



MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

ALEX HINDS, DIRECTOR

STAFF REPORT TO THE MARIN COUNTY PLANNING COMMISSION ANTONIOLI LOT LINE ADJUSTMENT AND PRECISE DEVELOPMENT PLAN

Item No:	7
Applicant:	Ronald Antonioli
Property Address:	235 Crest Road, Novato
Hearing Date:	September 26, 2005
Application No:	Antonioli Lot Line Adjustment (LL 04-7) and Precise Development Plan (DP 02-7)
Owner:	Ronald Antonioli
Assessor's Parcels:	143-370-02, -03, -06, -07, -38, and 143-183-01
Planner:	Jeremy Tejjirian

RECOMMENDATIONS:	Review conceptual design alternative and provide direction regarding future action on project applications
APPEAL PERIOD:	5 Calendar Days to the Board of Supervisors
LAST DATE FOR ACTION:	60 days after adoption of a Negative Declaration

SUMMARY RECOMMENDATION

Your commission continued the hearing on the Antonioli project on November 19, 2004, and directed staff to return with a resolution that did not approve the proposed location of Lot 7. Your commission's direction was based on several factors, including detriments to the visual quality and natural resources in the area as well as the character of the local community. Subsequent to the hearing, the applicant offered a compelling argument that the objections raised by your commission could be addressed by redesigning portions of the project. With the agreement of staff, the applicant has submitted revised conceptual plans and requested that your commission reevaluate the project in light of the alternative proposal. Staff recommends that your commission review the alternative design and take one of three actions: (1) direct staff to return with a resolution denying the project and the alternative design; (2) direct staff to return with additional analysis of the alternative design, based on complete information from the applicant, and a draft Resolution approving the proposed project, or; (3) with the consent of the applicant, direct staff to return with additional analysis of a design with further modifications.

BACKGROUND

The application for the project was originally submitted on March 11, 2002, and was subsequently revised by the applicant in response to staff recommendations. On June 23, 2004, an initial study of environmental impact was circulated for review, with mitigation measures ensuring that the project would not result in significant impacts to the environment. Based on the findings of the initial study and on a review of the merits of the proposal, staff recommended that your commission approve the project after holding a public hearing on August 9, 2004 (refer to Attachment 1).

Your commission continued the hearing on the Antonioli project on August 9, 2004, and requested additional information and project modifications that would address several issues of concern, including the possibility of establishing a homeowner's association for the development, the disposition of existing Lot 7, modified conditions limiting fences, requirements for colors and materials, and the maximum elevation allowed for future development on the two lots nearest to Crest Road (refer to Attachment 3).

Subsequent to the previous hearing on the project, the applicant submitted a request to modify the proposed project through conditions of project approval to address your commission's concerns, submitted two Single Holding Form applications including a Single Holding Form for Lot 7, and erected story poles on the subject property to demonstrate the potential mass and bulk of the future development with the revised conditions. On November 12, 2004, staff distributed a supplemental memorandum addressing these concerns, with attached revised Resolutions. Staff recommended adopting the revised Resolutions approving a Mitigated Negative Declaration for the project and conditionally approving the Antonioli Lot Line Adjustment and Precise Development Plan (refer to Attachment 6).

On November 29, 2004, your commission considered the revised proposal and declined to approve the project, based in part on the proximity and density of development near to Crest Road. The primary issue raised by your commission was related to Lot 7, where the building envelope was proposed to be located within twenty feet of Crest Road. The discussion on this aspect of the proposal indicated that there was a consensus that locating a residence this close to Crest Road would result in a higher density of development near the road than would be optimal and would detract from the visual appeal of the area. Other concerns raised during this discussion included reducing the maximum height of the new development to 18 feet above natural grade, appropriate fencing for the new residences, providing for adequate fire access, and protecting the open space area. A more complete discussion of these concerns is summarized in the attached minutes from the hearing (refer to Attachment 7).

ALTERNATIVE DESIGN

Conceptual plans and a written narrative were submitted by the applicant in an attempt to address the concerns expressed by your commission during the hearing of November 29, 2004. The applicant has sought to address your commission's dissatisfaction with Lot 7 by relocating the building envelope and reconfiguring the driveway access to a lower portion of the lot farther away from Crest Road. As is shown in the plans and discussed in the narrative, this location would reduce the visual affects that would occur from having a residence built nearer to Crest Road. In comparison to the previously proposed project, the alternative design would move the envelope from 20 feet from the Crest Road easement to 113 feet from the Crest Road easement. In conjunction with the condition limiting the height of the future residence to 18 feet above existing grade, this alteration would reduce the maximum elevation of the roof ridge from 18 feet above the level of the road grade to more than 30 feet below the level of the road grade. Twelve living trees were within the driveway, leachfield envelope and building envelope in the previously reviewed design for Lot 7, in comparison to ten living trees that would be within the driveway, leachfield envelope and building envelope for the alternative design.

The amount of grading for the future residence on Lot 7 would be similar in the previous proposal and the alternative design, but the driveway for the alternative design would be far longer than previously proposed. The advantages of the alternative driveway design are that it would not access directly onto Crest Road and that it would enable the residence on Lot 7 to be located farther from Crest Road, reducing visual impacts. The disadvantages are that the driveway would be approximately 330 feet in length, and the area of ground disturbance necessary for reforming the topography for the driveway would far exceed the area of the building envelope. However, the retaining walls for the driveway would not exceed a height of 4 feet above grade, and the 135 cubic yards of cut, most of which would be kept on-site, would not be excessive in comparison to the construction of new residences elsewhere in the County. Further, the alternative design has been reviewed by the Black Point Improvement Club, which recommended approval of the alternative design because the structure on Lot 7 would not obstruct the view from Crest Road.

Staff has reviewed the alternative design and generally concurs with the applicant's assessment of modifications that would need to be made to the initial study prior to adoption. Although the plans are conceptual, staff recognizes that the project would not result in impacts to the environment that have not already been addressed in the mitigation measures included in the initial study, because grading and tree removal would be minimized and an adequate buffer would be maintained from the watercourse.

CONCLUSION AND RECOMMENDATION

The alternative design has advantages and disadvantages, but the applicant has made a good faith effort to address the concerns raised by your commission during previous hearings on the project. If the concept of the alternative design meets with your approval, then it will be necessary for the applicant to submit complete plans for review by the Department of Public Works, the Environmental Health Services Division, and the Novato Fire Department. Revised Resolutions approving the project would be returned to your commission after the alternative design is reviewed by these agencies. If the concept of the alternative design does not meet with your approval, then staff will return revised resolutions reflecting your commission's intended action on the project on October 24, 2005.

Staff recommends that your commission review the alternative design and take one of three actions: (1) direct staff to return with a resolution denying the project and the alternative design; (2) direct staff to return with additional analysis of the alternative design, based on complete information from the applicant, and a draft Resolution approving the proposed project, or; (3) with the consent of the applicant, direct staff to return with additional analysis of a design with further modifications.

Attachments:

1. Original staff report for the August 9, 2004 hearing, with attachments
2. Supplemental memorandum, dated August 6, 2004
3. Minutes of the August 6 hearing, approved on August 30, 2004
4. Supplemental memorandum, dated September 3, 2004
5. Minutes of the September 13 hearing, approved on September 27, 2004
6. Supplemental memorandum, dated November 12, 2004, with attachments
7. Minutes of the November 29 hearing, approved on December 13, 2004
8. Applicant comments with attachments, dated April 27, 2005
9. Applicant comments, dated June 22, 2005
10. Applicant comments, dated August 3, 2005
11. Revised plans

