

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF JULY 19, 1999**

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

CALL TO ORDER

Commissioners present: Chair Zwick, Commissioners Dowd, Israel and House
Commissioners absent: Commissioners Wittenkeller 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** – June 21, 1999

2. **U-9906 - San Francisco Theological Seminary for Ann Walker Catering, 40 Kensington Road**, A/P 7-292-03 and 7-291-01, Use Permit to operate a food catering service in conformance with the Seminary Master Plan, on property located within the SPD Zoning District. (Staff person: Wight)

3. **V-9922/DR-9923/U-9904 – Arnold Bachman, 1509 San Anselmo Avenue, A/P 7-011-24**, 1) use permit to continue to operate the Lansdale Station Café with outdoor seating between the hours of 6 a.m. and midnight; 2) parking variance for three parking spaces (three are proposed; Code requirement: eight); 3) setback variance for a trellis up to 9.5' above grade to be within 0' of the rear property line (Code setback: 12'); 4) design review for exterior alterations, color, trellis and deck additions; and 5) sign review, on property located within the C-1 Zoning District. (Staff person: Wight)

4. **V-9923/DR-9926 – Mr. and Mrs. Gil Iwanaga, 409 Sequoia Drive, A/P 6-117-07**, 1) Design Review to rebuild and expand the exterior decks, and 2) a front yard setback variance to build a covered walkway from the parking deck to the house within 0' of the front property line (Code setback: 20'), on property located within the R-1 Zoning District (above the 150 msl) (Staff person: Feagans)

Ms. Wight commented that Condition #5 for 1509 San Anselmo Avenue states live music is prohibited in this zoning district. The applicant wants to get the use permit approved tonight but may be approaching the Commission in the future for their interpretation on what constitutes live music.

M/s House/Israel and unanimously passed (4-0), to approve the Consent Agenda 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.

40 Kensington Road conditions of approval:

Based on Resolution Number 9907.

1509 San Anselmo Avenue conditions of approval

Based on Resolution Number 9908.

409 Sequoia conditions of approval:

1. That the request for Design Review and Variance be granted to replace and extend the decks and construct a covered walkway/stairs in accordance with the plans date stamped April 27, 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. This permit and each condition contained herein shall be binding upon applicant and any transferor, or successor in interest.
4. An arborist's report addressing the health and protection of the oak tree that will be impacted with construction of the covered walkway shall be submitted and accepted by staff prior to issuance of any building permits for the project.
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.

D. PUBLIC HEARINGS

1. **V-9920/DR-9920 - Hassan Afrookteh, 20 Lincoln Park, A/P 6-251-16**, Design Review to build a 1,208 square foot addition to an existing two-story home and front and

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side yard setback variances and a fence height variance. The variance request is to: 1) construct a box window within 11'-3" of the front property line (20' setback required); 2) construct a trellis-covered deck within 5' of the west side property line (8' required); and 3) build a 10' high fence in the rear yard (6' maximum allowed), on property located within the R-1 Zoning District. (Staff person: Feagans)

Ms. Feagans presented the staff report.

Mr. Afrookteh, applicant, presented photographs and a color rendering of his project and said that they did some redesign and put in the story poles.

Debbie Jefferies, 18 Lincoln Park, stated that she is still opposed to the project because it blocks her light.

Christine Geisberger, 24 Lincoln Park, stated that the plans are beautiful and she is in support of the project. She does not think it will impact their light and view. She would not like to see a precedent set that prohibits expansion in the neighborhood.

Commissioner Israel stated that he supported the changes to the east elevation and the density of the vegetation helps screen the mass. The impact from 18 Lincoln Park is not significant from the side. He evaluated the rights of setbacks and allowable area and struggled with the proposal. As the plan is proposed, the second floor has a bedroom/bath and closet on the top floor and extends to the north. That extension seems to impair the view on the adjacent house. He felt staff's analysis with regard to light and air is accurate.

Commissioner Dowd stated he went inside the adjacent property and has concerns that this project will have an impact on the neighbors. The properties are close together but many houses are close together. However, because of the storm drain on the lot, the applicants have to work around that. He is inclined to support staff's recommendations.

Commissioner House stated that part of the problem is from 18 Lincoln because of the setbacks. It would be better if the addition could be moved back but she does not see a way to stop that from happening. The applicants also had to take into consideration the storm drain. With regard to condition of approval on number 3 regarding the driveway and apron should be concrete, she thought it was the Public Works Directors direction that the area should be a permeable surface.

Chair Zwick said he does not have a lot to add. The applicant could gain the same amount of square footage without the impact to the neighbors. It is hard for him to support the project with such an impact, given the fact that there are alternatives. The floor plan on the second floor could be adjusted back an additional foot and it could stay out of the intrusion. This would be less imposing and would establish a separation between the first and second floor.

Commissioner Israel stated that stepping back the upper floor would allow for light and air. The step-back will not change the view impact, which is the primary concern for the neighbor. He would rather not see the mass back there. The stepping back would improve the visual impact and would have avoided the variance. But the greatest impact is the length of the second story and the long vertical mass. If this were design review in the hillside rather than design review in the flat lands, he would require redesign. With regard to the findings for the variance, he is struggling with the findings for condition 2 because it would materially impact the next door neighbors, but not the neighborhood.

M/ Dowd to approve the application based on staff findings. Motion died for lack of a second.

Mr. Afrookteh stated that they have tried many alternatives. If he were to split the mass there would be a circulation problem. The controversy is 7", but he cannot reduce the height. He is inclined to take his chance with a motion. He can step the kitchen line back 7" and could shrink the closet but it makes the circulation awkward.

Brooke Peterson, applicant, added that they placed a board on the story poles where the wall would be if they placed the addition on the first floor and it showed that there would still be a view blockage.

Commissioner Israel asked about a 7" jog on the second floor and out of the variance plane. Mr. Afrookteh stated he did that by pushing back the second floor but it would be very awkward. He decided to just keep the same design and provide some articulation.

Commissioner Israel stated that the ground floor intrusion into the variance does not bother him. Based on the structural complexities and moving the second story back 7", it would have a deminimus impact. He appreciates the applicant reminding him that a first story addition would also be an intrusion. If the motion remains he might support it.

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M/s Dowd/House, and passed (3-1 Zwick to vote no), to approve the application based on the findings and conditions as set forth in the staff report and with the modification to condition 3 to add permeable surface.

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

2. DR-9924 – Jeff and Rebecca McLane, 28 Scenic Avenue, A/P 7-052-28, Design Review of an 855 square foot second story addition to be within 5'7" of the east side property line with a 4' roof overhand on the north south and west sides, and a 2' roof overhand on the east side (Code setback requirement: 8') on property located within the R-1 Zoning District. (Staff person: Wight)

Ms. Wight presented the staff report. She noted that the architect is submitting amendments to the plan based on staff's suggestions. She noted that the change is to the eave at the west elevation from a 4' overhang to a 2' overhang.

Karen Pacen, architect representing the applicant, stated that she put together a photo board that describes the block. The current house has two bedrooms and one bath and the existing lot coverage is 34% so they can only go up. The main floor does not change and they want to build over the old footings. The main line of the house on the east side is 5'7" from the property line and they want to carry the line up. They are locating the stair centrally. The bay window on the west side is being eliminated and therefore they are increasing the width between the properties. The addition is trying to be polite to the neighborhood. Most of the house has shingle siding, which will continue on the second story. By setting the house an additional 20' back they want to keep the scale down. By locating the rooms to the front and rear, they are keeping the windows away from the neighbors. At this time they are not sure what kind of roof material would be used but it would not be tar and gravel.

In response to Commissioner House, Ms. Pacen stated that they do not expect to make any change to the entrance.

Mr. Hake, representing the neighbor at 30 Scenic, asked to have story poles erected so they can see what the impact would be. The current drawings do not represent the accurate roofline of the Crott's house at 30 Scenic. In addition, they have not had an opportunity to review the changes to the eaves until the meeting tonight. The addition will block light into the Crott's garden window. He presented photographs that demonstrated how the light would be impacted. He stated that a realtor that stated the value of their house would be reduced because of the light blockage. They are not opposed to an addition but feel there are alternatives. If the ridgeline were moved back to the other side of the stairwell, light would still be able to get into the Crotts kitchen. He suggested that perhaps one of the bedrooms on the second floor could be eliminated, which would thereby reduce the second story mass. They would also like staff to visit the Crotts home and see the potential impact from the kitchen, both from a light and privacy impact, which is a substantial living space for them. Adding more windows adjacent to the Crotts home is an invasion of privacy and he proposed raising the windows in the stair level to be above eye level.

Roland Crotts, 30 Scenic Avenue, said he has no problem with the addition but his main objection is that loss of light in the major living area of his home would create a problem and reduce the resale value of his home. There are no other homes in the neighborhood that people use their kitchen and family room like they do, which is so close to the neighbors. He said that he visited the applicant's kitchen and there was a lot of light that filtered through. He does not think that he would have any light from the sky that would come through to his kitchen.

Jeff McLane, applicant, stated that the window they are putting in on the lower floor is the same as what exists. He also noted that the light that they get in their kitchen is from a skylight. If they pulled their second story forward they would have had a major impact but they moved it back 20'.

Commissioner Dowd stated that the design is beautiful and is sensitive to the neighbors because it was pulled back. However, it will impact the neighbors. The lots in San Anselmo are mostly small, with the houses close together. The addition may affect the value but it also may increase the value. He would suggest that the applicant discuss the possibility of a skylight for the neighbors. There is no variance request and there is 13.6" and 15' between the houses and he is therefore in support of staff recommendations.

Chair Zwick stated that this proposal is very sensitive from a massing standpoint. The only issue is privacy. The windows could be adjusted. He could approve the application if there was compromise with the windows.

Commissioner Israel stated that he is familiar with the changes that have taken place in the neighborhood. He is appreciative of the massing that has been moved back on the site. He did not think there would be any impact to the rear. The side of the house closest to the adjacent neighbor is well handled and well massed. He is nervous of a 2'

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overhang transition into a 4' overhang. The only debate is the tall space over the stair. There is an opportunity to relieve the mass so the bedroom has a window over the top of the stair. The volume can be relieved on that side of the house but there is a great distance between the adjacent house and more than is typically required so he does not feel it can be imposed on the application and support the project.

Commissioner House said that there is a large space between the two houses and nicely designed for the neighborhood. She would like to underscore the offer of the skylight to the neighbor.

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

Although not a condition of approval, Commissioner Dowd stated that an offer of a skylight by the applicant to the adjacent neighbor at 30 Scenic would be appreciated if they were interested.

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

Conditions of approval:

1. Approval is based on the plans date stamped received by the San Anselmo Planning Department on July 19, 1999; 2. The gate across the driveway shall remain operable to permit a vehicle to access the garage and park directly in front of the garage. 3. The garage shall remain accessible for a vehicle to park within. 4. Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections; and 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.

3. DR-9925 – Mario Orihuela, 26 Sais Avenue, A/P 6-072-16, Design Review to construct a 1,240 second story addition and 655.6 square feet addition to the first level of the existing house, on property located within the R-1 Zoning District. (Staff person: Feagans)

Ms. Feagans presented the staff report, noting that staff is recommending conditional approval.

The applicant was available to answer questions.

Commissioner House stated that the front of the house is not very interesting but she has no problem with the sides or the rear. She noted that the driveway should be a permeable surface and if the patio is new, it also should be a permeable surface.

Commissioner Dowd agreed that the front does seem a little dull.

Commissioner Israel concurred that there should be articulation. He suggested a gable roof over the garage and enough of an overhang over the front door would help.

Chair Zwick said that the two long horizontal lines need breaking up. He also wanted the mental windows on the front upgraded to wood frame.

M/s Israel/House and unanimously passed (4-0) to move continuance to the meeting of August 2, 1999 for the applicant to address the comments of the Commission. The item can be placed on consent for the August 2, 1999 meeting

4. V-9924/DR-9927 – Bill and Pam Cordingley, 10 Elkhorn Way, A/P 177-265-04, 1) design review of a 462 square foot main floor living addition, a 394 square foot middle floor addition, and exterior alterations; and 2) a front yard variance to construct a garage structure over an existing car deck within 9' of the front property line (Code setback: 20') on property located within the R-1 Zoning District (above 150 msl) (Staff person: Wight)

The commission waived the reading of the staff report.

Bill Cordingley, applicant, stated that they need the addition for their family for a recreation room and garage. They applied for the same project 13 years ago and received approval but it was cost prohibited. Now they want to proceed. He has received support from 15 neighbors. They are proposing a lighter brown of hardie plank and it is keeping with the other homes in the area.

David Coleman, architect representing the applicant, stated that they are bringing the house up to code. They presented a photograph board of the house and the neighborhood.

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Commissioner Israel stated that the addition would have little or no impact on anyone because the house is on a down slope lot and the colors are consistent with houses done in the neighborhood.

Commissioner House stated that the color is light although it might be okay.

Commissioner Dowd had nothing further to add.

Chair Zwick stated that he wanted a darker color.

Commissioner Israel said he would be opposed to a real dark color, but slightly darker would be fine.

M/s House/Dowd and unanimously passed (4-0), to approve the application based on the findings and conditions as set forth in the staff report and with the amended condition that the color of the siding be slightly darker than what was proposed and reviewed and approved at the staff level. Chair Zwick advised all parties of interest of the ten-day appeal period.

Conditions of approval: 1. Approval is based on the plans date stamped received by the Town on April 30, 1999; 2. The exterior materials shall be as follows; Roof: Brown Class A Asphalt Shingles; Siding: Hardie Plank; Light Brown; Trim: Brown; Windows: Anodized Bronze Aluminum. 3. A minimum of two native trees, each 15-gallon in size at planting, shall be maintained with two on the northwest side and two to the rear of the garage structure. In addition, oleander shall be planted along the rear wall of the garage structure. 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. 2 and 3 shall be signed by the applicant, notarized, and recorded at the County of Marin.

5. **DR-9930 – Barry De Vincenzi for Tam View Knolls**, APN's 6-280-01 through 6-280-13, Design Review to select appropriate color schemes to repaint the existing 13 condominium units within the SPD Zoning District. (Staff person: Feagans)

Ms. Feagans presented the staff report.

Gary De Vincenzi, applicant, stated that the siding was redwood when originally approved but it only lasted 5 years because of the intensity of the sun. It was then re-stained. They have hired a colorist to come up with three different palettes and he wanted input from the Commission. He noted that the colors of other buildings in the area are tan and white tones.

Michael Belling, property owner in one of the Tam View Knolls units, advised the Commission that that the homeowners do not want pinks or yellow either, as their neighbor, Seamus Kilty noted in his statement.

Chair Zwick commented that he would have difficulty in breaking up the colors in these light tones. If there were digital photos to show these color schemes, he might be convinced but this is such a prominent location and he cannot support the proposal as it is presented tonight.

Commissioner House stated that the current color blends in with the hillside. The proposed colors are much too light and the units will pop out as groupings. In the past the hillside homes have had dark colors but she noted that the water tanks that blend in are tree green. She would be willing to consider an earth tone building or tree green. She did not want the homes to be visible and prominent.

Commissioner Israel stated he is happy to have them repaint but the blues seem very arbitrary. The buildings are prominent because there is no vegetation screening. He did not like the idea that the buildings should be faded away and he does not mind buildings that express themselves. He could support some of the colors in the palate but not the options and some colors are inconsistent with the architecture.

Commissioner Dowd stated that the colors should blend in and he is against breaking up the buildings because it is really one building. He wants them to blend in with the hillside.

The Commission took a poll of the proposed colors and the consensus was as follows:

Eliminate: 1, 2, 10, 12, 13 and 15 (Israel and House were okay with 10 but not the trim)
Support: 4,5, 9, 11 and 14

Commissioner House commented that she might support variation of the units but each must blend in.

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Chair Zwick stated that he preferred less variation and less color and wanted them to blend in with the hillside. He was not advocating houses of different colors.

Commissioner Israel commented that the units could be a little lighter than what is now there on the building. Of the colors provided, 14 was his least favorite color and 8 is the closest to the color. He noted however that the colors will have to be presented in daylight and placed on the site on a plywood panel. The tones identified by the Commission are closer to the direction. He did not think all the buildings needed to be the same. If they want something to last, they would have to change the type of siding.

The consensus of the Commission was that they were content with the color that currently exists. If the applicants want a change from the current siding and color they would have to place a sample panel board that includes the body color and trim, on a south-facing wall where it is not in shadow.

M/s Israel/House,, and unanimously passed (4-0), to continue the application to the meeting of August 2, 1999.

E. CONTINUED ITEMS

1. **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) **CONTINUED TO 8/2/99**

2. **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) **CONTINUED TO 8/2/99**

3. **PDP- 9801 Amendment/ DR-9928 – Lowell Dwyer, 289 Redwood Road, A/P 7-097-02,** Amendment to the approved PDP to increase the allowable building size from 3,700 square feet maximum to 4,119.5 maximum, and Design Review to build a 4,119.5 square foot house, on property located within the R-1-H Zoning District (above 150 msl) (Staff person: Feagans) **CONTINUED TO 8/2/99**

4. **DR-9922/V-9921 – Linda Butler and David Leitch, 101 Ridge Road, A/P 5-172-73,** 1) Design review of an 803 square foot upper floor addition, a 1,060 square foot middle floor addition, and a 788 square foot lower storage area; 2) parking variances for a) the two required parking spaces to be within 0' of the front property line and 5' of the East side property line (Code setbacks: 20' front; 8' sides); and b) the third parking space to be substandard in size (Code size: 9' by 19'); 3) front yard setback variances for a) replacement of the existing front dwelling wall within 17' of the front property line (Code setback: 20'); b) a new upper, uncovered deck within 5' of the front property line (Code setback: 14'); c) a new upper floor addition within 14.5' of the front property line (Code setback: 20'); and d) a bulkhead for the new parallel parking space within 4' of the front property line (Code setback: 20'); and 3) a height variance for the chimney to be 38' above grade (Code height: 35') on property located within the R-1 Zoning District (above 150' msl). (Staff: Wight) **CONTINUED TO 8/2/99**

F. GENERAL DISCUSSION

G. REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

H. ADJOURNMENT TO MONDAY, AUGUST 2, 1999

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

Barbara Chambers