

**TOWN OF SAN ANSELMO PLANNING COMMISSION
MINUTES OF FEBRUARY 2, 1998**

Chair Wittenkeller convened the regular meeting of the San Anselmo Planning Commission at 7:30 p.m.

CALL TO ORDER

Commissioners Present: Israel, Cronk, Dowd, Zwick, Wittenkeller
Commissioners Absent: Harle

Staff Present: Planning Director Chaney, Senior Planner Wight, Planner Griffin

OPEN TIME FOR PUBLIC EXPRESSION

No one spoke during this time.

CONSENT AGENDA

1. MINUTES: January 20, 1998
2. DR-9802 – Philip and Laurel Emminger, 35 Holstein Road, A/P 5-053-40, Design Review of: 1) an 833 square foot lower story addition, 2) a 469 square foot main story addition, 401 square foot second story deck, and a 70 square foot second story deck; and 3) a 708 square foot third story addition and a 60 square foot third story deck on property (262 square feet of the 708 square foot upper floor addition constitutes a third story), located within the R-1 C Zoning District (above 150 foot mean sea level)(Staff person: Wight)

M/s Dowd/Israel, and unanimously passed (5-0), to approve the Consent Agenda. The audience was advised of the ten-day appeal period.

35 Holstein - conditions of approval: 1. With the exception of the pruning of the one oak tree limb so noted in the staff report, removal and pruning of trees is prohibited except for reasons of disease, and the need to maintain fire and human safety. 2. Exterior lighting shall be designed to eliminate off-site spread of light through the use of hooded, low level light, low wattage light fixtures, which cast light in a downward direction. Such lighting should be permitted for safety and security purposes only and must be unobtrusive and maintain privacy. 3. The exterior materials shall be as follows: Roof: Cedarlite (engineered shake replacement), Class A Fire-rated simulated cedar shakes; Siding: Vertical stained redwood siding to match existing material and color; Window Trim: Stained redwood to match existing material and color. 4. Should construction not begin within one year from the date of this approval, the approval shall be considered null and void. A one-time-only, one-year extension can be requested in writing to the Planning Director prior to the expiration date. 5. Prior to building permit issuance, a deed restriction listing the above Condition Nos. 1,2 and 3, and a statement noting the use of the lower floor shall not be a second unit shall be signed by the applicant, notarized, and recorded at the County.

PUBLIC HEARING

1. V-9802/DR-9803 Jeff Hvid and Claudia Breault, 19 Cottage Avenue, A/P 6-165-02, 1) Design Review to build a two-story addition extending the existing 6'3" side yard setback along the northerly side property line. Proposed extension is 9' long; and 2) Variance to: a) build an exterior, uncovered deck and stairs within 3' of the northerly property line (6' required); b) build a two-story addition within 5'6" of the southerly side property line (8' required); c) increase the allowable coverage to 38% (35% maximum allowed) and d) allow two undersized, 9'x17'6", parking spaces (9' x 19' required) on property located within the R-1 Zoning District (Staff person: Griffin) 19 Cottage Avenue.

Mr. Griffin presented the staff report.

Commissioner Israel noted that because the deck is over the retaining wall, it gives the appearance that the deck is less than 30" because of the slope.

Commissioner Dowd asked if the area under the house would be abated because it is not up to UBC Standards. Mr. Griffin explained that it would be up to the Building Department to abate the area because the headroom is not up to code.

Morgan Hall, architect representing the applicants, stated that the lot is only 4,200 square feet and most houses in the area are quite a bit larger. Typically the smaller the lot, the greater the lot coverage. They are only asking for 3% over the approved lot coverage. The existing house is very small and the addition is very small. There is also a 3' retaining wall, which is included in the lot coverage. He wondered if calculating the deck is really fair because of the retaining wall. If the deck were reduced, it would make for illogical use of the area behind the house. He would not like to see the shed removed because it is useful space and not a detriment to anyone. Also, all the abutting neighbors have signed a petition in support of the project.

The hearing was closed to public testimony.

**TOWN OF SAN ANSELMO PLANNING COMMISSION
MINUTES OF FEBRUARY 2, 1998**

Commissioner Israel stated that it is difficult to disagree that the smaller lot sizes should have the same standards as the regular lot size. If the area under the deck was filled with dirt, the height would be less than 30" and yet that would be a waste of funds. This is a modest addition to a very modest house and not inconsistent with the neighborhood. He has no difficulty with the variances. The deck is placed over the retaining wall and although higher than 3', is not perceived as higher than 3'.

Commissioner Zwick could support the project, noting that the retaining wall is necessary because of the shape and size of the lot.

Commissioner Cronk supports the project as submitted.

Commissioner Dowd had nothing further to add.

Chair Wittenkeller stated that this is a reasonable request for a modest improvement. He agrees with the concept that using the deck in the lot coverage is misleading. The deck will not be viewed from any exterior location and would not be detrimental to the neighbors. Also, this abuts unbuidable land.

M/s Israel/ Dowd, and unanimously passed (5-0), to approve the application based on the findings and conditions in the staff report for the granting of variances A, B, and D as outlined in the staff report. No variance is required for lot coverage based on the determination that the entire deck is bounded by retaining walls which reduces the entire height to 30" or less and is therefore not counted as coverage.

Conditions of approval: 1. That the request for Design Review and Variance be granted to construct a two-story addition, rear deck and stairs, and allow two substandard parking spaces in accordance with the plans date stamped November 20, 1997, received by the Town of San Anselmo Planning Department. 2. Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections. Inspection shall include entire understory of existing house. 3. This permit and each condition contained herein shall be binding upon applicant and any transferor, or successor in interest. 4. If construction is not commenced within one year from the date of final action, the permit becomes null and void. However, this discretionary action may be renewed by the Planning Director for a maximum period of one (1) year provided the applicant places such a request in writing to the Planning Director showing good cause prior to the expiration of the discretionary action.

The audience was advised of the ten-day appeal period.

2. DR-9804/V-9803, PDP (amendment) – Rob Ham, 7 The Alameda Knolls, A/P 5-320-06, 1) Design Review of a new single family dwelling; 2) Variances to construct the house within 14' of the rear property line (20' required) and to construct a 4' high retaining wall within 9' of the rear property line (20' required); and 3) a possible amendment to the Precise Development Plan to accommodate a minor change to the building envelope, on property located within the R-1-H Zoning District (Staff person: Chaney)

Ms. Chaney presented the staff report, noting that staff is in support of the application with the exception of the proposal for white windows and a landscape plan that supplements the area where jute mesh is from a previous slide. She also is still trying to get confirmation from the Fire Department about the location for the third parking space.

Ed Blankenship, architect representing the applicant, stated that the owner has no problem in extending the hammerhead. The house is tucked against the side of the bank. They have no problem using a darker color for the windows.

Jan Back, 439 The Alameda, stated that she has no objection to the variances but would like to have some policing during the construction period. The neighbors are specifically concerned about the removal of trees, because more have been removed than what was originally approved. The rye grass that was planted has not grown. Also, The Alameda had to be repaved after construction of the driveway and therefore the neighbors want their street resurfaced after the house been constructed.

Ms. Chaney responded that there was a Negative Declaration prepared on this project and there is now the approval for four homes. A \$2,500 street bond will be required as part of the building process.

Commissioner Dowd asked about the excessive amount of trees that were removed. Ms. Chaney stated that the excessive tree removal was because of the slide.

Rob Ham, applicant, stated that the slides were repaired outside of the building envelopes and was done at a cost of \$100,000. Any fill was done on the site was under the direction by his engineers.

Mike Mayock, 443 The Alameda, stated that the site has a lot of problems and wants to make sure that mature trees are planted prior to building the house.

TOWN OF SAN ANSELMO PLANNING COMMISSION
MINUTES OF FEBRUARY 2, 1998

Lisa Guthrie, landscape architect representing the owner, stated that it is premature to make a decision about what can be built in the landscape area right now but it should be something natural and native that doesn't need much irrigation. A drip system to start the plantings would be desirable but unless there is a water meter there, it might be difficult to irrigate unless water was brought down from the house.

The hearing was closed to public testimony.

Commissioner Zwick stated that the house is modest in scale and he is comfortable having the landscaping as part of the project.

Commissioner Cronk stated the house will have minimal impact on the neighbors and although she was not opposed to the white window trim as suggested by the applicant, the manufacture does produce a more cream color window trim.

Commissioner Dowd has nothing further to added.

Chair Wittenkeller asked if the Town Attorney could be consulted on repaving The Alameda since it was part of a lawsuit. He stated that large, native plants would not do well so he would require irrigation from above and have it placed there for three or more years to allow the plants time to mature. Staff could review the landscape plan. He would have no problem if the windows were toned down a little.

Commissioner Israel wanted to add the condition that videotape and a \$2500 bond are in place at the time the building permit is issued. Window frames are not a big issue for him but if they wanted to make them softer, he would not be objectionable.

M/s Cronk/Dowd, and unanimously passed (5-0), to approve the application based on the findings and conditions as set forth in the staff report, and with the added conditions: 1) an interim drip irrigation system must be installed until the plantings are stabilized; 2) landscape plans, prepared by Lisa Guthrie, date stamp received by the Town on 2/2/98; and, 3) a \$2,500 street bond is required prior to issuance of a building permit.

The audience was advised of the ten-day appeal period.

3. SR-9705 – 3 Tunstead Avenue, Wells Fargo Bank, A/P 7-253-01, Design Review to replace the two existing signs with: 1) an internally illuminated projecting sign near the San Anselmo Avenue entrance; and 2) an internally illuminated cabinet sign on the Sir Francis Drake Boulevard side of the bank building, on property located within the C-2 Zoning District. (Staff person: Chaney)

Ms. Chaney stated that she spoke with the applicant today and they do not want to make any changes to their plan. Therefore, staff recommends denial without prejudice.

Chair Wittenkeller stated that because of the uniqueness of the old building, the "mall type sign" is not adequate for this historic site.

Commissioner Israel did not want to see an illuminated box sign, especially on such a significant building in downtown San Anselmo.

M/s Israel/ Zwick, and unanimously passed, (5-0), to deny the application without prejudice based on the strong opinion by the Commission that the proposed signs are out of character with the historic building. The audience was advised of the ten-day appeal period.

CONTINUED ITEMS

1. U-9304/V-9744 – Wyn Hoag, 22 Magnolia Avenue, A/P 7-212-34, amendments to the 1993 approved use permit and parking variance: 1) to change the use from one 1,694 square foot residence and one 586 square foot professional office to the use of 2,280 square feet of professional offices; and 2) to retain the existing 4 tandem parking spaces in the front yard, but change the parking variance request: the previous use had required 7 on-site parking spaces, and the current use requires 8 on-site parking spaces on property located within the Professional (P) Zone. (Staff person: Wight) **CONTINUED TO 2/17/98.**

2. ER/DR-9801/U-9801 – Dennis DeCota, 631 Sir Francis Drake Boulevard, A/P 6-101-05, Environmental Review, Use Permit and Design Review for an automotive service and repair facility, on property located within the C-3 Zoning District. (Staff person: Chaney) **CONTINUED TO 2/17/98.**

3. DR-9713 – Mr. and Mrs. Edward Heavey, 405 Sequoia Drive, A/P 6-117-08, Design Review of a new single family dwelling; setback variances: a) rear yard and north side yard variances to construct a parking deck for a third parking space within 6' of the rear property line and within 0' of the north side property line; b) rear yard, north side yard, and south side yard variances to construct a dwelling within 15' of the rear property line, within 6' of the north side property line, and within 11' of the south side property line (20' rear required; 12' street side required) on property located within the R-1 Zoning District (above 150' mean sea level) (Staff person: Wight) **CONTINUED TO 2/17/98**

**TOWN OF SAN ANSELMO PLANNING COMMISSION
MINUTES OF FEBRUARY 2, 1998**

4. **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 2/17/98**

5. **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 2/17/98**

GENERAL DISCUSSION

- **120 Spring Grove Avenue – color change for windows**

Planning Director Chaney reported that when staff went to do a final inspection on 120 Spring Grove the trim was a bone color rather than the approved white. Staff wondered if the Commission has any objections to the bone color or should the applicant come back with an amendment.

Commissioner Israel stated that Mr. Huerto-Rojo did the same thing on 16 Ivy Lane. The change is subtle but this represents a pattern and therefore he cannot support the change.

Luis Huerto Rojo, applicant, stated that the owners of 16 Ivy Lane wanted to have the specific color, regardless of what was approved. The four approved colors for 120 Spring Grove were sample painted on the building, but because they did not match, the trim was changed when it was painted on the building.

Commissioner Cronk stated that it is important to note the track record of the applicant, although in this case she is fine with the colors as they exist.

Commissioner Dowd said that he was inclined to approve this minor color change.

Commissioner Zwick stated that although he would never have originally approved such a light color the color change is minor enough but the applicant is on notice.

In summary, the Commission would allow the cream color trim to remain on the building at 120 Spring Grove Avenue. Commissioner Israel to abstain.

- **Election of 1998 Chair and Vice Chair**

M/ Cronk to re-nominate Chair Wittenkeller. Chair Wittenkeller thanked Commissioner Cronk but declined due to his work schedule.

M/s Israel/Dowd, and passed, to nominate Vice Chair Zwick as Chair and re-nominate Vice-Chair Cronk again.

REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

The Martinis appeal was denied by the Council.

H. ADJOURNMENT

The San Anselmo Planning Commission was adjourned at 9:30 p.m. to the next meeting on Tuesday, February 17, 1998.

BARBARA CHAMBERS