

TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES OF MAY 20, 1991

The regular meeting of the Planning Commission was convened at 7:00 p.m. by Chair Julin in the Council Chamber with Commissioners Kroot, Harle and Yarish present, and with Commissioner Hayes present at 8:10 p.m. Commissioners Sias and Mihaly were absent.

B. CONSENT AGENDA:

1. Minutes:

- A. April 15, 1991
- B. May 6, 1991
- C. May 13, 1991

M/S Harle/Kroot, to approve consent agenda. Motion unanimously passed.

C. CONTINUED PUBLIC HEARINGS

1. **DR-9101 - W. B. Savage, 607 - 615 San Anselmo Avenue**, A/P 7-212-28, design review of 1) an awning; and 2) exterior building color change. - CONTINUED TO THE MEETING OF JUNE 3, 1991

2. **U-9102/V-9106/SR-9102 - Paul Krieder, The Ross Valley Winery, 34 Greenfield Avenue**, A/P 6-251-09, 1) use permit to operate a wholesale/retail winery and food sales; and 2) parking variance; and 3) sign review, on property located within the C-2 zoning district. - CONTINUED TO THE MEETING OF JUNE 3, 1991

3. **V/AR-9111 - Frank Ordaz, 95 West Hillside**, A/P 6-171-14, 1) a 10' front yard variance to construct a bedroom and bath addition within 10' of the property line; 2) Architectural review; for property located within the R-1 Zoning District (Above 150' mean sea level). CONTINUED TO THE MEETING OF JUNE 3, 1991

4. **DR-9107/SR-9103, Sezer Ozkan, Redwood Gas Station, 98 Sir Francis Drake Blvd.**, A/P 6-191-36, 1) design review of exterior building changes to an existing service station; and 2) sign review on property located within the C-2 zoning district. CONTINUED TO THE MEETING OF JUNE 3, 1991

D. PUBLIC HEARINGS

1. **V-9108 - Marilyn Izdebski and David Isaac, 15 Cottage**, A/P 6-165-03, 1) a 20' front yard variance to allow a parking space within 0 feet of the property line, and 2) a 4.5' side yard variance to construct a bedroom addition within 3.5' of the side property line, on property located within the R-1 zoning district.

The applicant was present along with her Architect, Dan Goltz.

Ms. Macris presented the staff report.

Mr. Goltz stated that this was a small addition that would allow his clients to expand to have a reasonable size bedroom. He said he will comply with staff's recommendation of an elevation it is absolutely necessary but would prefer to a sketch instead of a scaled elevation.

Ms. Izdebski stated that her neighbor most effected by the addition at number 19 Cottage was in support of the project but was unable to attend the meeting.

The consensus of the Commission was to approve the project on the grounds of the narrowness of the lot, preservation of the existing deck and storage room and the already existing nonconforming sideyard setback. In addition they wanted a sketch of the north elevation as suggested in staff's condition of approval.

M/S Kroot/Yarish, to approve V-9108 - Marilyn Izdebski and David Isaac, 15 Cottage, A/P 6-165-03, 1) a 20' front yard variance to allow a parking space within 0 feet of the property line, and 2) a 4.5' side yard variance to construct a bedroom addition within 3.5' of the side property line, on property located within the R-1 zoning district. This approval is based on the following: Special circumstances, and why the granting of the variance will not be a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and zone: The addition of a master bedroom suite, which would add a bedroom to the main floor where one does not exist, requires a side yard encroachment because extending the existing nonconforming setback of the present house is the only feasible way of providing such an addition on the small, narrow lot. It is the most logical place for the addition because of the existing deck and store house that is located on the lot. The provision of a tandem parking space in front of the existing garage is the only feasible way of adding a second off-street parking. Impacts on neighboring properties would be minimal, provided the roof design of the addition is reviewed and revised as necessary to assure design consistency and minimal impacts. **The approval is subject to the following condition: Prior to issuance of a building permit, the applicant shall prepare an elevation drawing of the north side of the addition, demonstrating how the roof design harmonizes**

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with the existing house and minimizes impacts upon the neighboring property. This can be done in the form of a sketch.

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

2. V/AR-9109 - Jasper and Sheryl Smith, 66 Oakland Avenue, A/P 5-211-47 14'6" rear yard variance and a 3' side yard variance to construct a deck within 0' of the rear property line and within 3' of the side property line on property located within the R-1 Zoning District. (Architectural review for a structure more than 500 square feet on the downhill side of the property above 150' mean sea level)

The applicant were present.

Ms. Macris presented the staff report, noting that building Code requires the deck to be 3' from the property line and the applicant stated he will pull the deck back that amount and plant landscaping between the deck the property line.

Mr. Smith stated that he has a complete landscaping plan that was prepared for the property and will submit it at the time of the building permit. He also stated that he was interested in putting up a trellis that would be attached to the deck railings that would reach approximately 5' to 6' beyond the railings.

Charles Kurtz, 5 Santa Barbara, stated that he is the down hill neighbor and would be the most affected by this project and he is in full support of the proposal.

Commissioner Yarish was concerned about the mass and if lattice were added, it would increase the bulk.

Mr. Smith stated that the landscaping plan shows how the deck and trellis will screen much of the bulk.

Commissioner Yarish preferred fast growing trees to lattice. However if the applicant preferred lattice, he did not want to see it exceed 4' above the deck.

Commissioner Kroot stated that the deck was quite massive but if the landscaping screened much of it, and the downhill neighbor did not object he would be inclined to support it.

Commissioner Harle felt the deck was massive and looming and not in character with hillside properties. He would be unable to support it in its present size.

Chair Julin suggested landscaping to the east side for screening and approved lattice on the down slope side but did not want the railing to be covered. She stated that a large tree on the north west corner of the property will hide much of the deck.

There was a discussion about the elevations. The applicant agreed that they did not look accurate because he did not feel the deck would be more than 8' to 10' and yet the elevations showed approximately 18'. The Commission suggested a continuance to allow the applicant time to get accurate elevations, a site plan that showed the 3' side yard setback and a landscaping plan.

Commissioner Harle suggested an alternate plan that stepped the deck back to reduce the mass. Commissioner Kroot suggested jogging the deck to also break up the mass.

M/S Kroot/Yarish to continue V/AR-9109 - Jasper and Sheryl Smith, 66 Oakland Avenue, A/P 5-211-47 14'6" rear yard variance and a 3' side yard variance to construct a deck within 0' of the rear property line and within 3' of the side property line on property located within the R-1 Zoning District. This is continued to the meeting of June 17, 1991, to allow the applicant time to revise the drawings, showing accurate elevations, and cross sections of the deck, to prepare an accurate site plan that indicated the 3' setback, and to submit a landscaping plan. Also, should include a cross section drawing of the proposed lattice/railing.

Mr. Smith asked if he could red line the existing site plan indicating the 3' setbacks. Commissioner Kroot preferred a new site plan but suggested that Mr. Smith confer with his architect.

Motion unanimously passed.

3. AR-9110 - Karl H. Baeck, 36 Ross Avenue, A/P 7-282-21, design review of an addition of a sun room and deck to an existing apartment building, on property located within the Specific Planned Development zoning district.

Commissioner Kroot asked to abstain from this project.

George Rogers, the applicant's representative was present.

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Ms. Wight presented the staff report, noting that the applicant has withdrawn his proposal for the deck and that staff's suggestion about the aluminum windows are not made as part of a condition of approval. She stated the applicant is looking into the aluminum windows as part of a future proposal.

Ms. George Rogers, stated that they propose to leave in the sliding glass door on the proposal to allow access to the car deck.

The Commission supported this proposal, Commissioner Hayes stating that this is just closing in an existing structure and is internal to the building.

M/S Harle/Hayes, to approve AR-9110 - Karl H. Baeck, 36 Ross Avenue, A/P 7-282-21, design review of an addition of a sun room and deck to an existing apartment building, on property located within the Specific Planned Development zoning district. Grounds for approval are: The project is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area: During the last remodel, anodized aluminum windows were installed in this one apartment, but the other apartment units still have aluminum windows. The additions are compatible with the other recent improvements to this apartment unit, but the applicant should consider replacement of the older windows in the remaining apartments in the future. The additions are not visible from surrounding properties. Provides for protection against noise, odors, and other factors which may make the environment less desirable; The addition will have no impact on surrounding properties. The southerly facing sun room windows should not cause any significant glaring to the other apartment units in this courtyard. Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development in such area; The additions will not be visible to surrounding properties. 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; and The additions will not result in additional living space, i.e. bedrooms, and, therefore, should have no impact on traffic generation. Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area. The additions will have no adverse impact on the health or safety of persons using the improvements. This was based on drawings submitted 2/5/91.

Ayes: Harle, Yarish, Hayes, Julin
Abstain: Kroot

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

4. **V- 9110 - Arthur H. Hedvall, 14 Madera Avenue, A/P 6-116-11**, a 20' rearyard variance to construct a retaining wall within 0' of the rear property line ranging in height between 4' and 8' above grade; and a 14' rearyard variance to construct open stairs within 0' of the rear property line, located on property located within the R-1 zoning district.

The applicant was present.

Ms. Wight presented the staff report, noting that staff feels a condition of approval should be a report prepared by a certified arborist that indicates tree roots will not be damaged due to stair construction and retaining wall construction.

Mr. Hedvall had no objection with staff's recommendation. He explained that he wanted to keep all the trees that currently exist on his property. He is also proposing ivy to be planted over the retaining wall which will eventually hide the wall. He understands that the parking space that will be created does not solely belong to him and that it will be public parking. He stated that it was not imperative to have the stairs in the present location and it can be moved elsewhere is necessary to protect the tree roots.

Commissioner Hayes commented that the boxes for the trees were approximately one feet from the trees and might cause damage to the roots. He noted that he would rather see an encroachment permit obtained if necessary to save the trees.

Commissioner Yarish stated that the existing natural grade at the base of the trees should not be changed and that the retaining wall should be kept to a minimum height.

M/S Yarish/Kroot, to approve V- 9110 - Arthur H. Hedvall, 14 Madera Avenue, A/P 6-116-11, a 20' rearyard variance to construct a retaining wall within 0' of the rear property line ranging in height between 4' and 8' above grade; and a 14' rearyard variance to construct open stairs within 0' of the rear property line, located on property located within the R-1 zoning district. This approval is based on the following: Due to special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the controlling zoning ordinance or regulation deprives such property of privileges enjoyed by other property in the vicinity and under an 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 situated. Due to the steep up slope and eroded soil conditions, the proposed height and location of the engineered retaining wall are necessary and the strict application of the setback regulations will deprive the owner of protection of his property. The stairs will provide a walkway access to the lower area of his

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property, which will provide reasonable use of the lower area of the property. 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. The granting of the variance will allow the construction of a retaining wall which will protect the applicant's property and not be a safety hindrance to neighboring properties on Crooked Avenue; and will allow the construction of stairs to access the lower area of the property. **This approval is conditioned by the following:** 1. That there be an arborists report obtained and that the recommendations of the arborist be followed closely with reference to all existing trees and roots, including as it relates to the stairs and staff's comments about the current proposed location for the stairs. 2. That the existing natural grade be retained around the trees, and that it be no higher or lower. 3. That the retaining wall be no higher than necessary to maintain the hillside. 4. That there be no removal of trees. 5. That an encroachment permit may be required through the Department of Public Works to avoid root damage to the trees. 6. Staff is to review the arborist report with the applicant. If staff feels there are additional concerns at that time, the matter is to be forwarded back to the Commission, otherwise staff is to make the determination. This approval is based on drawings dated 4/1/91.

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

E. GENERAL DISCUSSION

Commissioner Hayes was concerned about the bottle brush that was removed in the area of Center Blvd and the Hub due to the widening of the left turn lane onto Sir Francis Drake Blvd. He said that he stated his concern prior to the removal of the landscaping and wondered what measures could be taken to ensure that the Commission's comments are heard. Ms. Macris stated that in this particular instance a letter should be sent to either the Mayor or the Town Administrator stating that all public works projects should be submitted to the Planning Commission for final environmental review. Chair Julin stated she would prepare the letter.

The consensus of the Commission was start the Planning Commission meetings at the normally scheduled time of 8:00 p.m. rather than 7:00 p.m. because the backlog seems to be easing up. It is difficult for Commissioner Hayes to get to the meeting prior to 8:00 p.m. and although Commissioner's Sias and Mihaly were not present he thought it was also a hardship on them. In summary, the next meeting on June 3, will convene at 8:00 p.m. and at that time determine if another meeting was warranted or if the meeting should again convene at 7:00 p.m.

F. REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

Ms. Macris stated that there have been three appeals: 379 Oak Avenue, 47 Elm Avenue and 80 Melville. They are all scheduled to be heard at the Town Council meeting of May 28, 1991.

G. ADJOURNMENT

The regular meeting of the Planning Commission was adjourned at 9:30 p.m. to the next regular meeting on June 3, 1991.

BARBARA CHAMBERS