

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF JULY 6, 1999**

Vice Chair Cronk convened the meeting to order at 7:30 p.m. in the Council Chamber, 525 San Anselmo Avenue, San Anselmo, CA 94960

CALL TO ORDER

Commissioners present: Vice Chair Cronk, Commissioners House, Dowd and Wittenkeller

Commissioners absent: Commissioner Israel, Chair Zwick

Staff present: Amy Feagans and Senior Planner Wight

OPEN TIME FOR PUBLIC EXPRESSION

No one spoke.

CONSENT AGENDA

1. Minutes – June 21, 1999 - Continued

2. **Amendment to DR-9814 - Mark and Tia Watts, 500 Redwood Road, A/P 7-143-01**, Amendment to Design Review approved in 1998; an 857 square foot second story addition (822 square feet previously approved), 814 square foot first story addition (977 square feet previously approved), and 477 square foot decks (723 square foot deck previously approved), on property located within the R-1 Zoning District (above 150' msl). (Staff person: Wight) Ms. Wight provided a handout with language changes as part of from Condition No. 3 to read: With the exception of the removal of the one pine tree in the area of the proposed gallery, the removal and pruning of trees north of the rear wall of the existing dwelling is prohibited except for reasons of disease, and the need to maintain fire and human safety. (Staff person: Wight)

Ms. Wight presented the staff report. The language of Condition No. 3 has been changed to allow some flexibility with bay trees that sprout up annually rear of the dwelling as the dwelling should not be visible to upslope neighbors.

The new language has been changed from "With the exception of the removal of the one pine tree in the area of the proposed gallery, the removal and pruning of trees is prohibited except for reasons of disease, and the need to maintain fire and human safety" to read "With the exception of the removal of the one pine tree in the area of the proposed gallery, the removal and pruning of trees North of the rear wall of the existing dwelling is prohibited except for reasons of disease, and the need to maintain fire and human safety. Pruning and removal of trees south of the rear wall of the dwelling will be subject to the following: a) Public Works Department permit is required for pruning and removal of heritage trees (trunk circumference exceeding 75 inches when measured 24 inches above the ground); and b) no trees shall be pruned or removed which will permit visibility of the dwelling from properties on Oak Avenue except for reasons of disease, and the need to maintain fire and human safety."

M/s Dowd/House, and unanimously passed. (4-0), to approve Item 2 based on the following conditions of approval as represented in the staff report:

a. The proposed additions are based on the plans date stamped received by the Town on May 2, 1999;

b. The exterior color of the buildings and trim shall be determined by staff at the time the building is constructed following submittal of a color board. Should staff determine that a larger sample is needed to view the property from 10 Fernwood, then it will be necessary to place a painted 4' by 8' wood panel on the north wall of the second floor. Using "low visual profile" as a theme, the applicants shall consider using tones which will blend with the environment. Once approved, a color board with paint names shall be placed in the file.

c. With the exception of the removal of the one pine tree in the area of the proposed gallery, the removal and pruning of trees north of the rear wall of the existing dwelling is prohibited except for reasons of disease, and the need to maintain fire and human safety. Pruning and removal of trees south of the rear wall of the dwelling will be subject to the following: a) Public Works Department permit is required for pruning and removal of heritage trees (trunk circumference exceeding 75 inches when measured 24 inches above the ground); and b) no trees shall be pruned or removed which will permit visibility of the dwelling from properties on Oak Avenue except for reasons of disease, and the need to maintain fire and human safety.

d. 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.

e. Hours of construction shall be limited to the time period from 8:00 a.m. to 5:00 p.m. weekdays only and no construction on the weekends and holidays. Heavy construction truck trips shall be restricted to non-peak periods (10:00 a.m. to 3:00 p.m.).

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The Public Works Director can authorize construction beyond these hours and days upon written request, including interior work and other work tasks he deems appropriate.

f. 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.

g. Prior to building permit issuance, a deed restriction listing the above Condition Nos. 1,2,3, and 4 shall be signed by the applicant, notarized, and recorded at the County.

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

3. UP-9904 – Matthew Rosenstein and Ilana Orin, 63 Essex Street, A/P 6-280-12, Use Permit to construct an exterior deck up to 12' in height above average grade within 0' of the south side property line (adjacent to A/P 6-121-06), on property located within the SPD Zoning District. (Staff person: Wight).

M/s Dowd/House, and unanimously passed (4-0), to approve item 3 based on the following conditions of approval as represented in the staff report:

a. The exterior materials shall match the existing building: brown exterior body with dark brown trim (paint chips in file);

b. Prior to building permit issuance, the applicant shall submit a current approval from the Tam View Knolls Homeowner's Association.

c. 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.

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

4. V-9861/DR-9850 – Jeff & Diane Ramsey, 14 Spruce Avenue, A/P 7-024-05, Design Review and Variance to build a new 2,014 square foot, three-story house and a 423 square foot attached garage. Variances are requested as follows: 1) To build the house and garage within 11' from the front property line (20' required) this request also includes the allowance of all parking spaces within the front setback area, 2) to allow a 36'-5" building height (35' allowed), and 3) build an elevated driveway within 0' of the front property line, on property located within the R-1 Zoning District. (Staff person: Wight)

M/s Dowd/House, and unanimously passed (4-0), to approve item 4 based on the following conditions of approval as represented in the staff report:

a. That the request for Design Review and Variance be granted to build a new house in accordance with the plans date stamped October 7, 1998, received by the Town of San Anselmo Planning Department.

b. Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspection.

c. A complete survey shall be performed and submitted prior to Planning Commission approval. Survey shall show locations of all trees with a trunk diameter greater to 6" at 2' above highest grade.

d. Recommendations outlined in the Final Soils Report (to be performed and peer reviewed) shall be incorporated during design and construction of foundation and any onsite retaining wall. A geotechnical engineer from (geotech firm) shall provide inspection of foundation during construction.

e. Landscape Plan shall be submitted and approved by the Planning Director and Ross Valley Fire Department prior to issuance of building permits. Plan shall include full landscape and automatic irrigation for any yard area. Plan shall also include initial brush and debris clearing and maintenance of existing trees within 25' of any onsite structure, or those that provide significant screening of the house. Plan shall be installed prior to Final inspection of the Building Inspector.

f. Encroachment permits shall be obtained for all work within the right-of-way.

g. All debris accumulated on the subject lot shall be removed from the site and taken to an appropriate landfill facility. Removal of debris shall be completed prior to commencement of any building activity related to these entitlements.

h. A drainage plan shall be submitted detailing types, sizes and routes for all drainage facilities on site. Improvements shall be submitted and approved by the Public Works Director prior to issuance of building permits.

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i. All onsite and offsite construction associated with this project shall be subject to the Construction management Standards, known as "Exhibit B" of the Bald Hill Area Plan and shall be attached to these conditions of approval as additional conditions of approval. These conditions include but are not limited to, dust control, tree protection plan, street maintenance and bonding for damage to the street and trees during construction.

j. This permit and each condition contained herein shall be binding upon applicant and any transferor, or successor in interest.

k. 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.

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

PUBLIC HEARINGS

1. **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, and 2) a parking variance for an existing carport to remain and a third required space to not be provided, on property located within the R-1 Zoning District (above 150' msl). (Staff: Wight)**

Ms. Wight presented the staff report.

In response to Commissioner House, Ms. Wight stated that the road is 16' wide which meets the width requirements but is substandard parking.

In response to Commissioner Dowd, Ms. Wight responded that there is interior access.

Commissioner Wittenkeller questioned item No. 5 in regards to the reduction of the chimney height and asked if it could be a condition of approval.

Ms. Wight responded that there had been a similar situation where it was made a condition of approval (on a house on Redwood Road). The chimney height from average grade should be at 35'.

In response to Commissioner Wittenkeller, Ms. Wight stated that the contours were determined by the applicant and that lowering the upper level from 12' to 10' would be O.K.

In response to Commissioner House, Ms. Wight stated that she recommended that the contours be certified by an engineer.

In response to Commissioner Cronk, Ms. Wight stated that the third parking space is half way in the right of way. In this area, lots are very steep, however, it's a trade off having a large retaining wall or a space completely on the lot. Ms. Wight supported the parking variance for the third parking space except that the third space will be half way in the right of way.

In response to Commissioner Cronk, Ms. Wight and Ms. Faegans stated that T1-11 is aesthetically unpleasing, is of a lower quality and tends to warp. Staff does not have a problem with color of the siding. Ms. Wight stated that in regards to the landscaping, the applicant needs to submit a landscaping plan and if landscaping is lost applicant needs to replace it as an automatic condition. At present the applicant has not submitted a landscape plan. Once approved, the applicant needs to give the Planning Department a landscape plan to review, including replacement of plants proposed to be lost.

In response to Commissioner Wittenkeller, Ms. Wight stated that the landscaping is on the same footprint.

David Leitch, applicant, stated that there will be no landscaping because of the parking space next to the road, a concrete bulkhead next to the house and also a wooden deck. It doesn't leave room for landscaping except on the downhill side behind the house. In regards to the 66 square feet, which is an area under the house, is being counted (included) as square footage. It's not square footage that he desired to build, it's just an area that is being counted as 7-1/2' height limit which is on the bottom floor. This is what is triggering the overage of the square footage and he would have preferred not to do anything on the bottom floor, however, it is counted as square footage whether it gets built or not. Mr. Leitch stated that although the lot is very steep, he decided to put a floor down there and call it "storage". He stated that he is only adding 10' to the house not 18'.

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Ms. Wight stated that by taking the longest length and including the deck cutout is how she arrived at 18'.

Mr. Leitch stated that being the deck is a cutout it is probable that it could be 18', however, but in reality if you take the current deck it is 2' beyond the exterior of the house and he is adding 10' to the front of the house. The addition of the new foundation will be 10' down the hill by the width of the house.

In response to Commissioner Cronk, Mr. Leitch stated that the house is currently 18' wide and on a steep lot so he is using the existing house as the middle floor and is proposing to add the second floor on top of that. It is 10' wider than the current house. The current one bedroom house is 605 square feet. Above the kitchen there is a large Oak tree. Mr. Leitch has proposed to reduce the ceiling height to clear the tree so that only the lower limbs will need to be trimmed. In trying to get a little bit of ceiling height and pitch to the roof it is setting him over the height limit with the chimney. The second floor addition wouldn't be more than 14' maximum from the existing roofline, except for the chimney. When putting the second floor on the ceiling will be 12' maximum, the kitchen 18' maximum and is proposing a flat roof to keep height down. The chimney will be 2' higher (by code) than the roof.

In response to Commissioner Cronk, Mr. Leitch stated that the rooflines are 8' and 14'. The Oak tree almost touches the roofline. If Mr. Leitch eliminated the clear story window he could get the height down to 10'. If there is a big problem with the chimney it could be eliminated.

Commissioner Cronk questioned eliminating the clear story to bring down the height.

In response to Commissioner Cronk, Mr. Leitch stated he could eliminate the fireplace reducing the height. The tree that is next to the house, Mr. Leitch believes, can be trimmed by himself but would like the option of removing the tree. The other trees do not affect the house because they are so far down the hill. The house is not visible when driving around when looking for the orange disk that Mr. Leitch placed on a pole. The tree Mr. Leitch wanted to remove is growing into the house. The T-1-11 siding is not visible except for two neighbors on either side, he doesn't agree that it is an inferior product. Horizontal, redwood and cedar siding are obsolete because of the environment. Plywood, cement and horizontal plywood siding are supposed to be aesthetically pleasing products for siding. The siding available in the 90's are plywood, horizontal cement siding horizontal plywood (looks like wood siding). Mr. Leitch stated that other siding is unavailable. Window coverings are not needed on the windows as they are up high above regular windows, therefore, he does not need to cover those in white.

Commissioner Cronk stated that she could not see story pole.

Ms. Wight stated that dark window coverings are O.K.

In response to Commissioner Wittenkeller, Mr. Leitch stated that the clear story windows are designed 8-14' high. A window covering is not really needed on those windows because you will not be able to see people walking around up there.

In response to Commissioner Cronk, Mr. Leitch stated that he does not oppose the windows not being covered.

Ms. Wight stated that the window coverings condition doesn't need to read no window coverings and could be a dark color on the outside as that would be more fair.

Commissioner Wittenkeller is concerned that information was provided by Mr. Leitch, a contractor, and not by a registered engineer. Because of the steep slope, our construction plans require engineered footings. Commissioner Wittenkeller is much less concerned about the chimney being 2' above code and window coverings and believed that Mr. Leitch may eventually want to cover windows with window coverings because of the sun. A photo montage may not be necessary if the site appears to be invisible.

Commissioner House and Commissioner Wittenkeller concur with staff's recommendation on the third parking place, carport and front yard setback variance.

Commissioner Wittenkeller has mixed feelings on the 66 square feet and wants to stay within code compliance. Commissioner Wittenkeller does not believe the lower floor is liveable, although, someone could use it as a bedroom and would like an arborist's report to see which trees are to remain and which ones will not after construction. The contours need to be certified by a surveyor, however, erosion control may not be a problem. Commissioner Wittenkeller recommended that the property be free of Scotch Broom and prefers green siding so the home will disappear more easily into the trees.

Commissioner House stated that the home would look similar to the existing homes, although she doesn't particularly like those types of homes or the siding. Commissioner House is in favor of removing the fireplace to stay within the code.

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Commissioner Dowd does not have an issue with the 66 square feet, although a portion of the ceiling is less than 8' he believes someone will sleep downstairs and tends to go with staffs' recommendation regarding the chimney.

Commissioner Wittenkeller supported the siding because the house does not show and stated that in regard to the design of the house it is a standard 70's style house and boxy.

Commissioner Cronk preferred to meet code on all issues; believed that the home has little impact and is invisible to everyone with the exception of the two neighbors. Commissioner Cronk goes along with staffs' recommendations, is on the fence regarding the 66' and preferred that the chimney meets code. The window coverings should be dark. Being the window coverings won't show much the homeowner should get preference. Commissioner Cronk does not believe that the lower floor is very useful.

In response to Commissioner Cronk, Mr. Leitch stated that in regard to the elevation and topography that he measured from the existing carport, floor, house and roof structures and that they are accurate. Mr. Leitch stated that he could hire a surveyor, although he believes the surveyor will come up with the same calculations.

In response to Commissioner Wittenkeller Ms. Wight stated that the low point is significant in terms of calculating height when basing it on the contours. The applicant's 2' topographic intervals were made using the carport as a reference point. Calculations are normally made at 5' intervals. Ms. Wight doesn't think that the surveyor will find a radical difference in topography on that property.

Commissioner Wittenkeller questioned the turning points and how Mr. Leitch worked his way down the hill.

Mr. Leitch stated that he measured from the floor line and went 10' beyond structure and that it was to his benefit to measure out 50'.

Commissioner Wittenkeller stated that if staff is not comfortable with the calculations, Mr. Leitch would need to have them certified.

Ms. Wight stated that calculations would need to be made within the building envelope only.

Commissioner Cronk stated that being it is a steep slope the commission would need to see the calculations in order to approve the application.

M/s Dowd/Wittenkeller, and unanimously passed (4-0), to continue the application to the meeting of 7/19/99.

CONTINUED ITEMS

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 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) **CONTINUED TO 7/19/99****

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) **CONTINUED TO 7/19/99****

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) **CONTINUED TO 7/19/99****

GENERAL DISCUSSION

1. 1360 Sir Francis Drake looked like a store inside per Commissioner Dowd. Previously it was a bike swap. He would like it cleaned up.
2. In response to Commissioner House, Commissioner Cronk stated Greenfield Motors is closed. Ms. Wight stated that their intention was to be in there temporarily and they were.
3. Charles Schwab, 201 San Anselmo Avenue, was appealed. The applicant appealed it in regards to the sign. Ms. Feagans is concerned about the back light illumination and will try to work with him on other options to bring it back to the Planning Commission. Ms. Wight stated that she has only talked with the sign people and not Charles Schwab.

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4. The appellants to Paul Nave's project at 545 Oak Avenue withdrew his appeal.
5. Chris Albrick, Seminary Estates has received 58 signatures appealing the Planning Commission approval of Lots a, b, c and 1.

ADJOURNMENT

The meeting was adjourned at 8:30 p.m. to July 19, 1999.

MARJORIE CUITTI