

**SAN ANSELMO PLANNING COMMISSION  
MINUTES OF APRIL 20, 1998**

The regular meeting of the San Anselmo Planning Commission was called to order in the Council Chamber at 7:30 p.m. by Chair Zwick.

**CALL TO ORDER**

**Commissioners present:** Chair Zwick, Commissioners Harle, House, Wittenkeller, Israel, Cronk  
**Commissioners absent:** Commissioner Dowd

**Staff present:** Planning Director Ann Chaney and Senior Planner Lisa Wight

**OPEN TIME FOR PUBLIC EXPRESSION**

Gay Kagy, 280 Redwood Road, stated that the Library staff should be informed that the staff reports are available to the public. Ms. Chaney stated that plans are not available at the Library, although staff reports are. The Commission asked staff to consider leaving a set of plans for each project in the Library.

**CONSENT AGENDA**

1. **MINUTES:** April 6, 1998
2. **Z-9803/ER-9803- Town of San Anselmo, Zoning Ordinance Amendment to Article 5B: Parking and Loading Regulations: Section 10-3.504(b):** The Zoning Ordinance Amendment is intended to regulate the conversion of parking spaces less than 9' in width by 19' in depth in an effort to retain such parking spaces as viable for parking, and review of the Negative Declaration of environmental impact.
3. **Z-9804/ER-9804- Town of San Anselmo, Zoning Ordinance Amendments to Table 4B: Minor Intrusions Into Required Development Standards:** The Zoning Ordinance amendments are intended to permit additional minor structures to be located within the minimum standard setbacks either by exception or administrative variances; specifically, arbor and trellis, enclosure of existing roofed porch, hot tub and mechanical equipment, parking deck, driveway, and supporting structure (all uncovered), raising of structures, replacement in kind, cut retaining wall up to 4' in height above grade; fill retaining wall up to 6' in height above grade; swimming pool and equipment, and review of the Negative Declaration of environmental impact.
4. **Z-9805/ER-9805 - Town of San Anselmo, Zoning Ordinance Amendments to Table 3A: Land Use Regulations and Section 10-3.1305: Required Findings for Use Permit, related to the On-Sale and Off-Sale of Beer and Wine in Conjunction with the Sale of Motor Vehicle Fuel:** The Zoning Ordinance Amendments are to bring the Zoning Ordinance into compliance with State Law, which states that a local jurisdiction has authority to require a conditional use permit, but does not permit a local jurisdiction to enact legislation prohibiting the sale of beer and wine in conjunction with the sale of motor vehicle fuel, and review of the Negative Declaration of environmental impact.

**M/s Wittenkeller/House, and passed (3-0-3 Abstain: Israel, Cronk, Zwick) to approve the Minutes of April 6, 1998.**

Ms. Wight provided an overview of the Ordinance changes.

**Parking Ordinance:** Cronk to make wording change as follows: "...required in ..."

**Minor Intrusions:** Hot tub, Swimming pool: if acoustically baffled it is okay. Otherwise subject to review.

**M/s Israel/ Cronk, and unanimously passed (4-0) to recommend approval to the Town Council with the amendments stated in the above discussion..**

The audience was advised of the ten day appeal period.

**PUBLIC HEARING**

1. **V-9811/DR-9810 - Tom Sargent, 40 Alta Vista Avenue, A/P 6-231-36, 1) Street side yard variance to construct a 2-car garage with studio area underneath and within 4' of the Alta Vista Avenue property line (12' required); and 2) a Variance to construct a retaining wall in excess of 30" in height within 7' of the street side property line (12' required), and 3) Design Review for the garage structure, on property located within the R-1 Zoning District (Above 150' mean sea level) (Staff person: Chaney)**

Commissioner Israel recused himself from this item.

Ms. Chaney presented the staff report, noting that staff is recommending approval of the revised plans.

Commissioner Harle asked for clarification as to why the current garage could not be remodeled. Ms. Chaney stated that the applicants feel it is a difficult turn to make for ingress and egress. In addition they want to add landscaping.

Barbara Winslow, architect representing the applicants, provided a colored elevation. She explained that the change addresses the neighbors concerns and the landscaping steps up graciously to the driveway. In terms of using the current garage, there is a difficult curve in the street and it is hard to access the garage,

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and visibility is blocked by a stone wall and trees; it also eliminates off street parking. The soils report states that adding a building in the current location will help to stabilize the creep in the road by having the retaining wall. She did not feel that the deck has increased. The applicants are proposing 15-gallon olive trees.

Joe Barrant, 161 Prospect, stated that moving the garage back is much better but would rather see it go back to the original size, and if possible, to lower the garage and move it back to the house. If not possible, just make it back to the original size.

Pat Burton, Avenue Del Norte, asked that a deed restriction be required to ensure that garage cans are not allowed in the back or side of the garage.

Commissioner Wittenkeller stated he supported the proposal as presented. He did not think moving the building back 18" would significantly impact the neighbor but the current location would greatly help the parking.

Commissioners Harle, Cronk, House and Zwick all concurred.

M/s Wittenkeller/Cronk and passed (5-1 Israel: Abstain), to approve the staff report with the addition of fifteen gallon trees.

Conditions of approval: 1. Design Review and Variance applications to construct a 750 square foot garage/studio, located within 4' of the street side yard property line, and a low retaining wall within setback areas, are approved in accordance with site plans, landscape plans, planting plans and elevations date stamped received by the Town of San Anselmo on April 13, 1998. In addition, landscaping plans date stamped received on February 10, 1998 shall be implemented at least in the area between Alta Vista Avenue and the proposed garage/studio structure. Landscaping includes three new Olive trees and retention of an existing Plum tree next to the proposed structure. 2. Building materials and colors shall be as follows: siding: Redwood shingles; Roof: Asphalt Class A to match house

Chair Zwick advised the audience of the ten-day appeal period.

**2. LLA-9806/ER-9806/PDP-9806/DR-9810 - David Boesel, near 259 Redwood Road, A/P 7-097-02 and 05 and 7-141-04, 1) Environmental Review, Precise Development Plan, Lot Line Adjustment, and Design Review to construct two houses and extend a private driveway on 2.6 acres of land; and 2) Rezone A/P 7-097-04 (269 Redwood Road) from R-1 to R-1H and lot line adjustment request, on property located within the R-1 and R-1H Zoning District (Above 150' mean sea level) (Staff person: Chaney)**

Ms. Chaney presented the staff report.

David Boesel, applicant, stated that he has met with the neighbors and felt the new driveway is a better design. He would like to separate the design review of the houses to the other proposals. His project has more cut, but less fill than the O'Hare project. There is an 18% grade for the driveway, rather than a 22% grade, and not as noisy for the Bells at 10 Fernwood. Because of the setbacks and the placement of the oak trees, they were limited by the placement of the house. The current house proposal is articulated and the mass is broken up. They are proposing to plant a number of trees to help screen the houses. There are a number of bay trees that screen one of the houses.

Roger Hartley, civil engineer representing the applicant, stated the O'Hare project was just schematic in nature. He tried to get articulation in the houses and to fit the houses to the contours with very little understructure. The levels are stepped back. Lot B is very limited in its placement because of the steep drop off and that is why the house looks so tall. They also tried to preserve the tree.

The hearing was opened to public testimony.

Cathy Saunders, 310 Redwood Road, made the following comments:

- The road is very fragile and should be video taped prior to construction to make sure the road is not damaged any more than it already is.
- She was opposed to rezoning an R-1 parcel to R-1H.
- Fire safety has not been addressed and should be because there are not adequate hydrants.
- Want to see the open space conservation pursued fronting Redwood Road.
- The way the retaining walls are treated would be very important and would like baffling and landscaping on the retaining walls.
- The General Plan calls for low retaining walls and 7' high walls would be setting precedent.
- The Bell project at 10 Fernwood Drive was graded into the hillside and away from the knoll.
- Wants to see the trails addressed.

Richard Clark 270 Redwood Road, made the following comments:

- He is concerned about drainage, noting that he has severe drainage problems.
- The road is eroding and becoming impassable. Last year the road was damaged even more by the heavy construction vehicles but was never repaired.

Camino Wilson, 419 Redwood Road, commented as follows:

- The approved O'Hare project was based on many, many meetings. This plan has broken the fine balance of the previous approval. Specifically, the project is at least 20' closer to the property line and the height will have an enormous impact.

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- The proposal of the large canopy of trees is not consistent with what was approved.

Jonathan Braun, 479 Scenic, made the following comments:

- The view shed of the property goes to Oak and the lower end of Redwood.
- The disposition of the property outside of the building envelope is key to him.
- The lower portion of Redwood Road is wooded as seen from Scenic Road, and he would want to see the previous condition maintained, as defined in the Bald Hill Plan.
- Laurel fire trail is a very popular hiking trail and the houses will be in close proximity to the trail.
- It is critical to have a very detailed landscape plan.
- The O'Hare design did have more grading but the houses were lower. The height of the houses is about 40' from the bottom of the foundation to the top of the roofline and the designs are too vertical.
- The retaining walls should be closely reviewed.

Bill Geisler, 405 Redwood Road, commented that:

- Redwood Road should not be turned into a canyon by having such steep retaining walls.
- During the raining season there is a lot of sluffing on the property down by Laurel and drainage must be addressed.

Malcum Johnson, 180 Redwood Road, commented that:

- The story poles are very prominent and wanted to know if the Town was going to use any measure G funds to pave the road.

Mary Cohn, 349 Redwood Road, commented that:

- Drainage was an issue and there must be other water sources rather than having to pump water up a vertical slope.

Gay Kagy, 280 Redwood Road, made the following comments:

- The length of the driveway presents drainage problems. The proposal for one catch basin, and an 8" trench drain is inadequate. An additional 8" trench could be added to the end of the driveway. There should be at least one more catch basin or discharge periodically. It would then go into a closed pipe and then disperse onto Allyn Avenue.
- There is now a 100' concrete pipe that collects water and should be replaced.
- A combination of water and traffic has damaged the road.
- If the houses would be less visible if they were moved closer to the Laurel fire road.
- The houses could be shorter.
- She wondered what the height of the driveway retaining walls were and would like to see them sloped back and vegetation planted over them.
- The fill proposed for the driveway would be very visible and would like to see it lowered.
- The sharp curve on Redwood Road should be paved at the same time as the roadway widening.
- The roadway was resurfaced last year and the proposal is to add another 2" of asphalt. There are other areas that are more in need.
- She wondered why there was a letter from Mr. Heldebrand holding out negotiations if the open space easement of 50' has been disregarded.

Mr. Boesel responded to the public comments, assuring the audience that the drainage has clearly been worked out by engineers. They are addressing the fire issue by adding two hydrants and they are trying to save as many trees as possible.

The hearing was closed to public testimony.

Commissioner Israel made the following comments:

- Fire protection is very important and he was glad to see a hydrant on the property but would also want roof top sprinklers.
- Wants to see a peer review for the landscaping plan.
- Pier beam foundations are helpful and wants to know specifically the location of the trees at beginning of driveway and Lot A to make sure the trees are not in jeopardy.
- The retaining walls should be stepped back, with no more than 3' high each and landscaped.
- It is critical that trees are located on the plans and requests flagging the trees that are to be removed.
- The perimeter of the house or building envelope should be scoped out.
- The height of the Lot B was of particular concern although he appreciates the stepping of the house.
- The drainage needs to be looked at quite carefully. He supports the notion of the "catch as you go" approach. Also needs to be actual graded trench drains on its entire width. It should occur just past the houses perhaps just before the Berger property and coming out of the Hildebrand driveway.
- He was concerned about Lot A and its proximity to the adjacent property.
- The 20' easement does seem strange as the rear yard and would evaluate the best solution rather than looking at the setbacks.
- He wants the utility easement to be heavily vegetated.
- Supports the repaving of the sharp turn at the same time as the road widening.
- Feels two houses are appropriate but will not discuss the appropriate size now.
- There should be as much articulation as possible to break up the mass of the front elevation of A.

Commissioner Harle made the following comments:

- He wanted more information about the trade off of the Hildebrand property with the indication that they could develop the property and that they do not want the open space.
- He was also concerned about the drainage problem and that the drainage problems associated with the owner of 270 Redwood could be fixed at the time of the development.

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- He does not want to see development so close to the property line on Lot A.

Commissioner Cronk shared the concerns of her colleagues. She added that she is supportive of leaving the outside of the building envelope in its natural state.

Commissioner House wanted to hear more about drainage.

Commissioner Wittenkeller made the following comments:

- There should be a deed restriction on the Hildrbrand lot to restrict any further building sites on the property. The trail access should be looked at. If an easement is necessary on Laurel Road it should be marked. Regarding the setback and Lot B, he wondered why the applicant could not make a lot line adjustment to accommodate the setbacks.
- He would like to see an alternate to the wood lagging retaining wall with landscaping.
- Drainage is a problem but he concurred with the idea of collecting it as much as possible and then dispersing it. The impact to the downhill neighbors should be looked at and any offsite improvements to mitigate the drainage.
- Existing trees that may be affect should be tagged.
- The improvements of Redwood road should be looked at as a package.

Chair Zwick commented as follows:

- The houses are so large on such a steep slope and will be very visible.
- Stepped retaining walls should be looked at.
- The sharp curve on Redwood Road should be looked at.
- Drainage should be carefully looked at.
- The trail access should be looked at.

M/s Israel/House, and unanimously passed (5-0), to continue the meeting to 6/15/98.

#### **CONTINUED ITEMS**

1. **ER-9701 - Curtis Eisenberger, A/P Nos. 5-031-35, 5-081-07, and 5-081-19.** Review of Negative Declaration regarding Environmental Impact. Environmental review of a proposal to subdivide a 21.66-acre parcel of land into four home sites on 5.95 acres and dedication of 15.71 acres for public open space. The project site is located at the end of the Traxler and Valley Roads and covers the steeply sloping hillsides on either side of the drainage course, on property located within the R-1-H Zoning District. (Staff person: Wight) **CONTINUED TO MAY 4, 1998**
2. **V-9801 - Tom Restaino and Jan Becker, 72 Alder Avenue, AP 7-041-26,** a variance request to construct a guest cottage within 3' of the west side property line (8' required), on property located within the R-1 Zoning District. (Staff person: Wight) **CONTINUED TO MAY 4, 1998**
3. **PDP-9505/Parcel Split-9503/V-9549/DR-9525 - Carlos Castro, 444 Redwood Road, A/P 7-191-10,** 1) Land Division, Precise Development Plan, Density Determination, and Design Review to split an existing property currently developed with a single family residence in order to construct a new house; 2) a Variance to construct a retaining wall a total of 60' long along the uphill side of Redwood Road (within 0' of the property line) in order to widen Redwood Road to 15' of paving for fire safety reasons; and 4) remove one heritage tree (30" bay) on property located within the R-1-H Zoning District (above 150' mean sea level) (Staff person: Chaney) **CONTINUED TO 5/4/98**

#### **GENERAL DISCUSSION**

The Commissioners stated that they would be unavailable for meeting on the following dates:

Commissioner Wittenkeller: 4/30 to 5/20  
Commissioner Harle: 5/10-5/24  
Commissioner Cronk: 7/11-7/17  
Commissioner House: 5/18; 6/1 through 7<sup>th</sup>  
Commissioner Israel: 5/18

#### **REPORT OF UPCOMING APPEALS TO TOWN COUNCIL**

34 Elm Avenue: The Council wanted a redesign of the studio.  
3 Tunstead Avenue: The sign will come back to the Council.  
16 Sheila Court: Was heard at the Council and has been continued.

#### **ADJOURNMENT TO MONDAY, MAY 5, 1998.**

The regular meeting of the San Anselmo Planning Commission meeting was adjourned at 10:35 p.m.

BARBARA CHAMBERS