

## PLANNING COMMISSION MINUTES OF DECEMBER 19, 1988

The regular meeting of the Planning Commission was called to order at 8:00 p.m. on December 19, 1988, in the Council Chamber by Chairman Hayes. Staff present: Lisa Wight, Planner, John Kottage, Director of Public Works and Planning.

## A. ROLL CALL

Commissioners present: Julin, Harle, Sias, Kroot, Yarish, Hayes  
Commissioners absent: Manning

## B. PUBLIC HEARINGS

1. U-631 - Cal Neon Signs, Safeway Stores, 900 Sir Francis Drake Boulevard, A/P 6-061-23, specific planned development use permit amendment to change the existing sign above the roof line to a neon sign.

The applicant was present.

Lisa Wight presented the staff report.

All Commissioners were in favor of this application.

M/S Sias, Yarish, to approve U-631 - Cal Neon Signs, Safeway Stores, 900 Sir Francis Drake Blvd, A/P 6-061-23, specific planned development use permit amendment to change the existing sign above the roof line to a neon sign on the basis: 1. The establishment of the sign will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the Town, specifically the existing sign will be replaced with one that is smaller and less visible.

All ayes. Motion unanimously passed. Audience advised of the ten day appeal period.

2. C-221 - M. S. Partnership, La Mancha Development Company, 805 Sir Francis Drake Boulevard, A/P 6-082-14, design review of a new commercial building in a C-3 district, and review of proposed mitigated Negative Declaration.

Jerry Kler, architect, and Linnard Lane, applicant, present.

John Kottage presented the staff report.

Allan Creighton, 56 Bella Vista, was concerned about egress and ingress to the site. He was representing his neighbors and they all feel Bella Vista is a very small street and they do not want traffic entering or exiting from Bella Vista.

Vince Pallavicini, 15 Bella Vista, was concerned about the height of the building from the rear because his property faces that area (his view would be affected). He asked if blowers or fans could be relocated away from the rear of the building because of the noise factor to reduce noise.

Linnard Lane said the air conditioning units used are energy efficient and quiet and will be screened by a parapet and the fans will not be vented in the rear. He felt that widening of Sir Francis Drake would be a considerable expense and not a direct benefit to the development. They would however be willing to do it but feel it unreasonable to have each prospective tenant come in for a use permit.

He asked if each could be handled administratively and then, if staff felt it necessary, bring it before the Commission. Commissioner Sias wondered if the applicant considered having an entrance from Sir Francis Drake and exit from Madrone. He also asked about the height of the landscaping fronting Sir Francis Drake, noting that landscaping should not cut off visibility. He wanted the landscaping to be drought resistant. The equipment room in the rear should be baffled for noise, and the rear lights over the doors should be shrouded to shield the light.

John Kottage said the trees will have to be pruned to have the lowest branches a minimum of 7 feet above the ground and shrubbery should not exceed 18 inches in height.

Commissioner Harle was in favor of having each tenant obtain a use permit.

Commissioner Kroot was in agreement with Commissioner Sias and added that he felt it important to have each tenant obtain a use permit noting it is a good way to control the traffic. He did like the parking in front and the business complex in the rear but thought the facade did not fit in with the area and asked if the applicant could minimize the height.

Commissioner Yarish said the traffic coming from San Rafael could turn left off of Sir Francis Drake to Madrone because of the break in the concrete island. He echoed the comments of Commissioner Kroot, adding that the building looks to industrial and would like to see the roof line softened. He thought the lights in the rear should be down lights over the door and was flexible to egress and ingress on Sir Francis Drake. He thought it acceptable if staff were to administratively review the use permits and if there were any questionable business regarding traffic impact, bring those to the Commission for final decision. He had several questions relating to the landscaping.

Mr. Kler said he did not feel comfortable answering the questions relating to landscaping; however, he said the height limit in San Anselmo is 35 feet and the building is well within those limits. He did not feel the building could be lowered any further. He did not feel there was an established theme on Sir Francis Drake now and was unwilling to make a commercial building look like a house.

Commissioner Julin thought it would be better to locate the building to the front of the lot and the parking in the rear. She thought the design needed more thought before she could make a decision. She did not agree that the curb cut on Sir Francis Drake was good, that a lighting plan should be submitted, and there should be specifics on the types of uses and hours of operation. Perhaps restricting the hours operation during commute hours.

Chairman Hayes agreed with his colleagues and added he needs more information about landscaping, perhaps have the landscape architect present at the next meeting. He thought the site appeared to have an industrial character, more than he would like to see and would like to see a redesign of the building. He would like to see a traffic consultant look at the project and provide input.

Mr. Kottage said the project more than complies with all the code requirements, but without knowing the specific businesses it is difficult to know the impact on traffic. This is the reason staff thought each tenant could get a use permit and, if necessary, a detailed traffic study could be done at that time.

## PLANNING COMMISSION MINUTES OF DECEMBER 19, 1988

Chairman Hayes thought a preliminary traffic study could look at the traffic flow in the vicinity of the project with specific emphasis on ingress and egress of Sir Francis Drake and/or Madrone.

Mr. Lane asked for specific guidance as to the design.

Commissioner Sias wanted the building height reduced and preferred more earth tones. Commissioner Kroot liked the site plan but wanted to see a lower facade, cross sections of the building, and have the landscape architect present to answer questions. Commissioner Yarish felt the building was overly industrial in appearance and wanted to see physical articulation to break up the facade. Commissioner Julin would prefer to see warmer, more earth tones used. Chairman Hayes was a little uncomfortable with the colors suggested but could go with the stucco.

Mr. Kler wanted to submit a sketch of the elevations. Commissioner Kroot could not take a final vote without cross sections.

M/S Sias, Kroot, to continue C-221 - M. S. Partnership, La Mancha Development Company, 805 Sir Francis Drake Boulevard, A/P 6-082-14, design review of a new commercial building in a C-3 district, and review of proposed mitigated Declaration until January 9, 1989, for the following information: An explanation of the landscaping plan; consideration of revised facade that include cross sections of the building; a preliminary traffic flow study; consideration of noise and light impacts as stated by the Commissioners; consideration of signing theme to be submitted; and other concerns addressed by the Commissioners in the minutes.

M/ Kroot, to include cross section of elevations.

All eyes. Motion unanimously passed.

3. V-2264 - George Lucas, 20 Ancho Vista Avenue, A/P 6-163-40, a 2.5 foot frontyard variance to construct a first story master bedroom window seat addition within 17.5 feet of the front property line; a 1.5 foot east sideyard variance to construct a second story breakfast room window seat addition within 6.5 feet of the east side property line; and an 8 foot frontyard variance to construct a second story covered porch addition within 12 feet of the front property line.

David Gast, Architect, present, representing the applicant.

Lisa Wight presented the staff report.

Mr. Gast said that less than 3 square feet of the window seat will encroach into the frontyard setback, a maximum of less than one foot. It is desirable to place the window seat in the location shown to maximize views to the west and sunlight, distance the bay as far as possible from the bathroom bay to the east and make the dwelling aesthetically attractive. The second story breakfast room window seat addition is necessary to allow room for the seating of an additional two people. Both of these variances could be handled administratively.

All the Commissioners were in support of the application.

M/S Kroot, Sias, to approve V-2264 - George Lucas, 20 Ancho Vista Avenue, A/P 6-163-40, a 2.5 foot frontyard variance to construct a first story master bedroom window seat addition within 17.5 feet of the front property line; and a 1.5 foot east sideyard variance to construct a second story breakfast room window seat addition within 6.5 feet of the east side property line; and an 8 foot frontyard variance to construct

a second story covered porch addition within 12 feet of the front property line on the basis: 1. due to special circumstances applicable to the property, specifically the location of the house on the property, the strict application of the controlling zoning ordinance or regulation deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification; and the granting of a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located; and 2. The granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner; and 3. The granting of such variance, under the circumstances of the particular case will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood; specifically, the additions are small, screened, and above the road below. This is based on plans submitted October 26, 1988.

All Ayes. Motion unanimously passed. Audience advised of the ten day appeal period.

4. V-2265 - George Lucas, 40 Ancho Vista Avenue, a/P 6-164-43, a 3 foot frontyard variance to construct a 4 foot wide roof overhang within 17 feet of the front property line; a 5 foot north sideyard variance to construct a 4 foot wide roof overhang within 3 feet of the north side property line; a 3 foot rearyard variance to construct a two story addition within 17 feet of the rear property line, with a 2.5 foot roof overhang; a 9 foot rearyard variance to construct a trellis within 11 feet of the rear property line; a 7 foot rearyard variance to provide two on-site parking spaces within 13 feet of the rear property line.

David Gast, Architect, present, representing the applicant.

Lisa Wight presented the staff report.

Mr. Gast said the roof overhand in the frontyard and north sideyard and trellis could be granted administratively and are necessary for sun shading and greater protection of windows and doors from the weather. The existing dwelling entries on both the first and second floors are difficult to find, recessed and dark, and thus uninviting and unattractive. The variance is necessary for the applicant in that he desires to aesthetically improve the exterior of the existing dwelling and provide inviting, light, sheltered entries to the building. The garage conversion is necessary for the applicant it will be used for additional storage space, convertible in the future to additional living space, may be provided and will allow the entry to be more inviting and pleasing. This will have little impact on the neighborhood as the required parking and guest parking will be provided on site.

M/S Yarish, Kroot, to approve V-2265- George Lucas, 40 Ancho Vista Avenue, A/P 6-163-43, a 3 foot frontyard variance to construct a 4 foot wide roof overhang within 17 feet of the front property line; a 5 foot north sideyard variance to construct a 4 foot wide roof overhang within 3 feet of the north side property line; a 3 foot rearyard variance to construct a two story addition within 17 feet of the rear property line; a 7 foot rearyard variance to provide two on-site parking spaces within 13 feet of the rear property line on the basis that 1. due to special circumstances applicable to the property, specifically the graceful reworking of the entry of the exterior building makes no distraction to any of the neighbors and the rearyard is

## PLANNING COMMISSION MINUTES OF DECEMBER 19, 1988

against property with adequate space, the strict application of the controlling zoning ordinance or regulation deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification; and the granting of a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located; and 2. The granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner and 3. The granting of such variance, under the circumstances of the particular case will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood. This is based on drawings submitted October 26, 1988.

All ayes. Motion unanimously passed. Audience advised of the ten day appeal period.

## D. BUSINESS ITEM

Resolution of Denial of PP-10 for Terry and Eugene Schenk and Kintetsu Enterprises Company of America, off Cherne Lane, A/P Nos. 5-300-15, 5-300-24, and 5-300-28, preliminary plan review of the creation of a new building site in an R-1H district.

All the Commissioners were in agreement with the wording of the resolution as proposed by John Roberto in the staff report dated December 19, 1988.

M/S Sias, Kroot, to adopt the resolution denying Schenk/Kintetsu Preliminary Plan Application as proposed in the staff report dated December 19, 1988.

All Ayes. Motion unanimously passed.

Lisa Wight noted that this application has already been appealed to the Town Council.

## E. APPROVAL OF MINUTES - December 5, 1988.

M/S Julin, Yarish, to approve the minutes as written.

Motion unanimously passed.

## F. OTHER BUSINESS

M/S Kroot, Jullin, to nominate Commissioner Sias as Chairman and Commissioner Yarish to Vice Chairman for the calendar year 1989.

All ayes. Motion unanimously passed. Commissioner Harle extended a thank you to Chairman Hayes for his efforts.

The regular Planning Commission meeting was adjourned at 10:40 p.m. to the next special meeting of January 9, 1989.

BARBARA CHAMBERS  
ADMINISTRATIVE SECRETARY/TECHNICIAN