

**TOWN OF SAN ANSELMO PLANNING COMMISSION
MINUTES, FEBRUARY 4, 2008**

A. CALL TO ORDER

Commissioners present: Harris, Schinner, Sisich, Overberger, Krebs, Zwick
Commissioners absent:

B. OPEN TIME FOR PUBLIC EXPRESSION

Louise Matthews, Foothill Road, expressed that she would like the Planning Commission to work with the Town Council and Planning Department on the reviewing of projects to get an idea of what would happen if an approved project moves forward in inclement weather.

C. WITHDRAWN

1. **V-0727 – Susan Hoy, 90 Melville Avenue, APN 007-263-31**, Setback and Parking Variance to construct a 398± square foot studio on top of the garage within 4' of the north side yard property line and 9'-6" of the rear property line (Code: 8' and 20') and a Lot Coverage Variance to allow the proposed two story structure on property with an existing lot coverage of 39.8% (Code maximum: 35 %), located in the R-1 zoning district. (staff person: Chambers)

D. CONTINUED ITEMS

1. **DR-0739 – Hal Walker, 754 Sir Francis Drake Boulevard, APN 006-091-39**, Commercial Design Review of a change to the exterior materials and colors (wood siding to be replaced with stucco; brown stain to be replaced with brown and orange tone colors) and a change to the sign program, located within the C-L zoning district (staff person: Wight) **CONTINUED TO 3/3/08**
2. **DR-0741 – Sean Condry, 15 Fernwood Drive, APN 007-131-36**, Design Review Amendment to the previously approved 2,348± square foot dwelling, 745± square foot decking, and 500 square foot garage to add a 1,135± square foot additional floor area in a new lower floor, bringing the total floor area to 3,427± square feet, add a 745± square foot lower deck bringing the total deck area to 1,735± square feet, reduce the garage to 440 square feet, and other design modifications, located within the R-1 zoning district (above 150' msl). (staff person: Wight) **CONTINUED TO 3/3/08**
3. **PDP-0801/DR-0801 – Sutton Cunningham for Jim Morrison, 501 Oak Avenue, APN 007-192-07**
Precise Development Plan and Design Review of a new swimming pool (to replace existing) and pool retaining wall up to 11'4" ± and a retaining wall (replace existing) up to 7'8"± above grade located in the R-1 H zoning district. (staff person: Wight) **CONTINUED TO 3/3/08**

E. PUBLIC HEARING ITEMS

CONSENT AGENDA

1. **Minutes – January 14, 2008**
2. **UP-0802 – William and Shirley Feldmeyer, 125 Scenic Avenue, APN 007-064-38**, use permit for an existing 751 square foot second unit to remain that is 33% of the main dwelling size (Code: 30% maximum) and has a hip roof, horizontal siding, and beige color (Code: match roof, siding and color) located within the R-1 zoning district. (staff person: Wight)

M/s Overberger, Krebs, (passed 6:0) to approve the consent agenda.

REGULAR AGENDA

3. **U-0801/V-0801/DR-0802 – Matthew and Holly Casey, 67 Tamalpais Avenue, APN 007-212-08**, Use Permit to demolish the existing dwelling; Flatland Design Review to construct a 1,134± square foot second story in conjunction with a new 2,793± square foot dwelling; Setback Variances to construct a 323± square foot carport within 4 feet of the east side property line and the swelling within 5 feet of the east and the west side property lines (Code: 8'), located within the R-1 zoning district. (staff person: Consultant Henderson)

Consultant Diane Henderson presented the staff report.

In response to Commissioner Harris' inquiry of what percentage of homes are at the 5' setback, Henderson responded that she was not definite about the number, but that there were quite a few.

Harris asked about the front yard setback, and Henderson stated that when driving down the street, there are homes that encroach, however the current application will correct the existing encroachment.

Commissioner Sisich asked about the shadow study in relation to the property to the east of the applicant, noting that significant shadow is cast during certain times of the day. Henderson stated that when reviewing the impact of the existing 6-foot fence and vegetation which includes a row of dense trees and large oak trees, the shadow didn't seem significant.

Sisich asked if the request for variance was based on substandard lot size and if anyone had come forward to note that the house was historical, to which Henderson answered yes and no, respectively.

Commissioner Krebs asked how far back from the property line were residences on the east and the west, and if the trees were the basis for the variance, to which Henderson responded the distance is approximately 5 feet and the trees are the basis.

Jennifer Asselstine, designer, presented the project, noting an additional shadow study depicting shadows from current trees on adjacent properties had been prepared. Asselstine said there are significant trees on and near the site, an arborist determined there would be no impact from the project on the oak and redwood trees, a row of windows was added to the upper and lower floors and the ground floor had been lowered, solar panels would be used on the roof and that the rest of the materials would be stucco and wood. Asselstine also stated that the neighbor on the east of the applicant has requested landscape, which the applicant agrees with that includes continuing a row of planting to increase privacy, maintain all privacy landscaping and replacing the current wire fence with a wood trellis.

Sisich asked how the landscaping would be incorporated into the approval and Henderson responded that a condition of approval could be added, as well as staff reviewing the landscaping plans prior to issuing the building permit.

Harris asked if the apartment building to the rear of the applicant's property has balconies and Asselstine responded that the apartments on the 2nd floor had balconies and the rear yard trees are approximately 15 feet tall. Henderson noted that trees screen the balconies and that the 1st floor patios are a grade.

Applicant Matthew Casey thanked the Commission for reviewing the project and noted that he was sensitive to the neighbors' request to be kept apprised of the construction process and be very careful of the oak tree.

In response to Harris' inquiry of what alternatives were explored that did not require variances, Asselstine stated that she was given guidelines by the Planning Department and didn't explore a lot of narrower options.

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Edwin Cariotti, Tamalpais Avenue, stated that he was happy to hear that the applicant was taking care of the Oak tree and stated that he feels it is important to mitigate the landscaping, he would like the redwood and wire fences replaced, asked if the carport could be moved to 5 feet from the property line, and that there be no construction on Saturday and Sunday.

Kathryn Gant Bradley, Durham, expressed that yard surveys are important.

Commissioner Overberger stated that she likes the design of the project as well as the reduction in lot coverage, adding that she concerned about the variance requests for a new dwelling when there is the opportunity to do something different, that she is struggling with the trees, and that fences are always an issue with neighbors that is usually a shared responsibility.

Sisich stated that he likes the house and that while not a huge house, he is struggling with the variances because of the teardown.

Commissioner Krebs stated that he agreed with Overberger and Sisich and commended the applicant and architect on the design and their efforts. Krebs noted that he is leaning toward approval and that the Planning Commission is struggling to find a way to be consistent with all applications.

Commissioner Zwick stated that he was torn as well but loves the design and creativity. Zwick stated that the applicant really compromised with neighbors and that the shadow study isn't that bad.

Overberger asked about flooding concerns and Asselstine noted that flooding occurs on the back part of the property during the wet season and has not encroached on the footprint of the house.

Harris stated that he liked the style and appreciated the process undertaken by the applicants, but being that the applicant is requesting a variance with a teardown, he would like to see alternative configurations. Harris said that he might be able to support a more minor variance.

Krebs, realizing at this point that he had a conflict, recused himself.

Harris said that it would make sense to have landscape conditions of approval and that a survey of side yards make sense. Harris further inquired about the second floor balcony stating that he was concerned about a possible privacy issue.

Chair Schinner stated that the comments of the Commissioners were consistent with his own views. Schinner said that he was torn on the project, and likes the solar aspects and the fact that the trees were taken into account. Schinner noted that he was struggling with the variance request. Schinner stated that he would like to see some further reduction in structure size and that he could not justify the variance.

Zwick noted that he would support a slightly higher elevation of the property.

Overberger recommended redesigning the project with a slight variation on the current theme.

Sisich suggested incorporating the comments made by Cariotti.

Schinner noted that consensus was to suggest a continuance of the project for a redraw of the plans.

Asselstine asked about a front yard setback, and Schinner said that he would be inclined to grant a front yard variance as the preference is to preserve some of the side yard.

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Harris suggested looking at the site plan with more circulation on the west side.

M/s Sisich/Zwick and passed (5-0, Krebs recused) to continue the application to the March 3, 2008 Planning Commission meeting with all comments as indicated by the Commission.

4. **DR-0803 – Greg Snowden for Green Fusion Designer Center LLC, 14 Greenfield Avenue, APN 006-251-07**, Design Review of exterior alterations including paint color (green, blue and brown tones) and tile (iridescent) located within the C-3 zoning district. (staff person: Wight)

Planning and Building Director Lisa Wight presented the staff report.

Applicant Greg Snowden stated that the green color is important as it is part of the design, logo, brand and trademark, it helps the build pop and that the darker green trim would be better than the blue trim. Applicant also noted that the trash in the fenced area is stacked neatly and that he is cleaning up the area.

Commissioner Overberger asked about the signage and applicant stated that the signage would stay as was recently approved.

Sam, Smith Lane, stated that the fence is missing a section and that the yard looks like a work area and a dump. Sam said that he likes the business and the art. Sam also said that the color is very bright.

Applicant apologized to his neighbor about the back area and said that he would clean it up. Applicant then suggested to the Commission that building color should be approved at an administrative level to lessen fees for business owners and streamline the application process.

Commissioner Zwick stated that he loved the proposal and the color, and that he likes the muted blue on the wall facing the residences, noting that the design review application process is as streamlined as can be and that he supports the proposal as is.

Commissioner Sisich stated that the colors are great and that the building is looking better. Sisich also said that he believes businesses need to promote. Sisich stated that he supports the project.

Commissioner Harris stated that he supported the project, but with hesitation about the color as he doesn't want to set a precedent for other businesses in the area. Harris also asked if the tiles would pose a light reflectivity problem, and Zwick said no, as they are not backlit.

Commissioner Overberger stated that she supports the project as is.

Commissioner Krebs stated that the project is fine as submitted, but agreed with Harris about not wanting to set a precedent.

Chair Schinner stated that he supports the project and likes the vibrancy as it is good for the community.

M/s Krebs/Overberger and passed (6-0) to move the staff report.

5. **DR-0804 – Robin Barnard for Studio Home LLC, 14 Ross Avenue, APN 007-282-11**, Design Review of exterior alterations including paint color (grey and blue tones), roll up door and awning, and exterior lighting of signs located within the C-2 zoning district. (staff person: Wight)

Planning and Building Director Lisa Wight presented the staff report

Applicant Robin Barnard clarified that the stainless steel awning might be cost prohibitive requiring the use of a regular awning.

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M/s Overberger/Zwick and passed (6-0) to move the staff report.

F. ITEMS FROM PLANNING COMMISSION

Overberger asked if a final meeting agenda was posted on the Town website, to which Wight advised it is.

Sisich suggested that the Chair periodically mention the continued items during the meetings.

G. ITEMS FROM STAFF

Wight announced that the Town Council granted the appeal for 10 Foss Avenue, thereby denying the application.

Sisich asked about the large logs near the bridge near Saunders, and whether the Town has a program that provides clean up crews to clean between the floods.

Wight also announced the FAR workshop was held on Saturday, February 2, 2008 by the Town Council. The Council has requested that any written comments about FAR be submitted by February 19th and then there will be another hearing at their meeting on February 26, 2008.

Wight said the appeal of 129 Madrone Avenue will be heard by the Council on February 12, 2008.

H. ADJOURNMENT

The meeting was adjourned at 9:30 pm to the next meeting of Monday, March 3, 2008.

Respectfully submitted,
La Shaun Williams