

Town of Fairfax Planning Commission Minutes  
Fairfax Women's Club  
Thursday, April 23, 2015

**Call to Order/Roll Call**

Chair Green called the meeting to order at 7:00 p.m.

**COMMISSIONERS PRESENT:** Esther Gonzalez-Parber  
Philip Green (Chair)  
Shelley Hamilton (Vice-Chair)  
Laura Kehrlein

**COMMISSIONERS ABSENT:** None

**STAFF PRESENT:** Jim Moore, Planning Director

**APPROVAL OF AGENDA**

M/s, Kehrlein/Gonzalez-Parber, Motion to approve the agenda:

AYES: All

**PUBLIC COMMENTS ON NON-AGENDA ITEMS**

No one came forward to speak.

**CONSENT ITEMS**

1. **24 Iron Springs Road; Application # 15-08:** Expansion/connection of a semi-attached, laundry shed to an existing single-family residence, expanding the dining room of the 1,774 square foot residence and increasing the residence to 1,940 square feet; Assessor's Parcel No. 001-091-09; Residential Single-family RS 6 Zone District; John and Lisa Scopazzi, applicants/owners; CEQA categorically exempt, § 15301(e).
2. **69 Spruce Road; Application # 15-09:** Request for a Preferential Parking Permit to create a 32 foot long by 9 foot wide parking space by constructing a retaining wall that will reach up to 7 feet in height. Project will also include reconstruction of the residence access stairway. The entire project will take place within the Spruce Road right-of-way along the property frontage; Assessor's Parcel No. 001-145-01; Residential Single-family RS 6 Zone District; Wendy Oliveira, Farallon Company, applicant; Ellen De Martini, owner; CEQA categorically exempt, § 15301(4) and 15305(b).
3. **127 Dominga Avenue; Application # 15-10:** Request for a modification of a previously approved Use Permit to make improvements to a previously unconditioned/unimproved

basement area of an existing single-family residence; Assessor's Parcel No. 002-025-06; Residential RD 5.5-7 Zone District; David Grabham, G-Family Construction Inc., applicant; Krishna Tyner, owner; CEQA categorically exempt, §15301(a).

Planning Director Moore suggested that 24 Iron Springs Road is continued to the next meeting due to there being no quorum. He noted that Chair Green lives within 500 sq. ft. of the property and would not be able to vote.

Mr. Moore confirmed that the Proclamation for Commissioner Ezzet is continued to the meeting of May 21, 2015.

Chair Green asked if members of the public and the Commissioners wished to comment on the two remaining items on Consent, 69 Spruce Road and 127 Dominga Avenue.

Tonia Stoski, 71 Spruce Road, discussed her engineering concerns about the project next door to her property at 69 Spruce Road. Ms. Stoski said that the foundation of their home is on the property line and they are concerned that the proximity of the stair addition, and the depth of the excavation at the front of the property, might lead to future settlement problems. Ms. Stoski said they are also concerned about some of the larger trees on the applicant's property, which they thought might be affected by the construction.

Commissioner Gonzalez-Parber suggested a minor amendment to the Resolution concerning 127 Dominga Avenue.

Mr. Moore suggested that 69 Spruce Road is continued to the meeting of May 21, 2015, when Principal Planner Neal will be available to discuss the project. He said it would also provide an opportunity for the applicant to consult with Ms. Stoski, and he confirmed there are no time issues relating to the Permit Streamlining Act.

Commissioner Green said he is in agreement with continuing 69 Spruce Road. He noted that the project plans are available for the general public to examine at tonight's meeting, or that they are welcome to examine them at Town Hall.

Vice-Chair Kehrlein asked for clarification on whether sheetrock had been applied to the walls in the storage area at 127 Dominga. She noted that Principal Planner Neal had confirmed at the previous meeting that the space had not been sheetrocked, and she wished to know if the intention is for the space to remain that way.

Mr. Moore suggested moving the item concerning 127 Dominga to the public hearing items.

M/s, Hamilton/Gonzalez-Parber, Motion to continue 24 Iron Springs to the Planning Commission Meeting of May 21, 2015, and move 69 Spruce Road and 127 Dominga Avenue to the Public Hearing Items with the possibility of continuing them to the meeting of May 21, 2015:

AYES: All

## PUBLIC HEARING ITEMS

2. **69 Spruce Road; Application # 15-09:** Request for a Preferential Parking Permit to create a 32 foot long by 9 foot wide parking space by constructing a retaining wall that will reach up to 7 feet in height. Project will also include reconstruction of the residence access stairway. The entire project will take place within the Spruce Road right-of-way along the property frontage; Assessor's Parcel No. 001-145-01; Residential Single-family RS 6 Zone District; Wendy Oliveira, Farallon Company, applicant; Ellen De Martini, owner; CEQA categorically exempt, § 15301(4) and 15305(b).

Planning Director Moore confirmed his recommendation that this item should be continued to the meeting of May 21, 2015, to which Chair Green agreed. Chair Green said it would provide an opportunity for the neighbors to examine the plans and ascertain if problems exist with the foundation.

M/s, Green/Hamilton, Motion to continue 69 Spruce Road to the meeting of May 21, 2015:

AYES: All

3. **127 Dominga Avenue; Application # 15-10:** Request for a modification of a previously approved Use Permit to make improvements to a previously unconditioned/unimproved basement area of an existing single-family residence; Assessor's Parcel No. 002-025-06; Residential RD 5.5-7 Zone District; David Grabham, G-Family Construction Inc., applicant; Krishna Tyner, owner; CEQA categorically exempt, §15301(a).

Mr. Moore forewent presentation of the staff report. He suggested that the applicant should address Commissioner Kehrlein's question as to whether the basement has been sheetrocked or if there is an intention to apply sheetrock.

David Grabham, Applicant, explained the discussions that had taken place between himself and Principal Planner Neal. He said they agreed the applicant would limit lighting and remove two windows, leaving the remaining smaller window by the laundry room. As a compromise, Ms. Neal is allowing them to sheetrock the basement.

In response to Chair Green, Mr. Grabham confirmed there will be one light over the staircase, one in the main area of the basement room and one electrical outlet. He confirmed they have removed two windows, which he discussed.

Commissioner Kehrlein said she would feel more comfortable if the basement space was not sheetrocked to ensure it remained unconditioned, which she discussed.

Mr. Grabham confirmed his discussions with Ms. Neal about their ability to apply sheetrock as a compromise for reducing the number of windows and limiting the electrical supply to the area.

Chair Green discussed the Deed Restriction included in the Conditions of Approval. He noted that it would prohibit the utilization of the space as living space and there was general consensus among the commissioners that they could support the project.

Mr. Grabham and Commissioner Gonzalez-Parber discussed using plywood in place of sheetrock, and Commissioner Hamilton discussed the reasons she believes there is little difference.

M/s, Hamilton/Gonzalez-Parber, Motion to approve Resolution #15-07, a request for a modification of a previously approved Use Permit to make improvements to a previously unconditioned/unimproved basement area of an existing single-family residence at 127 Dominga Avenue:

AYES: All

Chair Green read the appeal rights.

## **MINUTES**

4. Minutes from the March 19, 2015 meeting.

Planning Director Moore noted that only three of the commissioners present at tonight's meeting were present at the meeting of March 19, 2015, and thus there is no quorum. However, Mr. Moore recommended that the minutes be informally approved.

Commissioner Hamilton noted that she had not agreed to be elected to the Tree Committee.

M/s, Kehrlein/Hamilton, Motion to approve the minutes of March 19, 2015, with the removal of the motion electing Commissioner Hamilton to the Tree Committee:

AYES: All

## **ELECTION OF TREE COMMITTEE MEMBER AND ALTERNATE**

Planning Director Moore suggested the item is continued to the next meeting when the Planning Commission will be augmented with new members.

## **DISCUSSION ITEMS**

5. Zoning Ordinance: Issues list prioritization and schedule of first meeting to start addressing zoning code amendments

Mr. Moore suggested the item is continued to the next meeting when the Planning Commission will be augmented with new members.

In response to Commissioner Hamilton, Mr. Moore said that staff have been keeping a list of issues, which they will include in the packet for the next meeting. Chair Green made some suggestions about prioritizing ordinances to be agendized for discussion.

## **PLANNING DIRECTOR'S REPORT**

Planning Director Moore said that he hoped the three vacant seats on the Planning Commission would be filled at the next Town Council meeting on May 6<sup>th</sup>.

Mr. Moore reported that the Town Council will be hearing the Emergency Shelter Ordinance at a special meeting on April 29<sup>th</sup>, and he discussed the process leading to its adoption.

Mr. Moore presented an update on the Housing Element. He discussed dates for a meeting that needs to be scheduled to discuss HCD's comments and the Town's response.

In response to Commissioner Hamilton, Mr. Moore reported that the pilot-parking program was not adopted due to opposition, which he discussed.

Mr. Moore noted that there will be a presentation by TAM (Transportation Authority of Marin) at the next Council Meeting on May 6<sup>th</sup>. Mr. Moore said that TAM are updating pedestrian and bicycle master plans, which he discussed.

Chair Green and Mr. Moore discussed the goals of a Fairfax Bicycle-Pedestrian Advisory Committee (BPAC) that will need to be established.

Mr. Moore and Commissioner Hamilton discussed the diverse interest groups and documents involved in matters including transportation, traffic forums, bicyclists and pedestrians. Mr. Moore noted that the General Plan is the comprehensive document that brings all the factions together, with the General Plan Implementation Committee (GPIC) acting as controllers for the Town's interests, which he discussed.

Commissioner Hamilton made suggestions regarding information on the Town's website that might better inform residents of the different interest groups, which led to discussion.

## **COMMISSIONER COMMENTS AND REQUESTS**

Chair Green reported that GPIC, of which he is a member, have suggested the list of ordinance priorities is prioritized further. He suggested that each commissioner choose an ordinance for discussion to be placed at the top of the list.

Mr. Moore noted that there will be a budget workshop with the Town Council on May 28<sup>th</sup>, which he discussed. Mr. Moore hoped that the Housing Element would be adopted at the Council Meeting the night before.

Commissioner Gonzalez-Parber and Mr. Moore discussed the pedestrian crossing lights outside the Good Earth grocery store.

Vice-Chair Hamilton and Mr. Moore discussed a corridor study.

**ADJOURNMENT**

A motion was made, seconded and unanimously approved to adjourn the meeting at 7:55 p.m.

Respectfully submitted,

Joanne O'Hehir