



COMMUNITY DEVELOPMENT AGENCY

September 13, 2022

Thomas K. Lai
DIRECTOR

Honorable Board of Supervisors
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San Rafael, CA 94903

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SUBJECT: Rushworth appeal of the Planning Commission's denial of a Design Review application for a new single-family residence on a vacant lot on Pt. San Pedro Road, San Rafael

Dear Supervisors,

Building and Safety
Environmental Health Services
Planning
Environmental Review
Housing
Sustainability
Code Enforcement
GIS
Federal Grants

RECOMMENDATION: Conduct a public hearing, adopt a resolution to deny the Wright appeal, and affirm the Planning Commission's denial of the Rushworth Design Review application.

SUMMARY: On May 20, 2021, the applicant, John Wright, on behalf of the property owners, applied requesting Design Review approval to construct a new 2,511 square-foot single-family residence with an enclosed 808 square-foot understory and an attached 535 square-foot garage on a vacant lot in unincorporated San Rafael. The proposed development would result in a floor area ratio of 48 percent on the 6,959 square foot lot. The approved building would reach a maximum height of 29 feet, ten $\frac{3}{4}$ inches above the surrounding grade. The exterior walls would have the following setbacks: 15 feet from the northwestern front property line; five feet from the northeastern side property line; five feet, three inches from the southwestern side property line; and 64 feet, seven inches from the southeast rear property line.

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On March 22, 2022, the Planning Division issued an administrative decision to approve the proposed project. Subsequent to the Planning Division's administrative decision, Bonita Marmor, an adjacent neighbor to the northeast at 732 Pt. San Pedro Road, submitted a timely appeal of the Rushworth Design Review approval based on its purported impacts on views, privacy, and access to sunlight.

On June 13, 2022, the Planning Commission conducted a hearing and voted unanimously to grant the appeal and denied the application. On June 22, 2022, the applicant submitted a timely appeal. The appeal points have been described in detail, and responses are provided in the attached recommended resolution (Attachment No. 1).

EQUITY IMPACT: The proposal entails the construction of a single-family residence on a private property and would not impact programs or services vital to communities of color, underserved populations and/or immigrant communities.

FISCAL IMPACT: None

REVIEWED BY:

<input type="checkbox"/> County Administrator	<input checked="" type="checkbox"/> N/A
<input type="checkbox"/> Department of Finance	<input checked="" type="checkbox"/> N/A
<input checked="" type="checkbox"/> County Counsel	<input type="checkbox"/> N/A
<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> N/A

SIGNATURE:



Immanuel Bereket
Senior Planner

APPROVED:



Tom Lai
Director

Attachments:

1. Recommended Resolution
2. Petition of Appeal
3. Adopted Planning Commission Resolution No. PC22-008, denying the project
4. Planning Commission Staff Report and attachments, except correspondences dated June 13, 2022
5. Planning Commission minutes from the public hearing of June 13, 2022
6. Rushworth Design Review Administrative Decision
7. All Correspondences
8. Exhibit A - Project plans