

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES OF JUNE 16, 2008**

A. CALL TO ORDER

Commissioners Present: Schinner, Krebs, Overberger, Sisich
Commissioners Absent: Harris, Zwick

B. OPEN TIME FOR PUBLIC EXPRESSION

There was no public expression.

C. CONTINUED ITEMS

D. PUBLIC HEARING ITEMS

CONSENT AGENDA

1. Minutes – June 2, 2008

M/s Krebs/Overberger and unanimously passed to approve the minutes of June 2, 2008 as submitted.

REGULAR AGENDA

- 2. DR-0814/V-0808 – Yarrow and Gaby Drake, 166 Butterfield Road, AP:N 005-101-13, Setback Variance and Flatland Design Review to add 580 square foot of second-story additions within 5' of the north side property line (Code 8'); Setback Variance to construct a garage within 2'7" of the north, side property lines and 0' of the west, front property line (Code: 8' and 20') located in the R-1 zone. (staff person: Consultant Vazquez)**

Consultant Jan Vazquez presented the staff report noting that a very limited shadow would be created during the winter months on the first floor level of the adjacent house. Vazquez also noted that the master bedroom window would look toward clerestory windows on the second floor of the neighboring house and overlook the windows of an office/TV room at the first floor, thus addressing privacy concerns. In response to Commissioner Sisich's inquiry about parking, Vazquez responded that the proposed garage will be no closer to the street than the existing garage. Vazquez also stated that the proposed garage would actually be farther back than the existing garage. Sisich also asked about the practicality of the garage and driveway and Vazquez stated that the Department of Public Works would like the driveway to be realigned and that Public Works has reviewed the plans.

Sisich also stated that the shadow study surprised him, as it seemed like the second level would have more impact on the neighbor.

Commissioner Overberger asked for more explanation on the curb cut and driveway, and also asked if cars would be completely off of the right of way. Vazquez responded yes.

Overberger asked if there was any opposition to the two second story decks and Vazquez stated no. In response to Overberger's inquiry of whether the plans had been submitted to all neighbors, Vazquez replied that she did not know.

Architect Gary Millar addressed the Commission and stated that only 162 square feet would be added to the existing footprint. Millar stated that the major portion of the addition is not in violation of the setback. In regards to the shadow study, Millar stated that the major impacts are in the winter due to the location of the California Bay forest, and that the applicant met with the neighbor to come up with a plan that was acceptable. Millar further stated that the neighbor agreed to the changes in the master bathroom, and that the changes are actually similar to

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what the neighbor has. Millar also said that the applicant would rather not remove the bathroom window as that would not be architecturally pleasing.

In regards to the garage, Millar noted that the placement of the structure is driven by the fact that the creek is on the setback and the location of the Heritage tree. Millar stated that the garage will improve access along the right of way and will also help stabilize the creeks bank and informed the Commission that there is 16 feet of distance from the curb to the face of the garage door. In response to Sisich's inquiry about the 16 foot distance, Millar explained that the 16 feet is the width of the sidewalk area.

Sisich stated that the area was not actually the applicant's property and asked if would be paved and Millar stated yes and that Public Works had requested the applicant to address the wide space issue.

Commissioner Schinner asked about the recommendation that the window be eliminated or replaced with another option, Millar stated that a clerestory window would be chosen with sill height at 5 feet.

Gail Gallen, Butterfield Road (neighbor) stated that the applicant has made several compromises for her on the project and that she supports the project.

In response to Sisich's inquiry of whether Fish and Game is involved when work is being permitted around the creek, Building and Planning Director Lisa Wight responded that if the work is going to be closer than 15 feet from the top of the creek bank, Public Works must get involved.

Millar stated that Director of Public Work Rabi Elias reviewed the project to see how to handle the proximity to the creek and determined that the house addition was fine. Millar stated that the garage wasn't discussed and that Public Works recommended the upgrade on the parking.

Schinner asked if the property had flood issues, and Millar stated that during flooding water came up to the garage, but not the house. Millar also noted that there will be breakaway panes in the garage for flooding.

M/s Overberger/Sisich and unanimously passed (4-0) to move the staff report as submitted. The audience was advised of the ten day appeal period to the Town Council.

3. **U-0813/DR-0815 – Sunny Hills Services, 300 Sunny Hills Drive, APN 006-061-33**, use permit and design review amendment to make minor exterior alterations and color changes to three building and alterations to the entry drive and parking, including

Building and Planning Director Lisa Wight presented the staff report noting that two roofs would need to be replaced and be the same color. Wight noted that the use of the use of the property will remain educational with a continued residential aspect to the use. Wight also noted that although there is currently an appeal of the Planning Commission's approval of the Negative Declaration, Use Permit and Design Review for the Red Hill Community Park before the Town Council, the Sunny Hills project could be evaluated on its own and is not included in the appeal.

In addition to the conditions of approval noted in the staff report, Wight also added the condition that the mechanical equipment be painted to match the roof color.

Architect Suzy Mozolla introduced the team working on the project and informed the Commission that the building hadn't been painted in 15 years.

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M/s Krebs/Overberger and unanimously passed to move the staff report with the addition of the finding that all mechanical equipment be painted to match the roof color. The audience was advised of the ten day appeal period to the Town Council.

E. ITEMS FROM THE PLANNING COMMISSION

Members of the Planning Commission asked if a new Commissioner had been chosen and Wight responded not yet.

F. ITEMS FROM STAFF

Wight stated that the Town Council's appeal of Red Hill Community Park would be held on Tuesday, June 17, 2008.

Wight announced that the FAR subcommittee would hold a neighborhood walk at 6:30 pm and meet at 7:30pm. Wight stated that the subcommittee is moving forward and that opinions are being heard.

Krebs asked about other changes to the Town zoning laws and Wight responded that the changes are on hold due to FAR.

Overberger thanked Wight for the terrific minutes taken at the subcommittee meetings.

G. ADJOURNMENT

The meeting was adjourned at 8 p.m. to the next meeting of Monday, July 7, 2008.

Respectfully submitted,

La Shaun Williams