

TOWN OF SAN ANSELMO  
PLANNING COMMISSION MINUTES OF MARCH 5, 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 Public Works; Lisa Wight, Planner; and Lisa Newman, Planning Consultant.

A. Roll Call

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

B. WITHDRAWN APPLICATIONS

1. V-2321 - Blain and Karen Beckmann, 7 Millbrae Avenue, A/P 6-111-12, a 19' rear yard variance to construct a two car garage within 1' of the rear property line within the R-1 C zoning district.

2. Oak Springs Partnership, end of Oak Springs Drive, A/P 5-011-60, preliminary planned development for 4 single family dwellings.

C. CONTINUED PUBLIC HEARINGS TO MARCH 19, 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' front yard variance and 5' south side yard 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 side yard 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.

D. PUBLIC HEARINGS

1. DR-9001 - Townsend & Townsend, San Anselmo Auto Body and Autohaus, 640 Sir Francis Drake Boulevard, A/P 6-092-08, design review of exterior building color change within the C-3 zoning district - After the Fact.

The applicant was present.

Planner Wight presented the staff report.

There was no objection to the colors proposed for the design review.

M/S Harle, Kroot, to approve DR-9001 - Townsend & Townsend, San Anselmo Auto Body and Autohaus, 640 Sir Francis Drake Boulevard, A/P 6-092-08, design review of exterior building color change within the General Commercial zoning district on the basis that: 1. The color is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area; specifically that the color is compatible with the adjacent buildings and there have been no complaints; 2. The color provides for protection against noise, odors, and other factors which may make the environment less desirable; 3. The color will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development in such area; 4. The color 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; and 5. The color will not adversely affect the health or safety of persons using the improvement of endanger property located in the surrounding area.

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

2. V-9010 - Donald and Dorothea Schultz, 2 Meadowcroft Drive, A/P 5-185-10, a 4' north side yard variance to construct a first story addition within 4' of the north side property line within the R-1 zoning district.

The applicants were present.

Planner Wight presented the staff report.

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Mr. Schultz said he was hoping for approval to expand their dining room and kitchen for added comfort and entertaining. He said the adjacent neighbors had no objections.

Commissioner Harle considered the request to be quite an insufficient change and that this addition is just following the 5 foot setback lines from the time the side setback was 5 feet.

The other Commissioners concurred with Commissioner Harle.

M/S Julin, Kanis, to approve V-9010 - Donald and Dorothea Schultz, 2 Meadowcroft Drive, A/P 5-185-10, a 4' north sideyard variance to construct a first story addition within 4' of the north side property line within the R-1 zoning district on the basis: 1. Due to special circumstances applicable to the property specifically that the location of the existing dwelling and covered patio and the vegetation. The granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner, specifically this small addition will provide needed room in the kitchen and dining areas; 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 existing evergreen trees and bushes screen the area of the addition from the northerly neighboring one story dwelling at No. 6 Meadowcroft Drive, there are trees and a creek which separate this addition from the rearyard neighboring two story dwelling at No. 6 Morningside Drive, and other neighbors in the area do not view the area of this addition. This is based on drawings dated January 31, 1990 and the color board that show the walls to be Pantone 472 (warm brown tone) and the Trim to be Pantone 314. (turquoise tone).

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

3. DR-9002 - Chevron USA, 700 Sir Francis Drake Boulevard, A/P 6-091-40, design review of a storage building within the C-3 zoning district.

The applicant was present.

Planner Wight presented the staff report.

The applicant said the intent is to expand the existing structure.

The Commission had no objection to the proposed design review.

M/S Kroot, Julin, to approve DR-9002 - Chevron USA, 700 Sir Francis Drake Boulevard, A/P 6-091-40, design review of a storage building within the C-3 zoning district on the basis: 1. The 300 square foot steel storage building will be functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area; 2. The 300 square foot steel storage building will have no impact on the protection against noise, odors, and other factors which may make the environment less desirable; 3. The 300 square foot steel storage building will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly develop in such area; 4. The 300 square foot steel storage building will not create unnecessary traffic hazards due to congestion, distraction of motorists, or other factors and provides for satisfactory access emergency vehicles and personnel; and 5. The 300 square foot steel storage building will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area. This approval is also based on the color sample board introduced for the meeting tonight.

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

4. U-9004 - Kathryn Gallagher, 76 Woodside Drive, A/P 5-262-02, use permit for additional living quarters in an existing dwelling within the R-1 C zoning district.

The applicant was present.

Planner Wight presented the staff report.

Commissioner Kanis questioned staff's request to limit only compact cars to park on the driveway. Staff replied that the driveway was substandard in size.

Kathryn Gallagher said that they have no objection to the limitation of compact cars in the driveway but did not understand why there was a need for a deed restriction. She wants the space to be able to take care of her ailing father.

Chairman Yarish was also curious as to why staff required a deed restriction.

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Wight explained that a deed restriction is a typical planning requirement in cases like this to ensure that a second unit will not be permitted.

The other Commissioners had nothing further to add.

M/S Kanis, Harle, to approve U-9004 - Kathryn Gallagher, 76 Woodside Drive, A/P 5-262-02, use permit for additional living quarters in an existing dwelling within the R-1C zoning district on the basis: 1. The granting of the use permit, under the circumstances of the particular case, will not 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. The length of the driveway is substandard by 1 foot, therefore vehicles parked on this driveway be compact size so as not to extend over the sidewalk; and 2. The granting of the use permit is necessary for the preservation and enjoyment of substantial property rights of the petitioner so that at home nursing care and domestic help can be provided.

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

E. WORKSHOP ITEMS (Taken out of order)

1. AR-9001 - Diana Redman, 551 Redwood Road, A/P 7-340-05, staff request for amendment of Planning Commission approval of architectural review of proposed open decks and a spa within the R-1H zoning district.

Commissioner Kroot to abstain.

Planner Wight stated that the Commission previously approved the design review with the removal of only one tree. The applicant has informed staff that two trees will have to be removed for placement of the deck. Staff has visited the site and has determined that although two trees will have to be removed the deck will be well screened.

Commissioner Harle said it is unfortunate that the tree cannot remain but the removal will not create a significant detriment.

M/S Harle, Julin, to accept the amended drawing dated 2/26/90, reflecting the removal of two trees because they interfere with the construction of the 2nd floor deck.

Ayes: Kanis, Julin, Harle, Yarish  
Abstain: Kroot

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

The applicant was not present.

Assistant Director of Planning Anderson wanted clarification from the Commission as to the scope of the mitigated Negative Declaration. He noted that the cost to the applicant would be approximately \$17,000 for a soils report and detailed traffic study. While the applicant is aware that a soils report will be required at some point, he was hoping that it would not have to be at the preliminary plan stage.

Chairman Yarish thought a soils report could have an impact on the future building placement but is not sure he feels there is a need for a traffic study at this time.

Commissioner Kanis viewed traffic as a safety issue.

Commissioner Julin thought the consensus of the Commission from a previous meeting was the impact of construction traffic associated with building on the site.

Commissioner Harle did not feel a traffic survey would provide the information the Commission required on construction traffic. He would be concerned if the road was to be closed for a period of time during construction and thought that should be addressed.

Commissioner Kroot stated that the safety of the roads is typically an engineering function and perhaps the Town Engineer could review this issue. He added that this is only a two home subdivision and therefore he did not feel the traffic study was necessary but would go along with obtaining a construction survey.

Chairman Yarish supported the concept that the Town Engineer review the road conditions and come up with mitigation measures, including bonds. However, he did not think this should be a requirement at the preliminary development stage.

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Commissioner Julin was concerned about the additional staff time required and wondered if the applicant could incur some of the cost.

D. PUBLIC HEARINGS

5. 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.

Planning Consultant Newman presented the staff report.

Commissioner Kanis thought this home would be visible to a number of homes on Redwood Road and wanted to know if all the residents on Redwood Road had been noticed regardless of whether or not they are in the 300 foot radius. He would also like to see a discussion on the visual impact of the house from the distant views.

Ms. Newman said she looked at it from all the adjacent properties and said there is no visual impact from the north or north west and there is no house from the south. She felt landscaping will adequately screen. She suggested that the applicant provide a color rendering of the site from across the valley.

Commissioner Harle said he was unable to locate the site. The consensus of the Commission was that there was difficulty in locating the site so the application should be continued until the next meeting.

Additional comments were made by the Commission.

Chairman Yarish said he would like to see a complete site plan that indicates the property lines and because this is in the R-1C zone, the applicant should attempt to keep the dwelling off the ridge zone. He wondered how many cubic yards of soil are to be removed.

Ms. Newman said that this site is not a "ridge zone" as defined in the General Plan therefore it is not restricted to placement on the lot. However, if the Commission feels that siting of the should be moved on the lot, that is appropriate.

Mr. Bell said that most of the top soil will stay on site and be used for the driveway or as fill under the garage. They have proposed a hip roof and want to give the appearance of an older house. He added that they were very pleased with the roofing materials.

Dennis Giovannoli, 491 Redwood Road, would like to see additional story poles so he could visualize what impact the house would have from across the valley as well as Redwood Road.

Mr. Bell thought it might be more effective to prepare an elevation and transpose on a drawing to show Redwood.

Chairman Yarish thought the poles were needed to create the breath of the building.

Commissioner Kroot wanted a vicinity map and extended property lines on the site plan. His initial reaction of the plan is that it is very nice.

Commissioner Julin stated that she will not be present at the next meeting and wanted the applicant to know that the lines of the home are very attractive as well as the roof.

Commissioner Kanis would like to see additional property owners notified on Redwood.

M/S Julin, Harle, to continue AR-9002 - David and Lydia Bell, Fernwood Drive, A/P 7-131-14, architectural review of a single family dwelling located in the R-1C zoning district. This is continued to the meeting of March 19, 1990.

Motion unanimously passed.

F. APPROVAL OF MINUTES - FEBRUARY 12, 1990

M/S Kroot, Julin, to approve minutes of February 12, 1990 as amended: page 2, paragraph 9, delete "...not easy to supervise..."; add in "...easy to supervise from the kitchen."; page 4, paragraph 9, delete "...that..." add "...than the house is ..."; page 5, fourth paragraph from the bottom, delete "...and noted that they second story is whin the required setback and therefore, is a building matter, not a Planning Commission matter."

Ayes: Harle, Julin, Kroot  
Abstain: Kanis

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E. WORKSHOP ITEMS CONTINUED

Mr. Ben O'Hare arrived and the Commission reopened the discussion on Ben O'Hare, Redwood Road, A/P Nos. 7-097-02, 7-097-04, 7-141-04, review of scope of mitigated Negative Declaration for preliminary planned development.

Assistant Director of Planning Anderson presented O'Hare an overview of the earlier discussion.

Mr. O'Hare said that an EIR was prepared years ago and it also discussion traffic. He felt the only information that can be gained from a traffic study will be how many cars use the road in the a.m. and p.m. He wondered if that was the information that the Commission was looking for.

Chairman Yarish said the Commission was looking for information on construction traffic.

Mr. O'Hare felt he would be able to provide details about construction traffic better than anyone and would be willing to do that. He also agreed that the effects on the construction traffic on the road can be determined by the Town Engineer. He also felt it could be stipulated that no concrete trucks could access the road during commute hours. He did not think there would be any reason to block the road and concrete trucks would be off street once they reach the site. Mr. O'Hare wanted to prepare a draft proposal for the Commission. As far as a soils report is concerned, he is aware that one will have to be prepared but would like to wait until the precise plan. However, he does have a preliminary soils report that indicates that two houses can be built on the site.

Chairman Yarish thought that a soils report could have an impact on the size of the houses and placement of retaining walls. He thought it a good planning practice to obtain the information at this stage rather than wait.

Mr. O'Hare said he hired a civil engineer to do the drainage study of the site and the report also addresses soil conditions and amount of soil to be removed from the site. He felt this drainage study would address many of the concerns of the Commission.

Commissioner Kanis felt a soils report should be required because there could have been changes since the previous reports were compiled.

Commissioner Kroot thought that perhaps a soils reconnaissance could be done without performing test borings of the site.

Chairman Yarish agreed that he did not feel an exhaustive soils report was needed at this time but would like to know that the driveway and roadway is stable. He also would like to see a seismic refraction on the road

O'Hare agreed that it would be a good idea to look at the roadway because of the stability. He would like to select his own soils engineer.

Commissioner Julin agreed with Kroot and Yarish.

Anderson reminded the Commission that the deadline for this application is fast approaching even if the applicant requested a one time only, 90 day extension.

Mr. O'Hare said he would be willing to attempt to gather the necessary information and present it to the Commission for their next meeting. He added that he is disputing his consultant bill. He felt that he was over charged and that there is a conflict of interest with the consultants used. There company is in the business of preparing EIR's and that is the reason they proposed an EIR for his project.

Commissioner Julin formally requested that staff take a serious look at revising the consultant contracts.

The consensus was that this item will be continued as a public hearing to the meeting on March 19, 1990.

G. DISCUSSION

Mr. Anderson said that the two tenants of the La Mancha Development have received a letter from staff stating that a traffic study is required prior to occupancy.

Commissioner Julin thought this should have been a requirement of the developer and not the applicants.

The meeting was adjourned at 11:15 p.m. to the workshop meeting on March 12, 1990.