



City of Petaluma, California

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Planning Commission Minutes
July 13, 2004 – 7:00 PM

Commissioners: *Present:* Asselmeier, Dargie*, Harris, McAllister, Rose, von Raesfeld
Absent: Barrett

* Chair

Staff: George White, Assistant Director, Community Development
Tiffany Robbe, Associate Planner
Anne Windsor, Administrative Secretary

ROLL CALL:

APPROVAL OF MINUTES: Minutes of June 8, 2004 were approved as presented.
M/S Harris/Rose, 5-0, Asselmeier abstained, Barrett absent.

PUBLIC COMMENT: None

DIRECTOR'S REPORT: None

COMMISSIONER'S REPORT: None

CORRESPONDENCE: None

APPEAL STATEMENT: Was noted on the agenda.

LEGAL RECOURSE STATEMENT: Was noted on the agenda.

Public hearing began: @ 7:00

PUBLIC HEARING:

NEW BUSINESS:

- I. **WILEY AND BLUE APPEALS, 3 Ricci Court**
AP No.: 006-181-012
File: 04-APL-0244 and 03-TPM-0344
Planner: Tiffany Robbe

Appeals of the administrative approval of the Wiley Tentative Parcel Map located at 3 Ricci Court.

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Tiffany Robbe presented the staff report.

Craig Spaulding: Responded to Commissioner’s questions regarding parking on Ricci Court and explained that with Condition of approval 15 the intersection would look similar to a driveway approach.

Lon Wiley, 3 Ricci Court: Reviewed the history of his application for the tentative map and the conditions appealed. Asks to remove trees 1, 4, and 8.

John Meserve, Consulting Arborist: Verified that no damage to on-site trees has occurred since this last arborist report and is available for questions. Pine 1 is healthy now, but likely to become a hazard. Oaks 4 & 8 are both nice healthy trees. 8 leans, but this is only an aesthetic issue. Oak 12 will eventually fail.

Steven LaFranchi, Engineer: Reiterated the reasons for appealing the engineering conditions 15 and 16.

Linda Blue, 4 Ricci Court: Provided a history of the Blue appeal asking that “no parking” signs not be posted on Ricci Court and that trees 11 and 12 (a live oak and redwood) be preserved. Doesn’t want to view two 3-car garages from her property instead of the century oaks she sees now. Needs nearby on-street parking.

Public hearing opened:

Jim O’Brien, 534 Amber Way: Border Mr. Wiley on the north side and am in favor of the parcel map and the removal of trees 1, 4 and 8. Stated that Mr. Wiley has not cut down trees and has done nothing but improve the property since he moved in a year ago. Believes project will be a benefit to the neighborhood. Read a letter from Donna Epping at 526 Laurel Street in favor of the project and supporting removal of trees 1, 4 and 8.

Tim Woelbing, 541 Laurel Street: Believes the lot in question can support two homes, however, wants as many trees preserved as possible. No one ever told him there was no parking on Ricci. Main concern is drainage from Amber Way and Ricci Court properties.

Public hearing closed:

Committee comments/Issues identified:

Wiley Appeal:

- Trees removed/retained, preservation conditions
- Sidewalk/driveway at Ricci/Laurel intersection
- Manhole Cover

Blue Appeal:

- Removal of trees 11 and 12 (lot 2)
- No Parking signs on Ricci Court

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Trees removed/retained, mitigation measures:

Commissioner McAllister: Support removal of stone pine 1; want to discuss saving at least tree 4 or 8; leaning toward saving tree 4. Not willing to sacrifice trees for larger garage.

Commissioner von Raesfeld: This is a balancing act. Cannot isolate tree issue from site design.

Commissioner Asselmeier: Support removal of tree 1 in favor of planting other trees to shield a new garage from the neighbors. In favor of preserving as many trees as possible.

Commissioner Rose: Support removal of tree 1, if we decide to preserve trees 4 and 8 there are still ways to develop the site adequately.

Council Member Harris: Believe Mr. Wiley should do what he wants with his property. Agree tree 1 is ok to be removed. Not opposed to removing trees 4 and 8.

Chair Dargie: Fine with removing tree 1, want further discussion of trees 4 and 8.

Commissioner von Raesfeld: Leave preservation conditions as written. Planning Commission consistently discourages garage-dominated architecture. Can put a 2-car garage on lot 2 near the existing garage to be removed, built a 3,000 sq. ft. one-story house, and still preserve trees 4, 7, and 8.

Commissioner Asselmeier: Believe these large detached garages near the front of lots would not be favorable to the neighborhood. Want to save more trees and give the appellant the ability for an equitable return on his property and do right by the neighborhood as well. Likes von Raesfeld's concept.

Commissioner Rose: Accepts recommendations from staff that trees 11 and 12 be removed and that the merits of these two trees are less than others on the site. Believe it is sensible to remove trees 11 and 12 to provide a buildable area and retain trees 4 and 8.

Chair Dargie: Sensible to remove trees 11 and 12, am not for building in drip line of 3, 5, 6 and 9. I might be amenable to tree 8 being removed. 4 should be preserved. Do not think 3-car garage at front of lot is consistent with neighborhood.

Commissioner McAllister: Ok with trees 11 and 12 being removed. If 4 and 8 can be saved, that would be best.

Chair Dargie: If tree 8 is removed and drip line of 9 is respected, would provide a large building envelope.

1 Commissioner von Raesfeld: Assumed trees 11 and 12 would be removed, however, I
2 would try to save all the other trees. Do not think the applicant will suffer if trees 4 and 8
3 are preserved.

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5 Commissioner Asselmeier: Agree to remove trees 11 and 12 and preserve trees 4 and 8.
6 Ok, with small encroachments into dripline of 4 & 8 with arborist's ok.

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8 John Meserve: Construction occurring all the time in drip line; with conditions and
9 mitigations in place you can build and save trees at the same time. Key is to not damage
10 root system; need ground and root protection from compaction & cuts.

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12 Commissioner McAllister: I am concerned about the 3-car garage on lot 1 and pavement
13 encroaching on the drip line of tree #2. I believe driveway would encroach less if it were
14 a 2-car garage.

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16 John Merserve: Interlocking pavers would not harm the tree more than existing condition.

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18 Commissioner von Raesfeld: I believe there is some logic to reducing the 3-car garage
19 on lot 1. A front garage setback of 15 feet would be better.

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21 Commissioner Rose: I believe we are treading into the design of the property. Agree
22 conceptually to provide avenues for the appellant to develop parcel 2. Do not feel
23 comfortable discussing pavers encroaching on tree 2.

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25 Chair Dargie: Agree with Commissioner Rose.

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27 Commissioner Asselmeier: I do have concerns about a freestanding 3-car garage.
28 Support no construction under dripline of trees 2 or 16.

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30 Chair Dargie: We can uphold staff's condition regarding protection in the drip line of
31 trees 2 and 16.

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33 Commissioner McAllister: Support staff's condition on lot 1 regarding drip lines.

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35 **Commission Consensus regarding trees:**

- 36 ▪ T1 removed
- 37 ▪ T4 and T8 preserved, however construction within drip line where arborist ok and
38 mitigation

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40 **Sidewalk/driveway on Ricci Court:**

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42 Commissioner McAllister: It is difficult to see why this condition is important – is a
43 sidewalk to nowhere.

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45 Council Member Harris: Do not agree with this condition.

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47 Commissioner Asselmeier: Agree with the City Engineer on this.

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Commissioner Rose: Understand what the City engineer asking, do not think driveway improvement is appropriate for an intersection. I sense it will be confusing.

Commissioner von Raesfeld: Agree with Commissioner Asselmeier and the City Engineer.

Chair Dargie: Am not clear what the end result would be, so I would rather leave intersection as is.

Commission consensus to:

- Eliminate condition 15

Manhole cover:

Commission consensus to:

- Retain condition 16

Blue Appeal:

- No parking signs on Ricci Court
- Retaining trees 11 and 12

Council Member Harris: What can we do to address the Blue’s concern?

Craig Spaulding: Without widening Ricci to the full 27-foot public right-of-way, there is nothing you can do.

Commissioner von Raesfeld: Municipal code says no parking on 20’ road; we can’t change the Muni Code.

Commissioner Asselmeier: We don’t have ability to allow parking within 20 feet – maybe Blues could turn the 7 feet of right-of-way they use as their front yard into parking spaces. We can’t condition Wiley’s to do this improvement.

Commission Consensus:

- Cannot allow parking on 20’ Ricci
- Trees 11 and 12 can be removed

Commission consensus-Wiley Appeal

- T1 can be removed.
- T4 and 8 must be preserved, construction can happen in drip line of T 4 & 8 with approval of licensed arborist and the adoption of arborist’s mitigation.
- Maintain other tree preservation conditions
- Eliminate condition 15 (driveway/sidewalk)
- Maintain condition 16 (manhole)

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Commission consensus-Blue Appeal

- Deny the appeal

M/S von Raesfeld/Rose to deny Blue appeal and uphold in part and deny in part the Wiley appeal as discussed above.

III. LIAISON REPORTS:

- a. City Council:** Council discussed a cross town connector and have identified a north and south location; Council meets tomorrow night discussing PCDC and capital improvements.
 - b. SPARC:** None
 - c. Petaluma Bicycle Advisory Committee:** Provided comments on Southgate and Dutra property and looking at revising the Bike Plan as part of the General Plan update
 - d. Tree Advisory Committee:** None
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Adjournment: 9:25
