

A special meeting of the San Anselmo Planning Commission was called to order on September 29, 1986 at 8:05 p.m. by Chairman Kroot in the Council Chamber. Public Works/Planning Director Kottage, Planning Consultant Roberto and Engineering Consulting Bala were present.

ROLL CALL

Commissioners Present: Hayes, Heubach, Manning, McPeak, Zaharoff, Chairman Kroot

Commissioners Absent: Harle, Heubach

PUBLIC HEARING

AR-6, Quarry Mountain, Incorporated, End of Tomahawk Drive, A/P 177-220-50, 177-250-40 and 177-250-41: Review of Improvement Plan, Review of Final Map and Review of Detailed Landscape Plan.

Doug Elliott, applicant, was present with his project consultants including: Irving Schwartz, civil engineer, and Karen Gray, landscape architect.

Public Works/Planning Director Kottage reported that the Planning Commission's approval of the Landscape Plan has been appealed to the Town Council. The question has arisen of whether the Commission can review the Final Map while the Landscape Plan approval has not been resolved. Town Attorney Roth has advised that the Commission has the discretion of either hearing the Final Map or continuing the hearing until the appeal on the Landscape Plan has been resolved by the Council. Mr. Kottage advised that ideally the Council would review the Final Map and the appeal on the Landscape Plan at the same meeting.

In response to a question from Commission Manning, Mr. Kottage noted that the Commission is advisory to the Council on the Final Map in that it makes recommendations to the Council. If the Council decides to make changes to the map, they can either refer it back to the Commission or resolve the issues themselves.

Mr. Elliott noted that condition E-5 of the Tentative Map requiring approval of the Landscape Plan by the Planning Commission prior to review of the Final Map has been met. Furthermore, the State Subdivision Map Act states that the Final Map is deemed approved if no action is taken by the Commission within 35 days of its submittal.

In response to a question about notification for the meeting, Planning Consultant Roberto stated that the Final Map was continued to this meeting by the Commission on September 15th, and furthermore, noticing is not required for review of a Final Subdivision Map.

Commissioners McPeak and Zaharoff supported continuance of review on the Final Map. Commissioners Manning and Hayes and Chairman Kroot favored review at this meeting.

Jerry Draper, 295 Los Angeles Boulevard, said many citizens expected this project to be reviewed by the Council upon appeal on October 14th and therefore were not present at this meeting.

Since the majority of the Commissioners favored review of the Final Map, Planning Consultant Roberto delivered his staff report. Staff has reviewed the improvement plan and Final Map in detail with the applicant and the plans have been revised at the direction of staff. Staff is now satisfied that the conditions of Resolution 2060 and the Tentative Map have been

met in the Final Map and a list describing how each condition is complied with was prepared by staff.

The Fire Department has signed the Final Map. Other agencies have either signed the map or submitted letters stating the map's compliance with their requirements.

Director of Public Works/Planning Kottage noted that review of the Improvement Plan was for information only; action was necessary on the detailed plans for landscaping and the Final Map.

The applicant stated that the drawings were a result of a tremendous amount of effort and he had no additional presentation to make.

Jonathan Braun, Scenic Road, said he was unsure about the wording on the dedication for easement on the fire road: is it a pedestrian or equestrian easement or is it a road just for fire vehicles? He wanted it maintained as a pedestrian easement.

Phil Bundschu, 421 The Alameda, made a correction to the letter previously submitted to note that there has been a change in Sheet 6 of the grading plan.

Mr. Bundschu expressed concern about the two to four outlet drain pipes on the 940 foot common boundary between Quarry Mountain and his property. He was concerned that water will accumulate in the pipes just below the tree line below the ridge on the north slope and will come to the surface at the inlets at the property line, outflowing onto his property. He said the dense foliage there indicates there is subsurface drainage, he has observed the property for 30 years and there has not been much slippage. He was concerned about subsurface water being brought to the surface at his property line and dumped onto his land.

Barrett Denton, 53 Miwok, asked when work on the winterization plan would begin. Last winter new gullies were created and the old gullies were windened, some of which cannot take much more erosion without damage being created.

Janet Tucker, asked why no notice had been sent for this meeting and asked whether the issue of controlling removal of landscaping for individual properties had been resolved.

In response to Mr. Braun's question about the north ridge easement, Mr. Roberto said the "P.E.E." noted on sheet 4 means there is a 20 foot pedestrian/equestrian easement.

Regarding Mr. Bundschu's concern about the drainage outlets, Engineering Consultant Bala said that if the hill is waterlogged then subdrainage is needed to prevent slippage; if there is no water in the ground, it is not needed. He said it was unusual for the property owner downhill to not want subdrainage that will stabilize the hill. However, he suggested there could be more outlets to decrease the amount of water draining from each outlet individually. He noted that during a rain storm there will not be an immediate surge in the flow since water must seep into the ground before reaching the subsurface drainage pipes.

Mr. Kottage added that the property owner may want to have the drainage pipe extended down to the creek if the outlets are causing erosion.

Mr. Elliott said the subsurface drainage system was recommended by their soils engineer and it will help their liability to perform improvements recommended by him.

Staff noted that the subsurface drainage near Mr. Bundschu's property was not a planning issue but a technical matter that staff will address.

In response to the question concerning commencement of the winterization plan, staff noted that this work would likely be done only if construction is to begin before May 1st. Mr. Bala explained that if the applicant does not begin the project, he is not required to do anything, just like any other property owner who owns land but does not develop it. The town gains leverage in areas such as slope stabilization and drainage when there is a subdivision.

Mr. Bennett suggested that if the Final Map is going to be signed now, the Town should require winterization work for this winter. Responding to Commissioner McPeak, Mr. Bennett said there were mudslides on Indian Rock Court and at 53 Miwok.

Regarding a condition to require winterization prior to this winter, Mr. Elliott said he would object to additional conditions beyond those stipulated in the Subdivision Map Act, adding that they will protect their property interests and liability on their property.

Commissioner McPeak noted that storm sewers are not part of the winterization plan and therefore the winterization plan will not stop the flow of water.

Mr. Schwartz said the plans show temporary and permanent drainage systems. The applicant was hoping to begin drainage improvements before this winter; however, the longer the project is postponed, the longer the drainage problems will persist.

In answer to Ms. Tucker's questions on noticing Mr. Roberto said the Final Map was legally continued to this meeting at the Commission's last meeting and noticing is not required for this type of application anyway. Regarding control of future owners relative to the landscape plan for the individual lots, Mr. Roberto there was not a specific condition concerning this issue in approval of the landscape plan but there is design approval for the landscape plan and a specific condition can be made and recorded at the time of design review of the individual lots. Mr. Bala suggested asking the City Attorney whether the Town can enforce the landscape plan in the future.

Commissioner Hayes questioned whether responsibility for maintenance of the landscaped median island and the drainage going through lots 1 and 2 to the water tank was specified. Staff responded that the owner of lot 9 will maintain the island. The maintenance agreement will be part of the subdivision agreement, which is now in draft form.

A ten minute recess was called at 9:50 p.m.

Commissioner Manning commented that alot of his concerns on the Final Map had been addressed, specifically: enforcement of design review, delegation of maintenance responsibilities - such as the landscaped island, and adequate redress if a slide occurs prior to implementation of the winterization plan. He questioned the additional landscaping on the driveways serving lots 1 and 2. Mr. Schwartz responded that the grade was reduced in that area and the driveway was raised.

Commissioner Hayes questioned how the new drainage system relates to the existing system. Mr. Bala responded that the subdivider must bring his drainage to the creek through an existing 21 inch pipe; however, local drainage will not be hooked up to this pipe unless the city does it.

Concerning condition B4, Commissioner Hayes said it should be the discretion of Town staff whether there is enough topsoil to cover all the cuts in the grading plan. He said that to the extent possible, the Town should assure there soil for vegetation on cuts that may be exposed a long time.

Landscape architect Gray responded that there are cuts where it is not appropriate to place topsoil and it should be left to the discretion of the landscape architect where the topsoil is placed.

Commissioner McPeak suggested that since the cuts will be one year old at the time the improvements will be subject to acceptance by the Town, the final acceptance should be conditioned on adequate coverage of the cuts.

Staff reported that they met with the Marin Municipal Water District, which still wants the water tank access road paved but consents to reducing its width to 10 feet. There will be a 4 foot minimum width natural surface on the uphill side. Mr. Roberto said he visited the site of a water pump in Tiburon similar to the one proposed for this project. He said the background noise measured 55 dba on the noise meter and the reading did not change when the pump was turned on. It would not be heard by persons inside a house, car or behind a fence.

Commissioner Hayes asked that the street lights be the lowest wattage possible. Mr. Schwartz responded that 75 watts was the lowest acceptable level.

Commissioner Zaharoff requested staff to work with Mr. Bundschu on his drainage concern.

Chairman Kroot asked whether the project was designed for a 100 year storm. Mr. Kottage said a 100 year storm requirement is more than is typically required for this location.

Chairman Kroot suggested the impact wall posts be a natural brown instead of black to match the boards. Mr. Schwartz responded that the color black absorbs light the best and would be the least visible.

Commissioner Hayes noted that the approval would be subject to the understanding the the property owners' responsibility for maintenance would be recorded with the subdivision agreement and the C.C. & R's.

M/S, McPeak-Manning, to recommend approval of the Final Map as presented to the Planning Commission and listed in the list of exhibits, and subject to the following conditions:

1. Resolution 2060 be incorporated into the Final Map if it is legal to do so;
 2. Note 35 on page 8 of the Improvement Plan be revised to require that the color of the steel posts for the impact wall will be at the discretion of the Town Engineer;
 3. Condition 4 of the Landscape Plan on Resolution 86-1 has been met by the modification of the grading plan with reduced size of the cut slope and raised grade of the roadway.
 4. 1 lb. lampblack per cubic yard of concrete shall be added to all exposed concrete.
- Motion passed unanimously.

ADJOURNMENT

On motion duly made and seconded the meeting was adjourned at 11:03 p.m.

Beth Calamar