

TOWN OF SAN ANSELMO  
PLANNING COMMISSION MINUTES OF MAY 7, 1990

The regular meeting of the Planning Commission was convened at 8:00 p.m. in the Council Chamber by Chairman Yarish. Staff present: Dain Anderson, Assistant Director of Planning; Lisa Wight, Planner, and Jayni Barker, Planning Consultant.

A. ROLL CALL

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

B. PUBLIC HEARINGS CONTINUED TO MAY 21, 1990

1. DR-9003/SR-9002 - Bay View Federal Bank, 305 San Anselmo Avenue, A/P 7-280-20, design review of: 1) change to exterior paint color; 2) elimination of drive up teller window; and 3) installation of ATM machine; and 4) sign variance to permit 5 signs on the building.

2. V-9005 - Wallace McQuat, 100 Laurel Avenue, A/P 7-115-04, 1) a 7'3" south sidearm variance to construct a garage within 9' of the south sidearm property line; 2) a third story variance; and 3) a 4' living additions within 4' of the south side property line, with a 1'6" roof overhang, within the R-1 zoning district.

3. AR-9002 - David and Lydia Bell, Fernwood Drive, A/P 7-131-14, architectural review of a single family dwelling located in the R-1 C zoning District.

C. PUBLIC HEARINGS

1. V-9002 - Gary Palmer, 173 The Alameda, A/P 5-101-25, 1) a 2' frontyard variance and a 5' south sidearm variance to construct a carport within 18' of the front property line and within 3' of the south side property line; and 2) a 4' south sidearm variance to construct a living addition within 4' of the south side property line, with an 18' roof overhang within an R-1 zoning district.

The applicant was present.

Lisa Wight presented the staff report.

Mr. Palmer said he spoke with his neighbor and she thought that the additional living space was going to be looking directly into her window, now she understands it is the carport.

The Commissioners had no objection to the variance request with Chairman Yarish adding that it is consistent with other homes in the neighborhood.

M/S Julin, Harle, to approve V-9002 - Gary Palmer, 173 The Alameda, A/P 5-101-25, 1) a 2' frontyard variance and a 5' south sidearm variance to construct a carport within 18' of the front property line and within 3' of the south side property line; and 2) a 4' south sidearm variance to construct a living addition within 4' of the south side property line, with an 18' roof overhang within an R-1 zoning district on the basis: Due to special circumstances applicable to the property of the existing dwelling and existing carport. The existing 14' wide by 19' deep carport can only accommodate one vehicle. Additional on-site parking is in tandem, which is not always workable. The proposed carport will provide side by side parking for two vehicles. This is the only logical place for the two car parking as the existing dwelling is within 13' of the front property line. Most other properties in the area have one car garages setback from the street, so the approval of variances for side by side parking could be considered a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated. On the other hand, these properties were developed at a time when only one vehicles was domiciled on the property and today there is an increased need for on-site parking that is workable. 2) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner so that on-site parking can be improved; and 3) The granting of the 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 the neighborhood. The adjacent southerly neighboring dwelling at No. 169 is one story and views from their windows are at an existing sidearm fence. This approval is based on plans dated February 2, 1990 and amended 4/16/90.

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

2. U-9002 - Gene Hui, 805 Sir Francis Drake Boulevard, A/P 6-082-14, use permit to allow a dry cleaning plant and retail store at La Mancha Plaza.

The applicant was present.

Dain Anderson presented the staff report.

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The Commissioners had no objection to the use.

M/S Kroot, Julin, **U-9002 - Gene Hul, 805 Sir Francis Drake Boulevard, A/P 6-082-14**, use permit to allow a dry cleaning plant and retail store at La Mancha Plaza on the basis that the establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, 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, and that the preservation and enjoyment of substantial property rights of the petitioner. Specifically, on the basis that the conclusions drawn by the DKS Associates traffic analysis indicate that while the proposed use will result in an increase in both vehicular trips and turning movements those increases can be accommodated by the existing local roadway network. Conditions of approval are 1) That all dry cleaning equipment installed in the dry cleaning plant reflect the current state of the art technology incorporating a closed system design; and 2) That the applicant, prior to commencing operation of the dry cleaning plant, submit to the Director of Public Planning, evidence that all necessary permits and approvals required by Federal, State, County, and regional agencies have been obtained.

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

3. **U-9003 - Gene Hul, 805 Sir Francis Drake Boulevard, A/P 6-082-14**, use permit to allow a self-serve laundry at La Mancha Plaza.

The applicant was present.

Dain Anderson presented the staff report.

The Commission was able to make the necessary findings for this use.

M/S Harle, Julin, **U-9003 - Gene Hul, 805 Sir Francis Drake Boulevard, A/P 6-082-14**, use permit to allow a self-serve laundry at La Mancha Plaza on the basis that the establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, 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, and that the preservation and enjoyment of substantial property rights of the petitioner. Specifically, on the basis that the conclusions drawn by the DKS Associates traffic analysis indicate that while the proposed use will result in an increase in both vehicular trips and turning movements those increases can be accommodated by the existing local roadway network. Conditions of approval are: 1) The hours of operation be limited to 7:00 a.m. to 10:00 p.m., seven days a week.

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

4. **PP-14/V-2315 - James Helfrich, between 444 and 500 The Alameda**, San Anselmo jurisdiction A/P Nos. 5-043-16, 5-043-22, 5-043-31, and County of Marin jurisdiction A/P Nos. 177-133-13 and 177-220-54, preliminary plan review, variance to construct a driveway over subject properties, and the initial expanded environmental study for the development of 4 single family dwellings.

The applicant, Engineers' Pauline Steuber and Andrew Allen, and his attorney, Al Bianchi, were present.

Dain Anderson stated that Mr. Helfrich has prepared a revised Preliminary Development Plan which reflects building sites "A", "B", "C" and "E". The revised plan is consistent with the Commission's April 16, 1990, direction for three of the four building sites. However, Mr. Helfrich has chosen not to reflect site "F" in favor of site "E". Staff has enclosed three letters prepared by the applicant's engineering consultants, architectural consultants, and project plant ecologist, addressing the advantages and disadvantages of sites "E" and "F" with the intent of proving to the Commission, with the intent of justifying site "E" superiority to site "F". The Commission has three possible courses of action: 1) to direct staff to prepare a resolution denying Preliminary Development Plan; 2) direct staff to consider the new information on sites "E" and "F"; or 3) Reevaluate the April 16, 1990 action based on information presented and provide different direction relative to which four building sites are to be reflected in a Preliminary Development Plan.

Commissioner Julin said that if she was present at the last hearing on this issue she would have voted for site "E" rather than "F". Therefore she was in favor of further exploring site "E".

Commissioner Harle felt that because houses already exist on The Alameda, the addition of one more house would not increase density that much. However, he also considered site "E".

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Because this was a change in direction, Commissioner Harle suggested continuing the hearing until the other Commissioners could be present.

Chairman Yarish did not feel the applicant should be penalized because of the absence of the two Commissioners and that the Commission should proceed tonight.

Commissioner Kroot concurred with Yarish.

The consensus of the Commission was to allow the applicant to provide information relative to the advantages and disadvantages of "F" and "E".

Mr. Helfrich said he concurred with the Commission's decision to develop sites "A through C" but his disparity is sites "E" and "F". He felt site "E" was superior to "F" for the following reasons: 1) more stable soils conditions; 2) less vegetation removal; 3) less visual impact; 4) Town Engineer and Town staff, Plant Ecologists and Soils Engineer all prefer "E" over "F" for various reasons.

Andrew Allen explained that site "E" was favored over "F" because of the slope, stability of the soil and removal of soil for the building pad.

Pauline Steuber stated that site "F" would have a minimum 17' cut with a considerable amount of vegetation removal. Access from the driveway is about a 25% slope and it is almost impossible to gain access. Also, the house would abut the 40' easement.

Jan Back, 439 The Alameda, stated that "F" would be as close as 35 feet to her house. Also, all of the trees would have to be removed. She preferred site "Upper D" because it will be screened by the oak trees.

Roberta Stoddard, 444 The Alameda, said there is a slide area behind her house in the vicinity of site "E". Also, the house would loom over her and therefore she felt "E" was unrealistic.

Michael Mack, 443 The Alameda, objected to any building on The Alameda or any removal of vegetation. He thought the residents of The Alameda have already carried most of the burden of this development. He also opposed "E".

Dan Goltz, 107 Holstein, was against building any houses on the ridge or any roads in the ridge.

Commissioner Kroot rejected site "F" and thought "E" would be a detriment to the neighbor at 444 The Alameda. He said that he preferred site "Upper D" because the house would be screened but that would be building in the ridge zone which is against the General Plan. He said he was more concerned about the immediate visibility more than the visibility of several hundred feet away.

Mr. Bianchi stated that his client had no objection to site "D".

Commissioner Harle said that given the information tonight on "F" he does not think that is the best site. He said he has always had qualms about site "E" and its relationship to the house at 444 The Alameda but would like to have site "D" reconsidered.

Commissioner Julin said that she favored sites "A", "B", "C" and "E" in the interest of the greater community and maintaining the ridge and the General Plan.

Chairman Yarish said he never favored site "F" because the soils creep constituted too great a problem and it would also require a retaining wall. He said he favors "E" over "F" but it will impact two immediate homes. He felt "Upper D", surrounded by trees would be an attractive site but that is in the ridge zone and "Lower D" would greatly impact those from across the valley but would be willing to reevaluate "D".

Jayni Barker said that site "D" was always one of staff's recommendations and a condition could be made that there be additional vegetation with large trees to screen.

Commissioner Kroot would like to see cross sections of "Lower and Upper D".

Commissioner Julin noted that the Commission in past hearings has made it very clear that there should be no building in the ridge zone if there are alternative sites. Therefore she did not think "Upper D" should be reconsidered because it is in the ridge.

M/S Harle, Kroot, to continue PP-14/V-2315 - James Helfrich, between 444 and 500 The Alameda, San Anselmo jurisdiction A/P Nos. 5-043-16, 5-043-22, 5-043-31, and County of Marin jurisdiction A/P Nos. 177-133-13 and 177-220-54, preliminary plan review, variance to construct a driveway over subject properties, and the initial expanded environmental study for the development of 4 single family dwellings to the meeting of May 21, 1990 so that staff can prepare all appropriate papers required for approval of Negative Declaration and Resolution of approval

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for Preliminary Plan anticipating a choice of sites "A", "B", and "C" and some version of "D" or "E" so that an approval can be made the night of May 21, 1990. Further that the applicant provide an analysis of site "D" like he did on site "F" and also a cross section of site "D" and "D" and existing tree canopy of site "D".

All ayes. Motion unanimously passed.

D. APPROVAL OF MINUTES - APRIL 2 AND APRIL 16, 1990.

M/S Julin, Harle to approve minutes of April 2, 1990 as written.

Ayes: Harle, Julin, Yarish  
Abstain: Kroot

M/S Julin, Harle to approve minutes of April 16, 1990 as amended: page 4, paragraph 7, should state: "Chairman Yarish favored sites "A", "B", "C" and "E" and was concerned about sites "D" because of the visibility, and "F" because it is in a soils creep area and would require massive defoliation.

E. DISCUSSION

Dain Anderson stated that the owners of 27 Indian Rock Road have applied for final design approval for a driveway retaining wall. Since this a change from what was originally approved, staff wants to know if the Commission should hear this at a public hearing or, can staff approve the design.

The consensus of the Commission was to notify the neighbors of the proposed change and if there is no objection with the neighbors, then the Commission had no objection to staff approving the design.

F. REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

G. ADJOURNMENT

The regular meeting of the Planning Commission was adjourned at 11:00 p.m. to the special zoning meeting on May 14, 1990

BARBARA CHAMBERS  
ADMINISTRATIVE SECRETARY