

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF OCTOBER 18, 1999**

The meeting was called to order by Chair Zwick at 7:30 p.m. in the Council Chamber.

CONSENT AGENDA

1. **Minutes** – September 20, 1999 and October 4, 1999
2. **V-9933 - Bruce Vogen and Kathy Loh, 52 Jordan Avenue, A/P 6-152-66**, front yard and side yard setback variance to construct a carport within 10' of the front property line (20' required) and within 7' of the east side property line (8' required), on property located within the R-1 Zoning District. (Staff person: Feagans).

M/s House/Wittenkeller and unanimously passed (4-0), to approve V-9933 based on the conditions as set forth in the staff report.

52 Jordan Avenue conditions of approval:

1. That the request for a Variance be granted to build a 450 square foot carport in accordance with the plans date stamped July 19, 1999, 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. A revocable encroachment permit may also be required by the Public Works Department.
3. The additional driveway area shall be of a permeable all weather surface to the satisfaction of the Public Works Department.
4. This permit and each condition contained herein shall be binding upon applicant and any transferor, or successor in interest.
5. 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 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.

Chair Zwick advised all parties of interest of the ten-day appeal period.

M/s Wittenkeller/House and unanimously passed (4-0), to approve the minutes as amended.

WORKSHOP

1. **Town of San Anselmo – Bus Shelter at the HUB.** Workshop with Architect George Girvin to review and comment on the proposed redesign of the bus shelter at the HUB on San Anselmo Avenue.

George Girvin, Landscape Architect representing the Town, provided an overview of the proposed bus shelter at the HUB and how the revision ties into the downtown revitalization.

Commissioner House commented that one issue was to be able to see San Anselmo Avenue from Sir Francis Drake and wondered if the roof structure for the tower would be a barrier;

Mr. Girvin responded that he sees this area as a visual entrance to the downtown. Part of the design concept was to incorporate the low sign, and to incorporate the tower structure that would tie the two bus shelters together.

Dan Goltz, 27 Holstein Road, said he was puzzled by the trellis because it is redundant. The trees that were planted there were planted for shade. Also, the trellis is 7' high and there will be a safety issue with the diagonal brace because people will bump their heads on the brace. In addition, the structure will be costly to install as well as maintain. He also questioned why a skylight is proposed in the trellis when it will be covered by trees. Architecturally there is no relationship with this design and the clock tower. The front wall of the bus shelter is a stiffening wall and used to support the front of the structure. The existing trees will be crowded out by the trellis. He wanted the money used for other transportation areas and there is a need for safe bike areas.

David Wolf, 100 Sycamore #8, Chair, San Anselmo Bike Task Force, said that there is such a volume of activity and congestion at the HUB. It is getting worse every year and there is no solution for the bikers. There is only one way to get to downtown San Anselmo from San Rafael, which is through Greenfield Avenue to Bank Street and across Sir Francis Drake to the bus station. There is a safety issue because the bikers have to cross in front of the buses. He felt there should be money spent on coming up with a plan that incorporates the bus safety.

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Mr. Bush stated that the grant was approved for this specific project and significant changes were not likely to be allowed.

Val Schaff, Crest Road, said there are some real problems with the proposed plan with regard to the alignment for the placement of the columns. The plan is also in conflict with what is actually in the field, with regard to the trees as well as the trellis. What is needed is maintenance on the current structures, we do not need more structures. Driving down Sir Francis Drake, you do not look at the bus shelter. It is an entrance only to the people who use the bus shelter.

Commissioner Cronk commented that this proposal does provide a gateway to the town but she does not understand how it helps transportation.

Mr. Girvin explained that when the application was brought forward, the grant was about putting money into the small communities, beautification, transportation for bus shelters, etc. This grant was only a few pieces of what was applied for. This master plan had been in the works for three years before this grant was approved. This was an opportunity to help in obtaining the goal for the downtown beyond the money that was being raised by the citizens of the town.

Commissioner Wittenkeller said he applauded the public input on their interest for bicyclists but it has been clearly stated that this grant is for beautification for the downtown. It is not taking away any future potential for bicycle grants. With regard to the design, the facility needs some improvement and he concurs that it will need a lot of maintenance. The arbor would be fine as long as it is weatherproofed for people to use for shelter. The dominant wind driven rain is from the south and there is no need for the front; replacing the Plexiglas with tempered glass would be good; and there is no need for a replica of the clock tower because it will not add to the entranceway. Regarding the gateway concept, attracting downtown customers from the commute traffic is not important, so the Avenue does not need the exposure.

Commissioner House said she would like to see a plan of the proposal so she would be able to take to the site and better evaluate the plan.

Mr. Bush stated that this is only the first cycle of eight cycles. The TLC grant has beautification projects as a high priority. There is more grant money for the bicyclists. Any changes to the scope of the work would have to be approved by CalTrans and MTC and the Town would not know if modifications could be done until submitted. Timing of changes to the construction schedule is a concern.

PUBLIC HEARING

1. **V-9932 - Lester and Ellen Bornheim, 5 Hawthorn Avenue, A/P 5-125-06, After-the-Fact setback variance for a hot tub to be within 6" of the east side property line, on property located within the R-1 Zoning District. (Staff person: Wight)**

Ms. Feagans presented the staff report.

M/s House/Wittenkeller, and unanimously passed (4-0), to approve the application based on the findings and conditions as set forth in the staff report.

Conditions of approval:

1. Approval is based on the plans date stamped received by the San Anselmo Planning Department on August 10, 1999.
2. Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections within 30 days of this approval; and
3. 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 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.

Chair Zwick advised all parties of interest of the ten-day appeal period.

2. **V-9934/DR-9940 - Michael Whyte, 515 Scenic Avenue, A/P 7-062-11, Design Review and front and rear yard setback variance to construct a car deck roof within 0' of the front property line (20' required) and within 8' of the rear property line (20' required), on property located within the R-1 Zoning District. (Staff person: Feagans)**

Ms. Feagans presented the staff report.

Michael Whyte, applicant, provided a modified drawing as per staff recommendation. He would like to see the entryway in front so people would not have to go through the garage to get through the entry door.

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Chair Zwick said he could support the proposal with the 16' width as recommended by staff but would allow the column to remain but perhaps with a curve, which would still allow for the front entry.

M/s Wittenkeller/Cronk and unanimously passed (4-0), to approve the application based on the findings and conditions as set forth in the staff report with the above amendment.

Conditions of approval

1. That the request for Design Review and Variance be granted to construct a carport cover over an existing car deck accordance with the plans date stamped August 25, 1999, received by the Town of San Anselmo Planning Department as modified by Condition No. 2.
2. The carport shall be redesigned to accommodate a minimum width of 16 feet for the car entryway.
3. Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections.
4. This permit and each condition contained herein shall be binding upon applicant and any transferor, or successor in interest.
5. 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 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.

Chair Zwick advised all parties of interest of the ten-day appeal period.

3. **U-9909 – Jules Layman, 17 Arroyo Avenue, A/P 5-101-34**, six month review of use permit for a private school granted in August, 1998, on property located within the R-1 Zoning District. (Staff person: Wight)

Ms. Wight presented the staff report, noting that staff can support the continued use.

There being no one to speak for or against the proposal, the Commission could support the project.

M/s Wittenkeller/Cronk, and unanimously passed (4-0), to approve the application based on the existing Resolution 9804 .

Chair Zwick advised all parties of interest of the ten-day appeal period.

4. **DR-9941 – Dan Hillman, 853 San Anselmo Avenue, A/P 7-162-06**, Design Review of the second stories of three apartment units (the main house is to be raised with parking below, and a proposed new second building will have two stories with two living units) on property located within the R-3 Zoning District. (Staff person: Wight)

Ms. Wight presented the staff report.

Edward Buchanan, architect representing the applicant, explained that the project is a very positive addition to the neighborhood. They have tried to keep the roof height as low as possible. The units are approximately 1,400 square feet and 1,600 for the owners unit. The roof form, breaking up of the elevations, and the type of siding articulate the building. The exterior details of the building are typical of shingle houses in the neighborhood. The building has a flared shingle ban; wood divided light windows, trellises, and a trellis to separate the two buildings. They raised the grade by approximately 24 inches by adding two small retaining walls, approximately 12 inches each. This makes the yard space more usable to the front unit as well as looking like a more gracious entry to the building.

Mark Salzsberg, 855 San Anselmo Avenue, is concerned that the bay window will affect the light into his house and about the loss of light into his back yard. He does not want the walkway next to his property because of the foot traffic and noise and is concerned about the impact of the traffic that could be generated from the garages. He is concerned about the impact of the project with regard to drainage issues and the potential impact to his property. He has no problem with the project but would like some mitigation for the sun and privacy.

Joan Trombley, 59 Grove Lane, is not opposed to the development and is happy to see the improvement, but is sorry there will be renters. The story poles will block a lot of the sky from her yard. She is also concerned about the double French doors and the windows above and with the loss of privacy to her backyard from the windows. She is also concerned about the drainage issues.

Alex Casthell, 53 Grove Lane, said that his backyard is very narrow and they already have one neighbor right at the property line and he is concerned about another structure on the other side. He would like some vegetation planted to help screen. He is also concerned about the bedroom windows that look onto his deck.

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Mr. Buchanan said they would be willing to add landscaping on the property lines to provide privacy from the bedroom windows. They are in an urban setting and they are not asking for any variances. If everyone built up to their property lines, there would be many houses looking into each other. The property does slope down to the street and all the surface drainage is collected into pipes and will be taken out to the curb. They are not doing any new grading to the rear of the site. They will put subdrains into the retaining walls on the front. Drainage will not be worsened, and in fact will probably be improved. Walking to and from the garage on the side, the occupants likely will be a basic family and they would have the right to get to their home from the garage. The car headlights could be a problem but if they take care to do dense landscaping, about 4'-5' high, it should mitigate the problem.

Chair Zwick said the San Anselmo Zoning Code is loose because it does not take into consideration FAR in the flatlands. However, the existing character of the town should be maintained and this project would change the character of the Town. He cannot therefore, support the proposal. The design is wonderful but if it is replicated throughout the town, it would not be appropriate. It is a 7,500 square foot lot and the design is much too overbuilt for the lot. There are aspects of the project that are wonderful but for the reasons stated he cannot support the project. Also, the parking will create a noise issue for the neighbors.

Commissioner House said that because of the location on the lot and the particular street, she is not opposed to the project. It also gives San Anselmo more housing stock. She is aware that drainage is a huge problem during the winter and she was pleased to hear that a drainage plan would have to be approved by the Town Engineer prior to a building permit. Privacy in the rear will be addressed by vegetation and they might want to add vegetation to the west side. The noise of the cars could perhaps be mitigated by some soundproofing material.

Commissioner Cronk said she is in general agreement with Commissioner Cronk and also the applicant has submitted a design that is within all the San Anselmo Codes. She would like to hear further discussion to take care of the privacy issues.

Commissioner Wittenkeller said he has mixed feeling about the project. It is zoned R-3. Given that, he does not think it is appropriate to deprive the right to the owner. However, the size of the units are very generous and the scale and size could be more modest. A 1,200 square foot unit is more in keeping and would help with affordable housing. The second story bay windows protrude within 5' of the property line and over time the neighboring properties could be added to and could be very close to the windows. He is therefore opposed to the bay windows that protrude out closer to the setbacks. A partial solid fence would help headlights rather than a white picket fence. He is concerned about the potential buildout in the neighborhood.

Dan Hillmer, applicant, presented photographs, taken from his house and the surrounding houses, noting that he has the only one story house in the neighborhood. He is trying to work within all the setbacks and is not asking for any entitlements except for design review for the second story.

Chair Zwick said he is not opposed to 4 or 5 units on the site if it is the core that serves public transportation. This is such a large project on this site and it looks like one giant mass, rather than several small buildings. It is hard for him to approve it. Although it may be like some other buildings on the street, that does not mean it is right.

Commissioner Cronk recalled that in the previous application for this applicant on this site, she recalled that the Commission encouraged high density on this lot even though the minutes do not reflect this. There is not a strong enough advocate to approve the project as is and therefore it should be redesigned.

Mr. Buchanan stated that the existing house is 1,423 square feet and they can maintain the existing size for the additional two units if that would satisfy the Commission.

Mr. Hillman asked what the Commission if they wanted a single family dwelling on the lot.

Chair Zwick said that the current design creates shadow and there are problems for parking for ingress and egress. The applicant should look at what is a good design for the site, not what is necessarily allowed on the site for the zone.

Mr. Buchanan responded that it is a problem to get 6 cars on the lot and for maneuverability. They could have built three detached units but then trying to get parking on the lot would be a problem, but if they could forfeit the setbacks it might work.

Commissioner House commented that she is very concerned about maintaining the current character of the Town, and even though the applicants are representing a project that meets the code, she would like to see the project reduced somewhat. What she liked about the design was that the cars cannot be seen from the street.

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M/s Cronk/Wittenkeller, and unanimously passed (4-0), to continue the item to the meeting of November 15, in order to allow the applicant time to reduce the mass and size of the buildings, disconnect the buildings, make parking a more cleaver design so as not to negatively impact the neighbor; and to modify the bay window so they do not protrude as much; suggest the applicant do a light and shadow study.

GENERAL DISCUSSION

- Commission workshop will be held on the November 1, 1999 meeting.
- The joint Council/Planning Commission workshop will be held next year, after the November election.

REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

- The two Albrick lots have been appealed.
- The first four Albrick lots were reduced in size to 3,400 square feet and approved by the Council.

ADJOURNMENT TO MONDAY, NOVEMBER 1, 1999

The meeting was adjourned at 10:20 p.m.

BARBARA CHAMBERS