

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF MAY 1, 2000**

CALL TO ORDER

Commissioners Present: Chair Cronk, Commissioners Zwick, House, Wittenkeller, Jochum and Couture

Commissioners Absent: None

Staff Present: Planning Director Feagans and Senior Planner Wight

OPEN TIME FOR PUBLIC EXPRESSION

No one spoke during this time.

CONTINUED ITEMS

1. **V-0016/DR-0016 – Bruce Chayet, 45 Summit Road, A/P 7-031-09, design review and setback variance to construct a garage over an existing parking deck within 3' of the front property line, on property located within the R-1 Zoning district (above 150' msl). (Staff person: Feagans).CONTINUED TO THE MEETING OF 5/15/00**

CONSENT AGENDA

1. **Minutes: April 3, 2000, April 17, 2000**
2. **V-0012/DR-0013 - Christine L. Johnson, 34 Florence Avenue, A/P 7-014-27, setback variance to raise a dwelling to accommodate a second floor within 4' of the West side property line (Code minimum: 8'); and design review of a second story (the existing first story is being raised to become the second story), on property located within the R-1 Zoning District. (Staff person: Wight)**
3. **DR-9922/V-9921 - Linda Butler, 101 Ridge Road, A/P 5-172-73, 1) Design Review of an 872 square foot upper floor addition, a 996 square foot middle floor addition, and a 553 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; b) the third parking space to be substandard in size (Code size: 9' x 19'); and 3) front yard setback variance for a) extension of existing carport within 14' of the front property line (Code:20') b) replacement of an existing dwelling wall and a new upper story within 17' of the front property line (Code: 20'); and c) a new upper, uncovered deck within 6' of the front property line (Code: 14'), on property located within the R-1 Zoning District (above 150' msl). (Staff person: Wight)**

M/s Wittenkeller/House, and unanimously passed (6-0), to approve the Consent Agenda.

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

PUBLIC HEARING

1. **ER-0002 - TOWN OF SAN ANSELMO - Millennium Playground at Memorial Park Negative Declaration of Environmental Impact for the proposed development of Millennium Playground at Memorial Park. The existing playground at Memorial Park will be reconstructed as the Millennium Playground.**

Dean Nyberg, Parks Director, Town of San Anselmo, presented a brief presentation. He explained that the playground would be built by the community any of the materials have been donated. Most of the construction material is out of pressure treated material with a life expectancy of 30 years. The playground will have three towers. They are very excited about the dinosaur headlands. The playground will also have a climbing wall that is 8' high and will have a sandbox There are a number of small climbing features and the park is handicapped accessible. There are historical features as well within the park. There is also an amphitheater which is the size of a puppet theatre. There will be approximately 20 trees planted, most around the amphitheater. Because of a concern by one neighbor, they will move the cork oak tree elsewhere in the park. There is an entrance wall that will have mosaic panels that have been made by children of San Anselmo.

Berne Duranto, 126 San Francisco Boulevard, explained that her fence is the only thing that separates her from the park. There is going to be a significant impact to her with regard to noise, traffic and parking. The people who will use the park will bring noise and traffic and then leave and go to their quiet home. No one ever told the neighbors on San Francisco Blvd. That the playground structure was going to be built. This is being done and her expense in her back yard.

SAN ANSELMO PLANNING COMMISSION
MINUTES OF MAY 1, 2000

She asked why the playground couldn't be moved to another location in the park that would not negatively affect her.

Ray Sarlatte, 134 San Francisco Blvd., was concerned about the kids climbing the fence and going into his pool and was concerned about his property values going down.

Ted Crotti, 123 San Francisco Blvd, said the park is beautiful but it negatively affects the neighbors. The noise will bounce off the walls and affect him. He does not understand why the neighborhood was not notified about this. He does not understand why the old park was demolished. They already put up with excessive traffic from the softball games and the Log Cabin. There is already too much traffic on San Francisco Blvd. This playground is a monstrosity. Not only will San Anselmo residents enjoy this but other communities will also take advantage of this, which would bring additional traffic. He is concerned about his quality of life. The people affected by this playground should have been asked what we want for our neighborhood. This has not been handled properly. He disagrees with the negative impact findings of no detriment with regard to noise and traffic on the environmental impact. He also noted that he would be able to see the playground.

Terrie Crotti, 123 San Francisco Boulevard, is offended that the dinosaurs are already being built, and this hasn't been approved yet. She is concerned about the impact to her on noise, and traffic.

George Sanotsky, 118 San Francisco Boulevard, said the plan shows 19 activities but the current playground had about 7. The plans seemed to be conceptual but the playground has been demolished and they are now in the final stage. The project is always spoken about as replacement and yet it really isn't. He was also concerned about traffic.

Lisa Shafer, 122 San Francisco Blvd, stated that the playground was not well thought out and the neighbors were not notified. Why is the meeting being held since the decision has already been made? The playground is going to be 15' from her backyard. The EIR should be done by an outside agency. Traffic is an issue and drainage and noise is a concern. There should be more thought given to the location and type of trees planted in the playground. The neighbors that live around the park should be considered in the overall plan. She wants her quality of life preserved.

Jennifer Asselstine, 20 Myrtle Lane, Committee Member, explained that the project was approved in November at a Town Council meeting. The committee was operating under the assumption that it was a replacement. Their idea was to come up with a plan to put it all together in six days rather than in incremental stages, with completion in 5 years. They are addressing the drainage system in the park and are putting in a French drainage system. The area is about 12' shorter than it used to be. There have been several articles in the IJ and they have been actively soliciting the community. There are over 200 people who acted in good faith in approving the project.

Greg De Surville, 9 Rutherford Avenue, member of Parks and Recreation, stated that the current playground has been an embarrassment because the facilities have been deteriorating. We are fortunate to have a number of people who are motivated and are taking the initiative to propose this plan. Memorial Park has always been used seven days a week for a variety of activities. If this play structure were an issue, perhaps they would need to scale back other activities, such as softball. This may add a few more children but it will not be on the scale of Great America. All members of the community will be proud of this facility.

Hobie Swan, Santa Cruz Avenue, is supportive of the new playground.

Michael Golden, 101 Calumet Avenue, is in support of the new playground. The neighbors on San Francisco Blvd purchased their homes next to a park, but they did not have a good park. The Town Council was unanimous in their support of this project.

Debra Cidhoki, 125 Pine Street, Volunteer Coordinator for the program, stated that they have raised \$130,000 in donations from people showing their interest and has a database of 1,000 names. The noise comes from the baseball field, not from children in the playground.

Resident, 130 Crescent Road, was shocked about the current park facilities and became involved in the process.

Tim Yarish, 77 Suffield Avenue and member of the steering committee, said the neighbor's concerns should be addressed because they have very real issues. The site selection was in the location of the current playground and the only other location was on the south side but there were many eucalyptus trees that could have been dangerous to the children. Moving the site would mean cutting down the trees. When he was out at the playground he could see a spike in the noise level during the baseball games. A consideration might be to allow a fence that exceeds 6' that could be used for a sound barrier. We should be open to ways to mitigating the noise for the neighbors although he truly doubts there will be a significant increase in noise. The traffic

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF MAY 1, 2000**

increase will also be minimal; many parents will bring their kids in strollers and the user group would not increase. He does not see any mitigation measures for traffic.

Kathy Day, 119 Madrone Avenue, stated that the steering committee is awesome. She is very impressed with the quality of people and how the Millennium playground has brought the community together. She is very sorry that the neighbors are feeling so alienated. She would like to see the neighbors work with them in a solution.

Chris Young, 212 San Francisco Boulevard, is supportive of the park.

Resident, San Francisco Blvd, stated that this is an increase in use and they want a say in how the playground will look.

Linda McNeli, Oak Knoll, stated that she is on the steering committee and has been thinking about the noise factor. She noted that most of the children are under five that will use the playground; the older children are in school during the day, so the noise factor will not be that great.

Mr. Nyberg stated that he would be happy to meet with the residents to work out some solutions. Some suggestions might be new plantings or additional landscaping. The traffic situation must be addressed, not just with this project. He suggested they look at putting in a stop sign and a crosswalk at Veterans Place. He will work with the neighbors regarding the concerns about the trees overshadowing the neighbor's property. He noted that the open ditch has not worked for years and a new drainage system will be put in next week.

Chair Cronk suggested the Parks Department meet collectively with the neighbors.

Commissioner Zwick asked what type of noticing had been given to the neighborhood. Mr. Nyberg responded that they were general notices but no specific notices to the neighborhood until this meeting.

In response to Commissioner Zwick, Mr. Nynbeg stated that the park has been deteriorating and little, by little, structures have been removed for safety reasons. They also tried to address ADA requirements but it wasn't enough to address a playground of this size. During this process, the new project has come forward. The Town Council set aside \$17,000 for the tiny tots area.

Commissioner Couture asked how does the size of the new playground differ from the old one. Mr. Nyberg explained that it is almost the exact same size but has been shortened by 16' in one side and increased a little on another side. They may have had 8 or 9 structures, and he agreed that they are getting many more features.

Commissioner Wittenkeller wanted to thank everyone who came to the meeting. His recollection from all his years as a coach at the playground, is the noise from the team sports that brings the greatest noise. He will however, not discount the sound from the playground. Unfortunately, the neighbors who could have gotten involved did not get involved in time. However, there can still be some things that can be done. A suggestion that came up was to increase the fence size and certain materials can be used to baffle the sound. The addition of plant materials and vines would also help. He would suggest a meeting with the neighbors to address all the details and concerns.

Commissioner Zwick stated that he is a bit disturbed that the neighbors have not been advised about the playground. It is also true however that it has been published in the newspaper and widely advertised in town. If it were true that there is some money in the budget to help mitigate the concerns, that would be very helpful. Suggestions are for higher fencing and additional landscaping. He agrees there should be a meeting with the neighbors.

Commissioner House said she too would be willing to vote for a variance for fence height and that additional landscaping would help. The idea of a stop sign should be looked at by the traffic Safety Committee. This should also be looked at with changes quickly. She is comfortable with the negative declaration but would like staff to meet with the neighbors as quickly as possible.

Commissioner Jochum concurred with the other Commissioners. He noted that the only thing worse than living on a busy street is living on a street with a stop sign.

Commissioner Couture concurred with his fellow colleagues. He noted that the noise from a baseball game gives a greater noise than a playground although there is noise. He concurred with the findings for the Negative Declaration.

Chair Cronk stated that she was in agreement with what has been said.

Commissioner Wittenkeller suggested that the committee set a date with the neighbors. Mr. Nyberg suggested meeting at the Recreation Department, 1000 Sir Francis Drake Boulevard, at 7:30 p.m. on Tuesday, May 2, 2000.

SAN ANSELMO PLANNING COMMISSION
MINUTES OF MAY 1, 2000

M/s Wittenkeller/House, and unanimously passed, to approve the Negative Declaration and that the Town staff and Millenium Park Committee meet at Memorial Park Recreation at 7:30 on May 2, 2000 with the neighbors to discuss mitigation measures.

2. **V-0010/DR-0012 - Debra and Christopher Keiser, 191 Spring Grove Avenue, A/P 6-212-25**, Variance to allow third parking space to encroach into the public right-of-way (existing driveway) and Design Review of a 900 square foot second story addition, on property located within the R-1 Zoning District. (Staff person: Feagans)

Ms. Feagans presented the staff report.

Christopher Keiser, applicant, said he did not realize that he was encroaching into the public right of way. They can fit three cars in the driveway. Regarding the house color, they would like to keep the same color for the second story, which is white with black trim. The color is a bit more subdued than other houses in the neighborhood. They would like to have white vinyl windows and they want to maintain the oak tree, although there will need to be some pruning of the tree.

In response to Commissioner Couture, Ms. Feagans stated that she did talk to an immediate neighbor who was happy with the project and another neighbor who supported the project.

Mr. Keiser said they talked to their immediate neighbors and to the neighbor below about his project also.

Commissioner House said it appears that this house is visible from across the valley and therefore she wants to be considerate of those neighbors. White in particular, pops out and she would be in favor of the grayish green color as suggested in the staff report. She is also a little concerned about the tree on the north side.

Commissioner Couture said he is not too concerned about the color because there is so much glass on the down hillside. He is concerned about the impact of the downhill neighbors because the house is pushed forward, although they do not seem opposed to it. He is also concerned about the oak tree.

Commissioner Wittenkeller said he was not concerned about the white color. The Commission could tinker with the design but the applicant may not like the changes. He is concerned about the tree but it would probably be safe if it were pruned professionally.

Commissioner Zwick said he has had a hard time following these drawings. This does not have any existing or proposed elevations. Reading between the lines, he can not approve it for design review. He noted that the band of windows on one level do not fall in line with the second story. He would also like the facade changed.

Commissioner Jochum said he has no problem with the white color. The design is not objectionable enough to vote against. He would support the driveway expansion. A tandem situation is very difficult. There is a spot at the top of the driveway where a car can park and it would inch the other car into the right of way.

Mr. Keiser said he would love to have more parking and if he can do anything that is feasible to obtain more parking he would. The previous owners also had a design to widen the driveway.

Commissioner Couture said he looked at the parking. It seems highly feasible to have a two-car garage and the garage is already within the setbacks. A variance requires special circumstances and he may have a hard time supporting the project as is.

The applicant's architect stated that tandem parking has been in existence since the 1930's. They would have to do a lot of excavation and retaining walls, which would double the cost of the project. If the garage door were removed, there would be no need for a variance. He went on to say that the applicants don't have a lot of money and have a one-bedroom house. To move the garage back, the design would have more structural considerations. Design wise, the project is very simple. The house is of concrete block and built in 1935 and added on to in the 1940's. His suggestion is to remove the garage door and make it into a carport so a variance is not an issue.

Chair Cronk said she is in support of the project. She felt a tandem driveway can work if people are committed to make it work. She does not feel the need to redesign the project but does take note of her colleagues' comments. She is concerned about the white color and would prefer with staff's recommendation.

Commissioner Couture said he is more concerned about the parking issue.

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF MAY 1, 2000**

Commissioner Jochum said he would lean towards approval but he would love to get two cars side by side, although it would add considerable costs. Unfortunately, the road is so narrow and there is no other solution but parking in tandem.

Commissioner House wanted a condition that the tree be pruned by a certified arborist and would approve the project if the color were changed from white to green.

Commissioner Zwick said the design can be improved and therefore he cannot support this as presented.

Commissioner Wittenkeller said if every improvement must meet a certain architectural style, the Town will not have affordable housing. He does not want to exacerbate the situation and therefore can support the project.

M/s Wittenkeller/House, and passed, to approve the project, based on the steep slope and the lot and the slope of the driveway. Additional conditions of approval are that the tree shall be pruned by an arborist and the applicant shall paint the house the recommended green as was proposed by staff.

Ayes: Wittenkeller, Cronk, House, Jochum

Noes: Couture, Zwick

3. **V-0008/DR-0009 - Bill and Gail Permar, 113 Madrone Avenue, A/P 7-161-02, 1) A rear yard setback variance to build within 16' of the rear property line (Code: 20'); and 2) Design Review to add a 1,014 square foot second story and a 380 square foot attic space, on property located within the R-3 Zoning District. (Staff person: Feagans)**

Commissioner Jochum recused himself because he is a friend of the applicants.

Ms. Feagans presented the staff report.

Commissioner Wittenkeller asked staff what the process would be for the Commission placed a condition on the project for it to be rezoned. Ms. Feagans responded that it would have to have an environmental review and would have to be approved by the Council. Commissioner Zwick suggested that the Commission place a deed restriction on the project that they cannot add on anymore.

Gail Permar, applicant, said the house is very screened with mature oaks and other vegetation. They are also surrounded on all sides by multiple zoning with the exception of their next door neighbor. She presented photographs of her neighborhood, noting that there were also three story houses in her neighborhood. She did look at alternative design and took to heart what the Commission said. The original proposal had a height of 31' 3" and was told that anything over 6' high would be called a story so they put in dormers. They talked to their neighbors about the project and they are very happy with this redesign. At the last meeting one of the Commissioners was concerned about the FAR and they are one of the lowest in the neighbor. They know that because of the research they have done. She does not want to upset any of her neighbors so they want to make changes that would make them happy. She is however, opposed to the large overhang because she would like to look at the sky when she looks out the window. She was going to add horizontal boards and additional stonework on the lower floor, and perhaps add more trellises. Regarding the shading study- she used the standard study, noting that the site has shade and filtered sunlight now.

Kathy Day 119 Madrone Avenue, objected to the third floor. The neighborhood is very small. The design of the house is beautiful but she is very concerned about the size of the house. Most of the houses on the street are very small, with the exception of the house at 115 Madrone that was previously approved by the Commission.

Dave Barsocchini, 115 Madrone Avenue, said he lives next door to the proposed project and the design has no impact on him or anyone else. He supports the project.

Commissioner Wittenkeller said his principal concern is the zoning although it is not the only property that is incorrectly zoned. What the applicants have done in response to the Commissions concerns is very good. He would support the staff recommendations.

Commissioner Zwick said he and Commissioner House met with the applicant after the last meeting to provide additional suggestions. The applicant has considered their comments but has decided that they wouldn't work. He feels that this house is out of character for the neighborhood. He also noted that the plans look like there are activities that would be placed on the third floor and the plan still indicates to him it is still a third floor even though the staff report said it is now two stories.

SAN ANSELMO PLANNING COMMISSION
MINUTES OF MAY 1, 2000

Commissioner House said she was not in favor of taking the stairs out and putting pull down stairs in. The house is very massive for that neighborhood, particularly for the other houses in the neighborhood. She is not in favor of the project as submitted.

Commissioner Couture said the issue of the third story is irrelevant but the massing is an issue. The house next door is large not appropriate for the neighborhood. He would encourage a different base material than what is proposed.

Chair Cronk was not at the last meeting but she has concerns about a third story. It does fit within the height limits and is designed as two stories but it has uses in the attic. This house meets all the setbacks except for the rear yard. She noted that although this house is large, they are not requesting side yard variances, and are not asking to move any portion of the house closer to their neighbors. Therefore, because it technically meets the two-story height, and they are not requesting a side yard variance, she is more supportive of the application.

Bill Permar, applicant, stated that there are 8 two-story houses on the block. Two of the two-story house are five feet from the street. The street has 8 houses on 3,000 square foot lots. His proposed house has much lower density than the apartment buildings that surround them.

Commissioner Zwick said the General Plan states that they are to "...preserve the small town character of San Anselmo...". That can bring lots of diversity. The pressure of the community however is to bring in more density and the character is slowly changing and at some point the character will be lost.

Commissioner Couture said he is more concerned about the mass of the building. There are some two-story structures on the street; some have a crawl space, main house and attic above it. This house has a very steep roof and is very attractive although it does make the house appear larger.

Ms. Permar said they would add modifications to the proposed house by adding horizontal modifications to the base. She presented a modified set of plans to the Commission based on the proposed suggestions made by Commissioners' Zwick and House and stated that she did not think it was the best design.

Commissioner Wittenkeller stated that it appears that the applicant and the Commission have reached an impasse and the Commission should take a vote on the project.

M/s Wittenkeller/Cronk, to approve the application based on the staff report.

Ayes: Wittenkeller, Cronk

Noes: Couture, House, Zwick

Motion for approval failed and therefore project denied.

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

4. **ER-0001/DR-0014/U-0003/V-0013 - Svend Hansen, 7 and 9 Mariposa Avenue, and 131 and 151 San Anselmo Avenue**, A/P 7-301-07, Environmental Review and Design Review of: a) a new commercial/residential, two-story building (1,980 square feet commercial and 4:2-bedroom apartments) facing Mariposa Avenue; and b) construction of a new commercial/residential two-story building (1,038 square feet commercial and 1:2-bedroom apartment) facing San Anselmo Avenue. No change to existing commercial/residential two-story building (2,180 square feet commercial and 2:2-bedroom apartment) facing San Anselmo Avenue. Removal of a 600 square foot commercial building facing Mariposa Avenue. Use Permit: for 5 new and 2 existing residential apartment units. Parking variance: for two spaces to be substandard in width at 8' (Code: 9') and two spaces to be in tandem, and one space, on property located within the C-2 Zoning District. (Staff person: Wight)

Ms. Wight presented the staff report.

Tony Wright, architect for the applicant, stated the carport is currently used by the tenant of the existing two apartments and there is no change proposed. The existing buildings along San Anselmo Avenue are incorporated with this design. The colors are quite bold and they would be happy to revisit the colors when the building is further along in construction. The parking issue could be addressed by reducing the commercial space and giving the apartments bigger garages.

Svend Hansen, applicant, stated he tried in the 70's and the 80's to make improvements. This is the last time he is going to try.

Resident, 22 Mariposa, asked if there are any plans to put the power underground.

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF MAY 1, 2000**

Commissioner Zwick stated that he is very enthralled and applauds the project. He asked where the other pedestrian's paths would be and how they would flow with the other properties in the area. He would like to see a model of the project because it is hard for him to integrate it in the neighborhood. He does not recognize the windows on Mariposa and how it fits into the streetscape. The little carport is discouraging and should be addressed. The archway for the entrance could be fine-tuned. He is not really distressed about moving the commercial space to get adequate parking.

Commissioner Wittenkeller said he is very happy about the mixed use with the residential up and commercial down. He would be happy to grant the variance for parking. He would hope that without adding a tremendous amount of cost something could be done to the building to address the San Anselmo facade to give it more character.

Commissioner Couture said this project will define the area and he applauds the use. He sees no problem with parking but the project warrants more study and information. He would like a model and color rendering and what else is going on with the street.

Commissioner Jochum said that for a project of this profile, we should have more information to go on to rationalizes the Commissions' decision. It does not have to be a model but at least color renderings, some shadows and Mariposa elevations. The massing is broken up at the top and the bottom but the middle band is massive and unrelenting. It might just take the slightest touch to break down the linear. It would be nice if the passageway through did a little more than it does now. Landscaping could have a little more purpose. It would be nice to at least upgrade the carport. It would also be nice to clean up the wiring that is on the side of the building. He would like a three-dimensional look for a project of this type.

Commissioner House was very supportive of the mixed use as well as the upgrade to this area of town. She was relieved to hear there should be a model so they can see how it will tie into the other elements of the area. She is willing to take chances with the color but does not want white. She did not want to take away from the commercial space and would like to see the current building upgraded as well as the carport.

Chair Cronk stated she was happy to see the mixed use and concurred with her colleagues on the other issues.

Commissioner Zwick said he would like explanation on the north wall on Mariposa and why it should be so liner rather than is broken up into chunks.

M/s House/Wittenkeller, and unanimously passed (6-0), to continue the application to the meeting of 6/3/00.

5. **V-0007/DR-0008 – John Paletta, 90 Camino de Herrera, A/P 5-071-55, Design Review of a 3 story, 2,400 square foot single family dwelling; a height variance for the height to be 36.75 feet above average grade (Code maximum: 35'); and a setback variance for the dwelling to be within 0' of the front property line, on property located within the R-1 Zoning District (above 150' msl). (Staff person: Wight)**

The Commission requested a continuance on this item
Ms. Wight stated that the applicant could agree to a 90-day extension. The applicant stated he would like to see if they could get heard tonight.

GENERAL DISCUSSION

REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

The Planning Commission denial of 148 Oak Avenue was appealed to the Council. The Council overturned the Planning Commission decision.

ADJOURNMENT TO MONDAY, May 15, 2000

The meeting was adjourned at 11:15 p.m.

BARBARA CHAMBERS