

FAIRFAX PLANNING COMMISSION MEETING MINUTES
WOMEN'S CLUB, 46 PARK ROAD
AND VIA ZOOM
THURSDAY, APRIL 18, 2024

Call to Order/Roll Call:

Chair Jansen called the Regular Meeting to order at 7:00 p.m.

Commissioners Present: John Bela
Philip Feffer
Robert Jansen (Chair)
Brett Kelly
Mimi Newton (attending remotely)
Cindy Swift

Staff Present: Jeffrey Beiswenger, Planning Director
Linda Neal, Principal Planner
Kara Spencer, Assistant Planner

APPROVAL OF AGENDA

Commissioner Swift would like to switch the Planning Director's Report and the Commissioner Comment/Requests.

M/s, Swift/Bela, motion to approve the agenda with the suggestion made by Commissioner Swift.
AYES: Bela Feffer, Kelly, Newton, Swift, Chair Jansen

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Ms. Susie Bergen, Spruce Road, discussed the neighborhood complaints about Fairfax Lumber and had a question about the Planning Commission's approval of this project.

CONSENT CALENDAR

There were no Consent Calendar items.

PUBLIC HEARING ITEMS

- 1. 31 Maple Avenue; Application #24-02
Request for a Conditional Use Permit and Variances for a deck addition to a second-story accessory dwelling unit (ADU); APN #001-204-92; RD 5.5-7 Residential Zone; Bridget Fees, applicant/owner; CEQA Categorically Exempt per Sections 15301(a) & 15303(e)**

Assistant Planner Spencer stated the notice indicated there is an enclosed area under the ADU that needed to be legalized. That is not the case- it meets the ADU requirements and does not need discretionary approval by the Commission. Staff accidentally published the draft version of the staff report and the Resolution. The Commission received the final version which includes a mitigation measure that the property owner could modify some of the impervious surfaces to get the lot coverage to 35%. She had several suggested changes to the Resolution.

Assistant Planner Spencer presented the staff report. Staff answered questions from the Commission regarding the redline version of the Resolution; the process for ministerial permits for ADUs; Table 1; the setbacks; what is on-line with respect to the updated materials.

Chair Jansen opened the Public Hearing.

Ms. Bridget Fees, applicant, made the following comment:

- She would be happy to answer any questions.

Mr. Tony Franco made the following comments:

- He has photographs.
- Several neighbors wrote letters in support of the project.

Chair Jansen closed the Public Hearing.

Commissioner Kelly provided the following comments:

- He is generally in favor of the project.
- The setbacks do not seem to be accurate on the drawings.

Commissioner Bela provided the following comments:

- He is generally supportive of the project.
- He appreciated the feedback from the neighbors.

Commissioner Swift provided the following comments:

- She could approve the project.
- She is concerned about the lot coverage exceeding what is allowed.
- She suggested a change in the wording in the red line version regarding impermeable surfaces- "will be removed" instead of "would be removed".

M/s, Feffer/Swift, motion to approve Resolution 2024-05 per the redline version and the changes made to Condition #13.

AYES: Bela, Feffer, Kelly, Newton, Swift, Chair Jansen

Chair Jansen stated there is a 10-day appeal period.

2. 88 Hillside Drive; Application #24-03

Request for a Conditional Use Permit and Variance for a 120 square foot accessory storage structure adjacent to an existing single-family residence; APN #002-152-05; RS-6 Single Family Residential Zone; Jessica Gray and Alexis Razon, applicants/owners. CEQA Categorically Exempt per Section 15303(e)

Principal Planner Neal presented the staff report. Staff received letters of support from Linda Mondo, George Crispo, Collette and Gerard Geralnick, Lori Berliner and Michael Hayes, and Georgia Gibbs.

Staff answered questions from the Commission regarding whether any trees would be removed; the Table on page 3 of the staff report; the front setback; the combined front/rear setback; the width of the right-of-way easement.

Chair Jansen opened the Public Hearing.

Mr. Lex Razon, applicant, made the following comments:

- The house is 1,200 square feet and they are trying to maintain their current living status in Fairfax.

- The proposed structure would allow the family to live more comfortably.
- They have considered remodeling the home but it is out of reach.
- It is cumbersome to bring anything from the car to the house.
- The existing shed would be removed.

Mr. Peter Brandalis, designer, made the following comments:

- The initial application was submitted three years ago.
- The site plan is drawn from the Assessor's Parcel map.
- It appears that the property goes all the way to the street.

Mr. Brandalis answered questions from the Commission regarding Drawing A-102, the property line, and the setback.

Chair Jansen closed the Public Hearing.

Commissioner Feffer provided the following comments:

- It is difficult to get things done on these sites.
- He likes the project.

Chair Jansen provided the following comment:

- He would like the resolution to indicate the existing 40 square foot shed would be removed once the final inspection is done on the new shed.

M/s, Swift/Bela, motion to approve Resolution No. 2024-06 with the addition of Condition #12: "The existing 40 square foot shed would be removed once the final inspection is done on the new shed".

AYES: Bela, Feffer, Kelly, Newson, Swift, Chair Jansen

Chair Jansen stated there is a 10-day appeal period.

3. 51 Bolinas Road; Application #24-04

Request for a Design Review Permit for the exterior remodel and painting with a new color palette of an existing commercial structure; APN #002-122-32; CC Central Commercial Zone; Morgen Hall, Architect/Applicant/Owner; CEQA Categorically Exempt per Section 15301(a)

Principal Planner Neal presented the staff report. Staff answered questions from the Commission regarding statements regarding the historic value of the building and whether it should be considered an historical resource.

Chair Jansen opened the Public Hearing.

Mr. Morgen Hall, applicant, made the following comments:

- The owner of private property can choose the option of not have a building designated as a historic building.
- He would prefer the "Mudflats" color.
- The building is only twelve feet wide and twelve feet high.

Mr. Todd Greenberg made the following comments:

- He supports the project.
- It includes fire safe materials.
- He encouraged the Commission to approve the project.

Chair Jansen closed the Public Hearing.

Commissioner Newton provided the following comment:

- She thanked the applicant for the beautifully hand crafted drawings.

Commissioner Bela provided the following comments:

- He loves the drawings and the architectural renderings.
- This is a wonderful building that contributes to the character of the downtown,

M/s, Bela/Swift, motion to approve Resolution 2024-07

AYES: Bela, Feffer, Kelly, Newton, Swift, Chair Jansen

Chair Jansen stated there is a 10-day appeal period.

Discussion Items

There were no discussion items.

Minutes

5. Minutes from the January 11, 2024 and February 15, 2024 meeting

Chair Jansen opened the meeting to public comments.

Mr. Todd Greenberg stated he discussed the production of ADUs at the February 15th meeting. The Town has confirmed that the production of ADUs since 2021 has been declining. Production dropped 56% from 2022 to 2023.

Chair Jansen closed the meeting to public comments.

M/s, Swift/Newton, motion to approve the January 11 and February 15, 2024 minutes as corrected.

AYES: Bela, Feffer, Kelly, Newton, Swift, Chair Jansen

Planning Director's Report

Planning Director Beiswenger reported the Housing Element has been certified. Staff is working on a staff report detailing items in the element that have been implemented so far. Housing Specialist Bryn McKillop has been hired to implementing housing related items. The following two items will be discussed at the next meeting: 1) Light Pollution and Dark Sky Options; 2) Adoption of Findings that the Capital Improvement Program is consistent with the General Plan.

Commissioner Bela asked if the Housing Specialist was a staff position. Director Beiswenger stated "yes". Commissioner Bela asked how the position is funded. Director Beiswenger stated it is funded through the Town's General Fund.

Commissioner Comments and Requests

Chair Jansen congratulated staff on the Certification of the Housing Element.

Commissioner Swift asked about items that will be coming on future agendas. Director Beiswenger stated there will be updates on the Land Use, Safety, and Town Center Elements

Commissioner Swift asked if the Planning Department continues to issue Tree Permits. Principal Planner Neal stated the Planning Department and Commission are involved only when the tree removal is in conjunction with a project. Otherwise it is handled by administrative staff and the Tree

Committee. Commissioner Swift noted it is bird nesting season and there is a lot of tree trimming being done, some without permits. The Website should include information on tree permits.

Commissioner Swift stated the League of California Cities Planning Commissioner Academy will be in Santa Rosa next year on March 5th through 7th. Information about this year's Academy is on the League's Website.

Commissioner Bela asked when the Zoning Amendments relative to the Certified Housing Element would appear in the Municipal Code and be available on-line. Principal Planner Neal stated this has been done.

Commissioner Bela stated he finds the Objective Design and Development Standards (ODDS) hard to follow and lacking graphics. He asked if more could be added. Planning Director Beiswenger stated staff could look into this. Commissioner Jansen was concerned that the ODDS starts to describe styles and can become a book of samples that are restrictive.

Commissioner Feffer stated he liked looking at what is on the horizon and he suggested creating a calendar.

Chair Jansen asked staff to report back on the status of the Fairfax Lumber project.

ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 8:51 p.m. .

Respectfully submitted,

Toni DeFrancis,
Recording Secretary