

TOWN OF SAN ANSELMO
PLANNING COMMISSION OF MARCH 19, 1990

The Planning Commission was convened at 8:00 p.m. in the Town Council Chamber by Chairman Yarish. Staff present: Dain Anderson, Assistant Director of Planning; Lisa Wight, Planner; and Lisa Newman, Planning Consultant.

A. Roll Call

Commissioners present: Kanis, Harle, Sias, Yarish
Commissioners absent: Hayes, Julin, Kroot

B. CONTINUED PUBLIC HEARINGS TO APRIL 2, 1990

1. PP-14/V-2315 - James Helfrich, between 444 and 500 The Alameda, San Anselmo jurisdiction A/P Nos. 5-043-16, 5-043-22, 5-043-31, and County of Marin jurisdiction A/P Nos. 177-133-13 and 177-220-54, preliminary plan review, variance to construct a driveway over subject properties, and the initial expanded environmental study for the development of 4 single family dwellings.
2. V-9002 - Gary Palmer, 173 The Alameda, A/P 5-101-25, 1) a 2' frontyard variance and a 5' south sideyard variance to construct a carport within 18' of the front property line and within 3' of the south side property line; and 2) a 4' south sideyard variance to construct a living addition within 4' of the south side property line, with an 18' roof overhang within an R-1 zoning district.
3. SR-9001 - San Anselmo Downtown Business Association, located in the planter strip across from No. 160 Sir Francis Drake Boulevard, A/P sign review of a freestanding sign.
4. V-9005 - Wallace McQuat, 100 Laurel Avenue, A/P 7-115-04, 1) a 7'3" south sideyard variance to construct a garage within 9' of the south sideyard property line; 2) a third story variance; and 3) a 4' south sideyard variance to construct first, second, and third story living additions within 4' of the south side property line, with a 1'6" roof overhang, within the R-1 zoning district.

C. PUBLIC HEARINGS

1. AR-9002 - David and Lydia Bell, Fernwood Drive, A/P 7-131-14, architectural review of a single family dwelling located in the R-1 C zoning district.

The applicants were present along with their Designer, Gustavo Kubichek.

Planning Consultant Newman presented the staff report.

Commissioner Kanis wondered if there were any other buildable sites on the property that were not on the ridge top.

Ms. Newman thought that the building could perhaps be placed in the same vicinity, just lower on the site however the disadvantage is that there is no natural tree coverage and the house would be very visible.

Commissioner Sias asked what type of trees staff would recommend instead of the acacia and eucalyptus trees suggested by the applicant. Ms. Newman said the oaks and bays are native to the area and muted in color.

Chairman Yarish asked for clarification of the R-1C zoning ordinance. It was his understanding that the R-1C is similar to the R-1H in that no home shall be built on the ridge if there is an alternate site.

Assistant Director of Planning Anderson read the R-1C and R-1H ordinance for the benefit of the Commission.

Chairman Yarish asked if it were possible to build on the north slope of the lot without resulting in a loss of vegetation or substantial grading.

Ms. Newman said she would need more information before she could respond to that.

Mr. Bell said that when they purchased the property they were told by the Town and the Real Estate broker that they would have no problem developing the property. The only reason they bought the property was to develop it for a home for he and his wife. Now, if it cannot be developed, he will have to disclose it to a new buyer. This will certainly decrease the value of the property. He said that as far as building on the north slope, the soil is the most stable on the ridge and becomes less stable going down the ridge.

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Mr. Kubichek said he spoke with the engineer and the soils report indicates that the best place for construction of the house is in the knoll because of soils stability, drainage, minimal loss of vegetation and minimal amount of soil to be removed from the site. It is also economically feasible to build on the ridge for the reasons previously stated. He proposed that the engineer present a letter to that affect. He said that they have taken photographs from 900 feet away to show the proposed visual impact of the site.

Cathy Sanders, 310 Redwood, thought the side should be addressed because it is out of scale with the other houses in the neighborhood. She also wondered who would be responsible to ensure that the landscape is in conformance.

Joel Fruchtman, 511 Redwood, did not mind viewing the house but would not like to view it in place of the ridge top. He would like to see the house moved down slope.

Mary Cone, 349 Redwood, was against building on the ridge top, noting that the area is almost a nature preserve.

Gay Kagy, 280 Redwood, would like the house to be built off the ridge if possible.

Lindsay Beaman, 300 Redwood Road, Peter Beckham, 286 Redwood Redwood, and Jim Simons, 419 Redwood, would like to have the size of the house reduced.

Jeff Curtis, 310 Redwood would like to have the size of the house reduced and to have the house off the ridge.

Residents of 405 Redwood and 551 Redwood, would like the house kept off the ridge.

Mr. Bell said this will not be a spec house, this house will be for he and his wife. The living area of the house is 3,800, and the garage is 1,136, which includes a three car garage and work shop area. He did not think his house was out of line with some of the other newer homes on Redwood.

Commissioner Kanis did not want the house to be built on the ridge top if there were alternate sites. He thought the General Plan policies should be enforced. He also thought the size of the house should be reduced. He stated that it was not the Planning Commission's concern if the house would cost more to be built elsewhere on the site. The Commission's concern is to follow Town policies.

Commissioner Harle said that if the General Plan does not allow building on the ridge if there are alternate sites, then it should be followed. However he felt it is quite unfair to the applicant to be led to believe it was acceptable to build on the ridge and now find out it is not. He personally did not think the house would be objectionable, in fact, he thought the applicant's house was less objectionable to view from the homes on Redwood than the applicant having to look at the homes on Redwood.

Commissioner Sias agreed that more information is needed about alternate sites before he could make a decision. He said that the soils report indicates that the lower south side has 38'-40' slope and zone 4, which makes this side not feasible. However, the soils report suggests the possibility of building on the north slope. He would like more information addressing the pros and cons of building on the north side and the ridge before he can make a decision. He also thought the house was out of scale with the other homes on Redwood.

Chairman Yarish concurred with his colleagues and had nothing further to add.

Mr. Bell said he would like additional time to consider the comments made but noted that even if the north side was a consideration, it would still be visible to the neighbors. He was not sure he would be prepared to come back in two weeks with a full plan. Also, there is quite an expense involved in preparing new plans.

Ms. Newman suggested that Mr. Bell come back with interim plans that show the north slope. She suggested a conceptual plan with the alternate sites, and a better portrayal of the project with landscaping plans.

Commissioner Sias said that he would just like assurance that there is no other place to build on the site, perhaps that is addressed in the soils report. He thought they should look at whether the site needs excessive grading, whether building on the site would create a loss of vegetation, or whether there is soils instability.

M/S Sias, Kanis, to continue AR-9002 - Design Review for a Single Family Dwelling located at 10 Fernwood Drive A/P 7-131-14 & 01,; R-1-C district for David and Lydia Bell to the meeting of April 16, 1990 to allow time to propose alternate sites for the house on the property.

All ayes. Motion unanimously passed.

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2. U-9001 - San Francisco Theological Seminary, 2 Kensington Road, A/P 7-292-03, use permit amendment to change the installation of a parking lot from Phase 2 to Phase 1 of the Seminary Master Plan within the SPD zoning district.

The applicants were present.

Planning Consultant Newman presented the staff report.

Helene Robertson, Austin Avenue, wanted to thank the Seminary for all their cooperation and consideration of the neighborhood through this whole process.

The Commissioners had no objection to the use permit amendment.

M/S Harle, Sias, to approve U-9001 - San Francisco Theological Seminary, 2 Kensington Road, A/P 7-292-03, use permit amendment to change the installation of a parking lot from Phase 2 to Phase 1 of the Seminary Master Plan within the SPD zoning district on the basis that: The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the Town, and that the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner.

All ayes. Motion unanimously passed. Audience advised of the ten day appeal period.

3. PP-13 - Ben O'Hare, Redwood Road, A/P Nos. 7-097-02, 7-097-05, and 7-141-04, review of scope of mitigated Negative Declaration for preliminary planned development.

The applicant was present.

Assistant Director of Planning Anderson, asked for clarification from the Commission as to the depth of the expanded initial study.

Commissioner Harle did not feel a traffic study was necessary but rather mitigation measures for construction traffic. He also wanted a preliminary soils study.

Mr. O'Hare said that after talking with the engineer, he is prepared to have a full analysis prepared of the site and the roadway at this time. He said he previously expressed his intention to minimize the construction traffic.

Chairman Yarish thought that bonds should be obtained for the roadway in case of damage during construction.

Richard Clark, 270 Redwood, was concerned about runoff of drainage and wanted that addressed. With regard to construction traffic, there is a narrow turn on Redwood Road right in front of his property, and he would like some assurance that there will be no damage to his property.

Gloria Berger, 259 Redwood, indicated that the soil is terrible on the down slope and that Redwood Road is narrow and not in very good shape. She said the applicant will have to remove vegetation to build the site, and that could potentially increase the runoff problem.

Caterina Chase, 232 Redwood, said that there is a large amount of runoff onto her property now and it should be addressed.

Resident, 491 Redwood, was concerned about the size of the house.

Lindsay Beaman, 300 Redwood, wanted to see a more detailed environmental study, specifically an analysis that shows cumulative traffic for the two homes, and other anticipated homes further up Redwood Road. She thought the impact could be great.

Resident, 249 Redwood, was interested in the long term accumulative effects of traffic as well as construction traffic. She would like to see a cap on the number of homes to be built on Redwood and stated that precautions have to be taken by so that if there is a fire, the trucks will be able to get through.

Gay Kagy, 280 Redwood, said that the surface runoff will be increased by 25%. This should be addressed, including adding a catch basin under Allyn Avenue. She felt a traffic study should be made to also address cumulative effects as well as construction traffic. Redwood Road is very narrow and she suggested that perhaps mirrors could be placed on curves and/or have Redwood Road become a one way road to eliminate future traffic incidents. She would like to see the house reduced, minimize the cut and fill, and reduce the number of trees that will be cut. She did not think the applicant will

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have adequate time to respond back to the Commission and therefore felt the project should be denied without prejudice.

John Saftner, 9 White Way, wanted the size of the house discussed because the size of the house could dictate the number of people that could live in them. This could also increase the number of car trips per day.

Resident, 310 Redwood, wanted mirrors installed on Redwood.

Jim Simons, 419 Redwood, really liked the feeling of the county lane but not is concerned about the potential increase in traffic. He would like to see more turnouts.

Commissioner Sias would like the information as proposed by staff in the current staff report, including a full soils report. He would like information about the current drainage problems and what the impact will be with the proposed developments. He would like to see the cumulative effects of traffic with the development as well as the number of cars projected for the future development up on Redwood. He also wanted information on fire protection during construction and traffic safety as it relates to construction traffic. There should be mitigations for the concerns of the neighbors.

Commissioner Kanis concurred with the comments of Commissioner Sias. He added that he has always been in favor of an EIR but if the same can be accomplished with an Negative Declaration, he would agree to that.

Commissioner Harle said this is a request for only two homes. He did not think it was necessary to address the cumulative effects on the future development. Otherwise, he concurred with his colleagues.

Chairman Yarish said he would like to see a traffic study that focuses on mitigations for construction and post construction traffic as well as a bond that can be used for repair of the road from construction traffic if necessary. He would also like a detailed soils report and information on off-site drainage.

Commissioner Sias said that he was not thinking the applicant should be responsible for future development above and beyond his project however he felt the Commission should be aware of what the potential build out could be. Therefore, he would like to know how many homes could be built further up on Redwood besides the two proposed by the applicant.

M/S Sias, Kanis, to direct staff to prepare an expanded initial study to include the assessment of impacts associated with construction traffic along Redwood Road and identify appropriate mitigation measures to minimize those and to prepare a full soils reconnaissance that addresses the suitability of the site for development of two homes and construction of the access roadway to the site and assessing the magnitude of earth work required as proposed. Also, to assess the impact of drainage from that property on the surrounding area and to access the cumulative traffic that would be put on Redwood Road with the additional two homes and to include the potential traffic build out. To also access fire safety during construction and traffic safety on Redwood Road during construction. And that the house size be considered with regard to traffic, drainage, geology and construction traffic. Also, that the testimony that was presented tonight be considered in preparation of the study and mitigations where appropriate be suggested as a result.

Ayes: Kanis, Yarish, Sias
Noes: Harle

4. DR-9003/SR-9002 - Bay View Federal Bank, 305 San Anselmo Avenue, A/P 7-280-20, design review of: 1) change to exterior paint color; 2) elimination of drive-up teller window; and 3) installation of ATM machine; and sign variance to permit 5 signs on the building.

The applicant was not present. M/S Sias, Kanis, to continue to the meeting of April 2, 1990.

5. V-9005 - Robert and Judith DeVito, 1 Freda Lane, A/P 6-119-15, third story variance.

The applicants were present.

Planner Wight presented the staff report.

The Commissioners were in support of this variance application.

M/S Kanis, sias, to support V-9005 - Robert and Judith DeVito, 1 Freda Lane, A/P 6-119-15, third story variance. The special circumstances applicable to the property include the existing three story dwelling, and the surrounding natural landscaping. The strict application of the controlling zoning ordinance would deprive the property of privileges enjoyed by other property in the vicinity and under

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an identical zoning classification, and the granting of a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated; and 2. The applicants feel the granting of the variance is necessary for the preservation and enjoyment of substantial property rights so that the existing small dining room and bedroom can be increased in size; and 3. The granting of the variance, under the circumstances of the particular case, will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood. The addition will not be visible from other improvements in the area due to the size of this property and the surrounding eucalyptus trees. Also, there are letters of support from the neighbors at Nos. 5, 15, and 25 Alto Avenue and 500 Sequoia Drive. This approval is based on the drawings submitted for tonight's meeting dated 3/19/90.

All ayes. Motion unanimously passed. The audience was advised of the ten day appeal period.

6. DR-9004 - Red Hill Shopping Center, 850 Sir Francis Drake Boulevard, A/P 6-061-23, design review amendment to remove the entire arbor located in the center island near Longs Drug Store in the parking lot and replace with trees in planters.

The applicant and his architect, Mr. Goltz, were present.

Planner Wight presented the staff report.

Mr. Arntz said there have been many accidents caused by delivery trucks hitting the arbor and that is why he is asking to have the arbor removed. He would be supportive of staff's recommendation to plant two additional wisteria plants on the east side of the arbor by the Easy Street Cafe.

Commissioner Sias supported raising the trellis an additional 3 feet rather than removing it. The small portion of the trellis is all that remains of the arbor which was reminiscent of the Grape Festival.

Commissioner Kanis concurred with Sias.

Commissioner Harle said he never thought this arbor was a suitable replacement to the original arbor. He favored removing the arbor but thought that bradford pears or liquid ambers were slow growers.

Chairman Yarish could see no reason to salvage the trellis therefore he supports the applicant's proposal.

Mr. Goltz did not favor raising the arbor, noting that it is not constructionally or aesthetically feasible. He also said that bradford pears are quick growers.

M/S Harle, Yarish to approve DR-9004 Redhill Shopping Center, 850 Sir Francis Drake Boulevard, A/P 6-061-23, design review amendment to remove the entire arbor located in the island near Longs drug Store in the parking lot and replace with trees in planters. 1. Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area; 2. Provides for protection against noise, odors, and other factors which may make the environment less desirable, the removal of the trellis and replacement with bradford pears in planters will make both the Easy Street Cafe and Graceful Fashions businesses more visible from the parking lot; 4. Will not create unnecessary traffic hazards due to congestion, distraction of motorists, or other factors and provides for satisfactory access by emergency vehicles and personnel; 5. Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area, and that the removal of the trellis and replacement with bradford pears should have no impact on health nor safety. Also, it is conditioned that two additional wisteria be planted on the east side of the existing arbor in front of Easy Street Cafe.

Ayes: Yarish, Harle
Noes: Sias, Kanis

Motion failed. The Commission decided to carry this over to the meeting of April 2, 1990 when other Commissioners would be present.

D. APPROVAL OF MINUTES - FEBRUARY 5, AND MARCH 5, 1990

M/S Kanis, Harle, to approve minutes of February 5, 1990 and March 5, 1990 as written.

Ayes: Harle, Kanis, Yarish
Abstain: Sias

E. DISCUSSION

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Coby Friedman, 54 Miwak Drive

Planner Wight said that at the Planning Commission meeting of August 7, 1989, the Commission approved the design of the single family dwelling based on plans dated July 19, 1989. The drawing indicates the siding to be used as "T" 1-11 Redwood". Mr. Friedman advised staff that he always intended to use T 1-11 fir with a redwood stain, rather than actual redwood. Staff is bringing this before the Commission to determine whether such a color change will necessitate a public hearing or not.

Commissioner Kanis abstained from this discussion as a Commissioner.

The Consensus of the Commission was to have a public hearing set for the color change because the minutes and the staff report clearly state the approved colors.

F. ADJOURNMENT

The regular meeting of the Planning Commission was adjourned at 11:40 p.m. to the special workshop on March 26, 1990.

BARBARA CHAMBERS
ADMINISTRATIVE SECRETARY