

DRAFT FAIRFAX PLANNING COMMISSION MEETING MINUTES
WOMEN'S CLUB, 46 PARK ROAD
AND VIA TELECONFERENCE
THURSDAY, SEPTEMBER 22, 2022

Call to Order/Roll Call:

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

Commissioners Present: Norma Fragoso (Chair)
 Robert Jansen
 Mimi Newton
 Cindy Swift

Commissioners Absent: Philip Green
 Brett Kelly

Staff Present: David Woltering, Interim Planning Director
 Linda Neal, Principal Planner
 Kara Spencer, Associate Planner

APPROVAL OF AGENDA

M/s, Swift/Jansen, motion to approve the agenda as submitted.

AYES: Jansen, Newton, Swift, Chair Fragoso

ABSENT: Green, Kelly

PUBLIC COMMENTS ON NON-AGENDA ITEMS

There were no comments.

CONSENT CALENDAR

There were no Consent Calendar Items.

PUBLIC HEARING ITEMS

- 1. 40 Manzanita Road.; Application #22-19
Request for a Conditional Use Permit and Design Review to expand and remodel an existing single-family residence; APN # 002-011-08; RS-6 Single-Family Residential Zone; Hieronymous Axelson, applicant; Katherine and Hieronymous Axelson, owners; CEQA categorically exempt per Section 15301(e)(1).**

Associate Planner Spencer presented the staff report. She answered questions from the Commission regarding whether the project is located in the Northern Spotted Owl nesting area; is a "substantial remodel" synonymous with an "over 50% remodel"; the proposed and existing roof height.

Chair Fragoso opened the Public Hearing.

Mr. Ernie Seland, architect, made the following comment:

- They are reducing the mass of the project while adding a unit in the basement.
- There is a new shed roof. They are making this an all-solar house.

- This is a good project for the Town.

Chair Fragoso closed the Public Hearing.

Commissioner Jansen provided the following comments:

- The volume of the building gets smaller while adding a unit- it is cleverly done.
- The different orientation of the cladding between the two volumes and the different colors are striking.
- He supports the project.

Commissioner Newton provided the following comments:

- This is a lovely design.
- It will be a great home.
- She appreciated that the trees were maintained.

Chair Fragoso provided the following comments:

- This is a nice set of plans.
- She appreciated the landscaping plan.
- The project is attractive and compact.
- The off-haul soil will be reused on the site.

M/s, Jansen/Swift, motion to adopt Resolution No. 2022-23 with the following changes: 1) On page 4, Condition #10, "Any construction...the benefit of the approved modification *by the Planning Commission* or Planning Director; 2) On page 6, Condition #26,"or" should be "of"; 3) On page 6, Condition #32, "All fixtures...*Dark Sky*..."

AYES: Jansen, Newton, Swift, Chair Fragoso

ABSENT: Green, Kelly

Chair Fragoso stated there was a 10-day appeal period.

2. 54 Bolinas Rd.; Application #22-20

Request for a Conditional Use Permit for an existing commercial space that will combine both retail and service activities in one business location in accordance with Town Code Section 17.100.050(F); APN #002-111-15; Central Commercial Zone; Holly Brandborg and Emma Sheldon, applicants; Doug Yee, owner; CEQA Categorically exempt per Section 15301(a)

Principal Planner Neal presented the staff report. She answered questions from the Commission regarding whether the restrooms meet ADA codes; what triggers ADA requirements.

Chair Fragoso opened the Public Hearing.

Ms. Holly Brandborg made the following comments:

- The space is beautiful but too big for her hair styling business.
- She reached out to Ms. Sheldon.

Ms. Emma Sheldon made the following comments:

- She will run the retail portion of the space.
- This is an expansion of her business.

Mr. Todd Greenberg made the following comments:

- He lives across the street on Bolinas.
- He is in favor of the proposal- it will be a good addition.

- He is concerned about the increased luminescence of the lighting. It should be on the dimmest setting.

Chair Fragoso closed the Public Hearing.

Commissioner Swift provided the following comments:

- She asked staff to look at the interior lighting- the amount and timing.
- She likes the application and could approve it.

Commissioner Newton provided the following comment:

- She would like to see the ADA requirements upheld.

Principal Planner Neal referred to the Resolution and suggested the following modification: On page 2, under the first *Whereas*, #2, add to the last sentence: "...Chapter 8.32, and the Americans with Disabilities Act (*if the Building Official determines that the work that has been done triggers compliance*)." Interim Planning Director Woltering recommended leaving the language as is.

M/s, Swift/Jansen, motion to adopt Resolution No. 2022-24 with the following changes: 1) On page 1, the first "Whereas", the word April should be deleted; 2) On page 2, Condition #5, capitalize Dark Sky.

AYES: Jansen, Newton, Swift, Chair Fragoso

ABSENT: Green, Kelly

Chair Fragoso stated there was a 10-day appeal period.

3. 6 Walsh Lane.; Application #20-08

Modification of a previously approved Hill Area Residential Development Permit for a remodel and expansion of a single-family residence; APN # 003-192-20; Residential Single Family RS 6 Zone; Laura Kehrlein, applicant/architect; Tom and Anne Engel, owners; CEQA categorically exempt per Section 15301(e)(a)(2).

Principal Planner Neal presented the staff report. She noted the following changes being made to the previous project approved by the Commission: 1) A reduction in the number and size of exterior decks; 2) Window changes; 3) Changes in the number and location of exterior lighting; 4) The addition of skylights to the roof; 5) A change to the exterior siding material and deck railing caps. The only change to the floor elevations is the garage floor elevation came up. She noted the following changes to the Resolution: 1) On page 4, Condition of Approval #6, should read: "Modifications...approved by the *Planning Commission* or Planning Director."; 2) On page 6, Condition #22, "or" should be "of"; 3) On page 7, Condition #30 should be deleted. She answered questions from the Commission regarding the color scheme; the appeal of the original application.

Chair Fragoso opened the Public Hearing.

Ms. Laura Kehrlein, architect, made the following comment:

- The owners want to remodel the house and make it their own.
- The siding will be gray.
- The side deck on the south adjacent to the driveway has been eliminated.
- The windows on the north side have been removed except for a small one in the lower floor bathroom.
- The owners were proactive in meeting with the neighbors.

Commissioner Jansen referred to the west elevation, Page A3.2, and asked Ms. Kehrlein what was going on above the main window area. Ms. Kehrlein stated that would be siding (the hatch markings were omitted from the plans). Commissioner Jansen referred to the two large windows on the south

elevation and asked if they were different sizes. Ms. Engle yes and indicated the top one is aligned and the bottom is driven by the interior and was pulled a bit higher for privacy.

Chair Fragoso closed the Public Hearing.

Commissioner Jansen provided the following comments:

- The original color scheme had two colors- this change to one color is an architectural tool for making a large volume look smaller.
- Currently the entire volume is a single color.
- There is a significant difference in how one would read the architecture.

Commissioner Swift provided the following comments:

- The current color scheme and materials make the house look smaller and blend in more.
- She is happy the south side has been totally redone in terms of the number of windows.
- She referred to the Resolution and suggested the following changes: 1) On page 6, Condition #26, "if" should be "in".

Commissioner Newton provided the following comments:

- The completely solid gray color scheme is pleasing.
- She appreciated the changes made and the efforts to mitigate the neighbor's concerns.
- She supports the project.

Chair Fragoso provided the following comments:

- The internal layout has been rearranged and is much more user-friendly.
- She likes the redesign.
- She likes the new color scheme.
- She likes the original south elevation windows.
- She likes the treatment of the garage doors.
- The interior redesign results in a better living space.
- She supports the project.

M/s, Newton/Swift, motion to adopt Resolution No. 2022- with the following changes: 1) On page 4, Condition of Approval #6, should read: "Modifications...approved by the *Planning Commission* or Planning Director."; 2) On page 6, Condition #22, "or" should be "of"; 3) On page 7, Condition #30 should be deleted; 4) On page 6, Condition #26, "if" should be "in".

AYES: Jansen, Newton, Swift, Chair Fragoso

ABSENT: Green, Kelly

Chair Fragoso stated there was a 10 day appeal period.

MINUTES

4. Minutes from the August 25, 2022, and August 31, 2022 meetings

M/s, Newton/Swift, motion to approve the August 25, 2022 minutes as corrected.

AYES: Jansen, Newton, Swift, Chair Fragoso

ABSENT: Green, Kelly

M/s, Swift/Jansen, motion to approve the August 31, 2022 minutes as corrected.

AYES: Jansen, Newton, Swift

ABSENT: Green, Kelly

ABSTAIN: Chair Fragoso

Commissioner Comments and Requests

Chair Fragoso asked if the Commission should send staff their comments about the Objective Development and Design Standards (ODDS) document. Interim Director Woltering stated "yes".

Planning Director's Report

Interim Director Woltering stated there is a Special Commission Meeting scheduled for September 28th at 7:00 p.m. to discuss the ODDS. The meeting will be Zoom only and include an overview of the memorandum and the ODDS document. Staff will come back to the Commission with a revised document for recommendation to the Council. He discussed the September 7th Town Council meeting which including action taken on the Parklet Program, expiration of the temporary parklets and the standards checklist, and rent stabilization and just cause protections. He discussed upcoming Commission meeting dates and asked the Commission to check their calendars.

Chair Fragoso commented on outdoor eating parklets, the ODDS, SB 9 requirements, and the Draft Housing Element.

Commissioner Swift stated the Commission provided feedback on the existing Housing Element Policies and Programs but has not done any work on the updated Housing Element.

Commissioner Jansen asked if there is a plan or timeframe for looking at revising the Zoning Code. Interim Director Woltering stated the Housing Element is the priority- the Commission currently has a lot on its plate.

ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 9:25 p.m.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary

DRAFT FAIRFAX PLANNING COMMISSION SPECIAL MEETING MINUTES
PRESENTATION ON OBJECTIVE DESIGN
AND DEVELOPMENT STANDARDS
VIA TELECONFERENCE ONLY
WEDNESDAY, SEPTEMBER 28, 2022

Call to Order/Roll Call:

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

Commissioners Present: Norma Fragoso (Chair)
 Robert Jansen
 Brett Kelly
 Mimi Newton
 Cindy Swift

Commissioners Absent: Philip Green

Staff Present: David Woltering, Interim Planning Director

APPROVAL OF AGENDA

Commissioner Swift stated she wanted the Commission to have the ability to ask questions after the presentation and before public comments and would like this added to the agenda.

M/s, Newton/Swift, motion to approve the agenda with the addition suggested by Commissioner Swift.

AYES: Jansen, Kelly, Newton, Swift, Chair Fragoso

ABSENT: Green

The Planning Commission is holding a second workshop to discuss Objective Design and Development Standards, answer questions raised at the August 31, 2022, special meeting where the ODDS were discussed, and solicit public comment.

- 1. Introductory remarks by Planning Director**
- 2. Presentation addressing questions raised at the previous meeting on Objective Design and Development Standards (ODDS) and clarifying the next steps forward by ELS Architecture & Urban Design, and Schemata Workshop, with zoning and schedule for Housing Element update by EMC Planning Group**
- 3. Public comments and questions**
- 4. Planning Commission discussion and feedback**

Interim Director Woltering presented a staff report.

Mr. Andi Flower, Principal Planner at EMC Planning Group, introduced the team: Mr. David Massenton, representing ELS Architecture and Urban Design, Mr. Ryan Call, Urban Field Studio, and Ms. Grace Kim, representing Schemata Workshop. The team gave a PowerPoint presentation and answered questions from the Commission regarding whether the ODDS would apply for a single duplex on a site; prohibited parking; allowed parking in side yard setbacks; PDD Zones and Open Space percentages; 2 ½ and 3 stories and the Town Center portion of the General Plan; how "discretionary review" would be implemented; incentives for the larger sites; if it is possible to

mandate different parking requirements for different sites; if public parking could be required on sites near transit corridors; density bonuses; the Town and Country Club site; administrative relief.

Chair Fragoso opened the meeting to public comments.

Mr. Michael McIntosh, owner of the Marin Town and Country Club, made the following comments:

- The financial impacts related to the opportunity sites should be included in the Environmental Impact Report (EIR).
- Different stakeholders had endured inequities in Town for decades.
- Objective standards should include financial feasibility comparisons between the different sites.

Mr. Mark Bell made the following comments:

- Ecological building standards should be included.
- Residents of these new units will park in the neighborhoods.
- A 2,200 square foot unit would cost about \$4,500 a month to rent.
- Digging into the hillside is not a good idea.
- Some of the photographs depict massive urban sprawl.

Chair Fragoso closed the meeting to public comments.

Commissioner Swift provided the following comments:

- She is concerned that the View Ordinance (Section 17.060.040) was not objective enough.
- View corridors need to be maintained.
- The built environment does not necessarily match the Zoning Code.
- There is not adequate public transportation for people to go to work.
- Parklets are impacting the downtown parking and residential neighborhoods.
- The narrow hillside roads are also evacuation routes.
- She appreciates the "Fairfax touch" to the document.

Commissioner Jansen provided the following comments:

- Everybody has cars.
- The space between the hillside houses needs to be maintained and increased.
- The gallery concept (porch, two story building built over the public right-of-way) would be very inappropriate for Fairfax.
- They need to do more to create interesting projects on the large sites.
- He will send more detailed comments to the consultants.

Commissioner Kelly provided the following comments:

- The work looks great and is heading in the right direction.
- He applauded the efforts to apply the document to this idiosyncratic Town.
- The materiality standards should not be in conflict with the WUI Zones.
- He agreed with Commissioner Jansen with respect to setbacks and view corridors.
- Roads are de facto walking paths and are public amenities.

Commissioner Newton provided the following comments:

- She appreciated the focus on using existing designs.
- The Open Space and Conservation Element of the General Plan contains language with respect to view corridors.
- She agreed with Commissioner Jansen about the height issues.
- She is in favor of anything that encourages more affordability.

Chair Fragoso provided the following comments:

- She appreciates the way the consultants have worked with the built environment considering its unique configurations and layouts.
- The data has been layered with maps, photographs, and parcel information.
- Chapter 3 in particular is a great focus point.
- She appreciated how the consultants looked at the different numbers for the School Street Plaza site.
- She stated some of the language in the document is contradictory.
- She likes where this is going.
- There is still some confusion about the interplay between the ODDS, SB 35, SB 9, and Town Ordinances.
- This process does not eliminate the enforcement of standards and preferences but rather codifies them.

Interim Planning Director Woltering stated staff and the consultants will take tonight's feedback and make appropriate revisions to the document. The document will come back to the Commission in an ordinance format for a recommendation to the Council.

ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 9:27 p.m.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary