

**MILL VALLEY PLANNING COMMISSION**

**MINUTES**

**REGULAR MEETING OF MONDAY, DECEMBER 9, 2013**

**COUNCIL CHAMBERS, CITY HALL, 7:00 PM**

**26 CORTE MADERA AVENUE**

PLANNING COMMISSION MEMBERS:

Heidi Richardson - Co-Chair  
Steve Geiszler - Vice-Chair  
Ricardo Capretta

(0:00:34)

**CALL TO ORDER**

(0:00:46)

**ORAL COMMUNICATIONS: Time for comments from members of the public on issues not on this Planning Commission agenda. (Limited to 3 minutes per person.)**

(0:04:54)

**PLANNING AND BUILDING DIRECTOR'S ORAL REPORT: Report on items being considered by the City Council.**

**LIAISON REPORTS:** None.

**APPROVAL OF MINUTES:** NOVEMBER 12, 2013

It was M/s by Vice-Chair Geiszler/Commissioner Capretta to approve minutes from NOVEMBER 12, 2013, as amended. The motion was carried 3/0.

(0:12:52)

**APPROVAL OF AGENDA:**

It was M/s by Commissioner Capretta/Vice-Chair Geiszler to approve the agenda. The motion was carried 3/0.

**PUBLIC HEARINGS**

(0:13:07)

- 1. 630 East Blithedale Avenue – Chase Bank – Negative Declaration and Design Review – File No. 4074 (Zanarini) A NEGATIVE DECLARATION and DESIGN REVIEW for the proposed construction of a new 3,942 square foot building and**

**revised parking lot design for Chase Bank. The subject property is in the General Commercial (C-G) Zoning District.**

***630 E. Blithedale doc***

(0:13:14)

**Staff Presentation from Associate Planner Tom Zanarini**

(0:19:28)

**Presentation from Architect Douglas Dohan**

(0:59:24)

**Presentation from Dan Almquist, Chase Bank**

(1:02:19)

**Public Comment**

(1:11:12)

**Commission Deliberation**

Vice-Chair Geiszler began by stating that because this is a commercial corner the size of the building is not out of scale and the layout is flexible enough to meet future needs should Chase not be its only tenant. He said he is fine with the size of the roof, but because it is a small building he does wish it could have a lighter feeling. He stated he is concerned about the brightness of mill-finished aluminum and wishes there was more contrast in color between the two sidings. He stated he likes the rain screens and the rainwater collection system, however he doubts how realistic it would look and urges it be kept on the natural side. He said he believes 12 feet for the multipurpose path is too much for this particular property and suggested the Community Center put it on their property since it would benefit the community.

Commissioner Capretta stated this design is going in the right direction but the details need refinement. He said it is nice to have a one-story building there, smaller than what could have been built. He stated the orientation and the green direction are excellent and he also likes the bioswale design features and rain collection features. He noted the impervious surfaces are one-third less than what currently exists on the site, meaning less dirty water going into creeks. He believes there is too much signage for the site and it could be more elegant, the monument sign is too corporate, the directional sign and exit sign are unnecessary, there are two corner signs within 5 feet of each other, and the vinyl letters over the major entry is not appropriate. He also noted there are too many artificial materials with fake stone, a painted roof, and a lot of mill-finished aluminum, which he agrees with Vice-Chair Geiszler is too reflective. He said he believes more natural materials need to be incorporated into this project. He also agreed with Vice-Chair Geiszler regarding integration of the siding in both color and design. He stated it is monotonous to put stone all the way around the building. He suggested the metal door on the east elevation should be hidden or integrated with the siding, and he does not like the door to the HVAC unit, which is in plain view of the major south entry. He also suggested the south entry needs more articulation, perhaps a soffit. He agreed with Vice-Chair Geiszler that the roof is too

thick and suggested making the lower elements thinner. He stated he appreciates the scale of 15 feet on one side and 19 feet on the other, the appropriate way to design something for solar infiltration. He also likes the lower scale of the abutting buildings. He stated he would like to see a pedestrian entry from the parking lot to the south entrance. By deleting one of the parking spaces an 11-foot walkway could be inserted, also giving that entry better prominence. He believes that all lighting in that front landscaped area should be on a lower pedestrian-oriented pole, not the parking lot style pole shown, and that photometrics would be valuable there. He agreed with Vice-Chair Geiszler that a 12-foot multipurpose path is excessive, but he believes they should incorporate a 6-foot path, which would create a tie-in to the Community Center and get the kids and their bikes off the sidewalk on Blithedale. He stated that the drive through ATM is wider than necessary and he would like to see the blue trim banding around the walk-up ATMs eliminated.

Chair Richardson agreed with her fellow commissioners with respect to the signage. She said at first she believed the roof fascia was too thick but now could let that go. She stated she also would like to see more natural materials and agreed with Vice-Chair Geiszler that there needs to be a contrast in the sidings. She said the artificial wood looks artificial and she wondered if the anodized aluminum would weather at all. She also agreed with Commissioner Capretta that light aluminum and the glass should not sit directly on the stone but needs a sill to look more solid, that the south side entry needs more landscaping. She also agreed with him about the need for lower light poles, although she said the fixtures themselves are good selections. She is also in agreement with her fellow commissioners that the multipurpose path should be incorporated if possible, but 12 feet is too big.

Vice-Chair Geiszler stated changing the roof material could give it more articulation and take away the bulk. He agreed with Commissioner Capretta about hiding the door to the mechanical room, adding a pedestrian-friendly entrance through the parking lot into the building, lower lighting in the parking lot and that the ATM size needs to be decreased. He stated he was nervous about the window material and suggested a dark color on the windows. He considered the black on the edge of the rain screen panels a nice detail. He stated he did not mind a sign on each corner, but he didn't like the monument sign and wondered why it is proposed for a spot that is not the primary drive. He agreed with Commissioner Capretta that the vinyl letters over the window are tacky, although they are not very visible. He said he is bothered more by the overhead 11-foot clearance sign in the parking lot. Rather than the stone base going all the way around, he said he would prefer to see it on the big elements and let the siding run down to the grade. He suggested that reducing both the stone and the thickness of the roof would lighten up the structure. He also said he would like more real wood than artificial wood, perhaps locally sourced, repurposed wood.

Commissioner Capretta encouraged the use of real stone rather than artificial stone, which does not look authentic. He noted that this is a significant corner and he believes artificial materials will be noticed. He said adding natural materials anywhere in the design would be a big improvement.

Vice-Chair Geiszler stated the solar panels are 4-5 inches above the roof, but there is more opportunity now to get them integrated into the roof.

(1:39:43)

**Presentation from Dan Almquist, Chase Bank**

(1:42:50)

**Commission Deliberation**

The Commission wrapped up their deliberation with comments for the applicant to work with. The drive through structure should be smaller and to the extent possible reduce the size of the canopy in order to possibly remove the vertical clearance sign. The multipurpose path should be incorporated, if possible. Look into photometrics and replace the three parking light poles with pedestrian-friendly lights. Replace one parking space with a pedestrian-friendly walkway to the south entrance. The amount of signage should be reduced. Solar panels should be integrated into the roof. The thickness of roof on the flat roof portions should be reduced and remove overhangs, or eliminate it altogether to make the building less massive and heavy. The stone base should go around the large volume but not the two smaller volumes. Differentiate the two siding materials using real wood or different colors. A bronze anodized would be preferred over the aluminum, which is too shiny and bright. The windows should feel more significant and give the building more strength. The way the windows integrate with the U-channel looks cumbersome and large with the windows butting up into it.

(1:58:00)

2. **511 Lovell Avenue – Hatfield Architects – Design Review – File No. 4058 (Svanstrom) A DESIGN REVIEW hearing for a proposed 6,181 square foot residence and a 1,044 square foot detached garage with a 468 square foot second unit below the garage. The proposed project at 511 Lovell Avenue has been determined to be exempt from further environmental review under Section 153a03(a) of the California Environmental Quality Act (CEQA) Guidelines.**

*511 Lovell doc*

(1:58:04)

**Staff Presentation from Senior Planner Kari Svanstrom**

(2:02:30)

**Presentation from Architect Robert Hatfield**

(2:22:03)

**Presentation from Landscape Architect Jim Bradanini**

(2:45:16)

**Public Comment**

(2:54:30)

**Commission Deliberation**

(3:43:19)

It was M/s by Vice-Chair Geiszler/Commissioner Capretta to approve the application and find that:

- A. *The project is Categorical Exempt from the CEQA requirement for the preparation of environmental documents under Section 15303(a) of the CEQA Guidelines.*

CEQA Guidelines Section 15303(a) exempts, “one single-family residence in a single-family zone.”

- B. *The proposal is consistent with the General Plan and the Municipal Code.*

The new house is a single-family residential development project consistent with the single-family land use designation in the General Plan. The project meets the height, setback and floor area ratio requirements of the Municipal Code for single-family residences.

- C. *The proposal is consistent with the residential design guidelines adopted by the City.*

The construction of the new residence complies with Design Guideline 1 by stepping the house down the natural slope of the lot; Design Guideline 3 by maintaining the existing mature trees on site; Design Guideline 4 by using native plants and trees in a natural planting pattern; Design Guideline 6 by maintaining the woodland nature of the neighborhood; Design Guideline 10 by minimizing off-haul; and Design Guideline 21 by providing 5 off-street parking spaces.

- D. *The City has considered whether to apply any limitations on building, size, height and setbacks pursuant to Section 20.66.045.*

No limitations have been placed on the project pursuant to Section 20.66.045.

### **Conditions of Approval**

1. Floor plans and building elevations shall be in substantial conformance with plans prepared by Hatfield Architecture and Bradanini & Associates dated October 28, 2013, and stamped received on December 2, 2013, on file with the Mill Valley Planning and Building Department, except as ~~may be~~ modified by these conditions of approval:
  - A. Reduce the mass of the garage by:
    - i. Lower the plate height to 8 feet
    - ii. Lower the roof to be either (a) a flat roof of 9½ feet maximum height above finish floor or (b) a sloped roof beginning at the 8 foot plate height and sloping at the same angle as the house structure
    - iii. Garage overhang is to be minimal
  - B. Reduce the breezeway roof in size to be a maximum of 2 feet in width in each direction beyond the width of the sliding door at the house
  - C. Lower the breezeway roof to be lower than the house terrace and the garage roof

- D. Minimize the deck off of the second unit
- E. Reduce the deck off of the family room by 6 feet in length and to be 30 feet in width maximum centered on the family room, and removing the corresponding corners of the deck
- F. The driveway retaining wall (between the driveway and the house/plaza) shall be a maximum of 4 feet in height and with a maximum slope of 2:1 to the plaza ledgerstone wall
- G. Spoils storage plan shall be provided for review and approval by the Department of Public Works prior to issuance of building permit.

### **Conditions Requiring Compliance Prior to Issuance of Building Permits**

2. Except as otherwise modified by these conditions of approval, plans submitted to the Building Department for plan check shall be in substantial conformance with those approved by the Planning Commission. Any changes to the approved Design Review plans, including changes to windows or the demolition plan, must be reviewed with and approved by the Planning Department prior to submitting for a building permit or a revision to the building permit. Any changes must be clearly highlighted (with a "bubble" or "cloud") on plans submitted to the Planning Department. A list describing in detail all such changes shall be submitted and attached to the plans. Any changes that have not been explicitly approved by the Planning Department are not valid and may be subject to stop work orders and/or require removal.
3. The second unit shall conform to the City's definition and requirements for second units, including providing a kitchen and complete sanitation facilities.
4. All conditions of approval shall be included on the front sheet of the construction drawing submitted for a building permit.
5. Prior to issuance of building permit, the applicant shall submit Green Building Compliance Form, which includes a signature page for the certifying agency (Build it Green or LEED) to confirm Design Conformance based on the Green Building Checklist submitted during the planning application. The project plans referenced in Condition #1 show the project has targeted 178 points on the Green Point Blueprint score sheet.
6. Prior to issuance of a building permit, on the proposed project, the applicant shall arrange a pre-construction meeting with staff that shall be attended by Mill Valley staff, the owner, contractor and all sub-contractors to review these conditions of approval, permitted hours of operation etc.
7. Prior to issuance of a building permit, a sign shall be posted in a location where the sign is clearly readable from the public right-of-way. The sign shall be 24 inches by 36 inches in size. Information on the sign shall include:
  - a. Address of project site.
  - b. Permitted hours of construction and of deliveries/off-haul.
  - c. Name, address and direct phone number of the contractor.

- d. Name, address and direct phone number of the person responsible for managing the project.
- e. Name and direct phone number of the party to call in case of an emergency.
- f. Requirement that workers carpool to the site.
- g. The phone number of the City of Mill Valley Code Enforcement Officer (415-389-4203).

### **Conditions Requiring Compliance Prior to Final Inspection/Occupancy**

- 8. Site landscaping shall be in substantial conformance with the Landscape Plan dated October 28, 2013, and on file with the Mill Valley Planning and Building Department. The final landscape plan shall be stamped by a licensed landscape architect and filed with the Planning Department prior to occupancy. Plans for any irrigation of the site shall be incorporated into the landscape plan. All planting shown on the approved plan shall be installed prior to occupancy of the proposed residence. Upon the discretion of the Planning Director, installation may be suitably guaranteed by posting a cash bond equal to 100% of the cost and installation of any landscape improvements.

### **General Conditions**

- 9. The applicant shall indemnify, defend and hold harmless the City, its officers, agents and employees (collectively "the City") from any and all claims, actions, lawsuits, damages, losses and liabilities arising or resulting from the granting of this permit by the City, the performance of the use authorized by this permit or the exercise of the rights granted by this permit. The applicant's obligation to indemnify, defend and hold harmless the City shall include, but not be limited to, paying all fees and costs incurred by legal counsel of the City's choice in representing the City in connection with any such claims, actions or lawsuits, any expert fees, and any award of damages, judgments, verdicts, court costs or attorneys' fees in any such claim, action or lawsuit.
- 10. The light source of all exterior lighting fixtures shall be shielded from adjacent properties. No lighting shall be allowed at or on the sports court.
- 11. The project shall comply with all applicable Energy Efficiency Regulations in the Mill Valley Municipal Code.
- 12. All portions of the job site in view of the public and immediately adjacent neighbors shall be maintained in an orderly condition. All trash, debris, construction scraps and broken or unused machinery shall be removed from the site at the end of each work week. Construction materials not used within two weeks of their delivery date shall be screened from public view. All sidewalks, driveways and public/private roadways fronting the subject site shall be broom cleaned at the end of each work day.
- 13. Prior to pouring a foundation, the applicant shall have the property lines string lined and marked by a licensed surveyor.
- 14. The hours of construction activity, including the use of power tools, shall be limited to

8:00 a.m. to 5:00 p.m. Monday through Friday. Construction is not allowed on Saturdays, Sundays, or holidays. Deliveries shall be limited to those specified for impacted neighborhoods.

15. The applicant shall satisfy all tree protection measures as listed in the arborist's report prepared by Urban Forestry Associates, Inc. dated May 30, 2013. These measures shall apply to trees 140, 141, and the two coast live oaks along Lovell Avenue proposed for preservation in addition to trees previously specified in the Arborist Report for preservation.

**FIRE DEPARTMENT: Any questions, contact Tom Welch, Fire Marshal, 389-4130**

16. VMP provided with a copy taken for the file. Prior to approval or issuance of a building permit, provide a Vegetation Management Plan (VMP) in compliance with Fire Department Standard 220. Please contact Battalion Chief Barnes with any questions at 389-4130.
17. This project is within the Wildland Urban Interface (WUI) Zone as established by City Ordinance and shall comply with the provisions of Ordinance 1245 (Fire Code) and 1228 (WUI Code).

18. Fire Sprinklers:

A fire sprinkler system shall be provided for:

- a) All new construction.
  - b) Fire sprinkler coverage shall be provided through the entire structure as per Uniform Fire Code Section 1001.9.
  - c) Plans for fire sprinkler system design and hydraulic calculations shall be completed by a licensed C-16 sprinkler contractor and submitted to the Mill Valley Fire Department for approval prior to installation. Fire sprinkler system design and installation shall conform to the provisions of the Mill Valley Fire Department and N.F.P.A. Standard 13D.
19. The address shall be posted in accordance with requirements of the California Building Code, Uniform Fire Code, and Fire Department Standard 205. Final inspection and signoff of address posting shall be coordinated through the Building Department.
  20. Smoke and CO detectors shall be installed in accordance with the California Building Code. Final inspection and signoff of smoke and CO detectors shall be coordinated through the Building Department.
  21. Noncombustible roofing shall be provided for:
    - a) All new roofs shall be non-combustible.

NOTE: A “noncombustible” roof is a Class A roof (for other than Group R Occupancies, a Class A or Class A assembly) as defined in the Uniform Building Code and approved by the Building Department.

22. Final occupancy approval shall not be granted by the Fire Department unless all conditions have been met.
23. Fire Department and City personnel shall be granted access to private driveways and private roadways in order to enforce applicable ordinances related to fire codes, municipal and penal codes pertaining to maintaining road access for emergency vehicles.
24. To avoid inspection delays by the Fire Department, all requests must be made at least 48 hours in advance.
25. All permits and/or inspection fees required by the Fire Department shall be paid in full prior to final occupancy being granted.

**DEPARTMENT OF PUBLIC WORKS: Any questions, contact Tim McSorley, 388-4033**

26. GENERAL - A construction management plan/schedule is required from Department of Public Works as part of the building permit submittal and prior to building permit approval and shall be incorporated into the job set of plans. This plan shall be a binding document; failure to adhere to the plan may result in stoppage of the project. This plan shall be updated as project conditions may change. Updates to plan shall be provided to the Department of Public Works. Plan / schedule shall include (but not be limited to) work schedule (intended start of construction date, road or lane closure intent/dates, important milestones and proposed final dates), storage type and location and travel routes.
27. DRAINAGE - All site drainage shall be dissipated in a manner that prevents erosion and conforms to current storm water discharge practices in Marin County. The applicant is responsible for ensuring storm water runoff is maintained in its natural path. A drainage plan shall be submitted and approved by the City Engineer prior to issuing a building permit.
28. The applicant shall provide a hydraulic report prepared by a civil engineer, which includes the following:
  - a. Determination of watershed area containing proposed development.
  - b. Hydraulic grade line to creek (where appropriate).
  - c. Watercourse capacity.
  - d. Drainage rate quantities (existing and proposed).
  - e. Culvert design calculations.
  - f. Runoff calculations to determine increased flow from impervious surface areas.
  - g. Necessary mitigation from any increased flow.

29. Final drainage improvements shall be prepared by a Civil Engineer, and reviewed and approved by the City Engineer prior to issuing a Building Permit. Drainage improvements shall implement Low Impact Development standards. These shall include but not be limited to no increase runoff, maintain natural drainage patterns, no concentration of flows, allowing drainage to flow naturally and to percolate and mimic existing and sheet flow conditions. All stormwater runoff lines must be discharged in a manner that conforms to the current stormwater discharge practices in Marin County.
30. Rock rip-rap outfalls shall be located as far from property lines as possible and shall be designed to mimic existing drainage conditions (i.e. sheet flow, velocity dissipater, etc.)
31. Drainage improvements shall be installed as per the recommendation of the soils evaluation prepared for the proposed project and reviewed by the Department of Public Works.
30. Since drainage is not codified, but controlled by civil law, an Attorney should be consulted to verify that any proposed concentration of water that is currently sheet flowing over the property will not result in legal liability for the applicant.
31. All stormwater runoff lines (such as building downspout lines, landscape drain lines, etc.) must be discharged in a manner that conforms to the current stormwater discharge practices in Marin County.
32. **STORMWATER POLLUTION PREVENTION** – Applicant is responsible for ensuring that contractor uses Best Management Practices for the Construction Industry (“General Construction and Site Supervision” brochure available at the Department of Public Works) to prevent storm drain pollution. Applicant shall be responsible for any environmental damage caused by his/her contractors or employees.
33. **SOILS AND GRADING** –Grading is considered to be any movement of earthen materials necessary for the completion of the project that is not covered under a required building permit such as (but not limited to) miscellaneous site grading, grading for driveways, walkways and landscaping. Proposed grading activity shall comply with the requirements of Section 14.32 of the Municipal Code and are subject to the review and approval of the Department of Public Works.
  - a. All exposed areas resulting from excavation and grading shall be seeded or planted with appropriate vegetation and maintained until established to prevent erosion.
  - b. A Grading Permit is required from Department of Public Works for site grading. The applicant shall comply with the requirements of Section 14.32 of the Municipal Code (copies available at the Public Works office) by providing the Department of Public Works with the following:  
**Note: The applicant should submit the application and all supporting documents at least two weeks prior to the scheduled start of**

**construction in order to avoid delay.**

- i. A site map, foundation plan and grading plan.
  - ii. A completed Grading Permit Application.
  - iii. Submit 3 copies of the soil engineers report to the Department of Public Works along with 2 copies of the site plan showing the outline of the proposed structure, cross sections, a foundation plan if available, and \$1,500 refundable deposit to cover actual cost of peer review by City-retained soils engineer.
  - iv. A construction schedule.
  - v. A grading security for \$5,000 shall be submitted in the form of a Certificate of Deposit (CD) or cash to cover grading, drainage, and erosion control. Contact the Department of Public Works for details.
  - c. An erosion control plan, which includes a signed statement by the soils engineer that erosion control is in accordance with CAQSA standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediment controls as a “back-up” system. (Temporary seeding and mulching or straw matting are effective controls.). This plan shall be part of the building permit submittal and is subject to review/approval by the Department of Public Works prior to issuance of the building permit.
  - d. The Soils Engineer shall provide a letter to the Department of Public Works certifying that all grading and drainage has been constructed according to plans filed with the grading permit and his/her recommendations. Any changes in the approved grading and drainage plans shall be certified by the Soils Engineer and approved by the Department of Public Works. No modifications to the approved plans shall be made without approval of the Soils Engineer and the Department of Public Works.
  - e. The existing vegetation shall not be disturbed until landscaping is installed or erosion control measures, such as straw matting, hydroseeding, etc, are implemented.
34. **OFF-STIE IMPROVEMENT REQUIREMENTS** – All improvements within the public right-of-way shall be in accordance with the Uniform Construction Standards of All Cities and County of Marin unless noted otherwise herein.
35. **ENCROACHMENTS** - A Revocable Encroachment Permit is required from the Public Works Department for all work within the right-of-way. A Revocable Encroachment Permit shall be recorded at the Marin County Recorder’s Office prior to any construction in the right-of-way.
36. **SEWAGE SYSTEM REQUIREMENTS** – The applicant shall obtain a sewer connection permit from the Department of Public Works. The fee for this permit is \$5,000 for a single family home. Inspection fees may be added to the basic connection fee.
37. **MATERIAL STORAGE** – All construction materials, debris, and equipment shall be

stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way. The fee for using the right-of-way for storage of construction materials or equipment is \$10.00 per day in residential areas, and \$20.00 per day in commercial areas. A minimum of 12' clearance shall be maintained at all times along the roadway. The placing of portable restroom facilities in the City right-of-way will not be permitted.

38. ROAD IMPACT FEE - All Projects with a construction value of \$10,000 or more will be charged a fee of 1% of the building permit value.
39. ROAD BOND – It is suggested that the applicant submit a DVD clearly showing the pre-construction condition of the city maintained road being utilized shall be indicated on the construction management plan to the Department of Public Works prior to the start of construction.
40. ROAD CLOSURES – Road closures will only be permitted with prior authorization of the Department of Public Works consistent with the City's road closure policy. Persons wanting to close the road are required to provide written notification to affected property owners and neighbors. Signs containing details of the proposed closure must be posted 48 hours in advance. Coordinate traffic control and all temporary road closures with the Mill Valley Department of Public Works.
41. TREES AND VEGETATION - Trees and vegetation shall be trimmed according to Section 11.24.090 of the Mill Valley Municipal Code. Trees and shrubs shall be kept trimmed so that the lowest branches projecting over public properties provide a clearance of not less than eight (8) feet. Bushes and other vegetation shall be trimmed so no portion hangs over the sidewalk or the road if no sidewalk is present.

**BUILDING DEPARTMENT: Any questions, contact Dan Martin, 388-4033**

42. The project shall be subject to the 2012 California Building, Plumbing, Electrical, Mechanical, Energy, and other applicable Title 24 codes.

**Expiration of Approval**

43. This approval shall expire one year from the date of approval unless a building permit has been issued. Prior to the expiration of a design review approval, the applicant may apply to the Director of Planning and Building for a one-year extension from the date of expiration. The Director of Planning and Building may make minor modifications of the approved design at the time of extension if he/she finds that there has been a substantial change in the factual circumstances surrounding the originally approved design. If building permit is issued during the effective life of the design review approval, the expiration date of the design review approval shall be automatically extended to coincide with the expiration date of the building permit.

44. This approval is effective from the date of approval until the building permit is issued and shall expire one year after approval should a building permit not be issued.

The motion was carried 3/0.

(3:48:58)

**ADJOURN**

It was M/s by Commissioner Capretta/Vice-Chair Geiszler to adjourn. The motion was carried 3/0.

*Any decision made by the Planning Commission on the above items may be appealed to the City Council by filing a letter with the Planning Department within 10 calendar days describing the basis for the appeal accompanied by the \$250 appeal fee.*