

**A. CALL TO ORDER**

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

**B. OPEN TIME FOR PUBLIC EXPRESSION**

Kathryn Gant Bradley, Durham Road, reminded the audience of coming FAR meetings. Bradley also mentioned the meeting to discuss selling the Red Hill field to the Mount Tam School District. She expressed concern about the downtown development meetings being held by non-Town staff and the confusion that it is sponsored by the Town.

**C. PUBLIC HEARING ITEMS**

**CONSENT AGENDA**

**1. Minutes – May 5 and May 19, 2008**

M/s Krebs/Harris and unanimously passed to approve the minutes of May 5 and May 19, 2008 with minor non-substantive changes.

**DR-0811-Mark Haddix, 39 Tomahawk Drive, APN 177-250-62**, Design Review to add a ±55 square foot upper story addition to enlarge a bathroom and ±55 square foot lower story addition below for storage; modify the roof eaves; and minor modifications to windows and doors, located within the R-1H zoning district. (staff person: Chambers)

Chair Schinner recused himself.

M/s Harris/Sisich and passed to move the staff report. Recused: Schinner

**REGULAR AGENDA**

**1. U-0811/DR-0812 – Peter and Mary Pfau, 419 Redwood Road, APN 007-141-12**, Use Permit to demolish 50% or more of the existing dwelling; Hillside Design Review of a new 2,884± square foot, one-story dwelling with a 547+ square foot carport, 240± square feet of storage and 116± square feet of decks, located in the R-1C zone (staff person: consultant Vasquez)

Consultant Jan Vasquez presented the staff report noting that the property is a hillside property and subject to design review, under the jurisdiction of the Bald Hill plan and is in the Wildland Urban Interface Zone. Application proposes to demolish existing residence and build back a new residence with the same footprint with some expansion on the west side of the house. There is a two story portion proposed as a storage room underneath the living area on one side where there is a sort of bowl topography and is the only two story portion.

Vasquez noted that a materials and color board is presented and that there would be portions of metal that would be painted dark brown and the roof would be a mineral surface asphalt and one area would use honed aluminum windows and sliding glass doors. Vasquez noted that the Bald Hill Plan states that shiny materials should not be used; however the overall goal is to reduce visibility from nearby and distant views through the use of colors and materials. Vasquez noted the findings could be made due to the limited amount of aluminum used and the amount of trees that are on the property pretty effectively screens long distance views. Vasquez reported that the staff report had two attachments from the Fire Chief noting that he had reviewed the vegetation management plan for the control of spreading a fire on the property and as a result of working with the Fire Department to develop the plan, twenty-one Bay trees are proposed to be removed from the property. The property would remain in excess of fifty trees. Vasquez noted that the Bald Hill Plan suggests a one-to-one ratio for any trees that are removed, but that the Fire Chief expressed in a memo that he would prefer the one-to-one ratio not be met due to the concern about fire spreading from the canyon below. Vasquez noted that she received a report on Coast Live Oak management in reference to two trees on either side of the existing house that would be potentially affected by the construction. One tree is a Heritage Oak tree and the property owner does not want to remove the trees, even though it has been recommended to do so. Vasquez reported that applicants received an email from a neighbor who was concerned about the traffic that would go up Redwood Road. The neighbor was concerned about construction traffic on the Center Road side and the potential for damage to the roads. Vasquez noted that she responded to the email stating that the construction

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management plan is typically required by the Public Works Director at the time that a building permit is issued and that the Bald Hill Plan does require road impact fees to be paid when a new house is built, but not in the case of a rebuilding on a developed site. Vasquez noted that findings have been made to support the approval of the project along with a number of conditions suggested by the Fire Department, Public Works, and Planning along with the mitigation program to protect the oak trees.

Commissioner Krebs asked about the road impact fees and Vasquez noted that when building a new house, new traffic is attracted which creates an impact and additional usage on the roads.

Building and Planning Director Lisa Wight clarified that there are two road impact fees; one for Bald Hill and the general fee.

Krebs asked if the Bald Hill Plan impact fee was stricter or more costly and Wight responded that the fees are different.

Krebs asked about the bonding amount as well. Commissioner Zwick stated that he believed the amounts vary by project.

Harris asked if the Planning Commission has the discretionary authority to add a condition of approval, Wight responded no.

Krebs asked if the use of certain routes could be added as a condition of approval and Wight noted that the suggestion could be made, but that Public Works Director Rabi Elias would choose the best route, which would likely be Oak.

Harris asked about the aluminum window frames Vasquez noted that the rendering had a drafting error, which doesn't show the windows as being silver, but a dark red.

Harris asked if the number of trees proposing to be removed would actually make the house more visible, and Vasquez responded no because looking across the canyon, the view is of where the lot starts to drop down, and only three trees will be removed.

Harris asked if the Commission had authority on the one-to-one tree ratio plan, and Vasquez noted that according to the Bald Hill Plan in the section called application requirements that states under the landscape plan "indicate replacement ratio of two-to-one for oak trees or redwood trees with the same species and a one-to-one ratio for other trees proposed for removal with a 6-inch or greater diameter." Wight noted that the goal is to have a low visual profile and if the concern is that too many trees are being removed and not being replaced, a condition could be made that prior to final inspection that the Planning and Building Director visit the site to determine if additional trees should be planted.

Harris asked what happens if trees get damaged due to construction and Wight noted that they would need to be replaced.

Wight stated that she would ensure the memo of concern was forwarded to Public Works Director Rabi Elias.

Commissioner Overberger asked if the new Wildlife Urban Interface Zone would trump other plans and Wight noted that Wildlife Urban Interface Zone was in effect and that she had been planning to meet with the Fire Chief to go over the plan in order to plan for discussions and workshops on the zone. Wight noted that the Fire Chief has been visiting the sites individually. Overberger noted there must be some balance between having no trees and having as many trees as possible.

Krebs asked if the Town Attorney was comfortable that the Wildlife Urban Interface Zone controls all other requirements, and Wight responded that's where the design of the building and what materials are used come into focus.

Applicant Peter Pfau asked to let his neighbors with time constraints speak first.

Nancy Michaels, White Way, stated that she fully understands the limitations of the current home and the need for expansion. Michaels stated that she's seen examples of the applicant's work and appreciates the environmental concern. Michaels stated that visually she is the most impacted neighbor and thinks the changes will be beneficial to the neighborhood. Michaels stated that she hoped the Commission would support the project.

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Applicants' son Emmet Pfau asked the Commission to approve the project because they only have one bathroom and lots of termites.

Applicant Peter Pfau addressed the Commission stating that he and his family moved to the neighborhood in 1999 because they loved the natural character of the site. Applicant noted that all renovations are about good stewardship of the site. Applicant stated that the modifications are very small in size and include solar panels for the roof and solar heating for hot water as well as it is important to make the house more sustainable and energy efficient. Applicant also said that the chosen materials are part of an effort to make a good fit for the site, and the windows are an effort to preserve the potential to have a little creativity. Applicant also stated that the proposed aluminum is mill-finished aluminum, which is dull in color. Applicant noted that he has spent a lot of money maintaining trees on the property and plans to follow all the arborist recommendations to reserve the trees. In regards to the trees needing to be removed, applicant stated that they are all Bay trees and in the frequent visits from arborists, a strong recommendation has been to remove the Bay trees, as they are a carrier of virus. Applicant noted that the Bay trees are also very flammable. In regard to the traffic impacts, applicant stated that he's aware that he needs to contribute to the quality of the roads in front of the house and has contributed to the cause of refinishing the road. Finally, applicant informed the Commission that he will be purchasing a new fire hydrant as well.

Harris asked how reflective the solar panels were and applicant noted that non-reflective solar panels are available, and that the proposed panels will face the south.

Kathleen Sanders, Redwood Road, stated that the project is a great example of how the Bald Hill wanted to make things work within the environment and blend in and that she is pleased with the project and noted that the story poles are not intrusive.

Chair Schinner asked if Sanders wanted more trees removed, and she responded that she would like to see more trees remain, but understands the need for the removal.

Lowell Dwyer, Redwood Road, stated that the applicants have been great neighbors and echoed the comments of Kathleen Sanders and commended the applicants for maintaining the property. Dyer also mentioned that the Laurel Canyon area is a fire hazard and he would like to see something done about the hazard.

Kathryn Gant Bradley, Durham Road, mentioned that at a previous Town Council meeting it was mentioned that the Fire Marshall was going to revisit the stringent code.

Applicant responded that the property in the Laurel Canyon area are private properties not maintained by the Town and that it would be great if a procedure were developed to address the issue.

Krebs asked Applicant if he would have any objection to the recommendation that construction traffic be routed up Oak Avenue, and applicant responded that was fine with that as it makes tremendous sense.

Commissioner Zwick stated that he applauds all efforts towards sustainability. Zwick stated that the size and location of the house as well as demonstrated support from the neighbors is wonderful and thanked the applicant.

Krebs noted that he agreed with all comments of appreciation for all efforts and that his concerns are about the trees and possibly adding additional recommendations to the Fire Chief to consider adding a few trees for additional screening and in respect to the brushed aluminum, Krebs stated that it does not seem to be significant issue, but will leave to the discretion of the planning director, given the low visual profile of the location. Krebs also stated that he would like to recommend that the construction route be along Oak Avenue.

Overberger noted that she has no problems and that brushed aluminum will not attract any attention. Overberger also stated that she would like to explore removing the Bay trees and replacing with some less inflammatory. She questioned whether the town could contact the property owners in Laurel Canyon regarding removal of the scotch broom.

Harris noted that he would have concern about the aluminum; however it should not be a real issue. Harris stated that he would like the solar panels to be as non-reflective as available.

Schinner stated that he agreed with the comments of all, and that he echoed the concerns of Krebs and Harris regarding the aluminum but feels it can be dealt with at the staff level. Sisich stated that he would like to preserve as many Bay trees as possible.

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M/s Zwick/Krebs and passed to move the staff report with the additions of recommending that construction traffic be routed down Oak Avenue and solar panels are as non-reflective as reasonably possible. (4-0).

Audience was advised of the 10-day Appeal Period to the Town Council.

**E. ITEMS FROM THE PLANNING COMMISSION**

Schinner shared the Marin County Affordable Housing Inventory 2008 information.

Overberger asked is there an ordinance that gives direction on earth removal, and Wight responded that there is not in the flatlands and the General Plan discusses for the hillsides.

The Commission discussed the upcoming FAR subcommittee meetings and the findings and results of the previous meetings.

Krebs asked about any restrictions when making quotes to the media. Schinner noted that it's ok to state that comments do not reflect the feelings of the entire commission.

**F. ITEMS FROM STAFF**

Staff advised the Commission of the 10 Foss Avenue status and the Red Hill Community Park appeal.

**G. ADJOURNMENT**

The meeting was adjourned at 10 p.m. to the next regular meeting of Monday, June 16, 2008.

Respectfully submitted,

La Shaun Williams