

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF MARCH 21, 2005**

A. CALL TO ORDER

B. OPEN TIME FOR PUBLIC EXPRESSION

Commissioners Present: Chair Zwick, Vice-Chair House, Freeman, Harris, Sisich

Louise Matthews, Foothill Road, would like the Redhill Community Park project to be heard by the Planning Commission.

C. CONTINUED PUBLIC HEARING ITEMS

1. **DR-0504 – David and Jennifer Boesel, 81 Holstein Road, APN 5-053-49**, design review of a new two-story, 4,255± square foot single family dwelling and 792± square foot attached garage, located within the R-1 zoning district (above 150' msl). (staff person: Wight) **CONTINUED TO THE MEETING OF APRIL 4, 2005**
2. **ER-0501/PS-0501/PPD-0501/V-0504 – Carlos and Norine Castro, 444 Redwood Road, APN 7-191-10**, 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 THE MEETING OF APRIL 18, 2005**
3. **DR-0506 – David Luce, 35 Grove Hill Avenue, 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) **CONTINUED TO THE MEETING OF APRIL 18, 2005**

The Commission changed the order of the agenda.

**E. PUBLIC HEARING ITEMS
CONSENT AGENDA**

1. Minutes – March 7, 2005

M/s Freeman/Harris and unanimously passed (5-0) to approve the minutes.

2. **V-0505 – Greg DeSurville and Judy King, 9 Rutherford Avenue, APN 005-127-06**, setback variance to reconstruct more than 50% of a detached garage and raise the roof a maximum of 2', up to ±15'-2" within 3'-11" of the east (side) and 6'-9" of the south side (rear) property lines (Code: side: 8' rear: 20'), located within the R-1 zoning district. (staff person: Chambers)

M/s Freeman/Harris and passed (4-1 abstention: House) to approve this project.

3. **U-0502/SR-0501 – Dario Fredrick for Whole Athlete, LLC, 7C Mariposa Avenue, APN 007-301-07**, Conditional Use Permit to operate a personal fitness testing and training studio, and sign review of two conforming signs, located within the C-3 zoning district. (staff person: Chambers)
4. **DR-0507 – R.L. Gianattassio-Malle and R.H. Malle-Gianattassio, 41 Tomahawk Drive, APN 177-250-61**, Design Review of a 5' tall, 13' wide, open black metal gate that is proposed to be placed across the private driveway, located within the R-1H zoning district. (staff person: Chambers)
5. **DR-0509 /U-0504 - Pet Food Cottage, 218 Greenfield Avenue, APN 6-173-16**, design review of exterior alterations to the windows and door; and use permit to operate a retail store in a space greater than 1,200 square feet, located in the C-3 zoning district (staff person: Wight).

M/s Harris/House and unanimously passed to approve items 3, 4, and 5 of the Consent Agenda. Chair Zwick reminded all parties of interest of a 10-day appeal period to the Town Council for all items on Consent.

D. ROSS VALLEY FIRE DEPARTMENT PRESENTATION

Battalion Chief Michael Denning made a presentation on the Urban Wildland Interface Code, which pertains to residential buildings and the surrounding land. Mr. Denning fielded questions from the Planning Commissioners after the presentation.

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REGULAR AGENDA

Chair Zwick recused himself from the podium.

6. **ER-0502/GPA-0501/ Z-0501 - Reverend Zuikei Taniguchi, 100 Hillside Avenue, APN 7-121-25, 7-121-40, 7-121-59, and 7-131-06**, 1) environmental review (Negative Declaration); 2) General Plan amendments to change the designations to Single Family Conservation, currently designated Single Family and Very Low Density; and 3) Rezoning to R-1 C (Single family Residential-Conservation Area), currently located in the R-1 and R-1 H zoning districts. The above parcels plus APN 7-121-39 comprised one legal, developed lot and three legal, undeveloped lots, which were recently reduced to two in a lot line relocation application approved by the Planning Commission on February 28, 2005. The proposed General Plan amendments and Rezoning applications will not increase the number of the two legal, undeveloped lots.

Acting Planning Director Wight introduced the staff report.

In response to Commissioner Harris, Ms. Wight used the plans to explain the reasons for making the designations and zoning of these plots identical.

Tad Matsumoto, representing the applicant, is in agreement with the staff report and he asked the Planning Commissioners to support this item.

Commissioner Harris is satisfied that the Planning Commission would still retain control over the building envelope, despite the changes, and he will support staff's report.

Commissioner Freeman said that the zoning of the properties should be consistent and the recommendations of the staff report make sense.

M/s Sisich/Freeman and unanimously passed (5-0) to approve this item based on the findings and conditions as set forth in the staff report. Vice-Chair House advised all parties of interest of the 10-day appeal period to the Town Council.

Chair Zwick returned to the podium.

7. **DR- 0508/V-0506 - Josef F. and Corinne A. Kremlaceck, 186 Scenic Avenue, APN 7-063-11 (located across from Nos. 179 and 203 Scenic Avenue)**, design review of a new 3,007 ± square foot, three story single family dwelling with uncovered deck terraces and a 426 ± square foot garage; and setback variances for 1) a retaining wall approximately 140' in length and up to 6.5' above grade to be constructed off the property and in the Scenic right of way below and setback from the existing road; and 2) a gate on the driveway, located in the R-1 zoning district (above 150 msl). Encroachment permits from the Public Works Director will be required for both the retaining wall and chain and gate in the right of way. (staff person: Wight).

Acting Planning Director Wight introduced the staff report. Ms. Wight explained that hillside design review is necessary because part of the property lies above 150 MSL. Furthermore, this project will need to be continued to Notice a variance for the chimney heights.

In response to Chair Zwick, Ms. Wight clarified the necessity for hillside design review.

In response to Commissioner Sisich, Ms. Wight said that a decision on colors could be made at a later stage.

David Jochum, architect for the project, said that the lot is small and steep and that he has designed a fairly modest house, which is set into the hillside. Mr. Jochum believes that the house does not present a large mass and he noted that the chimneys will meet the new requirements if those requirements are adopted. Furthermore, the landscape plan provides plenty of screening and Mr. Jochum said that they have worked with the Public Works Director and Fire Department with regard to their requirements.

In response to Commissioner Sisich, Mr. Jochum explained that the chimney heights are needed in order to meet Code.

In response to Vice-Chair House, Mr. Jochum discussed the materials for the railings.

Jonathan Braun, 479 Scenic Avenue, said that this design is unacceptable. Mr. Braun used the General Plan to show that the project does not fit into the neighborhood. Furthermore, the Town is allowing public land to be used for part of the driveway. Mr. Braun said that Scenic Avenue is narrow and sub-standard and that he sees no reason that the public right-of-way should be given to an individual, or that a gate should be allowed on public property. Mr. Braun believes that the size of the house has been calculated incorrectly and that it is not consistent in size to other homes in the neighborhood. Mr. Braun believes that screening is insufficient and that drainage is an issue.

In response to Chair Zwick, Mr. Braun said that he had not been invited to meet with the applicants.

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Tom Fallon, 5 Plumas Avenue, is concerned that drainage is already a problem that will be exacerbated by a new large house. Mr. Fallon said that water needs to be controlled and the homeowners below protected. He believes that the house is too large and not in the least modest in size.

Bob Snyder, 11 Plumas Avenue said that the culvert near his house is not large enough and that the new house should not be built so close to the culvert.

A short discussion ensued between Chair Zwick and Mr. Snyder with regard to the location of the culvert.

Elizabeth Fairbanks, 134 Scenic Avenue, is also concerned about water. Furthermore, the house will appear to be massive since her property lies below it. Ms. Fairbanks said that the house is too large and that it is not in character with the neighborhood.

Theresa Johnson, 130 Scenic Avenue, concurs with Mr. Braun and is further concerned with the visual impact of the property. Drainage is also an issue since she has had problems with her home flooding in the past.

Eileen Galver, 324 Scenic Avenue, likes the design and she is in favor of the project.

Louise Matthews, Foothill Road, presented a map to the Commissioners. Ms. Matthews said that the house is too large, that the drainage is in a bad state that that the retaining walls will present a massive impact.

Barbara O'Toole, 461 Scenic Avenue, said that the impact from construction traffic will be horrendous, given the narrowness of the road.

B.J. Snyder, 11 Plumas Avenue, is in agreement with the public's comments with regard to drainage. Landslides are a further concern.

Brian Clark, 190 Scenic Avenue, suggested that the culvert should be extended to help drainage.

David Maloney, owner of 15 Plumas Avenue, is concerned with drainage issues and flooding.

In response to various comments, Mr. Jochum said that drainage is always an issue on hillside lots. A civil engineer has designed a drainage plan, which is standard around the County. Mr. Jochum said that he has carefully monitored the story poles, which he did not see under water. The new retaining wall will provide support for Scenic Avenue and is favored by the Public Works Director. Furthermore, the gate is of an ordinary design and acts as an extension to the deer fence. There are sufficient trees to provide screening.

Corinne Kremlaceck explained the steps she had taken to notify the neighbors of their project.

In response to Commissioner Harris, Mr. Jochum used the plans to explain the location of the driveway in relation to the public-right-of-way and Scenic Avenue.

In response to Commissioner Sisich, Mr. Jochum used the plans to explain the direction of water and water dispersion. In further response to Commissioner Sisich, Mr. Jochum discussed the reasons for needing the chimney heights and he also discussed the roof pitch.

In response to Commissioner Harris, Ms. Wight said that the role of the Commissioners is to provide direction to the applicant because the chimney heights need to be noticed and thus the project must be continued to a future hearing.

Chair Zwick noted that this is not the only instance in which a gate has been allowed in the public right-of-way. In response to Chair Zwick, Ms. Wight said that the Public Works Director will peer review the drainage plan.

Commissioner Sisich does not believe that drainage problems will be exacerbated and he will defer to the expertise of the Public Works Director. Commissioner Sisich favors the driveway, gate and road improvements and he believes that the house is not too large and the design is acceptable. However, Commissioner Sisich would like the stucco color to be darker.

Commissioner Harris will defer to the expertise of the Town Engineer and peer-reviewer with regard to whether or not the house will exacerbate drainage conditions. He does not believe that the project created the problems he has heard and thus it should not be denied for this reason. Commissioner Harris noted that the house is larger than many in the area but that the parcel on which it will be built is larger, too. He noted that the house approaches the maximum allowance in terms of height and floor area ratio and suggested that the architect scale down the home.

Vice-Chair House said that the applicants appear to have addressed the concerns of the neighbors and that the drainage plans will be studied by experts. Commissioner House would like color panels to be provided at a later stage before a decision is made and would prefer that the colors were darker. Overall, Vice-Chair House likes the design and she does not believe that the house will appear massive to the downhill neighbors.

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Commissioner Freeman would like assurance that the drainage plans are closely studied in view of the neighbors' opinions, to ensure that the project will not exacerbate the problems. Commissioner Freeman suggested that more screening could be provided or perhaps the scale of the house could be reduced to appease neighbors' concerns regarding the visual impact.

Commissioner Zwick said that early discussions and the involvement of the Public Works Department in major projects have ensured improvements to drainage systems. Commissioner Zwick trusts the Public Works Director to evaluate the drainage plans to ensure the current problems are not exacerbated. He noted that the hillside lot is prominent and the house almost reaches the maximum allowable size, so it is difficult to accept that this design will have the smallest possible impact. However, Commissioner Zwick liked the design but suggested the mass could be changed on the side that is flat. He would also prefer darker colors.

M/s Sisich/Harris and unanimously passed (5-0) to continue the project to the meeting of April 4, 2005.

F. ITEMS FROM PLANNING COMMISSION

G. ITEMS FROM STAFF

Items to be heard at the Town Council Meeting on Tuesday, March 22, 2005 include 2, 4, 6, 8 Loma Robles and 790 Sir Francis Drake Blvd, and Development Standards. 1535 Sir Francis Drake Blvd should be heard at the April 12, 2005 Council Meeting.

A survey has been obtained for 52 Durham Road.

H. ADJOURNMENT TO THE MEETING ON MONDAY, APRIL 4, 2005

The meeting was adjourned at 9.45pm.


**JOANNE O'HEHIR
SR. ADMIN. SERVICES ASST.**