

A regular meeting of the San Anselmo Planning Commission called to order on November 17, 1986 at 8:05 p.m. by Chairman Kroot in the Isabel Cook Community Center. Planning Technician Wight was present.

#### ROLL CALL

Commissioners Present: Harle, Hayes, McPeak, Kroot

Commissioners Absent: Heubach, Manning, Zaharoff

#### APPROVAL OF MINUTES, NOVEMBER 3, 1986

On page 2, the fifth word in the second paragraph was corrected to read "thought." On page 3, in the third to the last paragraph, the typing of the word "but" was corrected. On page 6, the last line of the first paragraph was corrected to read, "support the family in the future."

M/S, McPeak-Harle, to approve the minutes of November 3, 1986 as amended. Motion passed unanimously.

#### PUBLIC HEARINGS

##### C-210 - United Market, 100 Redhill Avenue, A/P 6-167-06, design review of exterior alterations and a first floor addition

Bill Daniels, President of United Markets, and John Sutti of John Sutti & Associates, project architects, were present.

Planning Technician Wight reported that the applicant received correspondence from San Anselmo Garbage and Marin Sanitary Service concerning the time of their garbage collection. San Anselmo Garbage said they usually do not collect at United before 6:00 a.m. and will try to collect at 6:15 a.m. or later but must have flexibility due to increasing traffic congestion at the Hub. Marin Sanitary Service promised to change their route system to arrive at United after 7 a.m.

In addition, Hussman Refrigeration, Inc. recommended that if the level of sound made by the remote air cooler condensing unit fixed to the roof must be reduced, it should be moved and/or partitioned.

The Police Department took several decibel level readings at three locations on three different occasions between 2:30 a.m. and 6:45 a.m., November 17th. The average reading was 54.84 decibels. The noise ordinance limit is 55 db for that time period.

John Sutti said Hussman's recommendations will be followed and a sound absorbing wall will be installed around the cooling equipment. He said the garbage from the new fish market would be kept inside in coolers with the existing meat market garbage and picked up by a separate disposal company.

Bill Daniels said he met with Ray Forrest from San Anselmo Garbage and Joe Garbarino of Marin Sanitary Service and asked them to at least pick up later on Saturdays if not other days as well.

Darlene Danelli, 72 Hilldale, said the neighbors' concern was not with the garbage odor as expressed in the Independent Journal, but with the appearance and the pickup noise. She said a 7 a.m. pickup time seemed reasonable. She submitted a log showing the pickup times over the last two weeks. The earliest time was 6 a.m. Approximately half the time the garbage was collected at 7 a.m.

Ms. Danelli recommended United Market notify its neighbors when they are planning changes to the store such as this one.

Ms. Danelli's other concern was with the overflow of the garbage from the trash area, which is not enclosed. She said she saw some elderly people removing food the previous day from the trash bin, and recommended this area be closed off, disinfected and kept clean. She also reported that people dump their garbage in United's debris boxes, and there are mice in the area.

Frances Gould, 104 Hilldale, asked the Planning Commission if they could put pressure on San Anselmo Garbage to collect at United Market at a later time, since the Town has a franchise agreement with this company. She was pleased to hear that United will partition the cooling unit at an estimated noise reduction of 50%.

Commissioner Hayes asked if there was any clause in the franchise agreement that gives the Town clout to designate a garbage collection time. Staff responded that there was not. Mr. Hayes noted that the noise decibel readings on the cooling unit was close to violating the noise ordinance.

Commissioner Harle said he did not see why the garbage could not be picked up later and why the city could not have leverage in this matter.

Commissioner McPeak expressed concern about the rodent problem. He suggested the neighbors bring their concerns about the garbage collection noise and timing to the Council's attention.

Chairman Kroot said he was glad the owners were partitioning the cooling unit and was skeptical the Commission was in a position to do anything about the garbage collection.

M/S, Hayes-McPeak, to approve C-210, United Market, 100 Redhill Avenue, A/P 6-167-06, design review of exterior alterations and a first floor addition, on the grounds that the improvements are functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area, they provide for protection against noise, odors and other factors which may make the environment less desirable, they will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development in such area, will not create unnecessary traffic hazards due to congestion, distraction of motorists, or other factors and provides for satisfactory access by emergency vehicles and personnel, and will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area, with reference to the drawings and color board received by the Town October 21, 1986. Motion passed unanimously.

M/S, Hayes-McPeak, that we refer to the Town Council for their consideration the issue of the early garbage pickup at United Market and possible discussion that might take place between staff and the garbage company for possible resolution. Motion passed unanimously.

Z-241 - Town of San Anselmo, 1535 Sir Francis Drake Boulevard, A/P 5-153-01, proposed rezoning from C-1 (Neighborhood Business District) to either PPD R-2, PPD R-3 or PPD R-2/C-1 (Preliminary Planned Development with presumptive use of Two Family Residential, Multiple Family Residential or Two Family Residential/Neighborhood Business), and the initial environmental review - CONTINUED TO DECEMBER 1, 1986.

V-2147 - Philip J. and Anne F. Murphy, 30 Sais Avenue, A/P 6-072-17, a third story variance to construct a living addition; a 13 foot frontyard variance and four foot south sideyard variance to construct an entry pergola within seven feet of the front property line and four feet of the south side property line; a 14 foot frontyard variance to construct a one-car carport within six feet of the front property line.

The applicants were present with the project architect, Tom Turman.

The proposal was to build a one-car carport next to the existing garage, a pergola next to the carport, and a 600 square foot third story.

Staff questioned the location of the front property line in relation to the existing garage and suggested requiring a front property line survey. Ms. Wight also noted that due to its upslope location from the street, the existing house appears very high and another story may be imposing from the street and side and rearyard neighbors.

The applicant submitted new elevations this evening.

Mr. Turman said the west neighbor is 100 feet away and downhill, the house is covered by trees, the neighbor to the north will not be affected by the third story, and the third story is still under the 35 foot height limit.

Philip and Ann Murphy explained that the purpose of the addition was to provide an additional bedroom in the house for their children. The existing floor plan requires their son to go through their daughter's bedroom to get to his bedroom. It would not be workable to use their registered second unit as a family bedroom since it is a separate structure. Redesigning the second story would be more extensive and expensive than adding a third floor. Furthermore, the Murphys said the second unit is a low income unit that serves the community and provides a monthly income.

Mrs. Murphy said they should have received the report from staff sooner. She noted that no one from the neighborhood was in attendance, they have discussed the project with their neighbors and no one is objecting to it.

Commissioner McPeak asked if the applicants planned to put doors on the carport and why it could not be moved further back from the road. Mr. Turman responded that there were no plans to put a door on the carport and moving it back would require moving a 2 1/2 foot retaining wall back 4 feet, plus excavation. Commissioner McPeak said he would like to see less encroachment into the setbacks in that area.

Commissioner Harle said he had no quarrel with the third story or carport.

Commissioner Hayes commented that the carport looks like a garage and that the height of the third story appears to be 36 feet on the plans. He tended to agree the third story would be looming on the street, and his concern was underscored by its height exceeding 35 feet.

Mr. Turman said the addition could be reduced 1 foot to meet the height limit. Furthermore, he said the next four houses on Sais have the same feeling as this house will with the third story.

Chairman Kroot said the existing house at 30 Sais now looks as tall as the adjacent house. He and Commissioner McPeak noted that the third floor also needed side and rear yard variances.

Mr. Murphy said they heard concerns from only one neighbor.

M/S, Hayes-McPeak, to refer the application back to the applicant for consideration at the December 1, 1986 meeting. Motion passed unanimously.

V-2148 - Richard E. Negley, 40 Butterfield Road, A/P 5-144-26, a 17.5 foot rearyard variance to raise the roof up to two feet on a garage and storage area within 2.5 feet of the rear property line - CONTINUED TO DECEMBER 1, 1986.

V-2149 - Stephen Tillson, 105 Scenic Avenue, A/P 7-064-01, ten foot frontyard variance to construct a two car garage with a second story office area within ten feet of the front property line.

The applicant was present.

The proposal was to replace a one-car garage with a 400 square foot two-car garage with an office area above of equal size. Staff supported the two-car garage but questioned the location of the front property line and the special circumstances warranting a second story.

Mr. Tillson said he has two cars, the existing garage is deteriorating and he needs more office space for his business which he operates out of his home.

Commissioner Hayes expressed concern about a 19 foot high structure at the street. Commissioner Harle supported the two car garage but not the second story office, which he said would look better if it was screened by the trees which will be removed. Commissioner McPeak said he concured with Commissioners Hayes and Harle.

M/S, McPeak-Hayes, to refer the application back to the applicant for additional information on the location of the front property line and alterations to the office recognizing what the Commission has said. Motion passed unanimously.

A-141 - Stephen Tillson, 31 Merced Avenue, A/P 5-194-47, design review of a new single family residential dwelling.

The applicant was present.

Design review of this development was a condition of approval of a three-lot parcel split in 1985. The proposal was for a two story, 2,029 square foot home with a 460 square foot garage which meets all the height, bulk and space requirements. Planning Technician Wight said staff's only concern was the workability of the turnaround area, which is 25 feet instead of 28 feet.

Mr. Tillson said his architect feels 25 feet is a comfortable distance for a turnaround but that the building could be moved 3 feet to accomodate a 28 foot turnaround.

In response to Commissioner McPeak's question about the 20 foot roadway easement, Mr. Tillson said it was for the property to the rear but was not in active use.

David Ortez and Yolanda Wilson, 4 Pallazzi Court, said their major concern with the development was its visual impact on their property to the north. They were pleased there were no windows on the north side of the house but there are windows on the east side which will look directly into their yard. They were hoping the house would be pushed over to the south side and set back further from their property. They also questioned what will happen to the trees facing their property.

Mr. Tillson responded that the two clusters of bay trees closest

to the building will each lose one of their three major branches. The other three bay tree clusters will remain intact.

The design proposal included cedar shingles, white aluminum frame windows, antique white trim, fascias, gutters and leaders, a painted black chimney and a black asphalt shingle roof. Mr. Tillson said the house would have the same look as the other new house at 33 Merced Avenue. The basic idea of the design is to take advantage of the bay trees and the open area overlooking Drake High School football field, and therefore they have oriented most of the living space towards that end of the house and away from the property at 4 Pallazzi.

Commissioner Hayes said he would support the application if the applicant considers moving the house a few feet for the turnaround.

Commissioner McPeak requested clarification on whether the setback is taken from the edge of the easement or the property line. If the setback is taken from the inside edge of the easement, a side setback variance is required for the house.

M/S, McPeak-Harle, to refer the application back to the applicant for consideration of moving the house 3 feet to the south, and for staff to respond on the question of the setback in relation to the easement. Motion passed unanimously.

V-2150 - Salvatore Sinare, 380 Scenic Avenue, A/P 7-025-10, a 20 foot frontyard variance and seven foot east sideyard variance to construct a two-car garage within zero feet of the front property line and five feet of the east side property line (if the variances are approved, an encroachment permit from the Town will be required for the garage to be constructed over the right of way in front of the property).

The applicant was present.

Staff reported it is doubtful that Scenic Avenue will be widened at any foreseeable time in the future. Assistant Public Works/Planning Director Elias recommended the applicant obtain an electric garage door opener so he does not block the road when parking. He further recommended the area below the garage remain open to reduce the size of the structure and to prevent this area from being used for living purposes.

Mr. Sinare said he intends to keep the two large oak trees and is willing to do plantings to screen the garage wall. He said he never intended to use the area under the garage as habitable space and it would be unattractive to leave it open.

Ron Casassa, project architect, said he is not opposed to lowering the finished floor elevation, but that it is located above the street level to facilitate drainage away from the garage.

M/S, Harle-Hayes, to approve V-2150, Salvatore Sinare, 380 Scenic Avenue, A/P 7-025-10, a 20 foot frontyard variance and seven foot east sideyard variance to construct a two-car garage within zero feet of the front property line and five feet of the east side property line, on the grounds that it allows enjoyment of substantial property rights, will not adversely affect the health, safety and welfare of persons living or working in the neighborhood, and it is necessitated by the placement of the garage in relation to other structures on the site, with reference to the drawings dated as received by the Town October 30, 1986. Motion passed unanimously.

ADJOURNMENT

On motion duly made and seconded, the meeting was adjourned at 10:35 a.m.

Beth Calamar