

**TOWN OF SAN ANSELMO PLANNING COMMISSION  
MINUTES OF OCTOBER 4, 1999**

**CALL TO ORDER**

Commissioner present: Chair Zwick, Commissioners Wittenkeller, Dowd, House, Israel and Cronk

Staff present: Planning Director Feagans and Senior Planner Wight

**OPEN TIME FOR PUBLIC EXPRESSION**

No one spoke during this time.

**CONSENT AGENDA**

1. Minutes – September 7, 1999, September 20, 1999
2. DR-9938 - Timothy Baughman and Julie McMillan, 35 Crest Road, A/P 6-222-10, Design Review of an 816 square foot garage with an 816 square foot activity room above the garage, on property located within the R-1 Zoning District (above 150' msl) (Staff person: Wight)

M/s Wittenkeller/House and unanimously passed (5-0) to approve Consent Agenda 2 based on the findings and conditions as set forth in the staff report.

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

**PUBLIC HEARING**

1. SR-99002 – Anderson Signs for Blockbuster, 820 Sir Francis Drake Boulevard, A/P 6-061-13, review of signage for a Blockbuster video store, including 40 square feet of wall signage (2 wall signs) and an alternative free standing sign approximately 3' x 6', with a 2' x 3' base, on property located within the C-3 Zoning District. (Staff person: Feagans)

Although the project is deemed complete, Chair Zwick suggested that project be continued because a traffic study needs to be done and heard by the Town Council.

M/s Israel/Wittenkeller and unanimously passed (6-0) to continue the application until a date to be determined later, however, it will be heard before the end of the year.

2. DR-9846/PDP-9809 – Chris Albrick, 394 Redwood Road, A/P 7-360-02, (Lot 2) Precise Development Plan building envelope amendment and Design Review of a single family residential dwelling, on property located within the R-1-Zoning District (above 150' msl) (Staff person: Wight)
3. DR-9847/PDP-9810 – Chris Albrick, 396 Redwood Road, A/P 7-360-03, (Lot 3) Precise Development Plan building envelope amendment and Design Review of a single family residential dwelling, on property located within the R-1-H Zoning District (above 150' msl) (Staff person: Wight)

Ms. Wight presented the staff report.

Dennis Thompson, 107 Allyn, stated that he has owned his house for two years. Had he known two years ago what he knows now he would have reconsidered purchasing the lot. He is concerned about soil engineering, homes above his property and mud coming down the canyon into his back yard during the rainy season.

In response to Mr. Thompson, Commissioner House stated that runoff and erosion has been taken very seriously. The soils report has been peer reviewed. Two or three experts looked into the soil and runoff.

Chair Zwick stated that materials are available for Mr. Thompson's review at the Planning Department.

Commissioner Israel has reviewed the 11.1 General Plan addressing scale intensity and design. He believed the houses are an appropriate scale, intensity and design. The project has been checked and rechecked by soils and hydrology engineers. Commissioner Israel is uncomfortable with the application reviewing this in light of the appeal of Lots A, B, C and 1. We have an ordinance to allow houses of a given size and the visual impact has been shown to be insignificant. Soils and drainage information has been given and reviewed. The colors are appropriate.

Commissioner Dowd echoes everything Commissioner Israel stated and supported the project.

Commissioner Wittenkeller agreed with Commissioner Israel and stated that the Planning Commission worked hard to make it a better project than it originally was. The Planning Commission made a lot of progress on the buildings and landscaping. Commissioner Wittenkeller is still concerned about reports

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and asked that one might consider a shade or two darker brown for shingles on scheme one and that the tint of color is less important than the tone.

Commissioners Cronk and House concurred with Commissioner Israel.

Chair Zwick supported the project and stated that a large house belongs on a lot where people cannot see it. Seminary Estates is its own neighborhood. The project has been synthesized into a better design and the architect did a good job of taking input from the Planning Commission and the community.

M/s Commissioner Dowd/Israel and passed (5-0), to approve the application based on the findings and conditions as set forth in the staff report.

Commissioner Wittenkeller stated that the most significant tool available now is the color, finish and landscaping. Ms. Wight stated that when the Planning Commission is unsure of an appropriate color, the choice can be held off until after the house is constructed. She noted such a process was used for the 65 Summit dwelling.

**4. DR-9937 Elizabeth Colton, 85 Austin Avenue, A/P 7-266-18, Design Review of a new 3,869 square foot house, 480 square foot 2-car garage, and 255 square foot finished basement room. The new house will replace the existing deteriorated house on the lot and will be designed in the "craftsman" style with shingle siding and wood sash windows, on property located within the R-1 Zoning District. (Staff person: Feagans)**

Ms. Feagans presented the staff report. In response to Commissioner Israel, Ms. Feagans stated that the bay windows are allowed minimal encroachment into the front yard setback.

Jack Steffan, agent for applicant, Elizabeth Colton, took the recommendation that the initial design be reduced. The neighbors are happy with the reduction, design and shape. Two dormers were added to the roofline and the garage positioned on the right side of the house because it is the longer side of the lot.

Janet Frisby, 36 Vineyard, questioned if the fence at 30 Oak Avenue would be torn down. Speaking for the neighbor at 30 Oak she was concerned about the loss of privacy if the fence was coming down.

In response to Ms. Frisby, Mr. Steffan stated that he is having a survey done and will be responsible for the fence if it is removed.

In response to Chair Zwick, Mr. Steffan said he would replace or repair the fence if it leans.

In response to Commissioner Cronk, Ms. Feagans stated that the length of the new design has been reduced by 7'4".

Commissioner Israel stated that he looked at the story poles, site, content and character in the neighborhood and is comfortable with the design. Commissioner Israel said the reversed design and bay window helped the proportion of the house which reduced the apparent mass of the roof and supported the application.

Ms. Feagans stated that everything has been reduced inside.

Commissioner Israel is concerned about the corner fence (visibility) being on the property line and stated that the Public Works Department has guidelines.

In response to Commissioner Israel, Ms. Feagans stated that the entire fence is coming down.

Commissioner House stated that she is glad that the fence is coming down and suggested if it is replaced, it be replaced with a small fence.

Commissioner Cronk liked the project design.

Commissioner Wittenkeller approved of the project.

Commissioner Dowd had nothing to add.

Chair Zwick commended the architect. However, he is troubled with the resemblance to 220 Brookside Drive. In a simplistic way, if you took this design and replicated it all the way up the block it would change the character of the neighborhood. It would be the same character and that is not consistent with the planning code. Commissioner Zwick voted no on the size of the house.

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In response to Commissioner Cronk, Chair Zwick stated that he is willing to grant a variance when needed to maintain character.

M/s Commissioner House/Israel and passed (5-1), to approve the application with added condition that if the front fence is removed it may be replaced with a fence not to exceed four feet in height and based on the findings and conditions as set forth in the staff report.

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

**5. U-9908 – Mary Ann MacDougall, 148 Calumet Avenue, A/P 6-075-01, six month review as conditioned by Use Permit granted in 1998 for large family day care facility, on property located within the R-1 Zoning District. (Staff person: Wight)**

Ms. Wight presented the staff report. She noted that in a letter received today, Wanda Stafford, 150 Calumet Avenue, wrote "I will be going on vacation Oct 2-11. Though I'm not required to tell you when I leave, I am still trying to develop some kind of friendly neighbor rapport." Possibly they can come to some kind of agreement.

In response to Commissioner Dowd, Ms. Wight stated that the project would not be heard annually if approved tonight, however, it can be called for a rehearing at any time and the Planning Commission can reconsider the use permit.

Commissioner Cronk asked if the curb could be painted yellow for unloading and does not think the no parking signs are attractive to the neighborhood. In response Ms. Wight stated that perhaps the red zone was made because of the narrowness of the road.

Bruce MacDougal stated that the plastic sign was a reminder for parents because the neighbor at 150 Calumet Avenue would be upset if she could not get to her house. The curb is red because the neighbor complained in case there was an emergency they wouldn't be able to get to her house.

Mrs. MacDougal said she had nothing to add.

George Bianchini has lived in Marin County for forty-two years and is aware of the residence. He believed that Mr. and Mrs. MacDougal provide an extremely viable service for the community and are long-term residents. It is getting harder and harder for young people to start families. It troubled him that the MacDougals had to go through the use permit process and seemed as though it was stemming from one person. That person has to go out of her way to go to one side of the house to be bothered by the children. It is unfair. Someone that is providing a good service can be stopped because someone doesn't like the service they provide. It is nice to provide close daycare. Mr. Bianchini wished there were more of this type of daycare center in the past and suggested that we go out of our way to keep this business. The problem may be with one person who has a problem with it and not the daycare.

Chair Zwick asked that staff find out why the curb was painted red from yellow.

Commissioner Israel would support what they are doing and child care at private homes, and can not think of a more valuable service. However, the neighbor has rights and Commissioner Israel supported keeping the children in until 9:30 and stated it is not a problem, it's a reality that children make noise and he doesn't think this is unreasonable. This is a residential neighborhood with brightly colored structures in the yard which zoning is set up to allow at small day care centers; however, there should be some screening for them. This does not look primarily like a residence, but primarily as a large day care. The screening is not what he had hoped. Parking should not be a problem for the neighbors. The use permit is subject to that compliance. There needs to be an incentive for people not to block other people's driveways and does not recall discussing signage.

In response to Commissioner Israel, Ms. Wight stated that the allowable signage in a residential community is one square foot.

Commissioner House supported the day care center.

Commissioner Israel wanted to see screening for the brightly colored play objects subject to staff approval.

Commissioner Cronk supported the small home day care center as it is important to the community, doesn't want it to obviously look like a business, voted for screening and is concerned of signage as well.

Commissioner Wittenkeller believed the day care center is doing a good job. Out of all the neighbors the applicants only received one letter of complaint.

Chair Zwick supported the recommendations by staff, however, he would like to find out from Public Works why the curb is red.

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Mr. MacDougal added that at the Star Academy down the street it is a hassle to drive through with busses although it seemed to be a big deal at his house.

Commissioner Israel and Chair Zwick stated that the play structures can be camouflaged with Bamboo or plants.

Commissioner Israel questioned the red zone and contract.

M/s Commissioner Israel/House to approve the project based on the recommendations in the staff report, should the applicant and the neighboring property owner at 150 Calumet Avenue reach an agreement, the children can be outside earlier than 9:30 a.m. and screening is subject to staff review.

**WORKSHOP – CONTINUED TO 10/18/99**

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.

**GENERAL DISCUSSION**

1. Commissioners discussed dwelling size in both the hillsides and flatlands. Maximum dwelling sizes were adopted for the hillsides. The applicant sees the maximum square footage allowed and goes for that number. Projects are being appealed which have been to the Planning Commission for more than one hearing where the Planning Commission has directed size and bulk reductions. And yet the Town has adopted the ordinance that adopted the maximum approval of houses at 5,000 sq. ft. In the flatlands, a maximum lot coverage of 35% has the potential to be an FAR of 70%. The process has been a tremendous burden on staff. The staff could bring forth elements of an ordinance that is problematic and should eventually have a workshop with the Council. Houses with porches provide a neighborly feeling. It was agreed that staff and the Planning Commission should have a workshop to discuss dwelling sizes.

2. The idea of an automatic design review for commercial buildings was discussed. As it stands now, a permitted business can go into 820 Sir Francis Drake Boulevard and not be required to Spruce up the exterior.

**ADJOURNMENT TO MONDAY, OCTOBER 18, 1999**

The meeting adjourned at 9:08 p.m.

*Margie Cuitti*  
MARGIE CUITTI  
ADMINISTRATIVE SERVICES ASSISTANT 1