DRAFT Town of Fairfax Planning Commission Minutes
Fairfax Women's Club
Thursday, June 21, 2012

Call to Order/Roll Call:	Barbara Coler Laura Kehrlein (arr. 7.15 p.m.) Brannon Ketcham Peter Lacques Shelby LaMotte (Vice Chair) Morgan Hall
COMMISSIONERS ABSENT:	Hamilton (Chair)
STAFF PRESENT:	Jim Moore, Planning Director Linda Neal, Senior Planner Joanne O'Hehir, Minutes-Secretary

Vice-Chair LaMotte called the meeting to order at 7.05 p.m.

APPROVAL OF AGENDA

M/S, Coler/Lacques, Motion to approve the agenda with the item about San Gabriel Drive to be discussed after the item concerning 102 Dominga Avenue, and the continuance of the item regarding 41 Azalea Avenue to the meeting of July 19, 2012:

AYES: All

PUBLIC COMMENTS ON NON-AGENDA ITEMS

No one from the public came forward to speak.

CONSENT ITEMS

1. 715 Center Boulevard; Application # 12-12: Request for a Use Permit and Design Review for an outdoor seating area adjacent to an existing restaurant (Avatar Punjabi); Assessor's Parcel No. 002-131-14; Highway Commercial CH Zone District; Gregory Smith, applicant/architect; Richard Hall, property owner; Avatar Group, Inc., business owner; CEQA categorically exempt, §15301.

M/S, Coler/Lacques, Motion to approve the consent item:

AYES: All

AGENDA ITEM # 7

PUBLIC HEARING ITEMS

3. 102 Dominga Avenue; Application # 12-11: Request for a Use Permit, Floor Area Ratio Variance, Parking Variance and Design Review approval to convert 475 square feet of a basement into a bedroom, bathroom and laundry room and construction of an enclosed entryway/porch addition. Project constitutes a 50% remodel; Assessor's Parcel No. 002-104-12; Residential RD 5.5-7 Zone District; Gregory Peitz, applicant/architect; Dustin and Megan Liebman, owners; CEQA categorically exempt, § 15301(a).

Planning Director Neal presented the staff report. She noted that a Use Permit would be necessary because the parcel did not meet the minimum size or width requirements. Ms. Neal discussed the increased size of the residence and floor area ratio (FAR) should the addition be approved. She noted that they would not be inconsistent with other properties in the area and that staff could therefore recommend the variance be granted.

Ms. Neal went on to discuss design review, which she noted was necessary because the project constituted a 50% remodel. She said that the design would be consistent with the character of the house and the neighborhood.

Ms. Neal addressed the setback variances which were requested for an enclosed entry stairway and parking. She noted that the reasons staff could support the variances were included in the staff report.

Commissioner Coler suggested that the condition of approval related to the deed restriction should be amended to state that the residence would be limited to a single-family home with only one kitchen.

In response to Commissioner Hall, Ms. Neal noted that the residence would exceed the FAR regulations but that, since other residences in the neighborhood had higher FARs, it would not be setting a precedence.

Dustin Liebman, applicant, said that they would be incorporating green building practices in their project and that the design and size seemed to fit in with other residences in the neighborhood.

Commissioner Ketcham and Ms. Neal discussed the flood zone. Ms. Neal said that the property was in flood zone B and that an elevation certificate would be required.

Commissioner Kehrlein arrived at 7.15 p.m.

Commissioner Ketcham led a discussion on making findings for expansions that exceeded the code based on the use of green building practices. Commissioner Lacques noted that the Building Code incorporated such practices. Ms. Neal discussed the findings which staff had made for the escalated floor area ratio that related to the code.

Commissioner Lacques noted that the project had used the foot print efficiently and that any proposed changes would increase the FAR. He said that the addition would be modest and look great and he said that he believed staff's findings were sufficiently strong to support the project without the need to incorporate green building practices as a finding.

Commissioner Hall noted that the design was a great, straight forward solution with minimal impact and that he liked the porch addition.

Commissioner Kehrlein said that it was a reasonable project and she went on to discuss briefly the doorways in the garage with the owner.

Vice-Chair LaMotte said that she agreed with the comments of the other commissioners.

M/S, Coler/Ketcham, Motion to approve Application # 12-11, a request for a Use Permit, Floor Area Ratio Variance, Parking Variance and Design Review approval to convert 475 square feet of a basement into a bedroom, bathroom and laundry room and construction of an enclosed entryway/porch addition at 102 Dominga Avenue, based on the findings and conditions in the staff report with the following amendment to Condition No. 1:

Prior to issuance of the building permit the applicants shall sign, notarize and record a deed restriction at the Marin County Recorder's office and provide a copy to the Town of Fairfax stating that the residence is limited to a single-family home with only one kitchen.

AYES: All

Vice-Chair LaMotte read the appeal rights.

4. <u>101 San Gabriel Drive; Application # 12-13: Request for design review of a proposed deck and sliding glass door addition to a single-family residence undergoing a 50% remodel; Assessor's Parcel No. 001-261-25; Residential Single-family RS 7.5 Zone District; Marcelo Veristain, applicant; Paige Rogers, owner; CEQA categorically exempt, § 15303(e) and 15305(a).</u>

Senior Planner Neal presented the staff report in the absence of the applicants. She noted that a Use Permit would be required because the lot was substandard in size based on its slope, and that design review was necessary because the project constituted a 50% remodel.

Ms. Neal discussed the deck design, which she noted was well-designed and would partially screen an unsightly area. She said that the deck encompassed the majority of the exterior work, with most of the project affecting the interior of the residence. Ms. Neal noted that the setbacks had been met and that the character of the residence and deck would not be changed significantly. She said that, for the reasons discussed and based on the findings and conditions in the staff report, staff could recommend approval.

A sample of the deck material was provided to the commissioners.

In response to Commissioner Ketcham, Ms. Neal said that the existing windows would be replaced.

In response to Vice-Chair LaMotte, Ms. Neal discussed landscaping. She noted that the applicants would need to comply with the Fire Department regulations.

Commissioner Lacques and Ms. Neal discussed the retaining wall.

General discussion ensued on the deck design.

M/S, Kehrlein/Lacques, Motion to approve Application # 12-13, a request for design review of a proposed deck and sliding glass door addition to a single-family residence undergoing a 50% remodel at 101 San Gabriel Drive based on the findings and conditions contained in the staff report:

AYES: All

Vice-Chair LaMotte read the appeal rights and directed staff to notify the applicant that their project had been approved.

APPROVAL OF MINUTES

5. Minutes from the May 17, 2012 meeting.

Page 2, "In response to Chair Ketcham…." was amended to read, "In response to Commissioner Ketcham….."

M/s, Ketcham/Coler Motion to approve the minutes of May 17, 2012 as amended:

YES: Coler, Kehrlein, Ketcham, Lacques, Hall

ABSTENTION: LaMotte

PLANNING DIRECTOR'S REPORT

Planning Director Moore thanked Commissioners Coler and Hall for continuing the discussion on parklets. They had suggested that parklets be tried out on a temporary basis and Mr. Moore said he would suggest to the Town Council that the first temporary "parklet pass" should be issued on August 26th in combination with the closing of Bolinas Road from 12 noon – 4 p.m. to traffic.

Commissioner Hall agreed to design the parklet and Commissioner Coler said that she believed the Chamber of Commerce would be interested in providing finance for its construction.

Mr. Moore said he would schedule a special workshop or training session at the end of the light evening to discuss design review.

Mr. Moore recused himself at 7.45 p.m.

DISCUSSION ITEMS

6. Discussion/consideration of design review, the design review application and design review submittal requirements

Commissioner Kehrlein made a presentation of design review materials to the other commissioners.

General discussion on design review took place between Senior Planner Neal and the commissioners.

Commissioner Lacques expressed a desire to review more substantial materials for projects. Commissioner Kehrlein said that she would bring more examples of readily available building materials for the commissioners' review.

COMMISSIONER COMMENTS AND REQUESTS

Commissioner Coler requested that further discussions on design review be agendized for a future meeting.

Commissioner Ketcham and Vice-Chair LaMotte noted that they would not be present for the July meeting.

ADJOURNMENT

A motion was made, seconded and unanimously passed to adjourn the meeting at 8.20 p.m.

Respectfully submitted,

Joanne O'Hehir