

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES OF FEBRUARY 18, 1997**

The regular meeting of the San Anselmo Planning Commission was convened at 7:30 p.m. in the Council Chamber by Chair Duys.

A. CALL TO ORDER

Commissioners Present: Cronk, Duys, Mihaly, Israel, Harle
Commissioners Absent: Wittenkeller

Staff Present: Senior Planner Wight and Assistant Planner Griffin

B. OPEN TIME FOR PUBLIC DISCUSSION

C. CONSENT AGENDA

1. **MINUTES:** February 3, 1997

2. V-9703 - Mr. & Mrs. Charles Monte, 35 Suffield Avenue, A/P 5-129-10. Variance to construct a 239 square foot addition to the master bedroom within 40' 8' from the front property line (20' required), on property located within the R-1 Zoning District.

3. Town of San Anselmo, Ordinance Amendment - Conversion of Residences in Commercial and Professional Zones - This amendment would revise Table 3A of the Zoning Ordinance by requiring property owners to obtain a Use Permit in order to convert existing residential uses to non-residential uses in commercial and Professional zones.

M/s Harle/Israel, and passed, to approve the consent agenda.

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

The audience was advised of the ten day appeal period.

D. 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 3/3/97**

2. V-9608/U-9605 - Stapleton School, 118 Greenfield Avenue, A/P 6-171-03, six month review of parking variance and use permit, on property located within the C-3 Zoning District. **CONTINUED TO 4/7/97**

E. PUBLIC HEARINGS

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).

M/s Israel/Harle, and passed, to continue the meeting to 3/3/97 as requested by the applicant.

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

2. V-9706/U-9702/DR-9704 - Carl and Susan Groff, 17 Traxler Road, A/P 5-083-06, 1) variance to allow three (3) required parking spaces within the street side and front yard setbacks; 2) use permit for proposed 825 square foot attached second unit; and 3) design review for additions to existing split level house. Additions include 185 square feet to lower floor (proposed second unit) and 729 square foot to the main (upper) floor, on property located within the R-1 Zoning District (above the 150' sea level).

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Mr. Griffin presented the staff report and advised the Commission that a variance was overlooked and will have to be publicly noticed for the next meeting.

Commissioner Israel asked about the parking requirement with the second unit. Staff stated that parking for the second unit would require one - parking space within the required setbacks; if they were just adding on to the existing house and not seeking a second unit, the requirement would be: three - on site parking spaces (because it is above the 150' level), which can be in tandem and within the setbacks.

Commissioner Mihaly asked about the design of the second unit. Staff stated he was in support of it, his concerns are related to parking and safety.

Susan Groff, applicant, explained her project, stating that the second unit proposal is for her mother and they want to remove the interior staircase to separate the second unit from the main house. There is currently an old shed that will be removed and their addition will preserve an existing tree. She stated that her neighbors have reviewed the plan and are in support of their project. With regard to parking, she spoke with Chief Del Santo, and he has viewed the site and his opinion was that the overflow traffic takes place across from the circle, noting that his original opinion was in error. She noted that the amended parking drawing provides the actual measurements and they were able to park four large vehicles on the site.

Commissioner Mihaly asked staff about the Police Chief's opinion. Staff stated that Chief Del Santo did mention that he originally opposed the project and changed his mind as a result of a site check.

Chair Duys stated that by viewing the new parking site, it looks like there are still only three adequate parking spaces. The owner concurred.

Commissioner Mihaly stated that he felt very strongly about the need for second units in town. There is a parking problem on this site, though almost every second unit seems to have some type of problem complying with the zoning ordinance. From a design prospective, this project looks like it would work; specifically because there is such a need for second units. The situation could work but could be a problem in the future. However, he would reluctantly support this project.

Commissioner Harle stated that he would not like to deny the project simply because of the parking because it looks like a good second unit and there is a vital need for the applicant to have her mother live there. There have been many accommodations for parking in the hillside and there should be a way to approve this project because of the second unit. He wondered if there could be two parallel parking spaces created along Traxler. This would make the project very acceptable.

Commissioner Cronk asked the applicant if there was a discussion about parking with the neighbors. Ms. Groff responded that her husband talked with the neighbors and she is not sure if it was discussed. However, her mother and brother visit a lot and parking isn't a problem. There would be a removal of oaks, redwoods and pine trees as well as blackberry bushes if parking is required on Traxler as suggested by Commissioner Harle. Drainage is also a problem because water runs off into the ditch.

Commissioner Cronk stated that she would like to be able to approve the application; the plan is well thought out, but parking is a real concern. Although the parking might not be a problem with the mother living there, she is not sure about future tenants. However, she reluctantly supports the variance in the spirit of adding second units in town.

Commissioner Israel stated that his problem is that the parking area is the most visible part of the site. He has never supported the notion of cars within the front setbacks and in this case there seems to be alternatives. He could support with an alternative design. The addition is quite substantive and yet the parking has not been brought into compliance. There have been questions among the Commissioners about reducing some of the parking space dimensions to accommodate compact cars but the Ordinance has not changed at this time. The second unit is very nice, which could mean the use of two cars. Would like some of the parking tucked in the house.

Chair Duys stated that the numbers of cars in the front of the property is troublesome. She suggested extending the driveway further into the property on

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the street side with a possible covered structure.. She was in complete support of the second unit and the design of the addition but the parking should be addressed.

Ms. Groff stated that her parking situation is the best in her neighborhood. Also, even if they do not add the second unit, the amount of parking will still exist. It is possible to move the parking in 8' but the parking will not look any different.

Chair Duys stated that she felt a garage structure could be integrated which would hide some of the cars.

Commissioner Israel stated that he might be more acceptable to granting a variance within the setbacks if there was covered parking.

Ms. Groff responded that the cost of adding an 8' addition is different than adding an additional garage and an addition to the side. There is also a consideration of the slope. They wanted to have a view of the canyon instead of a view of a deck. She stated that the only view the neighbors really see is the small opening and not all the cars on the driveway.

M/s Mihaly/Harle, and passed, to approve the application as submitted for the Variance, Design Review and Use permit with Conditions set forth in the staff report with an amendment to Condition 1 that states: "That the request for a design review be granted to construct the additions in accordance with the plans date stamped December 3, 1996, received by the Town of San Anselmo Planning Department."

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

The audience advised of the ten day appeal period.

As an aside, Commissioner Mihaly noted that the deck, which requires a variance was not noticed with this application and will be noticed for the next public hearing on March 3, 1997, and will be placed on the Consent Agenda.

3. V-9708/DR-9705 - Mike and Louise Berlin, 37 West Gate Way, A/P 6-121-34, 1) a variance and design review for a new 624 square foot second story addition located 7' from the westerly side property line (8' required); 2) an entryway 17'6" from the front property line (20' required); 3) remodel an existing 1st story room 3'4" from the easterly property line. Remodel to include a new uncovered deck 3'4" from the easterly property line (6' required); 4) variance to reduce the required size of two on-site parking spaces to 9'x17' (three 9'x19' spaces are required, spaces will encroach into the sidewalk), on property located within the R-1 Zoning District (above 150' sea level).

M/s Harle/Israel, and passed, to continue the application to the meeting of 3/3/97 on behalf of the applicant.

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

4. V-9710/DR-9706 - Len K. Garriott, 422 Scenic Avenue, A/P 7-031-08, design review of a 1,458 square foot dwelling; setback variances for: 1) uncovered stairs and a landing to be within 6' of the front property line; 2) a parking area retaining wall up to 10' in height to be within 0' of the front property line and 0' of the south side property line; 3) the south rear corner of the dwelling to be within 6.5' of the south side property line; 4) a north rear retaining wall to be within 4.5' of the north side property line; 5) one parking space to be within 0' of the front property line and 1.5' of the south side property line; 6) one parking space to encroach over the right of way and be within 3' of the south side property line; and 7) one parking space to encroach over the front property line, on property located in the R-1 Zoning District (above 150' sea level). (Code minimum setbacks for structures (including parking) are 20' from the front property line and 8' from the side property lines. Code minimum setbacks for uncovered stairs and landings are 14' from the front property line and 6' from the side property lines. Code minimum on-site parking: Three). This plan would amend the plan approved by the Planning Commission in 1994).

Ms. Wight presented the staff report, noting that the 12" oak at the front of the driveway was also to be retained in the old as well as the current proposal.

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Len Garriott, applicant, stated that the cost of the retaining walls was very expensive and that is why they kept the house to the front of the house.

Jonathan Bruan, 479 Scenic, stated that his primary problem was for the front yard variances. Scenic Avenue, fronting the property has between 11' to 13' in width. The proposed parking will encroach onto the street, restricting the street even further. The lot is substandard even though it has a certificate of compliance, and now the applicant is asking for some of the right-of-way for parking. This does not seem to be good planning. The house will also be quite massive and detrimental to the neighborhood. He would rather see the house pushed further back up the hill.

In response to Commissioner Israel, Mr. Braun stated that because of the narrowness of the passage way, the benefit of moving it back would outweigh the additional 3' retaining walls. Also, there is a catch basin at the bottom of the driveway, and should be placed in culverts.

Ms. Wight explained that drainage and soils will be reviewed by the Town Engineer at the building permit review. Mr. Garriott stated that the drainage for the previous project was approved.

Commissioner Harle stated he recognized the difficulties in additional retaining walls and additional costs to the applicant but he cannot justify pushing the parking into the right of way. Therefore, he supports the staff recommendation of denial.

Commissioner Cronk also supports the staff recommendation of denial.

Commissioner Israel stated that he was sympathetic with the applicant; the original application did cut into the hillside and he is uncomfortable in pushing this house further up the hill which would result in a very tall house. He thought the house had nice form and mass but could be improved if the parking is tucked under the structure.

Commissioner Mihaly stated that although he was sympathetic about the financial constraints of the applicant, that cannot be addressed through planning.

Commissioner Duys stated that parking can be accommodated on site as shown on the previous approval and is therefore in favor of staff recommendation for denial based on the current application.

Mr. Garriott stated that he will move the driveway back and will reduce the size of the house but does not want to push it up the hill. He could also move the house back where it was before, reduce it in size, and leave the driveway the way that was previously approved.

Commissioner Mihaly also asked the applicant work with staff to address the drainage concern prior to the next meeting.

M/s Israel, Harle, and passed, to continue the application until 3/17/97.

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

F. GENERAL DISCUSSION

Mr. Griffin stated that the Town Administrator would like to have an ordinance for regarding Telecommunications which would include entitlements, a use permit and resolution that adopts the criteria and standards. Staff has tentatively scheduled this for the 3/3/97 Planning Commission meeting.

G. REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

H. ADJOURNMENT TO March 3, 1997.

The special meeting of the San Anselmo Planning commission was adjourned at 9:15 p.m. to the next meeting on March 3, 1997.

BARBARA CHAMBERS