

**SAN ANSELMO PLANNING COMMISSION  
MINUTES OF MAY 16, 2005**

**A. CALL TO ORDER**

**Commissioners Present:** Freeman, House, Sisich  
**Commissioners Absent:** Harris, Zwick

**B. OPEN TIME FOR PUBLIC EXPRESSION**

No comments received.

**C. CONTINUED PUBLIC HEARING ITEMS**

1. **ER-0501/PS-0501/PPD-0501/V-0504 – Carlos and Norine Castro, 444 Redwood Road, APN 007-191-10**, Environmental Review (Mitigated Negative Declaration), Parcel Split and Precise Development Plan for a new two-story, 3,562± square foot single family dwelling and 509± square foot attached garage; a parking variance for access to be across 444 Redwood Road; and setback variances for retaining walls up to 4.5' above grade to be within approximately 8' of the front property line, and up to 10' in height within approximately 19' of the front property line, all in conjunction with widening the road (Code setback: 20') on property located within the R-1H zoning district. (staff person: Wight) **CONTINUED TO JUNE 6, 2005.**
2. **DR-0516 – Kevin and Tina Zwiefelhofer, 212 Oak Springs Drive, APN 005-292-02**, Hillside Design Review to add an addition of approximately 1,031 square feet to the lower level (391 square feet is within the existing crawl space), remove the existing 386 square foot deck and add a ±555 square foot deck over the addition, located within the R-1 zoning district. (staff person: Chambers) **CONTINUED TO JUNE 6, 2005**
3. **V-0515/DR-0517 – Brian and Kate Hogan, 178 Floribel Avenue, APN 007-095-24**, hillside design review and setback variance to construct a 60 square foot ±deck extension and a setback variance to replace an existing deck, all within 2' of the west side property line (Code: 12'), located within the R-1 zoning district. (staff person: Wight) **CONTINUED TO JUNE 6, 2005**

**D. PUBLIC HEARING ITEMS**

**CONSENT AGENDA**

1. **Minutes – May 2, 2005**
2. **V-0514//DR-0515 – Ross Valley Ecumenical Housing Association (K. Crecellius), 61 Woodland Avenue, APN 007-282-01**, amendment to previously approved project due to actual side property line locations from a survey; a setback variance to allow construction of a dwelling within 10 feet of the front property line (Code: 20'), and within 7 feet of the west side property line (Code 12'); parking variance to allow required parking within approximately 1 foot of the rear property line (Code: 20' ) and 0' of the west side property line; variance to allow approximately 39.1% lot coverage (Code: 35%); and flatland design review to consider construction of a 1,985 square foot upper level in conjunction with a new dwelling of approximately 3,782 square feet total, located on property within the R-1 zoning district. (The location of the proposed structure would remain unchanged in relation to the street pavement and sidewalks; its only the legal setbacks that would change with this amendment.) (Staff person: Wight)
3. **U-0507 – William K. Bazzetta, Jr., 14 Tamalpais Avenue, APN 007-211-20**, Use Permit to demolish one of two living units on property located within the Professional (P) zoning district. (Staff person: Wight)

M/s, Sisich, Freeman, to approve the Consent Agenda. Motion passed unanimously.

Audience advised of the 10-day appeal period to the Town Council.

**REGULAR AGENDA**

4. **DR-0506 – David Luce, 35 Grove Hill Avenue South, APN 006-112-02**, Hillside Design Review to construct a new 1,397± square foot single family dwelling (638± square foot lower level and 759± square foot main level), a 407± square foot garage and 337± square foot roof deck, located within the R-1 zoning district (above 150' msl). (staff person: Chambers)

Ms. Chambers presented the staff report, pointing out that the story poles were adjusted approximately 18" from when initially installed to reflect the actual height of the garage, which still remains lower than No. 37. She has suggested additional landscaping below the dwelling, subject to the Fire Department's approval.

Richard Rushton, architect, advised when he visited the site Friday, he noticed the garage story poles did not represent the true height of the garage, so had them adjusted that day. He also pointed out that the lower set of poles represent the height of the 3' open deck railing. In response to the neighbors' concerns about view, Mr. Rushton said he has revised the design since its original submittal by lowering all three elements of the structure, changed the solid deck railing to an open railing, added an angled bay window to provide a

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view for his clients, but protect the neighbors' privacy, raised some window sill heights, and proposed privacy plantings.

In response to Commissioner Sisich, Mr. Rushton said the driveway to garage grade is at the maximum of 8%.

Jan Vasquez, representative of the owners of Nos. 30, 33, 36, 37, and 51 Grove Hill Avenue South and 16 Sunny Drive, acknowledged the efforts of the applicant and architect to address her clients' needs. Additional concerns are road damage, for which she understands the Public Works Department will require a \$5,000 road bond, and the drainage plan, which will be peer reviewed by the Public Works Director. She requested there be a mitigation that would require the construction workers use the on-site parking pad, allow no more than 2 additional vehicles to park on the street, and provide a shuttle for any additional workers. She expressed concern about the additional hardscape and storm water runoff, with possible impacts across Millbrae to 16 Sunny Drive, and advised that the Public Works Director had said he could require a cistern to be built on the site if he determines it is necessary at the Building permit stage. She also expressed concern about the impact to the views enjoyed by Nos. 33 and 36 Grove Hill South and suggested that the project could be denied on the grounds that the development would have too great of an impact. Ms. Vasquez suggested the lower floor be lowered and the garage either be reduced in height or eliminated and just have uncovered parking.

Nancy Spring, 36 Grove Hill Avenue South, said the neighbors previously tried to purchase the property to use as a community garden.

Mr. Rushton said the cistern is a typical way to handle drainage when there is either not enough percolation on the property or there are problems downstream, which would be determined by a civil engineer. They have designed the building as low as possible and there are already windows below grade. With regard to the covered parking, he said that precedent has been established with 70% of the properties in this neighborhood have covered parking.

In response to Commissioner Freeman, Mr. Rushton said it would not be reasonable to lower the garage to adequately operate below 8' ceiling height. In response to Commissioner House regarding storm water runoff and a construction management plan, Ms. Chambers said both would be reviewed by Public Works at the building permit stage.

Commissioner Freeman said he appreciates the concerns about loss of view by the surrounding property owners. In response Ms. Chambers said that view is not an issue to address in the findings, rather the review is limited to the building design, materials and colors.

Commissioner Sisich said his issues would be house size, and it is not too big; it maximizes the lot, but stays within the setbacks, the height has been kept down; and it appears the applicant and architect have gone through several reiterations to address the neighbors' concerns. He added the views are not significant primary views and the Commission can't stop a project based on fairly minor views. He supports the project unless there is the ability to lower the garage.

Commissioner Freeman agreed that a number of things have been done in response to the neighbors' concerns. It is a small house and view is not a factor in our findings, drainage will be handled properly, and perhaps there is the ability to lower the garage.

Vice Chair House said it is unfortunate that the neighbors tried, but were unsuccessful in purchasing the property, but this owner does have the right to construct a dwelling. The design is similar to many of the other houses in the neighborhood and should have no greater impact than the other houses currently have on each other. The minutes will reflect the concerns about drainage and the construction management plan, she does not support lowering the garage, as it would not have that great of an impact on the neighbors, but would impact the neighbors' use of their garage. Uncovered parking is not as desirable, particularly in inclement weather. She suggested the colors be approved by staff during construction.

It was agreed that the windows should be darker than almond.

M/s Freeman, Sisich, to approve the project based on the findings and conditions listed in the staff report, with three additional conditions, subject to staff approval: a landscape plan, window color (darker than almond), and exterior materials be approved administratively during construction. Motion passed unanimously.

Audience advised of the 10-day appeal period to the Town Council.

5. **V-0512/DR-0514 – Robin Brandes and John Roberts, 130 Meadowcroft Drive, APN 005-141-29,**  
1) setback Design Review to add a single story addition of approximately 310 square feet within 5' of the east and west side property lines, 2) parking variance for one of the two spaces to be 7'x19' (Code: 2: 9'x19'); 3) setback variance to add a exterior stairs within 0' of the west side property line (Code: 6'); 4) setback variance to add a window projection within 13' of the front property line (Code: 20'), and 5) lot coverage variance to increase lot size from 34.7% to 39.% (Code: 35%). (staff person: Chambers)

Commissioner Freeman indicated he received a notice of the hearing and would recuse himself due to potential conflict of interest. Discussion ensued about whether that would still constitute a quorum. Not

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having access to a legal opinion, the Planning staff recommended hearing the application with Commissioner Freeman remaining as part of the quorum, but abstaining from discussion and the vote. Once legal advice was received the following day, either the vote would stay or the Commission's action would be considered invalid and a new public hearing would be held on June 6, 2005, with a majority of the Commission present to vote.

Ms. Chambers presented the staff report.

John Roberts presented photographs to the Commission. He said the water heater and stair removals would not make the garage any more usable. Regarding the bay window, he pointed out that they could avoid the setback variance if it did not have floor space, but they feel that would be a gathering place for animals, as they are near the creek.

In response to Commissioner Sisich, Ms. Chambers said that because they are adding two rooms that could be used for bedrooms, there must be 2 legal parking spaces, which is only possible within the garage, as the driveway is only 16' in length.

Mr. Roberts added that they have 4 usable parking spaces on site, which is more than their neighbors have.

Vice Chair House said Code requires the hot water heater to be 18" off the floor or a concrete post in front of it, which would be a problem. She said she would like to fix the parking situation in the garage by moving the water heater, and asked how onerous it would be to change the door to the kitchen. Ms. Brandes said it would make the kitchen smaller and they would have to find a place for the hot water heater.

In response to Commissioner Sisich, Ms. Chambers said the bay window would be counted towards lot coverage whether it had a floor or not. If it did not have a floor, the front setback would not be required.

Commissioner Sisich said the hot water heater and door to the kitchen are diminimus, to which Vice-Chair House agreed. There was further discussion about the parking situation.

M/s Sisich, House, to approve the staff report, with the added changes to approve the parking variance, bay window setback and lot coverage on the grounds that no change is being made to the current parking situation and it will not materially add any space for parking cars, the approval of the bay window will not be a special privilege as a lot of the homes are built within the front setback along that street and will not extend further than the existing front edge of the building and is under the existing eave, the lot coverage variance is because there is minimal yard due to the slope and topography of the lot. Motion carried: AYES: House, Sisich, ABSTAIN: Freeman.

Audience was advised of the 10-day appeal period.

Staff note: Following the hearing, the legal advice received was that there was not a quorum to vote on this item at this meeting; therefore, the approval is invalid, and this application will be heard at a public hearing on June 6, 2005 with a quorum of Planning Commissioners.

**E. ITEMS FROM PLANNING COMMISSION**

There was a brief discussion in response to Commissioner Freeman's questions about site visits to projects.

**F. ITEMS FROM STAFF**

Ms. Wight noted that the Town Council approved the appeal of the Commission's denial of the groundcover for 790-800 Sir Francis Drake Boulevard on May 10, 2005. The following items are scheduled to be heard by the Town Council: May 24, 2005: 1535 Sir Francis Drake Boulevard, 790-800 Sir Francis Drake Boulevard (appeal) and 2, 4, 6, and 8 Loma Robles, Zoning Ordinance Amendments, and 100 Hillside Avenue; June 14, 2005 (tentative): 186 Scenic Avenue (appeal) and Sign Ordinance Amendments.

**G. ADJOURNMENT**

The Planning Commission meeting was adjourned at 8:35 p.m. to the next regular meeting on June 6, 2005.

  
Lisa Wight  
Planner Director