

MARIN COUNTY PLANNING COMMISSION HEARING MINUTES

November 14, 2005

Marin County Civic Center, Room 328 - San Rafael, California

Commissioners Present: Steve C. Thompson, Chairman
Jo Julin, Vice Chair
Hank Barner
Don Dickenson
Mark Ginalski
Randy Greenberg
Wade Holland

Commissioners Absent: None

Staff Present: Brian Crawford, Deputy Director of Planning Services
Jeremy Tejirian, Planner
Kim Shine, Recording Secretary

Minutes Approved on: November 28, 2005

Convened at 1:04 p.m.
Adjourned at 2:28 p.m.

1. INITIAL TRANSACTIONS

- a. Incorporate Staff Reports into Minutes

M/s Julin/Holland to incorporate the staff reports into the Minutes. Motion passed 7/0/0.

- b. Continuances

Item 6A/6B: Draft Negative Declaration of Environmental Impact and Master Plan and Development Plan: Marin County Cemetery Company

Staff requested this item be rescheduled to allow time for the project description to be revised so it more accurately reflects the consolidation of morgue services at the site, which was not conveyed to staff by the applicant prior to the distribution of the notice. The revised Initial Study and proposed Negative Declaration have been recirculated and are under public review and comment.

Item 7: Design Review and Second Unit Permit: Vlahos

The applicant requested a continuance, and with no one present from the public to speak on this project, the item was continued to the meeting of December 12, 2005.

Item 8: Coastal Permit, Design Review, and Merger Appeal: Hillenbrand (Pace/Labovitz)

Both applicant and appellant requested a continuance, and with no one present from the public to speak on the appeal, the item was continued to the meeting of January 9, 2006.

- c. Approval of Minutes - October 10, 2005, Item 9: Lawson's Landing DEIR

M/s Holland/Greenberg to approve the minutes of October 10, 2005, Item 9, as amended. Motion passed 7/0/0.

Approval of Minutes - October 24, 2005

M/s Holland/Julin to approve the minutes of October 24, 2005, as amended. Motion passed 7/0/0.

- d. Approval of Planning Commission Schedule for 2006

M/s Dickenson/Holland to approve the schedule for regular meetings of the Planning Commission in 2006 as recommended by staff. Motion carried 7/0/0.

2. COMMUNICATIONS – The Commission acknowledged receipt of several pieces of correspondence.

3. DIRECTOR'S REPORT

Deputy Director Crawford briefed the Commission on former and upcoming planning projects before the Board of Supervisors, and updated the Commission regarding a number of prior Planning Commission projects. In addition, at the Commission's request, he agreed to work to arrange a date early in 2006 for David Strong to give the Commission a presentation on his report regarding agriculture and economics in Marin.

4. OPEN TIME FOR PUBLIC EXPRESSION (LIMITED TO THREE MINUTES PER SPEAKER)

Commissioner Ginalski introduced his father, Bill Ginalski, visiting from the East Coast.

5. FUTURE AGENDA DISCUSSION ITEMS, FIELD TRIPS

November 28, 2005

- Mease/Salah NegDec/LD/PDP/DR
- Zerull Appeal of Design Review
- Eastwood Park DR, Mill Valley
- Douglas DR

December 5, 2005 (Special Meeting)

- Redwood Landfill FEIR

December 12, 2005

- Las Cumbras DR/Initial Study
- Vlahos DR

January 9, 2006

Marin County Cemetery Company
Hillenbrand CP/DR/Merger

6A. DRAFT NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

CH/TH

6B. MASTER PLAN AND DEVELOPMENT PLAN: MARIN COUNTY CEMETERY COMPANY

Public hearing to consider the Marin County Cemetery Company Master Plan and Development Plan application for construction of 26 new mausoleums, conversion of an existing chapel into crypts, construction of a two-story addition to the existing office, repair of existing access roads and construction of a one-story addition to the existing Chapel of Memories. The Master Plan would extend for a period of 50 years with the anticipated construction of a new mausoleum occurring every 2 to 3 years. The greatest concentration of mausoleums would be located in the vicinity of the existing mausoleums between Ray Court (public right-of-way) and Tamalpais Avenue (private access road within the cemetery). The project architect has indicated the first phase of the project would be the construction of 2 mausoleums along the upper portion of Lakeview Avenue. Phase two would consist of the office building additions, new parking lot, and garage. The next phase would be to cover the existing chapel area within the Chapel of the Lights Mausoleum into additional crypts and niches. Phases four and five of the project would include the ongoing build-out of mausoleums and improvements of existing access roads. The project also includes annexation into the San Rafael Sanitation District to formalize an existing sewer connection. The subject property (Assessor's Parcel 177-240-03) is located at 2500 Fifth Avenue, San Rafael.

Staff recommended that the hearing on this item be rescheduled, as staff was unaware that the County Coroner's Office was proposing the consolidation of morgue activities at the Mt. Tam Cemetery when the Initial Study and Negative Declaration were prepared. Therefore, staff will revise the Initial Study and recirculated the Negative Declaration, and reschedule the item for a future Commission hearing. Staff recommended to the Commission that the project be rescheduled for the Commission meeting of January 9, 2006.

Staff responded to questions from the Commission regarding annexation of the property by the City of San Rafael pursuant to LAFCO's dual annexation policy.

The public hearing was opened.

Carol Scholz, 38 Sirard Lane, San Rafael, told the Commission that she considers the cemetery a sacred place of rest, and asked the Commission to not allow the Coroner's Office or lab to be relocated in her neighborhood at this cemetery.

The public hearing was closed.

M/s Holland/Julin to reschedule the Draft Negative Declaration of Environmental Impact and the Master Plan and Development Plan for Marin County Cemetery Company to January 9, 2006. Motion passed 7/0/0.

7. DESIGN REVIEW: VLAHOS

NO

Continued public hearing to consider the Vlahos Design Review proposing to construct a 7,470 square foot residence and attached garage, a 691 square foot detached second unit, and various site amenities on a vacant lot that is adjacent to the Town of Tiburon's La Cresta Open Space. The second unit will be reviewed as a separate ministerial project after completion of the discretionary Design Review application process. The maximum height of the residence would be 37 feet above finished grade and the exterior walls would have the following minimum property line setbacks: 75 feet front (south), 26 feet side (east), 83 feet side (west), and 32 feet rear (north). The maximum height of the second unit would be 18 feet above grade and would have the following minimum property line setbacks: 10.5 feet front (south), 15 feet side (east), 100 feet side (west), and 100 feet rear (north). The total floor area would be 7,621 square feet with a 17.2% floor area ratio on the 44,261 square foot lot. The proposal includes 1,325 cubic yards of excavation and 4,450 cubic yards of fill. The proposal would result in 82% site disturbance (36,294 square feet). The subject property is located at 28 Eagle Rock Road, Mill Valley (Strawberry), and is further identified as Assessor's Parcel 034-012-19.

Staff summarized the project, noting that the Commission considered this project earlier in 2005. At that time, the applicant was given the option of redesigning the project and chose to do so. The applicant has met with staff to review project changes and has requested a further continuance. Staff recommended that the item be continued to December 12, 2005.

The Commission discussed the status of the redesigned project.

Commissioner Holland expressed his opinion that an applicant only be afforded the option of a continuance for the purpose of "tweaking" the project, rather than a complete redesign, and that in the future, should the Commission find a particular project to be inappropriate, the project in his opinion should be denied.

M/s Julin/Barner to continue the Vlahos Design Review application to the meeting of December 12, 2005. The motion passed 7/0/0.

**8. COASTAL PERMIT, DESIGN REVIEW, AND MERGER APPEAL:
HILLENBRAND (PACE/LABOVITZ)**

JT

Continued public hearing to consider the Pace and Labovitz Appeal of the Deputy Zoning Administrator's approval of the Gretchen Hillenbrand Coastal Permit/Design Review/Merger applications to demolish an existing residence and construct a two-story, 3,139 square foot single-family residence, a 256 square foot bathhouse, a 286 square foot guesthouse, a 700 square foot barn, and various site amenities including landscaping and a pool. The applicant also proposes to convert an existing second unit into a 560 square foot guesthouse. The proposed structures would reach a maximum height of 25 feet above existing grade and maintain setbacks exceeding 90 feet from all property lines. The subject property is developed with a septic system, which would be upgraded, and a well that would be granted an operating permit. A new driveway would be constructed along an access easement on Assessor's Parcel 188-140-70 that leads to the subject property from Horseshoe Hill Road and the use of an existing driveway leading to Olema-Bolinas Road would be abandoned. The merger would combine two legal lots of record into a single 7.68-acre legal lot of record in Bolinas. The Deputy Zoning Administrator's approval of the project has been appealed to the Planning Commission. The subject property is located at 655 Olema-Bolinas Road, Bolinas, and is further identified as Assessor's Parcels 188-140-66 and 188-150-04.

Staff noted that this item was continued from the October 24, 2005, hearing. The applicant has now requested a further continuance to an unknown future date and the appellant has requested a further continuance to the next available hearing date. Staff recommended that the Commission continue the hearing on this item to January 9, 2006.

M/s Dickenson/Ginalski to continue the Hillenbrand Coastal Permit, Design Review, and Merger Appeal application to the meeting of January 9, 2006.

Commissioner Barner expressed support for the continuance, and noted his concern regarding the possible loss of low income housing if the second unit is converted to a guest house by removing the kitchen.

The motion passed 7/0/0.

M/s Barner/Greenberg to adjourn the meeting at 2:28 p.m. The motion passed 7/0/0.