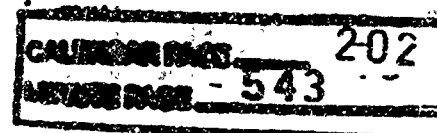
The public hearing was closed.

Council Member Moore expressed concern regarding traffic generation. He noted that when Golden Gate Business Park, Bedford and the Mahn project are built-out, a traffic level service of "D" is anticipated. He was also concerned by the lack of view corridors and the signing of the project. He noted while Council gave a signal early on by approving the zoning change, he felt they should have more information of what the people to the north and east want.

Council Member Gray agreed that he would like to feel more comfortable with the traffic.

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Council Member Hoors moved, seconded by Council Member Gray, to direct a focused EIR for traffic impacts.

Dave Kenyon noted that the master plan and precise development plan provided for a vehicle reduction through a Traffic Systems Management (TSM) Program.

John Dowden advised that the 1986 figures show 565 outbound trips in peak hours and that the current figures which are 8 months old show 318 trips, which brings it up to the beginning of level service "D" and that TSM will reduce it even further.

The City Planner clarified that TSM may be phased in over a two-year period from the opening of each business, but after that if the goal is not met, penalties may be imposed.

In response to Council Member Gray, Pat McDermott explained that a 20% reduction meant reducing the traffic units during peak hours in peak turn lanes. Employee surveys, which evaluate compliance with the TSM goals, must be submitted to the Community Development Director and begin when full occupancy is achieved and continues for another ten years. The City Planner clarified to Council Member Cope that the employee survey is tied to each business in the project.

Council Member Gray responded to Pat McDermott that the Countywide TSM Ordinance would be voluntary in the beginning.

Council Member Hoore stated that the traffic mitigations should be imposed on the developer rather than on the individual businesses.

Dave Kenyon argued that the project will produce jobs that will cause a counter-commute which could serve as a mitigation.

Council Member Gray stated that he would vote against a focused EIR because he was satisfied that the project would produce jobs for Novato citizens, utilize TSM and produce a counter-commute situation.

The motion failed 1-4, with Mayor Turner and Council Members Cope, Gray and Knight dissenting.

* Mayor Turner moved, seconded by Council Member Gray, to approve the Negative Declaration. The motion carried 4-1, with Council Member Hoors dissenting.

Council Member Gray moved, seconded by Council Member Cope, to introduce and waive further reading of the ordinance amending the zoning designation.

Council Member Moore stated that he would vote yes to avoid having the ordinance read in its entirety and will vote no at the second reading.

The motion carried unanimously.

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Council Member Gray moved, seconded by Council Member Cope, to introduce and waive further reading of the ordinance approving the Golden Gate Business Park Master Plan.

Council Member Gray moved, seconded by Council Member Cope, to amend the main motion to amend Condition 3 of the master plan to read as follows: "A barrier will be constructed at the Franklin Avenue and Alice Street intersection to block the vehicular traffic of the general public in order to prevent vandalism, and drinking in parked cars on Franklin Avenue as described by the neighborhood. Said barrier, however, would allow access by emergency vehicles, bicycles and pedestrian traffic."

The City Engineer recommended alternate language for Condition 3. Discussion followed and he clarified that similar experiences of obnoxious uses of the right-of-way had occurred at a project near the Fireman's Fund building, and that staff had felt there were some translatable features that would work well at this project.

Council Member Cope noted that since the neighborhood was willing to have the barrier on their side of the freeway, he would support the amendment to the master plan.

The amendment to the main motion carried unanimously.

Discussion followed regarding Condition 4 of the master plan and the City Engineer expressed concern regarding the applicant's request to be allowed to lease the Franklin Avenue right-of-way without qualifying studies being done. He recommended alternate language for Condition 4.

Dave Kenyon stated that the approval of the lease could be granted with the condition that it be in conformance with the state code and that the park business would be responsible for maintaining the landscaping, bike path and parking areas.

The City Engineer emphasized that a revokable license or lease that was recommended by the developer would have to be brought back for Council approval.

Council Member Gray noted that a policy decision would have to be made whether leasing the Franklin Avenue right-of-way for parking was an appropriate use.

The City Planner responded that the project could be subdivided and then there would be more than one property owner using the right-of-way. The Engineering staff was concerned that the bike path and landscaping would be in the right-of-way as well.

Council Member Knight expressed interest in the revenue that the City would gain if the property were leased.

Council Member Knight moved, seconded by Council Member Gray, to amend Condition 4 as follows: "As a matter of policy, the Council does not

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object to the use of the portion of Franklin Avenue adjacent to the project provided that an acceptable design to include the bicycle path which meets state code and a lease payment can be negotiated." The amendment to the main motion carried unanimously.

Council Member Moore stated that he would vote yes on the first reading of the master plan ordinance to avoid having it read in its entirety, and vote no at the second reading.

The main motion as amended carried unanimously.

Council Member Cope moved, seconded by Council Member Knight, to approve the Golden Gate Business Park Precise Development Plan.

Council Members Moore and Gray expressed concern regarding the appeal of Condition 11d of the precise development plan and that they should be required to take the responsibility of maintaining the bridge.

Council Member Knight argued that this project would generate revenue and an estimated 660 jobs, and that the City should be responsible for the maintenance.

Council Member Cope agreed and stated that it was remarkable that the developer is willing to construct a \$1.5 million bridge. He recommended adding a condition that for a certain number of years the bridge will be monitored for construction defects.

Mayor Turner added that he was willing to accept responsibility to have the City maintain the bridge.

Council Member Knight moved, seconded by Mayor Turner, to amend the main motion and delete Condition 11d. The amendment to the main motion carried 3-2, with Council Members Gray and Moore dissenting.

Council Member Knight moved, seconded by Mayor Turner, to amend the main motion to add ~~"a goal of"~~ to the first sentence between ~~"trips by"~~ and "not less than 20%."

Council Member Gray was concerned that if the condition was modified as requested, it would not be measurable.

The amendment to the main motion failed 2-3, with Council Members Cope, Gray and Moore dissenting.

Council Member Gray moved, seconded by Mayor Turner, to amend the main motion to read: "for a period not to exceed six years after 90% occupancy." The motion carried unanimously.

Council Member Cope moved, seconded by Council Member Knight, to amend the main motion to add to the end of Condition 6: "Such stops shall be provided at the time service is provided by the Golden Gate Bridge District. No physical reconfiguration of the street profile shall be required when the stops are provided. The City shall require a bond or

other similar guarantee that these stops are provided subject to the approval of the City Engineer." The motion carried unanimously.

Council Member Gray moved, seconded by Council Member Cope, to amend the main motion to add to the end of Condition 7: "as detailed in the submitted precise development plan, and as approved by the Design Review Committee." The motion carried unanimously.

Council Member Gray moved, seconded by Mayor Turner, to amend the main motion to add the sentence: "This shall not preclude the use of landscape berms for landscaping uses only, subject to the approval of the Community Development staff." The motion carried unanimously.

Council Member Gray moved, seconded by Mayor Turner, to amend the main motion to delete the words "dredging beneath" and substitute "span of" and add to the last sentence "subject to the approval of the Marin County Flood Control District." The motion carried unanimously.

Council Member Cope moved, seconded by Council Member Gray, to amend the main motion to conform Conditions 12a, b, c, d & f in the precise development plan to Conditions 3 and 4 in the master plan. The motion carried unanimously.

The main motion as amended carried 4-1, with Council Member Moore dissenting.

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City of Novato Environmental Review Guidelines - APPENDIX G
ENVIRONMENTAL CHECKLIST (To be completed by staff as part of the Initial Study)

Date: 10-19-87

Staff Member: Alan Lazure

A. PROJECT INFORMATION

1. Name of Project: Golden Gate Business Park
 2. File Reference: Z087-008, MP87-003, PD87-002
 3. Parcel No.(s): 153-144-21 & 24, 153-170-13 & 51

B. ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Explanation for all "yes" and "maybe" answers shall be provided on the attached sheet together with recommended mitigation measures.

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>	<u>Not Applicable</u>
1. <u>Earth</u> Will the proposal result in:				
a. Substantial excavation, filling, displacement or other disturbance of the soil?	<u>X</u>			
b. Increased exposure of people or property to geologic hazards?			<u>X</u>	
c. Substantial erosion or siltation?			<u>X</u>	
d. Introduction of substantial amounts of chemical, gaseous or radioactive materials into the natural environment (including fertilizers, pesticides, etc.?)			<u>X</u>	
2. <u>Air</u> Will the proposal result in:				
a. Substantial air emissions or deterioration of ambient air quality?			<u>X</u>	
b. The creation of objectionable odors?			<u>X</u>	
3. <u>Water</u> Will the proposal result in:				
a. Substantial alteration of existing absorption rates, drainage patterns, or the rate and amount of surface water runoff?	<u>X</u>			

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	<u>Yes</u>	<u>Maybe</u>	<u>No</u>	<u>Not Applicable</u>
b. Substantial alterations to the ponding or course of flow of flood waters?	X			
c. Exposure of people or property to water-related hazards?			X	
d. Substantial change in the quantity or flow characteristics of groundwater?			X	
e. Adverse effects upon the quality of any surface body of water?			X	
4. <u>Fire</u> Will the proposal result in:				
a. Substantial increased potential for destructive fires within natural areas?				X
b. A substantial reduction in the level of fire safety?			X	
5. <u>Plant and Animal Life</u> . Will the proposal result in:				
a. Substantial change in the diversity of species or number of any species of plants or animals?			X	
b. Reduction in number of any unique, rare or endangered plants or animals or communities of such?			X	
c. Introduction of exotic plants and animals to the detriment of native species?			X	
d. Substantial reduction in prime agricultural acreage or use?				X
6. <u>Noise</u> . Will the proposal result in:				
a. Significant increase in existing ambient noise levels?			X	
b. Exposure of people to noise levels above those desirable for the intended use?			X	
7. <u>Aesthetics</u> . Will the project result in a significant and demonstrable negative aesthetic effect?			X	

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	<u>Yes</u>	<u>Maybe</u>	<u>No</u>	<u>Not Applicable</u>
8. <u>Land Use.</u> Will the project result in an inducement to growth in the surrounding area?	_____	_____	X	_____
9. <u>Natural Resources.</u> Will the proposal result in:				
a. Substantial increase in the rate of use or depletion of any natural resource?	_____	_____	X	_____
10. <u>Transportation/Circulation.</u> Will the proposal result in:				
a. Generation of substantial additional traffic such that existing levels of service will deteriorate?	_____	_____	X	_____
b. Demand for new or improved transportation facilities?	X	_____	_____	_____
c. Increase in traffic hazards?	_____	_____	X	_____
d. Elimination of possibility for future transportation system improvements or expansions?	_____	_____	X	_____
e. Inadequate means of escape or evacuation in an emergency?	_____	_____	X	_____
11. <u>Public Services.</u> Will the proposal have a significant effect upon, or result in a need for new or altered governmental services?	X	_____	_____	_____
12. <u>Utilities.</u> Will the proposal have a significant effect upon utility systems including unanticipated demands on those systems?	_____	_____	X	_____
13. <u>Community.</u> Will the proposal result in:				
a. Significant public controversy related to an environmental issue?	_____	_____	X	_____
b. Significant displacement of people or the disruption of established neighborhoods?	_____	_____	X	_____

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	<u>Yes</u>	<u>Maybe</u>	<u>No</u>	<u>Not Applicable</u>
c. Creation of unanticipated demands on delivery of health or social services?	_____	_____	X	_____
14. <u>Energy</u> . Will the proposal result in:				
a. Inefficient utilization of energy?	_____	_____	X	_____
b. Discouragement of alternative energy sources or transportation modes?	_____	_____	X	_____
15. <u>Archeological/Historical</u> . Will the proposal result in an alteration of a significant archeological or historical site, structure, object, or building?	_____	_____	X	_____
16. <u>Plan Conformity</u> .				
a. Is this proposal inconsistent with the policies and intent of the Novato General Plan or specific area plans of the City?	_____	_____	X	_____
b. Is the proposal inconsistent with the plans and policies of other agencies having jurisdiction?	_____	_____	X	_____
17. <u>Mandatory Findings of Significance</u>				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	_____	_____	X	_____
b. Does the project have a potential to achieve short-term, to the disadvantage of long-term, environmental goals?	_____	_____	X	_____

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c. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, current projects, and probable future projects.)

<u>Yes</u>	<u>Maybe</u>	<u>No</u>	<u>Not Applicable</u>
<u>X</u>	_____	_____	_____

d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

_____	_____	<u>X</u>	_____
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C. Questions answered "yes" or "maybe" by staff in the above listing constitute a recommended finding of significance until the Environmental Coordinator makes his/her determination. Modification of findings required by the Environmental Coordinator must be noted in the checklist.

D. DETERMINATION (To be filled out by the Environmental Coordinator following his/her evaluation of the Initial Study)

On the basis of this Initial Study:

1. It is found that the proposed project WILL NOT have a significant effect on the environment, and a DRAFT NEGATIVE DECLARATION will be prepared by the lead City department.

2. It is found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this instance because feasible mitigation measures exist for impacts identified as significant in the Initial Study. These measures are:

a. Reflected in revised exhibits submitted for approval by the applicant.

b. Described in statements attached with the written concurrence of the applicant as to their feasibility and acceptability.

Based on the foregoing, a DRAFT NEGATIVE DECLARATION will be prepared.

3. It is found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

By Mark W. [Signature]
Environmental Coordinator

Date: 10-21-97

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GOLDEN GATE BUSINESS PARK

Explanation and mitigation measures for all factors checked "yes."

1a. The site has been used extensively over the years as a disposal area for excess soils from construction projects, including alteration due to the U.S. 101 freeway construction. The proposed development will entail substantial amounts of impervious surfaces, including buildings, streets and parking areas. Several feet of fill material will be required to bring the finish floor elevations at minimum heights relative to a 100-year flood.

3a/b. As addressed in 1a above, the site will be substantially altered. An engineered surface and subsurface storm drainage system will be installed. Disposition of site drainage will be to a system along the railroad right-of-way and to Novato Creek. This new drainage system will eliminate ponding and site flooding for storms up to a 100-year strength.

10b. New transportation facilities such as an off-ramp extension for northbound 101 will be constructed as a result of the Rowland Plaza development. This off-ramp, however, is also needed to serve the subject site because it shares a common access with Rowland Plaza, that being Rowland Way. Additionally to serve this site, a new access bridge will be required to extend Rowland Way across Novato Creek.

11. Once the east side of U.S. 101 is developed, additional police patrols and Fire District responses will most likely result. For this project alone, new police and fire personnel would not be needed, however, as a cumulative impact is created by full development of the east side, this may not be true.

17c. The cumulative impacts of this project and the associated projects along the east side of U.S. 101 will primarily center around additional traffic congestion on U.S. 101. While resolution of traffic congestion on the freeway is a regional problem, this project, as was required of the Rowland Plaza project, will need to institute a TSM (Traffic Systems Management) program to reduce impacts.

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