

TOWN OF SAN ANSELMO  
PLANNING COMMISSION MINUTES FOR SEPTEMBER 23, 1991

The special Planning Commission meeting was convened at 8:00 p.m. in the Council Chamber by Chair Julin. Commissioner's present Kroot, Yarish, Mihaly, Julin. Commissioner's absent: Harle, Hayes and Sias. Staff present: Planner Lisa Wight, and Planning Director Ann Chaney.

**B. CONTINUED PUBLIC HEARINGS**

1. **Amendment to the Zoning Ordinance Text to Conditionally Permit Retail Uses for Non-Profit Organizations within the R-1 (Single Family Residential) Districts CONTINUED TO THE MEETING OF 9/30/91**

2. **GPA-9101/Z-9101/ER/LLR-9101/U-9104/V-9130/DR-9110 - Jim McDonald, 40 Belle, A/P 7-301-05, 7-301-16 and 7-301-17,** 1) Environmental review of the General Plan amendment and rezoning; 2) General Plan amendment to revise the land use map for a portion of the property currently C-3 to have a designation of R-1 and a portion currently R-1 to have a designation of C-3 (fronting Mariposa Avenue); 3) Rezoning of a portion of the property currently zoned C-3 to be rezoned to R-1 and a portion currently zoned R-1 to be rezoned to C-3 (fronting Mariposa Avenue); 4) Lot line relocation to create two parcels from three existing parcels; 5) A use permit, variance and design review to construct a new building and parking area within 6' of the west side property line (fronting Mariposa Avenue) to house current school activities; and 6) A use permit for the Rummage Rack location to be shifted from the C-3 zoned parcel to the adjacent R-1 parcel (located in the new building fronting Mariposa Avenue). **CONTINUED TO THE MEETING OF 9/30/91**

3. **V-9128 - Charles C. Mohun, 46 Broadmoor Ave, A/P 5-185-13,** a 4'6" sideyard variance to construct a first and second story addition within 3'6" of the side property line, on property located within the R-1 zoning district. **CONTINUED TO THE MEETING OF 10/7/91**

4. **V-9133 - Raymond Carroll, 21 Rosemont Avenue, A/P 5-071-28,** a 2' sideyard variance to construct an uncovered deck/stairs within 4 feet of the side property line on property located within the R-1 zoning district **CONTINUED TO THE MEETING OF 10/7/91**

**C. CONSENT AGENDA**

1. Minutes - October 7, 1991

2. **V-9134/SR-9105- Eva Elsinger, Sign Designs, Inc., 700 Sir Francis Drake Blvd., A/P 6-091-40,** variance to exceed the amount of square footage allowable for signage, and a sign review, on property located within the Limited Commercial (CL) district.

3. **DR-9112 - WestbrookKlos Inc., 28 Vine Avenue, A/P 7-231-17,** design review of a second story addition, on property located within the R-1 zoning district (above 150 feet mean sea level).

4. **DR-9113- Donna Warrington, 97 Berkeley Avenue, A/P 5-165-26,** design review of an addition, on property located within the R-1 zoning district (above 150 feet mean sea level).

**M/S Yarish, Kroot, to approve consent agenda. Motion unanimously passed. Audience advised of the ten day appeal period.**

**D. PUBLIC HEARINGS**

1. **AR-9003 - Cyrus Ansari, 15 Oak Springs Drive, A/P 5-254-05,** amendment to design review of a single family residence to modify the roof material, on property located within the R-1 zoning district (above 150 feet mean sea level).

The applicant was present.

Director Chaney presented the staff report.

Mr. Ansari stated that it was his understanding that vertical redwood siding stained green, was originally approved but the minutes did not reflect that. He stated that the roof change he is requesting is fire retardant, color fast and his neighbors are in support of his proposal. He wanted to have 3 color combinations. He stated that he has chosen concrete tile rather than clay because of the cost factor and it is his preference. He also stated that he would like to have approval to put on tongue and groove natural, clear redwood siding, .

Director Chaney stated that the siding would require a separate notice however, it would be fine if the Commission wanted to discuss this tonight.

Reese Williams, 25 Oak Springs, and Mr. Firestone, were in support of the proposal.

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Commissioner Mihaly agreed with staff's discussion on the roof material and siding not being compatible. He had no objection to the proposal by the applicant for redwood siding and suggested that it come back to the Commission as a consent item if no other Commissioner objected.

Commissioner Yarish stated that the tile roof is an improvement over what was originally approved. He also concurred that he had no objection to the siding proposed by the applicant and supported the idea of it being on a consent agenda. He added that he wanted the wood to be clear all heart and not A grade.

Commissioner Kroot stated that natural redwood siding was fine but did not want it to come back to the Commission. He wanted staff to approve the change administratively. He also felt the tile roof was fine.

Chair Julin did not agree with the change in the roof material but did not object to the change in siding.

M/S Yarish/Kroot to approve AR-9003 - Cyrus Ansari, 15 Oak Springs Drive, A/P 5-254-05, amendment to design review of a single family residence to modify the roof material, on property located within the R-1 zoning district (above 150 feet mean sea level). Approval is based on the following findings: 1. Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area. From the perspective of the mission tile roof blending with the wooded, hillside, it can be found that it will be compatible with the natural elements in the surrounding area because the tile colors reflect muted earth tones. The tile roof is an upgrade from the previous cedar shingles and will be generally compatible with the house. 2. Provides for protection against noise, odors, and other factors which may make the environment less desirable. The proposed change in roof material should not make the environment less desirable. 3. Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy. A proposed change in roof material to a higher quality material will not depreciate the value or discourage occupancy of homes in the surrounding area. 4. 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 change in roof material will not create unnecessary traffic hazards, distraction of motorists or other factors and provides for satisfactory access by emergency vehicles and personnel. 5. Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area. The proposed change in roof material will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area. 6. Conformance to the approved precise development plan. This property is zoned R-1 and a precise development plan is not required. 7. Adequacy of screening. In approving the original design review to allow construction of this house, the Planning Commission required that additional landscaping be provided to supplement existing landscaping. 8. Selection of architectural features that enable the structure to blend with its environment. From the perspective of the mission tile roof blending with the wooded, hillside, it can be found that it will be compatible with the natural elements in the surrounding area because the tile colors reflect muted earth tones.

Ayes: Kroot, Mihaly, Yarish  
No: Julin

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

2. **V-9131 - Ronald and Lynn Hinck, 45 Suffield, A/P 5-121-11, 1)** an 8' front yard variance to construct a second story addition within 12' of the front property line; and 2) a 7' front yard variance to extend an existing garage within 13' of the front property line, on property located within the R-1 zoning district.

The applicants were present.

Director Chaney presented the staff report.

Mr. Hinck presented a list of other home in his neighborhood that are set close to the front of the property. He also wants to extend the garage to allow for two car parking. He felt this was the most logical and appealing place for the addition. His neighbors concur with their proposal.

Mrs. Hinck stated that if the addition were to be set back the structure would be straight and flat and without charm.

Commissioner Yarish stated that the design looks nice but he was concerned about the lack of special circumstances for approval. He felt that from the street scape he would like to see the roof line moved back.

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Commissioner Kroot said he was torn. He said there was some precedent in the neighborhood and in looking at the plans the location of the stairs to the upstairs might be a problem if the addition was moved back too far. He would however like to see the addition moved back two feet, thereby encroaching into the frontyard setback 4 feet and not 6 feet.

Commissioner Mihaly stated that the house at number 79 Suffield successfully added on without having to apply for variances, and the house is similar to this applicants, he believed that there are alternatives to what was being proposed. Many homes in the area have second stories that are setback. He would like staff to review the property at number 79 Suffield and also address the issue that was brought up by the applicant about other homes encroaching into the front setback.

Commissioner Julin felt the addition intruded to far on the street scape would would like it moved farther back.

Mr. Hinck stated it would not be feasible from a building standpoint to move the house farther to the rear because of the interior configuration of the rooms. The stairs leading to the upstairs would have to in the kitchen and that is not logical. He did not feel that he could achieve the same design as number 79 Suffield because he has a pool in the backyard. He also stated that he was on a limited budget and it would be very expensive if he had to start all over again.

Commissioner Yarish stated that he would approve a small intrusion into the front setbacks if it can be proven there is no alternative.

Commissioner Kroot would approve a 4' frontyard variance if there were no alternatives.

Chair Julin did not support any frontyard variance.

M/S Mihaly/Kroot, to continue **V-9131 - Ronald and Lynn Hinck, 45 Suffield, A/P 5-121-11, 1)** an 8' front yard variance to construct a second story addition within 12' of the front property line; and 2) a 7' front yard variance to extend an existing garage within 13' of the front property line, on property located within the R-1 zoning district. This is continued to the meeting of October 7, 1991, to allow the applicants time to redesign or explain why the variances are required.

Motion unanimously passed.

3. **V-9132 - Carola Ashford, 225 San Francisco Blvd, A/P 5-204-35,** an 8' south sideyard variance and a 20' rearyard variance to construct a roof within 0' of the rear and south side property line on property located within the R-1 zoning district.

Chair Julin abstained and stepped down.

The applicants were present.

Planner Wight presented the staff report.

Chair Julin stated that this property backs to her property and she has no objection to a new roof but would not like to see a height increase. She felt it would be an intrusion into the visual open space. She said that she spoke with her neighbor at 22 Santa Barbara and he also felt it would be an intrusion into the visual open space.

Commissioner Yarish stated that the neighbors at 221 stated that the pool equipment is somewhat noisy.

Mrs. Ashford stated that the enclosure will help decrease the noise. She would like to have a peaked roof with composition shingles so it will be compatible with the house. Currently the roof is corrugated tin. There is also a robust rose bush that will be able to lean against the pitched roof. She stated that she would be willing to forgo the solar panels. The shed will have gutters and downspouts to carry off drainage. She stated that she would be willing to also insulate with a 1" or 1 1/2" layer of fiber board.

Commissioner Kroot stated that if the roof was 4 in 12, it would not be more than 15" to 18" higher than the structure. He supported the proposal.

Commissioner Mihaly stated that it would be difficult for him to approve because there is objection from the neighbor. He was hopeful that the neighbors could work out a solution.

Commissioner Yarish concurred with Mihaly.

M/S Mihaly/Yarish, to deny **V-9132 - Carola Ashford, 225 San Francisco Blvd, A/P 5-204-35,** an 8' south sideyard variance and a 20' rearyard variance to construct a roof within 0' of the rear and

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south side property line on property located within the R-1 zoning district. Denial is based on the lack of special circumstances.

Commissioner Mihaly withdrew his motion. He was hopeful that the applicant and the neighbor could work together to reach a compromise.

M/S Mihaly/Yarish, to continue V-9132 - Carola Ashford, 225 San Francisco Blvd, A/P 5-204-35, an 8' south sideyard variance and a 20' rearyard variance to construct a roof within 0' of the rear and south side property line on property located within the R-1 zoning district. This is continued to the meeting of October 7, 1991 for the reasons stated above.

Ayes: Kroot, Yarish, Mihaly  
Julin: Abstain

4. **U-9105 - Red Hill Shopping Center - 800 Sir Francis Drake Blvd.**, A/P 6-061-06, use permit amendment to Specific Planned Development for a new building to accommodate a nursery, and an outdoor growing area, on property located within the SPD zoning district.

The applicant and his architect, Dan Goltz, were present.

Planner Wight presented the staff report.

Commissioner Mihaly stated that the parking lot in the area of the addition is very congested and is unsafe for pedestrians. He wondered if the applicant could do something to make it safer. He also felt that a plant store will draw additional people to the shopping center.

Mr. Arntz stated that he would be willing to put in a speed bump or a cross walk similar to that by Longs Drug Store.

Mr. Goltz stated that the fascia will be the same as other store fronts in the shopping center except that it will have a green house in front of aluminum.

Commissioner's Kroot and Yarish supported the project and felt it would be a nice addition to the shopping center. They did not think the business would bring additional people to the area.

Commissioner Mihaly supported the project but was concerned about the traffic congestion. He suggested a sign stat said "Watch Carefully" or a raised area which will slow cars down.

Chair Julin supported the application.

Planner Wight stated that there is no detail on the lath house or the fence so there can be no action on those items tonight.

M/S Kroot/Yarish, to approve **U-9105 - Red Hill Shopping Center - 800 Sir Francis Drake Blvd.**, A/P 6-061-06, use permit amendment to Specific Planned Development for a new building to accommodate a nursery, and an outdoor growing area, on property located within the SPD zoning district. The required findings for approval are: The establishment, maintenance, or operation of the use 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 the proposed use, or be detrimental or injurious to property or improvements in the neighborhood or the general welfare of the Town. The proposed use is consistent with allowable uses in a shopping center and could serve as an attractive addition between the Safeway Store and WestAmerica Bank. Such a use will probably be utilized by customers at the shopping center and will not necessarily draw additional customers to the center. There are no views of the project from neighboring residential properties. Approval is based on plans dated 8/1/91 and color chart dated 7/29/91.

Motion unanimously passed.

The use will not be detrimental nor injurious to persons nor improvements in the area. The fence and the lath house will be approved separately under an administrative design review.

**E. ADJOURNMENT TO THE SPECIAL MEETING OF SEPTEMBER 30, 1991**

The special meeting of the San Anselmo Planning Commission was adjourned at 10:50 p.m.