

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES OF APRIL 21, 1997**

The regular meeting of the San Anselmo Planning Commission meeting was convened in the Council Chamber at 7:30 p.m. by Vice Chair Duys. Staff present was Planning Director Ann Chaney, Senior Planner Lisa Wight and Associate Planner Chip Griffin.

A. CALL TO ORDER

Commissioners' Present: Duys, Harle, Wittenkeller, Cronk
Commissioner's Absent: Mihaly, Israel

B. OPEN TIME FOR PUBLIC DISCUSSION

C. CONSENT AGENDA

1. MINUTES: April 7, 1997

2. **Town of San Anselmo - Proposed Ordinance Amendment to limit fence heights within the front yard and street setback to 3'6" where 6 feet is currently allowed.**

At the request of Commissioner Duys, Item C2 was removed from consent and to continued to meeting of May 5, 1997.

M/s Wittenkeller/Harle, and passed, to approve C1.

Ayes: Harle, Wittenkeller, Cronk, Duys.
Absent: Mihaly, Israel

E. CONTINUED ITEMS

1. Environmental Review/GPA-9601/Z-9601/U-9608 Russ Johnson, 12 Loma Robles and 750 Sir Francis Drake Boulevard, A/P 6-091-41, 770 and 760 Sir Francis Drake Boulevard, A/P 6-091-38, 754 Sir Francis Drake Boulevard, A/P 6-091-39, and 700 Sir Francis Drake Boulevard, A/P 6-091-40: environmental review; General Plan amendment to amend the land use designation from Limited Commercial to General Commercial; Zoning Ordinance amendment to amend the zoning from C-L (Limited Commercial) to C-3 (General Commercial) or to revise the list of allowed uses (Table 3A) in the C-L zone to permit a mini-mart food store. This request is being initiated by the Chevron Service Station owner in order to permit a mini-mart at that service station. **CONTINUED TO 5/5/97**

2. DR-9708/U-9703 - Aslam Hussain, 807 San Anselmo Avenue, A/P 7-162-17, Use Permit to extend hours of operation to 24 hours a day, 7 days a week. Current allowable hours are 6:00 a.m. to 11:00 p.m. daily. Design Review to consider proposed landscape and lighting, on property located within the C-2 zoning district. **CONTINUED TO 5/5/97**

F. PUBLIC HEARINGS

3. V-9608/U-9605 - Stapleton School, 118 Greenfield Avenue, A/P 6-171-03, six month review of parking variance and use permit for a school of dance, on property located within the C-3 Zoning District. (Taken out of order)

Ms. Chaney presented the staff report.

Virginia Stapleton, applicant, wanted to thank the parents for all their efforts. She also spoke with Mr. Pieri, the owner of Matteucci's, and he feels things are going well at this time. With regard to the building, there are plans in the works to submit for a building permit for upgrade to the exterior of the building.

In response to Commissioner Wittenkeller, Ms. Stapleton stated that they would like a loading zone for pick up and drop off of the children, but the Police Chief was not supportive of this.

Ms. Chaney stated that even though there is no parking set aside for loading, the two spaces in front of the school are used for pick up and drop off.

Commissioner Wittenkeller suggested using stanchions at certain times for the loading zone and asked staff to check with the Police Department on this matter.

Jan Bolgla, 80 West Hillside, was concerned about traffic safety for the children, the number of U-turns on Red Hill and Spring Grove have increased since the school has opened. She has reported this information to the police and they have not kept a log of the occurrences.

Vicki Bassing, 348 San Francisco Boulevard; Julie Bartone, 15 Miwok; Nancy Edmondson; Steve; Lynn Baumsteiger; Jay Woods; Tony Compadonico; Ed Shaner, 555 Scenic; Janelle

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Baumsteiger; Beverly Brewster; were in support of the project for the following reasons:

- The parents and students have been diligent in monitoring the traffic safety.
- The Town is under served for the children within the General Plan for recreation activities and the children rely on the Stapleton School.
- The Stapleton School should be given a commitment and did not think there should be another six month review period.
- Does not feel there is a traffic safety problem because the children and parents have worked together.
- The school is helping to revitalize the downtown and is an asset to the Town.
- The illegal U-turns have been made by people other than the parents of the school.
- It is important for the children to know their school will be there.
- The school has instilled good values for the children.
- There is an economic benefit for San Anselmo because it brings people to Town to shop.
- San Anselmo is a children oriented town and the school should remain.
- It is very stressful to run the school if they have another six month period.
- Traffic safety is related to the patrons of Matteucci's.
- The school is a fabulous resource to the Town.

Virginia Stapleton stated that they will continue to be vigilant in traffic safety for their children.

Ms. Chaney stated that revoking a use permit is a very serious offense and that is not staff's intent; the important issue is to maintain the safety issues with the children.

Commissioner Harle supported the staff recommendations. This school is a substantial community asset and should be given special consideration. The businesses have to accommodate each other and he wants the school to keep a high vigilance in terms of safety.

Commissioner Wittenkeller stated that the continued cooperation is very important to make sure that no child gets hurt. He has noticed a very big improvement on Greenfield in terms of traffic.

Commissioner Cronk was supportive of the staff report.

Commissioner Duys was supportive of the staff report. The families seem to be very aware of the traffic safety issues for the children and it is evident that the parents are doing all they can.

M/s Wittenkeller/Cronk, and passed, to approve the staff report.

Ayes: Harle, Wittenkeller, Cronk, Duys
Absent: Israel, Mihaly

the audience was advised of the ten day appeal period.

The Commission advised staff that if the design changes for the facade quality for an administrative approval, they do not want to see it back at the Planning Commission.

1. DR-9703 - William and Janet Johnson, 64 Fernwood, A/P 7-131-09, design review of a new single family dwelling on property located within the R-1 Zoning District (above the 150' sea level).

Ms. Wight presented the staff report.

Bill Johnson, applicant, stated that there were concerns by the neighbors regarding the placement of the garage. In moving the garage, it is further away from the downhill neighbors on Laurel, as well as from the neighbors across on Fernwood. He did not realize the arbor required a variance and will therefore remove it and replace it with a gate. He measured the trees on the site and placed them on a plan for the Commission. He agrees with the staff analysis with the exception of the arbor, which he will remove. The limbs of the large oak, which will be trimmed, have been tagged. There will be no negative impact on the health of the trees. The fire hydrant will be replaced and come up Fernwood and will be within 350 feet of the house.

In response to Commissioner Wittenkeller, Mr. Johnson stated that the revisions are a compromise which he is satisfied with. The garage in the original location provided for more outdoor space, but the driveway is not as steep in the new location. In working with the neighbor across the street, he has retained an acacia.

Mr. And Mrs. Franklin, 476 Laurel Avenue, are the downhill neighbors and they spoke with a structural engineer regarding the proposal. He commented that the house is very massive and that a stepped house would be better for such a steep slope. Their concern is related to

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the drainage. They are requesting that their engineer be allowed to review the geotechnical and drainage plans, and want all storm water drained away from their property. Their engineer would like to review the construction drawings prior to building permit issuance. They would also like a solid debris fence, as well as erosion control measures be in place on the hillside to protect against erosion. They have had ground water flooding on their site although they have had it corrected by Ballard and Straangard. Mr. Franklin stated that the eastern side of the property has erosion which comes from ground water and sheets down the property.

Jason Pederson, 78 Fernwood, does not intend to give an easement for the hydrant platform. He questioned where the construction vehicles will park, noting that he was opposed to them parking on his land.

Julian Woodard, 71 Fernwood Drive, was very pleased that the garage was moved to the west side. She would like an alternative shrub used in place of the Australian Tea Shrub. She noted that the roof has not been lowered and the size has been increased. It appears that the story poles indicating the front of the garage are inaccurate.

Steve Fisher, Fire Marshall, stated that the hydrant was to be installed at the end of Fernwood but that was not feasible. They have now found a spot within the 300 foot radius. The fire department does not want the road to be blocked by fire apparatus. This area should not be considered a parking spot and is specifically designed for emergency access. He explained that the area is not normally marked as emergency vehicle access only, but if there were complaints by the neighbors, the area could be marked.

Mr. Johnson stated that all drainage will be handled by a civil engineer and his contractor will do whatever is necessary to make sure debris does not go down the hill. He will also provide an erosion control plan to the building department. He has no problem with an 18' wide driveway. He has no objection to building the driveway first so construction vehicles can park on the driveway while the house is being built. He will also provide a construction plan and has no intention of going on the neighbor's property.

Commissioner Wittenkeller stated that there have been compromises made. He could support staff recommendations with the additional conditions that a drainage and soils report be looked at by the downhill neighbors' engineer prior to issuance of the building permit. His major concern is drainage and any potential downslope problems that could be caused by this project. He wanted assurance that it is built, designed and researched thoroughly.

Commissioner Cronk was happy the neighbors have worked together. Her major concerns are also drainage. She was in support of the staff report.

Commissioner Harle supported the staff report. He too was concerned about drainage, however, the drainage is not determined at the Planning Commission, it is handled by the building department.

Commissioner Duys was in support of the project but agreed that the facade from the downhill neighbors is a large mass. The stepping of the house may create more areas for the water to run off but would like the applicant to add more landscaping to hide the rear facade. She would also like an erosion control plan added to the condition of approval. She is comfortable with all the design issues.

M/s Wittenkeller/Harle, and passed, to continue to 5/5/97 with the intent of approval, subject to a resolution of approval and place the item on Consent Agenda.

Ayes: Harle, Wittenkeller, Duys, Cronk
Absnet: Mihaly, Israel

2. V-9713 - Seidelman Associates for Geoff Koblick 6-42 Red Hill Avenue and Jeffrey Johnston, 22 Island Drive, A/P 6-201-02 and 6-201-54, proposal to construct a 15' high, 142' long retaining wall across a portion of 22 Island Drive (no variances needed for this section). Rear yard Variances are required to construct: 1) an 88' long west "side" retaining wall, varying in height from 15' (as it connects with the upper wall) to 0' (as it connects with the lower wall) located within 0' of the rear property lines for 22 Island Drive and 6-42 Red Hill Avenue (20' setback required); 2) a 46' long east "side" retaining wall, varying in height from 15' to 0', located within 0' of the rear property lines for 22 Island Drive and 6-42 Red Hill Avenue (20' setback required); and 3) a 136' long, 5' high "tie-back" retaining wall located within 1' of the rear property line of 22 Island Drive on property located within the C-3 and R-1-C zoning districts.

M/s Harle/Cronk, and passed, to continue the application to the next meeting of 5/5/97 because the applicant was not present.

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Ayes: Harle, Cronk, Wittenkeller, Duys
Absent: Mihaly, Israel

4. V-9714/DR-9712 - Harley Miller, 175 Butterfield Road, A/P 5-062-11, Design Review and Variance to build a two-story addition; 500 square foot garage with a 700 square foot recreation room above. Addition proposed is within 6' of the southerly side property line (8' required), on property located within the R-1 Zoning District.

Mr. Griffin presented the staff report.

In response to Commissioner Duys, Mr. Griffin stated that the abandoned vehicles can be a nuisance abatement and code enforcement issue.

Commissioner Wittenkeller wanted to see the extra cars removed from the front of the property because they are unsightly and replaced by landscaping.

Chuck Wisner, architect for the applicant, will raise the sill and reduce the glass. The garage will be built so the owner can place the vehicles in it and get them out of the front yard. They have no objection to it being a condition of the final building permit. With regard to staff's comment about the roof, it is only five years old. The entire structure will be repainted and the new roof is expected to be darker than the existing roof.

Mr. Griffin stated that he did not inspect the roof carefully but did inspect the fascia boards which looked like it was in need of repair.

Commissioner Cronk was generally in support of the project. She also wanted to have the cars removed from the front of the site and would like a condition that states no cars will be parked in the front property and that painting will be done for the entire building.

Commissioner Harle agreed about moving the cars from the front of the site although there may be other similar situations on Butterfield. He supported the staff recommendation.

Commissioner Wittenkeller stated that the owner is willing to paint and put in landscaping and he would like to see it happen. He would like to see landscaping since this applicant is being allowed a variance for parking.

Commissioner Duys stated that there is lawn now in the front and is concerned that because cars are parked there now, it probably will not change. She would like the Town Attorney advised as to how cars can be taken off the front of the site. She supports the staff report but does have a concern with the two tone roof and would like the roof to match in color. She would like the applicant to provide a landscaping plan, which can be reviewed by staff.

M/s Wittenkeller/Harle, and passed, to approve based on the staff report and conditions, with an amendment to condition 2. That states: "Applicant shall..." An added condition is that a landscape plan be prepared by the applicant, and reviewed by staff, parking shall be restricted from the front yard area with wording subject to approval by Town Attorney.

Ayes: Harle, Cronk, Wittenkeller, Duys
Absent: Mihaly, Israel

G. GENERAL DISCUSSION

There was none.

H. REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

There are none.

I. ADJOURNMENT TO MAY 5, 1997.

The regular meeting of the San Anselmo Planning Commission was adjourned at 10:15 p.m.

BARBARA CHAMBERS