

**Marin County Planning Commission
Regular Meeting
Monday, September 24, 2018, 1:00 P.M.**

ROLL CALL The meeting was called to order by Chair Margot Biehle at 01:00 p.m.

Present at Roll Call: Margot Biehle; Margaret Curran; Christina L. Desser; Don Dickenson; David Paoli; Peter Theran.
Absent at Roll Call: John Eller.

Staff present: Current Planning Manager Jeremy Tejirian; Planning Commission Secretary Ana Hilda Mosher.

1. INITIAL TRANSACTIONS

a. Minutes – August 27, 2018

M/s Margaret Curran - Peter Theran to approve the minutes of the meeting of August 27, 2018 as presented.

Vote: Motion carried 6-0

AYES: Margot Biehle; Margaret Curran; Christina L. Desser; Don Dickenson; David Paoli; Peter Theran.

ABSENT: John Eller.

b. Communications

None.

2. DIRECTOR'S REPORT

a. Preliminary Agenda Discussion Items

Current Planning Manager Jeremy Tejirian provided an update on future Planning Commission agenda items.

b. 2019 Planning Commission Hearing Calendar

M/s Don Dickenson - Peter Theran to approve the 2019 Planning Commission Hearing Calendar.

Vote: Motion carried 6-0

AYES: Margot Biehle; Margaret Curran; Christina L. Desser; Don Dickenson; David Paoli; Peter Theran.

ABSENT: John Eller.

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

No one addressed the Commission.

4. DAPHNE (THE OAKS) MASTER PLAN AMENDMENT, DESIGN REVIEW, TREE REMOVAL PERMIT, AND EIR ADDENDUM

Current Planning Manger Jeremy Tejirian presented the staff report and recommended that the Planning Commission review the administrative record, conduct a public hearing, and recommend that the Board of Supervisors approve the oaks Master Plan Amendment, Design Review, Tree Removal Permit, and EIR Addendum.

Mr. Tejirian answered questions from the Commission.

Public Testimony was opened, and the following people spoke:

Representing the applicants: Robert Eves; John Thatch; Neil Sorensen; Steve Schmidt.

Mr. Sorensen, Mr. Thatch, and Mr. Eves answered questions from the Commission.

Public Testimony was closed.

Mr. Tejirian answered questions from the Commission.

Mr. Thatch answered questions from the Commission.

The Commission discussed the merits of the project, and requested the following:

- Incorporate the berm that was originally part of the Master Plan back into the project to provide more screening.
- Reduce the building length along the hillside and overall mass of the development.
- Consider ways of keeping the affordable housing while increasing the size of the six units and reducing its mass and bulk.

Staff advised the Commission that, as the County Code does not specifically address the affordable housing requirement for projects such as this one, the Commission has some latitude in making a recommendation as to how the applicant may fulfill this requirement. The majority of the Commission endorsed an approach to the affordable housing similar to what the housing staff proposed in a letter to the Applicant in July 2017, but with a number of important modifications. In that letter, housing staff outlined a fee calculation which multiplies the county-established dollar per square foot construction cost by the total square feet of the proposed building.

The Commission then indicated that, since the affordable housing fee remainder of \$75,000 is based on construction costs, a modest increase in floor area for each unit from 571 square feet to approximately 600 square feet may be sufficient to meet the affordable housing requirement with no additional fees required.

During their deliberations, the Commission conducted straw votes to recommend that the Board of Supervisors deny the project as currently designed, or to continue the hearing in order to redesign the project for the Commission to review again at a future hearing.

The Commission asked the applicant to express their preference to either move forward to the Board of Supervisors, or to continue the hearing to a later date.

The Commission recessed at 3:25 P.M. and reconvened at 3:35 P.M. with all members present.

Mr. Sorensen indicated to the Commission that their preference was to accept the continuance to a later date and return to the Commission with a revised project. The following motion was moved and amended:

M/s Margaret Curran – Peter Theran to (a) continue the hearing to the earliest viable date, (b) instruct the Applicant to return to the Commission with a design that: (i) incorporates the berm into the project; (ii) reduces both the building length along the hillside and the overall mass of the development; (iii) keeps the six affordable housing units but increases the size of the six units to approximate the fee calculation mentioned in County Staff’s letter of July, 2018; and (c) direct staff to come back to the Commission with a modified Resolution concerning the affordable housing element.

Vote: Motion carried 6-0

AYES: Margot Biehle; Margaret Curran; Christina L. Desser; Don Dickenson; David Paoli; Peter Theran.

ABSENT: John Eller

5. PLANNING COMMISSION PROTOCOLS

The Commission agreed to postpone Agenda Item V - Planning Commission Protocols, to the hearing of October 11, 2015.

The meeting was adjourned at 4:53 P.M.

The next Planning Commission meeting is scheduled for October 11, 2018, at 11:30 P.M.

Webcast Timestamps

00:01:49 – Initial Transactions

00:02:33 – Minutes 8/27/2018

00:00:00 – Communications

00:00:46 – Director's Report

00:05:11 – Daphne (THE OAKS) Master Plan Amendment, Design Review Tree Removal Permit, and EIR Addendum

00:40:30 – Public Testimony
00:59:20 – Commissioners' Questions and Comments
03:38:32 – Motion
03:39:10 – Vote
03:39:49 – Adjourn