

PLANNING COMMISSION MEETING OF JUNE 20, 1988

A regular meeting of the San Anselmo Planning Commission was called to order on June 20, 1988 at 7:00 p.m. in the Council Chamber by Commissioner Sias. Staff present: John Roberto, Planning Consultant, Lisa Newman, Planning Consultant and Dan Hodapp, Planner.

A. ROLL CALL

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

G. DISCUSSION - Possible replacement of July 4, Planning Commission - Taken out of order.

It was decided that Tuesday, July 5, 1988 would be a replacement meeting for July 4, 1988 because of the back log of applications.

B. CONTINUED DETERMINATION OF VIOLATION

Nancy L. Thurmond, Oak Springs Drive, A/P 5-291-60, determination of violation of creation of lot in accordance with Section 66499.36 of the Subdivision Map Act. CONTINUED TO THE NEXT MEETING OF 7-5-88.

C. CONTINUED PUBLIC HEARING

1. U-621 - Church of Divine Man, 1381 San Anselmo Avenue, A/P Nos. 7-052-55, 7-052-56, 7-052-57, 7-052-58 and 7-052-59, consideration of revocation of the use permit granted in May, 1987, for a church in an R-1 District. CONTINUED TO July 5, 1988.

2. V-2234 - William Bluechell, 114 Alder Avenue, A/P No. 7-041-20, a 3'9" southwest side property line with a 2 foot roof overhang. WITHDRAWN AS PER APPLICANT REQUEST.

3. C-217 David Bell, 25 Tamalpais Avenue, A/P 7-212-18, design review of a garage and carport addition in a C-2 District.

V-2235 David Bell, 25 Tamalpais Avenue, A/P 7-212-18, variance for five required on-site parking spaces to be substandard in size due to the construction of a garage and carport and the desire for an increase in the number of on-site parking spaces.

Lisa Newman presented staff report dated June 20, 1988. She noted that it is common in other towns to have some compact parking spaces available and the applicant already has the required off street parking for his building.

There was discussion as to whether or not to proceed because the applicant was not present. The consensus was to continue.

Commissioner Yarish felt if the corrugated metal roof was factory applied it would be acceptable because it would not peel but would prefer some of the other choices. He prefers the more muted tone of blue BM-33-Hayden 30 and wanted to insure that the terra cotta was muted and dark. He was in support of the parking variance.

Commissioner Harle supports the variance in that it is increasing parking spaces. He also supports the design review.

Commissioner Julin would prefer the non metallic roof but the muted blue trim is acceptable.

Commissioner Sias supports the variance for parking and echoes the comments of Commissioners' Yarish and Harle. Is

agreeable to the siding and trim and not opposed to the roof as long as it is muted.

David Bell, applicant arrived and noted that the brochure he has submitted shows the terra cotta color.

Commissioner Sias wanted to see a color sample. He asked if the Fire Department requirements have been met yet. Lisa Newman said not yet but it could be a condition of approval.

Commissioner Julin restated her feelings about the corrugated roof for the benefit of the applicant and added she did not feel it belonged in a retail area.

Commissioner Sias said the garage will be located in the rear of the property and terra cotta can be clean, is durable and will not be an eyesore.

M/S Yarish, Harle, to approve V-2235 David Bell, 25 Tamalpais Avenue, A/P 7-212-18, variance for five required on-site parking spaces to be substandard in size due to the construction of a garage and carport and the desire for an increase in the number of on-site parking spaces on the grounds that: due to special circumstances applicable to the property, specifically it is one of the few commercial properties that has the potential for the legal number of legal sized parking spaces; and The granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner, specifically that the applicant desires covered parking; and 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 in reference to drawings submitted June 6, 1988. There are conditions that the parking will be unchanged from the way it is now laid out and that the building plan be reviewed by the fire department to assure satisfactory access by emergency vehicles and personnel.

All ayes. Motion passed unanimously.

M/S Yarish, Harle, to approve C-217 David Bell, 25 Tamalpais Avenue, A/P 7-212-18, design review of a garage and carport addition in a C-2 district on the grounds that this complies with the required findings as noted in the staff report dated June 20, 1988. The condition of approval of the actual sample of the roof material will be a factory applied color as supplied by staff. The color and sample board also be supplied. The color that have been perfected by the Commission are beige wall color BM 7-26 and trim BM 33-30. This is in reference to color board received to the Town prior to June 20, 1988.

AYES: Harle, Yarish, Sias
NOES: Julin

Motion carried. Applicant advised of the ten day appeal period.

D. PUBLIC HEARINGS

1. C-218 - Mozart Kaufman, 540 San Anselmo Avenue, A/P 6-102-31, design review of building color and awnings in a C-2 District.

Mozart Kaufman, applicant, present.

Lisa Newman presented the staff report dated June 20, 1988.

Mr. Kaufman said he wanted to provide a color that would blend in with the area. He introduced Mr. Kurt Rudy as having a gallery in the building. Mr. Rudy has presented the idea of lowering the dark line which will take away the block style and give the building more style. Mr. Kaufman wants to wait about placement of the sign until the building has been painted. He has removed the one small magnolia tree from the front of the building to allow for access.

Commissioner Harle thought the colors were well thought out.

Commissioner Yarish agrees that colors were well thought out and well balanced although he felt the wall color seems a little too bright for such a large space. The yellow orange is a little "hot" for such a large scale and would like to see it a little more muted.

Mr. Kaufman said he has done a sample of the San Anselmo side by the bridge and although he understands the comments of Commissioner Yarish he did not really feel it was that bright on the building.

At this time the Commissioner's took a 5 minute break to walk across the street to examine the color.

Commissioner Yarish, after seeing the colors on the building felt comfortable with the colors as proposed. He did note that the drawing submitted shows the awning as black and not raw sienna. He suggests the applicant have freedom to make the wall color slightly darker in the brown tone if he chooses.

Commissioner Sias supports the color and the removal of a magnolia tree and the lowering of the line in front of the building.

M/S Harle, Yarish, approve C-218 Mozart Kaufman, 540 San Anselmo Avenue, A/P 6-102-31, design review of building color and awnings in a C-2 District on the grounds that: The design does not endanger the lives of persons or damage adjacent properties nor does it impair the comfort and well-being of the persons using such real property; and it is aesthetically compatible with adjacent neighbors. This is based on the color scheme presented at the meeting of June 20, 1988.

ALL AYES. Motion passed unanimously.

2. AR-6 - Quarry Mountain, Incorporated, End of Tomohawk Drive, A/P Nos. 177-20-50, 177-250-40, 177-250-41, architectural review of Unit 11. UNIT 1 IS CONTINUED UNTIL THE MEETING OF JULY 5, 1988.

Doug Elliott, applicant, present.

John Roberto presented staff report.

Doug Elliott said this was the toughest site to design. They tried to minimize the walls. Lot 11 and 12 have the most impact on the neighbors and they tried to break up as much as possible with the separate levels. They have proposed concrete walls, stepped in two stages in lieu of normal retaining walls. Mr. Elliott did agree with staff's recommendation to cantilever the parking deck and plant mature jasmine on a lattice against the wall. He could modify the auto deck. It is currently designed to provide 2 off street parking spaces and it would be a hardship for the owners if it were removed, as any visitors would have no close parking. Another mitigation might be to "pop" the deck out to not make it so linear looking.

Commissioner Julin wondered if it would be feasible to move the house up the hill. Commissioner Yarish thought the house would become more visible in the valley .

Johnathan Braun, 479 Scenic, thought the greatest visual impact would be from the other side of the valley. He feels the house should fit into the surroundings and this home is quite massive. It would be better if pulled up the hill.

Alfred Morrisette, Architect for Quarry Mountain, said they did explore putting the garage up front but the slope is steep and the homes are expensive and it would not be feasible or good planning to have the owners walk down two stories to the house. He thought that cantilevering under the auto deck with landscaping and trumpet vines on the railing would be a good solution.

Commissioner Julin felt that the cantilever approach is the best solution to the car deck with additional landscaping. After hearing other testimony she felt that if the house was higher on the property it would be more visible from the other side of the valley.

Commissioner Yarish echoed Commissioner Julin. He was glad to see the building tucked down the road. He did think that from the edge of the garage door to the end of the parking doors is 20 feet and could be decreased 2 feet. The wall should be recessed approximately 3 feet thereby creating a cantilever effect. This would reduce the height by 3 feet in elevation. He thought the length is a little excessive and would suggest removing 4' from the familyroom and shop behind the garage without loosing the integrity of the building. And thought the deck could be broken up to reduce the mass.

Commissioner Harle echoed the comments of Commissioner Yarish but did not feel that cutting back 4' would make that much of a difference in the overall appearance.

Commissioner Sias agreed about reducing the length by 4 feet, concurred about the deck being broken up, the driveway apron be shortened from 20' to 18', agrees that the auto deck should be cantilevered out as much as possible and that landscaping should be added.

There was some discussion about reducing the mass by four feet.

Mr. Elliott said he was not enthusiastic about reducing the house by 4 feet but in the interest of expediting this application he would agree.

Mr. Roberto said the Commission should direct staff to prepare a resolution on the findings.

M/S Yarish, Julin, approve AR-6 Quarry Mountain, Incorporated, End of Tomohawk Drive, Unit 11, on the basis that the drawings submitted conform with the items listed in the staff report for the meeting of June 20, 1988 under review procedures with conditions that revised drawings be in conformance with alterations as directed by the Planning Commission on June 20, 1988 as itemized by staff as follows: (1) Reduce the size of auto deck from 20' to 18' measured from the southerly edge of the garage door opening; (2) Auto deck be designed 3' cantilevered and lower wall be covered with lattice work (3) Additional landscaping in front of lattice work to be jasmine vines planted to screen. Location of plantings to be approved by staff. (4) Length of building be reduced 4 feet as shown on plans dated October 7, 1987; (5) That the south facing deck or 2nd floor of building be broken up to provide more articulation; (6) Retaining wall on up hill end of driveway apron be

stepped back. This application is subject to review at the next Planning Commission Meeting of July 5, 1988 for compliance for conditions of approval.

AYES: Julin, Harle, Yarish, Sias

Motion passed unanimously. Applicant advised of the ten day appeal period.

Mr. Elliott wanted to present additional colors to the color palate if it was agreeable to the Commission.

The consensus of the Commission was that it should be heard at the meeting of July 5, 1988 because it had not been placed on the agenda.

3. V-2221 - Albert K. S. Jung, 41 Hillcrest Court, A/P 5-092-12, an amendment to the variance granted March 21, 1988, for an eight foot north sideyard variance for the pool equipment to be within zero feet of the north side property line.

Albert Jung, applicant, not present.

Lisa Newman presented staff report.

All the Commissioners were in agreement with this application.

M/S Harle, Julin, to approve V-2221 - Albert Jung, 41 Hillcrest Court, a/P 5-092-12 an amendment to the variance granted March 21, 1988 for an eight foot north sideyard variance for the pool equipment to be within zero feet of the north side property line on the grounds that: Due to special circumstances applicable to the property specifically that he has satisfied the findings found in previous meeting and will not alter the situation. this is based on plans submitted with application dated May 8, 1988.

Motion passed unanimously. Applicant advised of the ten day appeal period.

4. V-2238 - Robert W. Brennan, 444 Scenic Avenue, A/P 7-031-12 and 7-031-13, a third story variance, a 9 foot frontyard variance to construct a garage within 11 feet of the front property line, and a 3 foot frontyard variance to construct an open deck within 11 feet of the front property line.

Robert Brennan, applicant, present.

Lisa Newman presented the staff report.

Robert Brennan addressed staff's concerns as follows: His architect thought the atrium would break up the massing and give some character to the building. It is a triangle about 5-6 feet wide in the middle of a building about 30 feet wide. It would be less expensive to eliminate the atrium but it would then be a boring building. He said he wouldn't mind moving the staircase to the north side however it would then penetrate the retaining wall and the main entrance would have to be moved. He was in agreement with staff's recommendations regarding drainage and would comply.

Ms. Newman noted that staff has received a letter with signatures of several neighbors that are concerned about the existing drainage and the loss of a parking space for the new driveway.

Johnathan Braun, 479 Scenic, said his name and his fathers is not on the petition but they endorse it. There have been numerous geologic problems and he is in favor of an indepth

soils and geotechnical report before any decision is made. The street slid approximately 10 years ago and was closed for a year. Regarding the issue on on street parking, his solution is to eliminate the garage and driveway and enhance the parking area in front of the property by grading. This would then allow for three to four cars. Then have stairs similar to the adjoining house and many others in the neighborhood have.

Mr. Brennan said there is a recent soils report in file from Jay Nelson.

Johnathan Braun said no soils report is in the file. There are further solutions that need to be addressed on the down hill side. Regarding the atrium, he does feel it enhances the quality of the house. He feels it is important to present a landscape plan because of the 8 to 11 feet retaining walls. Regarding drainage, there is heavy runoff and it shoots across the road and runs off into the yards of the residents across the street. That needs to be addressed by staff. Staff's recommendation about directing runoff under the driveway is good however once under the driveway it is directed down the street and into residents yards.

Bob McPeak, 435 Scenic, was concerned about the loss of parking as it will eliminate 2 parking spaces. Regarding drainage, he feels there must be some provisions made for the sheet flow. There will be increase in the down hill drainage and should be directed down the street to an acceptable culvert.

Jean Goodman 445, Scenic, said the view from her window would be looking at the driveway. It is not really clear where the driveway will begin and curve up. She presented photographs and talked about the steep slope of the lot and her concerns about the drainage.

Barbara O'Toole, 461 Scenic, said water floods her property and her house is slipping and the foundation is cracked. It is a known fact that the hill is slipping. Regarding drainage, the Town does not maintain the culvert and many times she has cleaned it out.

Millie Goodman, 445 Scenic, said her property has sunk about 3 feet since 1960. she has recommended to the Director of Public Works that the culvert be closed.

Shawn Gillis, 448 Scenic, said this would be very visible from his property. His deck is about 2 feet away and a bedroom window faces the property. He said he will lose his privacy. There have been several trees that have fallen from the property and the hill is eroding. He did not feel staff's solutions are adequate. He did not think the drainage problem on the south side has been satisfied. He said the retaining wall proposed will create a barrier for him and the wall would increase the flow of water around it. If the road needed to be closed for vehicles to bring in building materials etc. it would cut off access to his property.

Jean Emery, 448 Scenic, said she echoed her son's comments and added that this house will take away their privacy. Their driveway is set up and if the applicant's driveway were approved it would be dangerous.

Commissioner Harle was concerned about drainage and is dubious that suggestions made by staff are adequate. He is not worried about the stairs or atrium but does think that loss of parking on the street and drainage are concerns. He thought perhaps Mr. Braun's recommendations would be substantial mitigation but additional information is needed from the applicant.

Commissioner Julin asked if staff was aware of the soils report the applicant said was in file. Ms. Newman did not know but would have the information for the next meeting.

Commissioner Julin said the building will create a large mass for the people across the street. However she can not see another solution. She did feel that additional soils and geological reports were necessary.

Commissioner Yarish also feels more information is needed on drainage and a soils report should be required. He was concerned about the driveway and the retaining wall that averages 10' in height and a length of approximately 50'. He said the atrium is within the set backs but would like to ask that story poles be erected because of the visual impact. He would like to see 2' intervals on the Topo map. He would like to see a landscaping plan.

Commissioner Harle said if Mr. Braun's approach to eliminating the driveway and garage and still allowing for off street parking was workable then there would be no need for a garage variance. He wondered if it would be worthwhile to refer the application back for redesign and then look at drainage.

Mr. Brennan said the garage was designed by Ray Foreaker who is a well respected Civil Engineer. There are certain limitations on the driveway because of the slope. He said that when the owners of No. 448 built their driveway the bottom corner is about 5 feet onto his property which prevents him from starting his driveway at that end of the property. Now he is forced to build at the top end of the hill. When No. 440 built their home, the Town allowed them to build on the public easement with no set back and no provisions for parking. He thinks that he has come up with the only possible design. He is sympathetic about the drainage problems but it is not all caused by his property. The Municipal Code of San Anselmo stipulates that he must provide 2 off street parking spaces and he is trying to comply.

Commissioner Sias is unclear if the mouth of the neighbors driveway is on the applicants property or the Town right of way.

Ms. Newman said staff was unclear and would return with the information at the next meeting.

Commissioner Sias wants clarification of property lines, would like to see an up to date soils report, is concerned about drainage and if it is inadequate what can we require. Would also like to see any drainage reports that are on file regarding the area. He also would like to see a landscaping plan but perhaps the other issues should be resolved first.

Mr. Brennan said he thought the plans give a pretty good indication of the property lines. Also, if the two parking places are in the right of way do they have the right of possession of someone accessing their property?. He will have the Civil Engineer come to the next meeting.

Ms. Newman said that staff may need assistance from the applicant on identifying the parking.

M/S Harle, Julin, to continue V-2238 Robert Brennan, 444 Scenic Avenue, A/P 7-031-12 and 7-031-13, a third story variance, a 9 foot frontyard variance to construct a garage within 11 feet of the front property line, and a 3 foot frontyard variance to construct an open deck within 11 feet

of the front property line for further information for the meeting of July 5, 1988 for development of information by staff of the drainage situation and parking solutions.

Motion passed unanimously.

E. APPROVAL OF MINUTES - May 31 and June 6, 1988.

M/S Julin, Harle, to approve minutes of May 31, 1988 as written. And amend June 6, 1988 minutes as follows: page 4, after paragraph 5, add another paragraph to read "The Planning Commission stated that all fees are due and payable from the processing of this application for all four properties and request the Town Council to direct the Town Attorney to develop recommended strategy for collecting the money right away". Page 10, paragraph 8, change "sheet" to "shed".

All ayes. Motion passed unanimously.

H. ADJOURNMENT.

The regular meeting of the San Anselmo Planning Commission Meeting was adjourned at 11:00 p.m. to the next special meeting of July 5, 1988.

BARBARA CHAMBERS
ADMINISTRATIVE SECRETARY/TECHNICIAN