

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF JULY 16, 2001**

CALL TO ORDER.

Commissioners present: Commissioner Jochum, Harris, Wittenkeller, and Zwick
Commissioners Absent: Chair House and Commissioner Morita

Staff Present: Acting Planning Director Wight and Planning Technician Chambers

OPEN TIME FOR PUBLIC EXPRESSION

None

CONTINUED ITEMS

1. SR-0101 – Bob Chapman and Jon Marchant, 780 Sir Francis Drake Boulevard, APN 6-091-41, sign review of a freestanding sign and planter to be erected on subject property at the intersection of Loma Robles Drive and Sir Francis Drake Boulevard, and a sign on the building, located within the C-L Zoning District. (Staff person: Wight) CONTINUED TO 8/6/01

PUBLIC HEARINGS -

Consent Agenda

1. Minutes – July 2, 2001

2. V-0128 – Ron and Ann Brown, 184 Hilldale Drive, APN 6-152-40, variance to add a 255 square foot bedroom/bath addition within 4.37 feet of the side property line (Code: 8'), located within the R-1 Zoning District (above 150 msl). Staff person: Chambers)

Minutes:

M/s Harris/Jochum and unanimously passed (4-0), to approve the minutes.

184 Hilldale Drive

M/s Wittenkeller/Harris, and unanimously passed (4-0), to approve V-0120 based on the findings and conditions as set forth in the staff report.

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

Regular Agenda

3. DR Amendment - Scott Sanders, 80 South Oak Avenue, APN 7-241-75, review of exterior colors on property located within the R-1H Zoning District. (Staff person: Wight)

Ms. Wight presented the staff report.

Mr. Sanders stated that he preferred the natural stain that was redder but staff suggested they go with a color that blends in with the trees. He noted that the brown is telegraphing a green through the shingles and may be a good color.

Commissioner Wittenkeller stated that the darker the color, the less reflective the color is to light. He would prefer the darker stain and would like the stucco for the lower portion of the building and the retaining walls to be darker than what has been proposed; it can still be a green tone, but darker.

Commissioner Harris asked if they tried to get darker green colors than those before the Commission. Mr. Sanders responded that he did not.

Jonathan Braun, 479 Scenic, stated that the decision on color is of a vital concern to the residents of San Anselmo because the color is very important to help screen the building that sits so prominent on the hillside. He would like to see the dark brown shingle. The sample that was painted on the building for the trim appeared to be a pea green and that is not desirable. He would rather see a dark green for the trim. The stucco color is too light. He also stated that a stop work was placed on the project and he wanted to know why the changes have not been brought back to the Commission.

Ms. Wight responded that there was an issue with the chimney but it will be changed back again to what was approved. The changes in the driveway retaining wall and landscaping has not been reviewed by staff yet. If there is a change, it certainly will be brought back to the Commission.

Kathy Sanders, 310 Redwood Road, stated that the building is very visible and she would rather see the dark brown stain with a stucco and trim that is darker and muted.

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Diana Cunningham, 59 Woodland, stated that she can view this building every day from her house and would like the dark stain and a darker stucco.

Commissioner Zwick said he also wants the darker trim color and wants the stucco made as dark as the shingles, and maybe even as dark as the trim.

Commissioner Harris deferred to Commissioner Wittenkeller, but he wanted to see the darkest color applied to the house as possible.

Vice Chair Jochum said he would not like to see the bottom lighter than the top for architectural reasons.

Jonathan Braun asked about window color versus window trim. Mr. Sander responded that the windows are olive, which was part of the original approval.

M/s Wittenkeller/Zwick/ and unanimously passed (4-0), to approve the application as set forth in the staff report, and with the following colors: Shingles: Bear 389; Trim: Benjamin Moore Bark #311-1 stucco: to be as dark as the shingle siding but similar in tonation. Approval is based on the following findings: 1) Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area; 2) Provides for protection against noise, odors, and other factors, which may make the environment less desirable; 3) Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development in such area; 4) Will not create unnecessary traffic hazards due to congestion, distraction of motorists, or other factors and provides for satisfactory access by emergency vehicles and personnel; and 5) Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surround area; 6) Conformance to the approved precise development plan; 7) adequacy of screening; and 8) Selection of architectural features and colors that enable the structure to blend with its environment and which results in a low visual profile.

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

4. V-0123/DR-0129 – Peter G. Joseph, 53 Summit Road, APN 7-031-44, design review of a new 669 square foot garage to replace an existing carport, and to exceed the maximum floor area ratio (FAR) by 167 square feet, located within the R-1 Zoning District (above 150' msl). (Staff person: Wight):

Ms. Wight presented the staff report.

Peter Joseph, applicant, stated that he has been confused about the purpose of staff's requirement for the trees. He does not want to plant another tree that must be watered and then have it ruin the heritage oak they have. He is fine with planting redwood trees.

Commissioner Wittenkeller explained that the experts now say that deep watering and fertilization of oaks would be helpful to them. However, you never want to change the grade of the tree or water the trunk. He is not concerned about the redwood trees being watered next to the oak. He felt it was a reasonable way to go.

Mr. Joseph stated he is reassured by Commissioner Wittenkeller's comments

Commissioner Harris questioned the need for the garage to be of a height that is visible.

Bill O'Callaghan, designer representing the owner, stated that the roof will face due south and it will have solar panels on it. If he were to place the garage into the driveway he would have setback issues and he cannot move it east, into the walkway.

Commissioner Wittenkeller asked if they have considered reducing the roof height.

Mr. O'Callaghan affirmed but added that they want room for storage. Although the owners have a large house, there is not much storage room in the house. He also noted that the owner does not want to over plant to create an additional fire load.

Commissioner Zwick wanted clarification on when the building permit was issued and why the trees were never planted. Ms. Wight responded that the building permit was finalized by the Building Department but was never finalized by the Planning Department.

Commissioner Zwick said he is troubled when applicants do not fulfill conditions that are placed on approvals. In addition he always looks closely at a project when there is a request to exceed the FAR. This garage is not invisible and it would be hard to support the project.

Vice Chair Jochum stated that he also has reservations about going over the FAR. He has not viewed the property from downtown San Anselmo but he does not think it would be very visible and in his estimation, it is not very prominent, especially with the dark colors.

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In response to Vice Chair Jochum, Ms. Wight said that the staff report in 1998 states the roof material was to be composition shingles.

Vice Chair Jochum stated that if the major addition that took place in 1998 was before him now he would prefer a darker color than what is currently on the roof. Even though the visibility of the house is quite low he agrees it is hard to justify exceeding the FAR on a property like this just for storage space.

Ms. Wight stated that if they were going to build a 500 square foot garage with storage on top, they would need design review but not FAR because there is a 500 square foot exemption for a garage.

Vice Chair Jochum asked for a straw vote by the Commission with staff's conditions as well as findings in Table 4E as follows a) Conformance to findings in Section 10-3.1505 (a) and (b); b) Will not be materially visible offsite; (c) Is of a scale, intensity, and design that integrates with the existing character of the surrounding neighborhood; and (d) Internal efficiency/space utilization problems exist

Commissioner Wittenkeller stated that he has a hard time understanding why there is not adequate storage in a 5,000 plus square foot house. He questioned why the solar panels couldn't be located on the existing building. Based on those reasons, he would vote no. He does not feel there is justification to approve the FAR exception with an already large house.

Commissioner Harris said he agrees with the concerns about setting the right tone with respect to exceptions. He does feel though that he could approve the staff report, although he has some reservations. He does not see any neighbors present to speak about the problem and the trees will be planted to block the structure from the valley. Given where the house is located, and that they have the support of their neighbors, he would be able to support it.

Commissioner Zwick said he could not support the project as proposed. It seems so easy to make the project conform.

Vice Chair Jochum stated that it would be very easy to make the project conform by reducing it in size. He would also like to look at the project from other areas across the valley.

In response to Commissioner Zwick, Ms. Wight stated that in 1998 when they had the large addition, they were just under the allowable FAR.

M/s Harris/Zwick and unanimously passed (4-0) to continue the application to the meeting of August 6, 2001.

5. V-0125/DR0131 – Holly Hopper and Charles Clifford, 35 Berlin Avenue, APN 6-051-03 – flatland design review of a 558 square foot second story addition; a setback variance to construct a covered front porch within 15' of the front property line (Code: 20'); and a height variance for two chimneys to extend to 31.5' (Code: 30') above average grade, on property located within the R-1 Zoning District. (Staff person: Faw)

Ms. Wight presented the staff report.

Charlie Clifford, applicant, stated that he would be available for questions.

Commissioner Zwick stated that this is a wonderful project and he can support the staff recommendation of approval.

Commissioner Wittenkeller stated that this addition would be a real asset to the town.

Commissioner Harris stated that the house is beautiful but he is struggling with the variance request. Walking Berlin Avenue, he did not get the feeling that other houses were so close to the street but the aerial provided by the applicant proves him wrong. He does not understand staff's comments about the upper unit becoming a second unit. He did not feel that the Town should take the stand that the room in question should never become a second unit. He proposed amended the wording as follows: "...shall not be used as a living unit until a use permit has been granted by the town..."

Vice Chair Jochum stated that the project is terrific. The variance could be avoided without building the porch but the porch enhances the building and softens the facade and makes it a friendly building to the street. It is a nice play on the existing garage.

M/s Harris/ Wittenkeller, and unanimously passed (4-0), to approve the application based on the findings and conditions as set forth in the staff report and with an amendment to condition 4 as follows: "...shall not be used as a living unit until a use permit has been granted by the town..."

6. V-0129 Evan and Judith Hodgens, 245 Los Angeles Boulevard, APN 6-011-21, Variances to construct a new one-story dwelling with clerestory windows: 1) a covered porch within 11'9" of the front property line; 2) front wall of the dwelling within 15'8" of the front property line; 3) side wall of the dwelling to be within 4'4" of the southwest side property line; 4) side

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wall of the dwelling to be within 4' of the northeast side property line; 5) a garage to be within 0' of the northeast side property line; and 6) second required space to be in tandem and within 0' of the northeast side property line and within 4'3" of the front property line. on property located within the R-1 Zoning District. (Staff person: Wight)

Commissioner Harris recused himself because he lives within the noticing area.

Ms. Wight presented the staff report.

Jennifer Asselstein, architect representing the applicant, stated that they would have loved to move the house further back from the setbacks but the constraints are the 15' creek setback and keeping the existing foundations of the house was critical. The clients also wanted to fill in the area that is now a deck. They also wanted to use solar panels to maximize the southern exposure. She presented two models, indicating their first proposal, which was too high, and the present proposal that is before the Commission. They are moving the existing garage forward, which will be in line with the adjacent garage and will provide more light and air between the properties.

Judith Hodgins, applicant, stated she has a letter from both adjacent neighbors who support their proposal. They cannot meet the side yard setback unless they demolish the foundation and the insurance company is not reimbursing for all the work they are doing. Therefore, cost is a factor. They are looking at solar and sustainability, and want to be an example to the people of San Anselmo. They are building a handicapped accessible house and a room with a separate unit for someone in the future to live with them to assist them. The front yard will have no fences and will be very passive.

Commissioner Wittenkeller is very impressed with the steps forward that have been taken. There is a uniqueness and innovativeness about the project

Commissioner Zwick stated that this is an absolutely wonderful project.

Vice Chair Jochum had nothing further to add.

M/s Wittenkeller/Zwick, and unanimously passed (3-0), to approve the application based on the findings and conditions as set forth in the staff report.

Vice Chair Jochum advised all parties of interest in the staff report.

Commissioner Harris stepped back up to the dais.

7. V-0126-Kathryn and Frollan Ramos, 10 Raymond Avenue, APN 7-172-11, parking variance to demolish the current garage and create a new parking pad within 0' of the front property line (Code: 20') and within 2' of the north side property line (Code: 8'), on property located within the R-1 Zoning District. (Staff person: Chambers)

Planner Chambers presented the staff report.

Commissioner Harris questioned whether there would be a safety issue with the new driveway location, to which Ms. Chambers advised it would be an improvement.

Ms. Ramos explained that they are removing the garage because exiting from the garage is dangerous, it is deteriorating, it blocks light to their living room, and it is an unaesthetic prominent feature on their property. Even with the removal of the garage, parking on this pad is a dangerous location for exiting vehicles. Mr. Ramos submitted photographs to explain their reasoning.

Commissioner Harris said he is supportive of the project, to which Commissioners Wittenkeller, Zwick, and Jochum agreed.

M/S Harris/Jochum, and unanimously passed (4-0) to support the project based on the findings in the staff report.

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

GENERAL DISCUSSION

1. Vice Chair Jochum asked about the status of illegal sign for guitar shop on Sir Francis Drake.

REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

None

ADJOURNMENT TO MONDAY, August 6, 2, 2001

The meeting of the Planning Commission was adjourned at 9:27 p.m. to the next regular meeting on August 6, 2001.