

A regular meeting of the San Anselmo Planning Commission was called to order on January 19, 1987 at 8:00 p.m. by Chairman McPeak. Public Works Director Kottage, Planning Technician Wight and Planning Consultant Roberto were present.

ROLL CALL

Commissioners Present: Harle, Hayes, Kroot, Manning, Zaharoff,  
Chairman McPeak

APPROVAL OF MINUTES, JANUARY 5, 1987

On page 3, the next to last word in the sixth paragraph beginning with "Commissioner Kroot" was changed from "the" to "a". In the third paragraph on page 3, the first clause of the second sentence was amended to read, "He noted that prior to the most recent code changes, the side setback was 5 feet;"

M/S, Hayes-Kroot, to approve the minutes as modified. Motion passed by the following vote:

AYES: Hayes, Kroot, Zaharoff, McPeak

ABSTAIN: Harle, Manning

PUBLIC HEARINGS - CONTINUED ITEMS

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 a presumptive use of either Two Family Residential, Multiple Family Residential or Two Family Residential/Neighborhood Business District) and the environmental review - CONTINUED TO 2-2-87.

V-2149 - Stephen Tillson, 105 Scenic Avenue, A/P 7-064-01, a 17 foot frontyard variance to construct a two-car garage with a second story office within three feet of the front property line - CONTINUED TO 2-2-87.

V-2148 - Richard E. Nagley, 40 Butterfield Road, A/P 5-144-26, a seven foot north sideyard variance to raise a garage roof six inches within one foot of the north side property line with an eight inch overhang; a five foot north sideyard variance to raise a storage area attached to the garage 3.5 feet high within three feet of the north side property line with an overhang; and 18 foot rearyard variance to raise a storage area roof 3.5 feet high within two feet of the rear property line - CONTINUED TO 2-2-87.

V-2154 - Richard and Maureen Hoschschild, 281A Crescent Road, A/P 7-222-42, a 12 foot rearyard variance to construct a first floor addition within eight feet of the rear property line; a four foot frontyard variance to construct a first floor addition within 16 feet of the front property line - this addition is to have a one foot overhang; a seven foot frontyard variance to construct a retaining wall within 13 feet of the front property line; a seven foot rearyard variance to construct an open deck within seven feet of the rear property line; a one foot rearyard variance to construct an open deck within 13 feet of the rear property line; frontyard and sideyard variances to extend a carport to accomodate two vehicles - CONTINUED TO 2-2-87.

V-2157 - Warren L. and Kathryn J. Prostrello, 41 Prospect Avenue, A/P 6-181-10, a third story variance to construct a living addition; a six inch height variance for a chimney to be 35.5 feet in height from average grade; a six foot east sideyard variance to construct an open porch and stairs within zero feet of the east side property line; and an eight foot frontyard variance and two foot east sideyard variance to construct a first floor garage, second floor living room extension and third story living addition within 12 feet of the front property line and six feet of the east side property line - CONTINUED TO 2-2-87.

V-2158 - Mark McKinstry, 63 Spruce Avenue, A/P 7-025-02, third story variance and parking variance - CONTINUED TO 2-2-87.

V-2159 - Larry Loomer, 11 Glen Road, A/P 7-013-08, an 18 foot frontyard variance and 11 foot frontyard variance to construct a two-car garage with an open deck on top and new entry stairs within two feet of the front property line and nine feet of the front property line, respectively - CONTINUED TO 2-2-87.

#### PUBLIC HEARINGS

Z-242 - Mr. and Mrs. Paul Elliot, 57 Summit Road, A/P 7-031-41, proposed rezoning from PPD R-1 (Preliminary Planned Development with a presumptive use of Single Family Residential) to SPD R-1 (Specific Planned Development for one dwelling) (previously approved; however, a use permit was not obtained within two years so the zoning automatically reverted to PPD R-1) and the initial environmental review.

U-616 - Mr. and Mrs. Paul Elliot, 57 Summit Road, A/P 7-031-41, use permit for a Specific Planned Development single family dwelling.

The property was rezoned to SPD R-1 in 1984 but the rezoning expired because the required use permit was never obtained. The applicant is now applying for the rezoning and the use permit for a single family home. An environmental impact report was previously approved for the rezoning in 1984.

The proposal was for a 4,600 square foot home, with a single floor at the main entrance and two stories on the side of the house most visible from the community.

Public Works/Planning Director Kottage reported that the applicant took into consideration input from the neighbors below by reducing the height, changing the finishing, erecting story poles, and indicating landscaping. Hillside development is of concern to the town due to its high visibility, Mr. Kottage said, and this proposal is a large home with beautiful views which means it in turn is visible from many areas, particularly on the floor of the Ross Valley.

Staff reported that the house will not have a significant impact in the immediate vicinity, adding that it is located below the ridgetop. However, the off-white color may have a significant visual impact from a distance.

Staff requested more detailed topographical information, including an elevation of the improvements in relation to topographical information, as well as a soils report specific to this development and information on any work proposed for the remainder of the site.

Mr. Elliot said he had worked closely with the neighbors on their concerns about the project and made revisions, including lowering and changing the roofline, based on their concerns.

Jonathan Braun, 479 Scenic, noted that he has been involved with the public hearings on this project and hillside development in general and that this is one of the most significant sites in town in terms of visual impact. The goals in the General Plan include minimizing the impact of hillside development. Yet the proposed development represents a 75% increase in the size of the building footprint approved on the subdivision Tentative Map.

Mr. Braun said a number of items were not provided, including an engineering study on drainage volumes and patterns. He said the existing system drains towards Scenic and Canyon, at the site where the culvert was blocked last year. Mr. Braun said between 600 and 800 yards of dirt will be excavated and the truck traffic for this grading will have an impact on the roads. He suggested that bonding for possible damage to the roads be required, that the Commission look at the environmental impact of the excavation, and that a detailed landscape plan showing irrigation be required. He said the off-white color of the house will make the house stand out visually.

Howard Blair, 53 Summit, said the visual impact of the house could be lessened by a color other than off-white. He expressed concern about the amount of dirt to be removed, adding that it was his understanding that the owner plans to move the dirt elsewhere on the site and compact it. He asked for assurance that the dirt can be used on the site or that a bond will be required to ensure that the road will be repaired if it is damaged by heavy equipment. Blair, who lives below the subject property, said the owner agreed to place planting between their homes.

Sylvia Reynolds, 80 Summit, said her balcony looks over the subject house and she is disturbed about the color of the house. She asked the color of the roof. Ms. Reynolds said the applicant has been very cooperative with her and has mentioned landscaping, which she wants to see made a requirement.

Andrew Carver, 100 Summit, said Mr. Elliot has been very cooperative. He suggested the house be a wood color similar to the two adjacent homes in order to have much less significant an environmental impact. Mr. Carver expressed curiosity about any future plans for the remainder of the lot and concern about the amount of excavation and possible road damage.

Mr. Elliot responded that he will have dark charcoal roofs, and his landscaping will block his house from 80 Summit except for three roofs; therefore, Ms. Reynolds will not have a visual impact from the siding color. A 10' - 14' hedge at the side of the road will entirely block his house from Mr. Blair's home at 53 Summit, the applicant said.

Mr. Elliot used paper cut-outs depicting tree cover placed over his building elevation to show the visual appearance of his home from five points in the Ross Valley: the corner of Bolinas and Sir Francis Drake, the Hub, Red Hill Shopping Center, Stop 'N Go on San Anselmo Ave. and San Rafael Ave., and Saunders and Center.

The applicant said the exposure on the ridge is not as blatant as it would seem. He said 200 to 250 yards of grading will be done and 50 yards will be used on the lot; the builder estimates that three trucks can remove the 200 yards from the site in one day.

The only drainage impacts resulting from construction of the house is the roof drainage; this will be put into a gutter connecting with a culvert on Summit. The landscaping will be irrigated with an automatic watering system, Elliot said.

Elliot said he plans to leave the lower portion of the property as open space. Concerning the color of the house, he said he wanted a lighter tone house, specifically off-white or light gray, with gray trim and charcoal gray roofs.

Mr. Braun said the story poles did not adequately represent the location of the ridgeline, and while the cutouts were a noble attempt by the applicant to demonstrate the visibility of the house, this type of demonstration should be done by a professional.

Mr. Elliot responded that the house will sit much lower than the location of the fire road, and the viewline is minimal at the building site.

#### Commission Comments

Commissioner Kroot said he did not have a problem with the environmental review or rezoning application, and noted that although the building is quite massive it is situated low to the hill so as not to create a great impact. He was concerned about the colors and wanted to see color samples of the siding, roof and trim. He also requested more carefully drawn drainage, grading and landscape plans.

Commissioner Zaharoff said that because of its situation, the property is quite visible from view corridors. The color of the house may be the most significant aspect of the proposal, and the off-white color may be inappropriate for the area. She said she would have to see the charcoal gray color to determine whether it was appropriate for the roof.

Commissioner Zaharoff also expressed concern about the amount of excavation required and requested more information on soils, grading and drainage. The location of the garage with blind curves on either side was also of concern to the Commissioner.

Commissioner Harle said the grading and drainage needs clarification, but he would not register a complaint about the colors. He said the height is such that the massiveness of the structure will not have an overwhelming impact.

Commissioner Hayes commented that the applicant made an interesting presentation on the visibility of the house from points in the Ross Valley, but he would like to see the same kind of analysis done by a professional. Caution and prudence is needed in approving this application as the building site is perhaps on the most visible portion of a very visible lot. He observed that the house that was recently built near the subject property is more visible than he had anticipated when the Commission approved the plans. Perhaps this house will be located low enough so that it is not going to be seen, but he urged the Commission and applicant the use as much accuracy and caution as possible.

Commissioner Hayes suggested the applicant think about what kind of exterior lights will be used and how he will mitigate their visibility. In view of the concerns of neighbors and the visibility of the site from other areas, he wanted specific information on what kind of landscaping will be used for screening and how long it will take for the plants to reach screening height.

Commissioner Manning expressed concern about the visual impact of the development and wanted a specific color chart, a landscape plan, and updated information on soils, grading and drainage. He further requested a visualization impact study done professionally, noting the Commission has an obligation to scrutinize this project and protect the public as much as possible.

Chairman McPeak requested further information on the project's visibility, and a topographical and soils report.

It was the consensus of the Commission to make the following modifications to the environmental review checklist prepared by staff:

1. Earth
  - a. Change to maybe
  - b. Change to maybe
  - c. Change to maybe
3. Water
  - b. Change to maybe
  - c. Change to maybe
7. Light and Glare: change to maybe
18. Aesthetics: change to maybe
21. Mandatory Findings of Significance
  - d. Change to maybe

The Commissioners agreed to accept story poles with brightly colored flags instead of requiring a costly, professional visibility study.

Concerning detailed landscape and drainage plans, Public Works/Planning Director Kottage recommended they include an analysis of the difference in the runoff with and without the project in terms of its affect at Canyon and Scenic. He expected that the only aspect which will change is the amount of runoff, adding that public improvements were installed as part of the subdivision on the property.

M/S, Hayes-Zaharoff, to approve a mitigated negative delcaration on project Z-242, Mr. and Mrs. Paul Elliot, 57 Summit Road, A/P 7-031-41, proposed rezoning from PPD R-1 to SPD R-1, with such negative declaration consisting of an amended notice of negative declaration prepared by staff January 5, 1987, as modified tonight on items 1a, 1b, 1c, 3b, 3c, 7, 18, 21d, with the following additional statement to be added to item 21d: some mitigation measures suggested by the following additional analysis as feasible will be added to the project:

1. A site specific soils report
2. A topographical map by a licensed surveyor at 2 foot contours with the building points set

3. An analysis of the visual impact of the project per the discussion of the Planning Commission tonight.
4. A detailed landscape plan, drainage plan and grading plan, with the differences with and without the project shown on the drainage plan.
5. A color sample board, including roofing material.

Motion passed unanimously.

M/S, Hayes-Zaharoff, to continue Z-242 and U-616, 57 Summit Road, to the meeting of March 2, 1987. Motion passed unanimously.

GPA-1 - Sohner Court Partnership, 35 and 37 Ross Avenue and Mariposa Avenue, A/P Nos. 7-284-27, 7-284-37, 7-284-41, 7-284-42 and 7-284-47, proposed amendment to the General Plan for subject property's land use designation to be changed from Mixed/Predominantly Single Family 6 - 12 units per acre to Mixed/Predominantly Multiple Family 12 - 20 units per acre, and the initial environmental review.

U-617 - Sohner Court Partnership, 35 and 37 Ross Avenue and Mariposa Avenue, A/P Nos. 7-284-27, 7-284-37, 7-284-41, 7-284-42 and 7-284-47, use permit for the construction of 23 apartment units in a C-2 zone (Central Business District) and the initial environmental review.

A-1d2 - Sohner Court Partnership, 35 and 37 Ross Avenue and Mariposa Avenue, A/P Nos. 2-284-27, 7-284-37, 7-284-41, 7-284-42 and 7-284-47, design review of 23 apartment units.

The Town has received a General Plan Amendment application from owners of five properties located between Ross and Mariposa Avenues to change the residential density of their properties designated in the Land Use Element. Specifically, they want their properties designated Mixed/Predominantly Multiple Family 12 to 20 units per acre. However, the only property properly noticed on this application was the Sohner property and therefore the request for the other properties must be heard at another public hearing.

Planning Consultant Roberto reported that if the Commission approves the General Plan amendment, they can then hear the rezoning and use permit applications. Staff recommended a negative declaration although some findings were made that there may be a significant impact, specifically with respect to construction in the flood zone and traffic impacts. Mr. Roberto said there were figures available from the summer of 1986 which showed that 23 additional dwelling units would not have a significant adverse affect on the nearby intersections; however, information was not available on the impact of 23 units to the roadways serving Ross Ave. and San Anselmo Ave.

Mr. Roberto recommended that the following changes be made to the environmental checklist:

3. Water
1. (flood water hazards): change to maybe
8. Land use: change to yes
13. Transportation/circulation:
- b. (parking): change to maybe
- c. (transportation systems): change to maybe

In response to a question from Chairman McPeak, Mr. Roberto acknowledged that state law allows only four General Plan amendments per year.

Mr. Roberto noted that the land use designation must not conflict any other sections of the General Plan and that he has found no such discrepancy. He noted that high density adjacent to commercial areas and across the street from a high density development seems reasonable. Furthermore, housing for the people of San Anselmo and diverse socio-economic groups is a goal of the Housing Element of the General Plan. The Housing Element also defines the downtown as an infill development area.

In comparing the proposed 23 unit development with the goals and policies of the General Plan, Mr. Roberto noted that the Circulation Element encourages use of bicycles over cars and development in relation to transit and commercial facilities. However, the proposed design does not include a pedestrian plan. The Parks and Recreation Element points out a shortage of parks, yet there are no recreational type facilities on the site. The Commission will have to determine whether off-site parks are adequate.

To approve a General Plan amendment, four votes of the Commission are needed, not just a majority of those present. Even if the proposed 23-unit project is not built, the General Plan amendment stands.

The application for use permit is to build 23 residential units in a commercial zone; since residences are allowed in a commercial zone with a use permit, rezoning is not needed. The proposal meets all the height, bulk and space requirements in the C-2 and R-3 zones except the two story limit, and exceeds the parking requirements. There is no specific density criterion in the C-2 zoning so the General Plan density would be the guide.

There are two unit types proposed: flats on the first and second floors, and townhouses over flats. The buildings will be three stories, except along the street side frontage, but the height will not exceed 35 feet. There will be 47 parking spaces in enclosed garages and 2 unenclosed spaces. Mr. Roberto commented that there appears to be a shortage of on-site guest parking in that two spaces are not adequate; he recommended a minimum of seven. A driveway will link Ross and Mariposa Avenues.

While there are sidewalks which serve the property on Ross and Mariposa Avenues, there are no pedestrian sidewalks on the property; the residents must use the driveway. Mr. Roberto suggested sidewalks be added as a safety issue. He noted there is outdoor space in the form of decks.

The applicant, Roland Mays, and his partners: Jack and Roberta Phillips, owners of the Sohner Tree Service property, and Bill Lewis, were present.

Mr. Mays said the buildings were oriented to take advantage of the good views from the property. The property is proximate to the downtown. The General Plan speaks to infill development, particularly in the C-2 zone, and recommends the commercial zone be reduced.

Mr. Mays said there is no development proposed for the other properties applying for a General Plan amendment, noting they already are close to the density standard proposed.

The buildings, which are adjacent to the San Francisco Theological Seminary Corporation Yard on one side, will be stepped back from the street so there are only two stories on the street frontage. They were designed to maximize the street scene, and reinforced with a wall so there is a positive sidewalk sequence. The exterior will be treated with a light colored cement plaster, with uniformity of roofing color and material. The units will be broken up to create individuality, and he said they have an opportunity within the design to create good buildings with unit identity.

Mr. Mays added that the partnership's intuitive analysis of the property was that given its proximity to a commercial area and public transit and the need to regenerate the community led them to the feeling that this 23-unit proposal was the best use for the property. He said there seems to be an understanding for the need for infill housing, and two below market-rate units will be offered for alternative housing.

#### Public Comments

Nancy Bennett, 405 San Francisco Boulevard, who worked on the General Plan in the early 1970's, said a project such as the one proposed will affect the entire community at a time when it already takes 45 minutes to drive about 10 miles. It is developers that tend to ask for increases in population on the grounds it is better than truck noise, there will be more people to use public transit and that a \$200,000 unit is reasonably priced housing. She proposed that the density on the property be lowered.

Robert Epifanio, 83 The Alameda, suggested the General Plan amendment would lead to a more comprehensive change in zoning. The application would increase the density by more than 50%, he said, and questioned what is to stop these type of requests from other property owners between Ross Avenue and Bolinas Avenue. He said the reduction of commercial space allows commercial property to become more valuable, landlords charge higher rents, and businesses leave. An increasing number of stores are already closing in the downtown, he said. This type of amendment opens the door to broadbased change.

Mr. Epifanio said he did not think the cumulative traffic impacts have been addressed. It's not what is happening at the intersection that is of concern, but the impact of the development on nearby streets such as Center Blvd.

Wayne Ingel, 9 Florence, said with Sonoma County booming the way it is, there is no stopping traffic congestion. He said the Commission must pay attention to traffic, and added that if the Commission approves this 20 unit project, someone else will want 20 units too.

Patricia Dietz, 67 Karl, expressed concern about the changing character of San Anselmo and the proposed amendment to the General Plan to double the density of properties, noting the General Plan was established to set the tone of the town. She was not impressed by the argument "the apartments across the street already meets the maximum density and therefore why can't I?" She said if an amendment to the General Plan would address issues allowing for more affordable, senior citizen and family housing, she would feel differently, but a project like this in which the median unit price is \$200,000 is of great concern to her.



Betty Alvarado, 49 Austin, said she travels on Ross and Mariposa Avenues many time per day and thinks the residential project would enhance the neighborhood.

Roy Olson, 1329 San Anselmo Avenue, said San Anselmo needs a development like the Sohner Court project. Most commercial spaces on San Anselmo Avenue are empty due to the development of malls in Central Marin, he said. Mr. Olson commented that this project would be an economic asset to San Anselmo, would enhance the beauty of the town, and is proposed for the best last level building area in town.

Nancy Olson, 1329 San Anselmo Avenue, said this type of project would be beautiful, and is an improvement over a sanitary district corporation yard which was tentatively proposed for this property. She said the residential project would not impact traffic and would solve the problem of what else would be put there if Sohner Tree Service leaves. Jack Phillips, part owner of the subject property, said there would be less traffic with condominiums than is presently there with the tree service.

Bob Fleming, 44 Hawthorne, whose business is located at 321 San Anselmo Avenue, supported the development. He noted that condominiums are more affordable than a development with only four residences.

Bill Francis, former Councilmember and 20-year resident of Ross Avenue, said the multiple residential district 20 years ago was proposed to extend all the way down Ross to Cedar. He said that San Anselmo is a dying town and unless it gets some vitality, it will go "down the tubes." He supported the project as an improvement to the area.

Bill Davis, Prospect Avenue resident and former resident of Ross Avenue, supported the project.

John Sylvia, 50 Mariposa, whose back bedroom will look into this project, said he had mixed feelings about the development. While he favors tasteful rehabilitation of the town, he feels San Anselmo is dense enough. Mr. Sylvia commented that "mistakes" made to allow the high density multiple residential project across the street at 36 Ross Avenue does not make them correct on the Sohner property.

Roland Mays, applicant, noted the current use is commercial, specifically an industrial tree service. The property contains two houses, a maintenance yard, an office and vehicle parking. There are 25 field employees and 9 office, clerical and supervisory employees who drive to work. There are 12 tree service vehicles which may be in and out up to four times a day. Supervisors and mechanics are in and out during the day. The service operates all year, beginning each day at 3:30 a.m. Mr. Mays felt the property already generated a significant amount of traffic and felt that it was fairly identical to the traffic which would be generated by the proposed development.

In addition, Mr. Mays commented that the existing tree service generates noise, noticeably in the early morning when the crews spray trees.

Mr. Sylvia commented that the tree service trucks do not operate at night or on weekends.

### Commission Comments

Commissioner Harle stated he likes the project, feels it is an appropriate use and development.

Commissioner Hayes expressed concern about the issue of precedence. He felt uncomfortable about amending the General Plan in a piecemeal manner, preferring to look at goals broadly rather than on a block by block basis. He said his impression was that the housing element supports low income housing and that every project is not necessarily entitled to the maximum end of the density range.

Commissioner Manning said he generally supports the project, noting it helps fulfill the need for housing in the community. He did not think the project would have any detrimental affects, adding that the development built by the applicant in Kentfield is attractive.

Commissioner Zaharoff said she favored residential use in that area but had a problem with the proposed density. She noted that perhaps Ross Commons, built a few years ago at 76 Ross Ave., was too densely developed. She preferred to keep the density at its present level.

Commissioner Kroot felt the Sohner property is a good lot for multiple residential development but he thinks the density is too high and he has trouble with the proposed three stories.

Chairman McPeak said he had a problem going into a General Plan change because of a project. He noted the importance of determining the cumulative effect of a General Plan change such as the one proposed and added that the General Plan has been modified only once since its inception in 1976. Concerning the project itself, Chairman McPeak said it appeared that the applicant was trying to do too much with the site.

Commissioner Hayes agreed it appeared that the applicant was trying to put too much on the land, noting there was no room for amenities usually associated with condominiums. He added that the covered parking would not be accessible to visitors and that there was no internal open space. However, a redesign of the project might make it work.

Commissioner Harle observed that the Town approved 76 Ross Avenue and is quite pleased with the result, yet it has a higher density than that being proposed for the Sohner property. He questioned whether it was appropriate for the Commission to single out the Sohner property since it is more or less in keeping with what is already developed on Ross Avenue. Even though the lines distinguishing the different density areas on the General Plan Land Use Map were somewhat casually drawn, he said, he did not like the ideal of making a small block change in the General Plan.

Mr. Mays said that he just received the staff report on Friday and had not had a chance to respond. He said they could convert five parking spaces to unassigned spaces and could add pedestrian circulation. The below market units will have only one parking space each. He said they could solve many concerns by changing the design.

He said the General Plan speaks to increasing density in this area. Furthermore, this is one of the last remaining developable pices of property in town.

Mr. Roberto said in his opinion the General Plan amendment was not linked to just this project, noting that the application includes neighboring parcels as well.

Chairman McPeak asked whether there were other areas of town which may fit the same circumstances as the Ross Avenue parcels. Mr. Roberto responded that two characteristics unique to the Ross neighborhood were its proximity to public transit and the downtown.

Mr. Mays said that to be consistent, the Town should have done a General Plan amendment for the Ross Court property. Noting the loss of businesses in the downtown, he argued that high density residential projects should occur near the downtown.

The Commission requested staff report on what is unique about the Ross Avenue neighborhood with respect to the proposed General Plan amendment.

M/S, Hayes-Zaharoff, to continue GPD-1, U-617, and A-142, Sohner Court Partnership, 35 and 37 Ross Avenue and Mariposa Avenue, to the meeting of February 9, 1987, with direction to staff for additional information from the Planning Consultant regarding suggested findings and issues on the General Plan amendment application, and regarding the current uses and zoning of contiguous areas. Motion passed unanimously.

#### ADJOURNMENT

On motion duly made and seconded, the meeting was adjourned at 12:08 a.m.

Respectfully submitted,

Beth Calamar