

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES FOR THE MEETING OF JUNE 21, 1993**

The regular meeting of the San Anselmo Planning Commission was convened at 8:00 p.m. by Chairman Mihaly in the Council Chamber. Staff present was Director Ann Chaney.

A. CALL TO ORDER

Commissioners present: Harle, Hayes, Sias, Israel, Mihaly
Commissioners absent: Kroot, Julin

B. CONSENT

1. **Minutes - May 17, 1993, June 7, 1993**
2. **U-9305/V-9322 - Laura King, 25 San Anselmo Avenue, A/P 7-302-16, 1) a use permit to establish a graphic art studio, and 2) a 2 space parking variance, (7 are required, 5 are provided) on property located within the C-3 Zoning District.**
3. **DR-9311 - Carlos Castro, 444 Redwood Road, A/P 7-191-10, a design review request to construct a second story addition (1,715 square feet) to an existing single family residence on property located within the R-1 Zoning District (above 150' mean sea level).**

Commissioner Sias wanted to discuss the exterior color of Item B.3 so it was removed from Consent.

M/S Israel/Sias to approve Consent Agenda with the exception of B3. All Ayes. Motion unanimously passed. Audience advised of the ten day appeal period.

C. PUBLIC HEARINGS - CONTINUED .

1. **V-9320/DR-9310 - John Schreck, 137 Humboldt Avenue, A/P Nos. 7-033-20 and 7-033-21, 1) a rear yard variance to construct a new dwelling within 0' of the rear property line (Humboldt frontage) (20' setback is required by Code); 2) a rear yard variance to construct uncovered stairs within 0' of the rear property line (Humboldt frontage) (14' is required by Code); and 3) design review of a new dwelling, on property located within the R-1 Zoning District. **CONTINUED TO THE MEETING OF JULY 19, 1993****
2. **PS-9201 - Tony Richards for Viking Leon, Between Forest Avenue and Vista Lane, south of Lansdale Station Park, A/P Nos. 7-021-07, 7-021-23, and 7-021-24, 1) environmental review; 2) parcel split to legalize the 1954 creation of three separate building sites, **CONTINUED TO THE MEETING OF JULY 19, 1993****
3. **V-9240/DR-9218 - Tony Richards for Viking Leon, 5 Vista Lane, A/P 7-021-24, 1) design review of a single family dwelling; 2) a 17' frontyard variance to construct a dwelling within 3' of the front property line; 3) a 3' rear yard variance to construct bay windows within 17' of the rear property line; 4) a 20' frontyard variance for driveway retaining walls to be within 0' of the front property line; and 5) a 13' frontyard variance to construct an uncovered deck within 1' of the front property line. **CONTINUED TO THE MEETING OF JULY 19, 1993****
4. **PS-9301/LLR-9301/ER (Environmental Review, Parcel Split, and Lot Line Relocation, - Andrea Sandvig and Stuart Jacobson, 500 Oak Avenue, A/P 7-191-06 and 07, 1) environmental review; 2) a parcel split to legalize the 1946 creation of two separate parcels, one which is currently developed; and 3) a lot line relocation for an approximately 5 acre piece of property located within the R-1-H Zoning District. No development is proposed as part of this request. **CONTINUED TO THE MEETING OF JULY 19, 1993****
5. **NU-9302/DR-9120 - Th.E. Posthuma, 379 Oak Avenue, A/P 7-241-61, 1) a use permit to establish a second unit; and 2) an amendment to an existing design review approval to allow the construction of a new detached structure to accommodate the second unit, on property located within the R-1 Zoning District. **CONTINUED TO THE MEETING OF JULY 19, 1993****

D. PUBLIC HEARINGS

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES FOR THE MEETING OF JUNE 21, 1993**

Taken from the Consent Agenda.

- 3. DR-9311 - Carlos Castro, 444 Redwood Road, A/P 7-191-10, a design review request to construct a second story addition (1,715 square feet) to an existing single family residence on property located within the R-1 Zoning District (above 150' mean sea level).**

Commissioner Sias stated that he thought the proposed color of Dartmouth Green might stand out more in the hillside than the taupe and hoped that it could be toned down. He wondered if the other Commissioners felt the same.

Mr. Castro understood Sias's concern and was trying to achieve the Commission's goal. He would be happy to tone the color down. He would like to mix the taupe and green colors together to tone down the green. He noted that there are a lot of trees surrounding his property.

Commissioner Israel stated that since this has come off the Consent Agenda he wanted to comment that he did not like green stucco houses in general - perhaps a little more subdued color would be better. He stated that the house is minimally visible and the design of the house is very nice.

Mr. Castro stated that he will go along with the taupe based on the comments of the Commissioners.

Commissioner Hayes felt because of the location he did not have much of a preference with the color.

M/S Sias/Israel to approve DR-9311 - Carlos Castro, 444 Redwood Road, A/P 7-191-10, a design review request to construct a second story addition (1,715 square feet) to an existing single family residence on property located within the R-1 Zoning District (above 150' mean sea level). Approval is based on the following: 1. *Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area.* This proposed addition will be incorporated into the existing design of the house and will not significantly alter the layout or current land-use patterns in the neighborhood. The existing topography will not be impacted by these changes. 2. *Provides for protection against noise, odors, and other factors which may make the environment less desirable.* This proposal will not have any major long-term detrimental impacts on the environment. Conducting the existing use will be consistent with current activities occurring in this neighborhood. 3. *Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy.* The expansion of an existing residence will not cause the depreciation of property values in the surrounding area. The activity of a single family residence is consistent and compatible with activities currently occurring in this area. The improvement and expansion of this home may likely cause the appreciation of neighboring properties. 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.* No additional vehicular trips will be generated by constructing an addition to this dwelling unit. The location of the house will not obscure visibility along Redwood Road, nor will it inhibit the flow of traffic to and from neighboring properties. 5. *Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area.* The proposed dwelling will conform with all established codes controlling building and grading associated with the construction of a new single family residence. These standards have been adopted to insure that new developments will not create any adverse or hazardous conditions during construction and after completion. 6. *Conformance to the approved precise development plans.* This property is zoned R-1-H but a precise development plan is not required. 7. *Adequacy of Screening.* There currently is a substantial amount of vegetation around the base of the site along Redwood Road. However, no existing trees are to be removed from the site due to the construction of this addition. The design and layout of the addition will not be overly obtrusive for the neighborhood. 8. *Selection of architectural features that enable the structure to blend with its environment.* The exterior materials are appropriate for a single family residence. The architect will introduce stucco which will be used throughout the house giving the structure a much more residential appearance. **Conditions of approval are:** 1. **That the request for Design Review be approved, in accordance with the plans date stamped received by the Town of San Anselmo on May 10, 1993.** 2. **Unless waived by the Fire Chief of the Ross Valley Fire Department the applicant shall install an interior sprinkler system to the specification of that agency.** 3. **That if this development which has received discretionary approval has not begun within one year from the date of the final action, the permit shall become null and void. However, this discretionary action may be renewed by the Planning Director for a maximum period of one year provided the applicant places such request in writing to the Director showing good cause prior to the expiration of the discretionary action.** 4. **That the stucco finish will be taupe (La Habra Stucco Canyon X-575) with dark green window frames. The roof material will be clay tile.**

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES FOR THE MEETING OF JUNE 21, 1993**

1. **V-9321/U-9304 - LaMonte Cochran/Jean Brunswick, 22 Magnolia, A/P 7-212-34, 1) a use permit to allow two attached residential units to locate in the P Zone; and 2) a variance to allow parking spaces to be located within 0' of the front property line where 20' setback is required, on property located within the Professional (P) Zoning District.**

Ms. Chaney noted that the applicant has requested a continuance to the meeting of July 19, 1993.

2. **U-9306/V-9323 - Jea-Seok Kim, 85 Red Hill Avenue, A/P 6-214-03, 1) a use permit to operate a martial arts studio; and 2) an 8 space parking variance (10 are required and 2 are provided), on property located within the C-3 Zoning District.**

The applicant was present.

Ms. Chaney presented the staff report.

Commissioner Harle stated that the triangular parking spaces seems to be vacant most of the time. Ms. Chaney stated that space is owned by Mr. Koblick of 60 Red Hill which is across the street.

Commissioner Sias asked for the justification on the condition of hours. Ms. Chaney noted that this is what Mr. Kim has stated his hours of operation however staff has no objection to remove the condition.

Commissioner Hayes asked about the number of people per class. Mr. Kim said there would be a maximum of 15 people per class. He thought the children's classes would be 4:30 to 5:30 p.m. He said that he has been monitoring the traffic and parking patterns and has noticed that parking is always available after 6:00 p.m.

Commissioner Hayes was inclined to support this project. He said the largest demand for parking would be between 5:30 and 6:00 and most of the students will be children who will be dropped off by their parents.

Commissioner Sias supported the application on the grounds that he did not think parking will be an issue and that parking is currently available. He also wanted to remove Condition Number 3, which restricts the class hours.

Commissioner Hayes asked if there should be an administrative review within six months to ensure that parking is not a problem.

Commissioners Harle and Israel also supported the proposal. Commissioner Israel noted that there should be flexibility because of the children utilizing the programs during the summer months. He felt comfortable with removing the condition or leave in the Condition but with the understanding that there should be some flexibility.

Chairman Mihaly suggested stating that class hours shall not be limited provided that the Commission provide a statement in the motion that stipulates that they have considered limiting the hours but left this subject to reevaluation of the use permit if complaints occur. He stated that he was hesitant to approve this project without a condition such as he stated so that it is evident that the issue has already came up in the event that problems arise in the future regarding traffic and parking.

M/S Sias/Israel, to approve U-9306/V-9323 - Jea-Seok Kim, 85 Red Hill Avenue, A/P 6-214-03, 1) a use permit to operate a martial arts studio; and 2) an 8 space parking variance (10 are required and 2 are provided), on property located within the C-3 Zoning District. Approval is based on the following:

Parking Variance

1. *Due to special circumstances applicable to the property, including size, shape, topography, location, or surroundings the strict application of the controlling zoning ordinance or regulation deprives the property of privileges enjoyed by other property in the vicinity and under an identical zoning classification, and the granting of the 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.* The subject property is narrow (34 feet) and located on an "island" bound on two sides by west and east bound lanes of Red Hill Avenue. Consequently, additional parking opportunities do not appear to exist for this existing building. Given the use, hours of operation, hours of adjoining businesses, and conditions recommended by staff, it appears that a parking variance can be supported.
2. *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 or the applicant and will not be*

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES FOR THE MEETING OF JUNE 21, 1993**

detrimental to the public welfare or injurious to property or improvements in such neighborhood. Given the use, hours of operation, hours of adjoining businesses, and conditions recommended by staff, granting of a parking variance from 8 to 2 should not materially have an adverse affect on persons working in the area nor be detrimental to the public welfare.

Use Permit

The establishment, maintenance, or operation of the use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons working in the area nor be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the Town. Given the use, hours of operation, hours of adjoining businesses, and conditions recommended by staff, granting approval of a martial arts studio should not materially have an adverse affect on persons working in the area nor be detrimental to the public welfare.

Conditions of Approval are: 1. That the martial arts studio shall be per plans date stamp received by the Town of San Anselmo on April 23, 1993. 2. That if this development which has received discretionary approval has not begun within one year from the date of the final action, the permit shall become null and void. However, this discretionary action may be renewed by the Planning Director for a maximum period of one year provided the applicant places such request in writing to the Director showing good cause prior to the expiration of the discretionary action. 3. The project is subject to review if problems or concerns are raised regarding the availability of parking. 4. That employees park in areas which do not interfere with nearby street parking, such as along the north side of Red Hill Avenue west of Sequoia Drive. 5. That the previous parking variance granted in 1985 for a new restaurant at 85 Red Hill Avenue (from 8 to 2 spaces) subject to in-lieu parking fees is hereby amended to delete the in-lieu parking fee requirement for this non-restaurant use.

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

D. GENERAL DISCUSSION

Commissioner Israel wanted staff to place on the agenda the discussion of 6' fences in the front property line.

E. OPEN TIME FOR PUBLIC DISCUSSION

There was none.

F. REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

The Town Council will review the reconsideration of the 5000 square foot threshold.

G. ADJOURNMENT TO THE MEETING OF July 19, 1993

The regular meeting was adjourned at 8:40 p.m. to the next Planning Commission meeting on July 19, 1993.

BARBARA CHAMBERS