

**PLANNING COMMISSION MEETING
OCTOBER 3, 1988**

The regular meeting of the San Anselmo Planning Commission was called to order at 8:00 p.m. on October 3, 1988, by Chairman Hayes. Staff present: Lisa Wight, Planner, and John Roberto, Planning Consultant.

A. ROLL CALL

Commissioners Present: Harle, Hayes, Julin, Kroot
Commissioners Absent: Manning, Sias, Yarish

B. BUSINESS ITEMS

1. Resolution recommending approval of amendments to the Land Use, Circulation and Open Space Elements of the San Anselmo General Plan, and approval of the associated Negative Declaration, to the San Anselmo Town Council.

Mr. Roberto presented the staff report and Resolution, noting a typographical error on page 2 of the Resolution: ". . . Exhibit 'B'" should be changed to read ". . . Exhibit 'A'."

No one in the audience commented.

M/S Julin, Kroot, to adopt the resolution as presented by staff with the change on page 2 to read ". . . Exhibit 'A'."

Motion passed unanimously.

Commissioner Kroot said he had been requested to say that if Commissioner Yarish could have attended the meeting he would have voted for approval on this item.

2. Sohner Court Partnership, Ross and Mariposa Avenues, A/P Nos. 7-284-27, 7-284-37, 7-284-41, 7-284-42, and 7-284-47, request for an interpretation of the Planning Commission approval condition regarding property fencing.

Roland Mayes and Bill Wallace, applicants, present.

Mr. Roberto presented the staff report, stating that the applicants have constructed a cyclone fence around the entire perimeter of the property. The record is unclear as to whether such a fence is permitted. The approved elevations show a wooden fence along the two street frontages, but the approved site plan does not indicate whether the fence is to be wood.

Mr. Mayes said the cyclone fence is desirable as it will better accommodate clinging ivy and vines than a wooden fence. There are several varieties of plants proposed to cover the fences and these will provide a lush solution. There will be a Homeowners Association to oversee maintenance of these plantings.

The Commissioners generally agreed that cyclone was not preferred, but with vegetation, it will be acceptable.

Carlisle Becker, Landscape Architect, said he recommended the use of the cyclone as the proposed plants have twisting vines and will attach to cyclone. Mr. Becker estimates it will be 2 to 3 years for the desired vegetation to cover the fences.

M/S Harle, Julin, to record our approval of the modification to the Landscape Plan for the Sohner Court project which will be cyclone fencing around the entire perimeter of the development with vine plantings on them.

Motion passed unanimously.

C. Continued Public Hearings

1. PP-9/AR-7 - Robert M. Yeakey, 80 South Oak Avenue, A/P 7-241-50, preliminary plan review and architectural plan review of a single family dwelling in an R-1 H zone - CONTINUED TO OCTOBER 10, 1988.
2. V-2241 - Mr. and Mrs. Pichignau, 117 Crescent Road, A/P 7-232-35, an 8 foot west sideyard variance to reconstruct an existing retaining wall and a third story variance - CONTINUED TO OCTOBER 26, 1988.

PLANNING COMMISSION MEETING
OCTOBER 3, 1988

3. V-2251 - Cyrus Ansari, 94 Berkeley Avenue, A/P 7-232-35, an 18 foot frontyard variance, 3 foot southwest sideyard variance and a 1 foot northeast sideyard variance to construct a retaining wall within 2 feet of the front property line, within 5 feet of the southwest side property line, and within 7 feet of the northeast side property line.

Cyrus Ansari, applicant, present.

Ms. Wight presented the staff report, stating the required findings for approval can be made.

No one in the audience commented.

M/S Harle, Kroot, to approve V-2252 for Cyrus Ansari, 94 Berkeley Avenue, A/P 7-232-35, an 18 foot frontyard variance, 3 foot southwest sideyard variance and a 1 foot northeast sideyard variance to construct a retaining wall within 2 feet of the front property line, within 5 feet of the southwest side property line, and within 7 feet of the northeast side property line, on the grounds that 1) because of the narrowness of the lot and the placement of the house close to the roadway and steep lot necessitate protection of the house; 2) this is the best location for the retaining wall; that the strict application of the controlling zoning ordinance would deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification; the 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; the granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner, specifically, the safety of the house; and the granting of the variance 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 the neighborhood, specifically, the wall will be concealed from most views, and that the wall will contribute to the safety of the neighborhood; based on the drawing dated September 29, 1988.

Motion passed unanimously.

Audience advised of the ten day appeal period.

4. Nancy L. Thurmond, Oak Springs Drive, A/P 5-291-60, review of tentative map, after the fact - CONTINUED TO OCTOBER 17, 1988.

D. PUBLIC HEARINGS

1. V-2252 - Steven and Jeff Potter, 54 Ross Avenue, A/P 7-282-14, a 6 foot frontyard and 3 foot east sideyard variance to raise the existing house 26 inches which is located 14 feet from the front property line and 5 feet from the side property line and a 6 foot frontyard and a 1 foot east sideyard variance to construct a front entry stairway within 8 feet of the front property line and 5 feet of the side property line.

Steve and Jeff Potter, applicants, present.

Ms. Wight presented the staff report, stating the required findings for approval can be made.

Mr. Steve Potter said they desire to raise the first floor level above the flood level.

Commissioner Julin pointed out that one of the main objections to the rezoning and variance project earlier this year was due to the scale of the dwelling. She stated that if the house raising were presented with the original proposal, it may have been difficult to gain approval.

The Commissioners generally agreed it was a good idea to raise the dwelling. Chairman Hayes referred to a letter received from the Ushers, owners of 57 Ross Avenue, and the Chairman noted the Ushers' concerns are addressed by the action going forward now.

No one in the audience commented.

PLANNING COMMISSION MEETING
OCTOBER 3, 1988

M/S Kroot, Harle, to approve V-2252 for Steve and Jeff Potter, 54 Ross Avenue, A/P 7-282-14, a 6 foot frontyard and 3 foot east sideyard variance to raise the existing house 26 inches which is located 14 feet from the front property line and 5 feet from the side property line and a 6 foot frontyard and a 1 foot east sideyard variance to construct a front entry stairway within 8 feet of the front property line and 5 feet of the side property line, the special circumstances being the possibility of flooding; it will not materially affect adversely the health and safety of persons in the neighborhood because the 26 inch height increase is very minimal and will not appreciably affect the bulk of the house; the existing stairs are in the setbacks so the special circumstances can be found; this is based on the drawing received August 29, 1988.

Motion passed unanimously.

Audience was advised of the ten day appeal period.

- 2. SPD/U/C-220 - Tamalpais Day Treatment Center, (property owned by the Town of San Anselmo), 1000 Sir Francis Drake Boulevard, A/P Nos. 6-032-20 and 6-032-21, design review of a one story office addition, and a Specific Planned Development use permit amendment to add two parking spaces to the parking lot.

Jim McDonald, Architect, and Linda Reed, Director of Tam Day, present.

Ms. Wight presented the staff report, stating the required findings for approval can be made.

Mr. McDonald presented a colored rendering and discussed the project.

Jerry Neal, 1001 Sir Francis Drake Boulevard, asked for clarification of the location of the addition, but had no further comments.

Commissioner Kroot said he can support the application because it will improve the looks of the existing building and because staff and clients will not increase and there will be no decrease in the number of parking spaces. Commissioner Harle agreed.

Commissioner Julin questioned why the additional space could not be found in the existing building, to which Mr. McDonald explained that headroom was limited in the lower area.

In response to Commissioner Julin's question regarding ownership of the addition, Ms. Reed said the Town will own the addition, and Tam Day will occupy it rent free for 15 years.

Chairman Hayes said the addition is a sensitive treatment to the need and will have no adverse impact on the community.

M/S Harle, Julin, to approve SPD-U/C-220 - Tamalpais Day Treatment Center, (property owned by the Town of San Anselmo), 1000 Sir Francis Drake Boulevard, A/P Nos. 6-032-20 and 6-032-21, design review of a one story office addition, and a Specific Planned Development use permit amendment to add two parking spaces to the parking lot, on the basis that the colors will be the same as the existing building, which is aesthetically compatible with the existing improvements and natural elements of the surrounding area; it provides for protection from noise, odors, and other factors; it will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development in the area; it 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; the use will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood, or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the Town; and is necessary for the preservation and enjoyment of substantial property rights of the petitioner, specifically the increase in the useable floor area increases the necessary for additional parking; based on the drawings dated May 25, 1988.

Motion passed unanimously.

Audience advised of the ten day appeal period.

PLANNING COMMISSION MEETING
OCTOBER 3, 1988

3. V-2254 - Suzanne Eberhart, 9 HumboPldt Avenue, A/P 7-023-01, a 13 foot rearyard variance to construct a building addition within 7 feet of the rear property line; an 11 foot frontyard variance to replace and enlarge an existing parking deck within 9 feet of the front property line and a variance for 2 of the 4 required parking spaces to be substandard in size (9' x 15') - CONTINUED TO OCTOBER 17, 1988.

4. V-2255 - Jerry Neal, Sr., 1001 Sir Francis Drake Boulevard, A/P 6-042-08, an 8 foot west rearyard variance to construct a second story addition within 12 feet of the property line and a variance for the existing 2 car garage to be 17'6" in width.

Jerry Neal, applicant, present.

Ms. Wight presented the staff report, noting that the required findings for approval can be made.

Mr. Neal stated this addition will have the least impact. Their neighbor, Edith Stump, supports the application. Mr. Neal does not think the addition will be detrimental to No. 14 Calumet Avenue.

No one in the audience commented.

Commissioner Kroot supports the application because the garage is useable, the rearyard of the property could very well be considered a sideyard, the windows should not look into the yard of No. 14, and he likes the details on the front entry roof.

The other Commissioners agreed they can support the application.

M/S Kroot, Julin, to approve V-2255 for Jerry Neal, Sr., 1001 Sir Francis Drake Boulevard, A/P 6-042-08, an 8 foot west rearyard variance to construct a second story addition within 12 feet of the property line and a variance for the existing 2 car garage to be 17'6" in width, because the special circumstances are the existing garage is 17'6" width functions adequately; the house has, in essence, two front sides and this could almost be considered a sideyard; it will not affect the neighbor at No. 14, it is necessary for the preservation and enjoyment of substantial property rights of the petitioner; it will not be detrimental to the neighborhood; and is based on drawings received October 3, 1988.

Motion passed unanimously.

Audience was advised of the ten day appeal period.

E. DISCUSSION

Chairman Hayes read a letter from Al Camolli, Sir Francis Drake Boulevard, thanking the Planning Commission for conditioning the use permit amendment approval at 1535 Sir Francis Drake Boulevard on the removal of the dogs.

F. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 9:30 p.m. to the next special meeting on October 10, 1988.

LISA WIGHT
PLANNER