

**TOWN OF SAN ANSELMO  
PLANNING COMMISSION MINUTES FOR AUGUST 2, 1993**

The regular meeting of the Planning Commission was convened at 8:00 p.m. in the Council Chamber by Vice Chair Oliver Harle. Staff present was Planner Lisa Wight.

**A. CALL TO ORDER**

Commissioners Present: Julin, Hayes, Kroot, Israel, Harle,  
Commissioners Absent: Mihaly, Sias

**B. CONSENT**

1. **V-9325 - Frank Godino, 203 Floribel Avenue, A/P 7-081-55, a 20' front yard variance to enclose a portion of a front porch. The enclosure would be within 0' of the front property line, on property located within the R-1 Zoning District.**
2. **UP-9307 - Kenneth Spint, 100 Center Boulevard, A/P 6-101-04, a request to locate an espresso cart and side cart near the entrance of Guasco's Super Market, on property located within the C-3 Zoning District. A use permit for outdoor sales is required in this zone.**

Commissioner Julen requested that Item B2 be removed from the consent agenda for discussion.

M/S Hayes/Julin to approve B1 with the following conditions.

**203 Floribel:**

1. That the project be constructed per plans dated stamp received by the Town on July 7, 1993.
2. Prior to the issuance of a Building Permit for the porch enclosure, the applicant shall either; a) apply for After-the-Fact Building Permits for the lower level kitchen, which will require inspection of construction components which may require removal of wall coverings; or b) apply for a demolition permit and remove the lower level kitchen.
3. Regardless of the options above, the cooking facilities shall be removed from the lower portion of the house and gas lines terminated so as not to be usable. This shall be done with Building Permits and completed prior to the issuance of a permit for the porch enclosure.
4. Prior to issuance of a Building Permit, the applicant shall record a single family deed restriction to help ensure that future property owners do not create an illegal second unit.

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

**C. PUBLIC HEARINGS CONTINUED TO THE MEETING OF AUGUST 16, 1993**

1. **NU-9302/DR-9120 - Th.E. Posthuma, 379 Oak Avenue, A/P 7-241-61, 1) a use permit to establish a second unit; and 2) an amendment to an existing design review approval to allow the construction of a new detached structure to accommodate the second unit, on property located within the R-1 Zoning District.**

**D. PUBLIC HEARINGS**

Taken from the Consent Agenda.

**UP-9307 - Kenneth Spint, 100 Center Boulevard, A/P 6-101-04, a request to locate an espresso cart and side cart near the entrance of Guasco's Super Market, on property located within the C-3 Zoning District. A use permit for outdoor sales is required in this zone.**

Commissioner Julin felt that there were public safety issues. The location of the bus stop to the cart and the likelihood of jay walking may create an unsafe situation with busses stacked up and the cross walk 100 feet to the east. Also, she was concerned about the circulation of the parking lot. She stated that there has been a history of accidents in that location. Also, cyclists and cycle stalls could be a public safety issue. The Coffee Roasters on San Anselmo Avenue currently is very congested at times with cyclists, benches and planters blocking the sidewalk. Therefore she felt it appropriate to get more information from the Police Department and the Public Works Department prior to issuance of the use permit. She added, that if the clientele is for the customers of Guascos, she thought the use should be inside; if the use was for the bus riders, it should be across the street by the bus stop.

Mr. Spint stated that all issues are possible but not likely. The sidewalk at Guascos is 12 feet wide, not 4 feet as on San Anselmo Avenue. The clientele will be Guascos as well as the possibility of those at the bus stop.

Holly Spint stated that the Chief of Police is fully aware of her interest in this use and has never mentioned a potential problem.

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Commissioner Hayes asked about the hours. Mr. Spint stated that they would be the same hours as the store. Commissioner Hayes stated that he did not think this would be such a large use and therefore would not cause problems to the market or the current situation on Center Blvd.

Commissioner Israel stated that he supported the project because he felt this was an extension of the market but agreed that a lot of jay walking occurs. It was unfortunate that the vending machines would have to be moved to the side because they were unsightly. He wanted staff to review the location of the cross walk under a separate issue.

Commissioner Kroot felt that the issues raised by Julin were very good but was comfortable with the use because the applicant has discussed this with the Police Chief and he has no objection. He also stated that he disliked the location of the vending machine and wondered if they could be relocated elsewhere.

Mr. Spint stated that perhaps they could box the vending machine in with a non glare color.

Commissioner Harle stated that the use is relatively small although Commissioner Julin does raise very good concerns. He agreed that the safety issues exist but in his opinion the use will not make it worse. He thought that some consideration should be given to moving the location of the cross walk but should be done independently.

Commissioner Julin asked if there could be a six month assessment on the project; if there are any problems the use could be brought back to the Commission for discussion.

Mr. Spint stated that he has no objection to a six month review period.

M/S Kroot/Hayes to approve UP-9307 - Kenneth Spint, 100 Center Boulevard, A/P 6-101-04, a request to locate an espresso cart and side cart near the entrance of Guasco's Super Market, on property located within the C-3 Zoning District. A use permit for outdoor sales is required in this zone. The approval is based on the following: 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 to the general welfare of the Town. The proposal to locate a coffee cart on private property in front of a supermarket will not be detrimental to the general welfare of persons living and working in the area or be injurious to surrounding property or the general welfare of the Town because it will not displace parking or the current grocery cart location. **Conditions of approval are:** 1. That the Espresso cart be located per the submittal and site plan date stamp received by the Town on July 19, 1993. 2. That any signage conform to the Town Sign Ordinance and application procedures. 3. That this Use permit be reevaluated in six (6) months by Town staff. If there are any problems, the Use permit should be brought back to the Planning Commission for discussion.

Ayes: Kroot, Israel, Hayes, Harle

No: Julin

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

1. **DR-9313 - Luis Huerto-Rojo, 16 Ivy Lane, A/P 7-064-55**, an amendment to a design review approval, in order to allow an exterior color change inconsistent with the Planning Commission's approved color scheme, on property located within the R-1 Zoning District (above 150 mean sea level elevation).

The applicant was present.

Ms. Wight presented the staff report.

Mr. Huerto-Rojo explained the history on the project. During the final stages of the design process he got involved but was unaware of the color that was accepted by the Commission. He presented photographs of the neighborhood and the area surrounding the house. He stated that the house was barely visible through the trees. He said that the cost of building this single family dwelling that is less than 2,000 square feet has cost the owner over \$100,000 on off-sight improvements which will benefit the neighborhood. Having to repaint the house that is not very visible because of a mistake would be another substantially added expense and he did not want to see the owner burdened by this if at all possible.

Gerald Jakl, 24 Canyon Road, objected to the color because it is so light and noticeable. It may be screened by trees no but he was led to believe that the owner of 37 Canyon will be cutting trees down in the future which will make it more visible.

Commissioner Israel was not sure if the proposed color is any different in terms of their impact. The color is very light and raises up dramatically, but he felt the architecture of a structure is more important than the color. If the house was painted a different color on bottom it might be acceptable.

Commissioner Julin felt that the previously approved color should remain.

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Commissioner Kroot liked the color selected but felt it was rather light for the area however, the neighbors do not seem to object.

Commissioner Hayes stated that the Commission went through some effort to approve the original color and should perhaps stand behind it. He felt that it was a house stepped up into the hillside and visible. He noted that it was interesting that none of the neighbors object to the color when there was so much neighborhood input in the beginning of the process. He was struck by the photographs presented by the architect showed that the house was not very visible. In summary, he felt the original color should stand.

Commissioner Harle was persuaded by the innocence of the architect as well as the fact that the house is not very visible. He therefore had no objection to the change with a condition that when the house is painted in the future it will be subject to review and will be painted a darker color.

Commissioner Hayes might consider a continuance to see if the applicants would consider the two tone as suggested by Israel, darker on the bottom, lighter on the top.

M/Hayes to continue to the next meeting of August 16, 1993.

Mr. Huerto-Royo stated that the expenses already occurred have been very costly.. That the cost to repaint would just add to the expense and did not think the Commission should ask that the color be changed at all. He stated that most of the trees that screen the house are in the immediate area.

Commissioner Kroot stated that none of the immediate neighbors are objecting to this approval. In fact he did not think that the original approved color would be satisfactory for the house and the area.

Commissioner Israel wondered if this would be precedent setting for an after-the-fact and suggested that although it is unfortunate that there could be an additional expense to the owner, the Town should not be placed in the position of feeling guilty, when in fact, the burden lies on the past owner and the current owner.

Commissioner Harle stated that visibility is an issue but did not think the house is that visible

Commissioner Hayes was persuaded that the house is not very visible and therefore he supported the color change with the condition that any color change in the future should come back to the Commission.

Commissioner Julin stated that this project had so much attention, both at the Commission and Council level and there was so much time spent on the project overall THAT there is an expectation to stick to the original color.

Commissioner Harle stated that he did not remember much discussion during the original review about the color.

M/Hayes withdrew his motion for continuance.

M/S Hayes/Kroot to approve DR-9313 - Luis Huerto-Rojo, 16 Ivy Lane, A/P 7-064-55, an amendment to a design review approval, to allow an exterior color change inconsistent with the Planning Commission's approved color scheme, on property located within the R-1 Zoning District (above 150 mean sea level elevation). Approval is based on the grounds that the required design review findings can be made. The approved exterior color is Dunn Edwards Rice Cake De 114L1, with a trim of ivory white. This approval is conditioned as follows: 1) That upon repainting of more than 50% of the exterior of the house, such repainting will be subject at that time to design review and a public hearing.

Ayes: Kroot, Israel, Hayes, Harle

No: Julin

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

Commissioner Julin stated for the record that the action taken serves to undermine the public trust under the circumstances in which this application was approved.

2. **V-9321/U-9304/DR-9316 - Selwyn Hoag, 22 Magnolia, A/P 7-212-34, 1) a parking variance to allow four spaces (in tandem) where seven non-tandem spaces are required and a variance to locate two spaces within 0' of the front property line where a 20' setback is required; and 2) a use permit to allow a residential use within the professional zone; and 3) design review of an office building, on property located within the P-Zoning District. The proposal is to construct a mixed use building for office and residential purposes.**

Commissioner Kroot stated he will step down for this application because he is the architect on the project.

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Ms. Wight presented the staff report as well as photographs and a color rendering of the proposed building.

Mr. Hoag stated that the scale and look depict the feel of San Anselmo. The opportunities for this lot are somewhat limited because of the location and zoning. He wanted to give back to the community. He and his wife have starting a non profit organization. He stated that their vision is on a small scale. The maximum number of clients in a day would be 2 to 3 people. "They liked the idea of diagonal parking but to conform they would not have sufficient room for the structure on the lot. They would like to leave the rear yard available for outdoor living space and some greenery. The six parking spaces for plan "A" would not allow for handicapped parking or the ramp, and they would like the handicapped because of the nature of their business. They are proposing a fairly simple residence and a very modest building. Given the amount of use, their proposal would work. If they were forced to go with plan "B", they would probably not do the project. For the long term, they have it in their will that this will go on in perpetuity.

Commissioner Julin stated that she usually agrees with staff's recommendations however in this case she felt that the circumstances are such that this is the best solution for this parcel after many attempts in the past. She has no problem with the use permit or the design and thought that the proposal by the applicant was best; no streetscape is lost because of the multi use dwelling next door. Also, the access to the parking in the rear would require an easement from the Town and she felt the public parking lot should be encumbered as little as possible.

Commissioner Hayes stated that this is such an improvement over all the previous applications. He had no difficulty in supporting the use and design review. With regard to the parking variance, he did not think Plan "A" was realistic, and Plan "B" would shove the building to the rear so that the project as proposed is the best solution. He noted that staff's conditions should be placed on the approval.

Mrs. Hoag stated that the use would not be for a drop-in clinic and therefore it would be very easy to explain the parking situation to her clients.

Commissioner Israel wanted to thank the applicants for such a nice submittal. He concurred with the comments of his colleagues. He would not have any objection if the use was ever revoked to allow two units, with the parking in tandem. He stated that under the American Disability Act it was his understanding that it is illegal not to provide handicap parking which would have to be used solely for the handicapped. With regard to color, it was consistent with the architecture but perhaps a bit too strong for the downtown area; perhaps the same color, just more muted.

Mr. Hoag stated that his architect researched the ADA regulations and found that since the parking does not have 5 parking spaces, the handicapped parking does not have to be marked. He stated that the State Architect's Office was contacted for the clarification. Also, they did not oppose toning the color down.

Commissioner Harle supported the project. With regard to parking, he did not think it would pose a problem as proposed by the applicants.

M/S Israel/Julin to approve V-9321/U-9304/DR-9316 - Selwyn Hoag, 22 Magnolia, A/P 7-212-34, 1) a parking variance to allow four spaces (in tandem) where seven non-tandem spaces are required and a variance to locate two spaces within 0' of the front property line where a 20' setback is required; and 2) a use permit to allow a residential use within the professional zone; and 3) design review of an office building, on property located within the P-Zoning District. The proposal is to construct a mixed use building for office and residential purposes.

**Variance:**

1. *Due to the special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the controlling zoning ordinance or regulations 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.* Special circumstances are the lot size (29' in width, and the fact that this office/residential use is a buffer between an existing public parking lot and a residential use. 2. *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 or the applicant and will not be detrimental to the public welfare or injurious to property or improvements in such neighborhood.* The only other access for parking would be through town owned property and it is desirable to encumber that as little as possible.

**Use Permit:**

*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 to the general welfare of the Town.* A residential single attached or detached use is permitted in the Professional zone with a Use Permit. This specific proposal is for a residential and professional office use within the same building. Because residential zoning and

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uses are located to the south and west, and commercial and parking uses are located to the north and east, this mixed use development will not be detrimental to the general welfare of persons residing or working in the neighborhood. A mixed use building of this type, provides a positive buffer between the commercial and residential uses.

**Design Review:**

*1. Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area.* The proposed structure is similar in character and scale with the majority of other buildings along Magnolia Avenue. Thus, the new building will be functionally and aesthetically compatible with existing improvements. *2. Provides for protection against noise, odors, and other factors which may make the environment less desirable.* The proposed structure will not have any major long-term detrimental impacts on the environment. Combining an office and residential use will be consistent with current activities occurring in this neighborhood which include residences to the south and west, and commercial and public parking uses to the north and east. *3. Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy.* The proposed structure will not cause the depreciation of property values in the surrounding area. The design of this building will in fact be an improvement in that, with the exception of a few trees, the lot is an unsightly vacant parcel. *4. Will not cause unnecessary traffic hazards due to congestion, distraction of motorists, or other factors and provides for satisfactory access by emergency vehicles and personnel.* The use of this parcel for office and residential, as conditioned, is not expected to create unnecessary traffic hazards or distraction, and will not impede 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 building will conform with all established codes for building associated with the construction of a commercial building. These standards have been adopted to insure that all new development will not create any adverse or hazardous conditions during construction and after completion. *6. Conformance to the approved precise development plans.* This property is zoned Professional and a precise development plan is not required. *7. Adequacy of Screening.* This plan is sensitive to the existing trees in and around the site. The building is designed so as not to disturb any of the trees on or straddling Town-owned land. In addition, the plan incorporates the existing 18" circumference walnut tree and a good size mature shrub, both located near the Magnolia Avenue property line. Retention of this vegetation will help in softening the hardscape in the front yard area. *8. Selection of architectural features that enable the structure to blend with its environment.* Because the character of homes in the downtown area are of a low profile, older bungalow vintage, design and architectural features of this structure will blend well with the surrounding neighborhood.

The applicant asked if minor changes were made regarding windows during the final building plan review stage, could those changes be reviewed by staff. The Commission agreed, and added that staff can also review the final color.

**Ayes:** Hayes, Julin, Israel, Hayes

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

- 3. V-9324 - Dale and Debra Richards, 56 Tamalpais Avenue, A/P 7-211-31, 1) a 20' front yard variance and an 8' west side yard variance to relocate the required on-site parking for two vehicles within 0' of the front and west side property lines (the Code required setbacks are: 1) a 20' front yard and 8' side yard); 2) a variance to further exceed the lot coverage maximum of 35% by constructing first and second story living additions (the existing structures also exceed the lot coverage maximum); and 3) a 3' east side yard variance to construct first and second story living additions within 5' of the east side property line (the Code required setback is 8' side yard), on property located in the R-2 Zoning District.**

The applicant and Alan Dunham, his architect were present.

Ms. Wight presented the staff report.

Dale Richards presented photographs of the site, and a copy of his comments to the Commission. He stated that they want to relocate a 1/2 bath on the first floor, not add one. The top story does not overhang the first story, the common length of the wall would be extended 4 feet. He corrected the wording in the staff report, stating that the reference to house No. 61 should be No. 60; that the net increase will be 44 percent, not 46 percent; and that the total square footage of the house will be 2,600, not 2,739. It is very difficult to go the length of the driveway to utilize parking. He felt that because the zoning is R-2, he should be given credit for a larger house on the lot. The proposed addition would not affect any one except the house at No. 52. He felt that he should be allowed to count the easement that was granted to the neighbor as part of his lot coverage. If they are not granted the variance they would like consideration to remove the other ancillary buildings in the rear and given credit for them. Regarding the parking variance, he stated that special findings could be met because the size of the lot has been reduced because of the easement, and because of the higher density of the property. Granting the variance would still allow for less parking than that approved for an R-2. Many neighbors do have parking schemes similar to what he is proposing. He stated that the addition would not cut off open space for his next door neighbor and that the addition would not materially affect adversely the

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neighbor. The two feet easement that benefits the neighbor at 52 would remain the same. The distance between the two buildings is currently 16 feet, 8' on each side of the two properties. The cars will be kept off the sidewalk and will not block pedestrians. He did not think his addition would cause a detriment in the neighborhood and that there would be landscaping to screen. He stated that he was open to suggestion to screening the vehicles from the street.

Mr. Dunham, explained Plan "D".

Commissioner Israel asked if there would be a proposal to fence the entire length of the lot if the garage were removed. The applicant stated that a portion would be fenced to screen but not the entire length.

Commissioner Kroot stated that parking in the rear yard on this lot is quite a detriment, both for the applicants and the neighbors. He stated that the parking is similar as that at No. 60 and that is workable. He would like to see some landscaping in front to screen, but that no structure should be built. With regard to lot coverage, he would like to see the bulk of the garage removed. The dormer on the side of scheme "D" is not very successful.

Commissioner Hayes stated that it is possible to put the parking in front as done next door and could be done with mature landscaping but he was reluctant to agree with this scheme because he not understanding why parking could not be achieved in the rear.

Mrs. Richards stated that it would be very difficult to park and turn around in the rear because of the extended mini van they have.

Commissioner Hayes stated that he really did not want to see the parking in the front because he is starting to see the evolution of a different streetscape in the neighborhood and believed there were alternatives.

Commissioner Israel stated that the ancillary structures are really what bring the lot coverage over 35%. He stated that he is really not in favor of parking in the front setbacks. He agreed that it is somewhat of a transitional neighborhood but this is definitely a single family house. He could support a zero rearyard set back for turnaround. He has no problem with the 4 foot sideyard setback but perhaps the arbor and rec room have to be removed to allow for the addition. He did not think the special circumstances could be met.

Ms. Wight stated that staff would be more favorable with a rear yard variance rather than a front yard variance but could not commit to that without seeing the proposal.

Commissioner Julin could not approve the parking variance. The parking should be in the rear for reasons articulated by Commissioners' Israel and Hayes. She could not support lot coverage, the side yard variance would be okay as long as the lot coverage is not exceeded.

Commissioner Harle was unable to make the findings to support the parking variance and lot coverage. He stated that there are options available to the applicants which will allow them most of what they want. He would consider a continuance to allow them time to prepare alternatives.

Mr. Richards stated that they would be happy to remove the structures to allow status quo but would like to see parking remain in the front with screening.

Commissioner Israel stated that he felt there were other options for parking in the rear however, he would consider some creative parking in the front, not just straight pull in, but he has not figured out in his mind as to what this will be.

Mr. Dunham stated that he felt they should be given credit for the easement. Ms. Wight stated that credit is given to the property next door.

Commissioner Hayes was more concerned about removing the parking in front than maintaining the 35%. He would go along with no net increase.

Commissioner Israel stated that the applicant can accomplish their needs without requiring a variance for lot coverage by keeping the parking structure but removing the arbor and storage room.

Commissioner Harle stated that he could make the findings to keep status quo.

Ms. Wight noted that if the project was going to change to require a rear yard variance, then the item would need to be noticed and the applicant would need to submit plans by Wednesday.

M/S Hayes, Julin to continue V-9324 - Dale and Debra Richards, 56 Tamalpais Avenue, A/P 7-211-31, 1) a 20' front yard variance and an 8' west side yard variance to relocate the required on-site parking for two vehicles within 0' of the front and west side property lines (the Code required setbacks are: 1) a 20' front yard and 8' side yard); 2) a variance to further exceed the lot coverage maximum of 35% by constructing first and second story living additions (the existing structures also exceed the lot coverage

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maximum); and 3) a 3' east side yard variance to construct first and second story living additions within 5' of the east side property line (the Code required setback is 8' side yard), on property located in the R-2 Zoning District to the meeting of August 16, 1993. Motion unanimously passed.

Commissioner Julin excused herself from the rest of the meeting.

4. **DR-9315 - Conrad Sovig, 61 Oak Springs Drive, A/P 5-254-21**, a design review of an addition on property located in the R-1 Zoning District (above 150 mean seal level elevation).

The applicant's architect, Tom Ballard was present.

Tom Ballard stated that they want to merely extend the roof line. With regard to painting, they like what is proposed. The addition is small in comparison to the overall house.

Commissioner Hayes is opposed to white, and would rather have something less visible.

Commissioner Israel welcomes the removal of the slats under the decking but stated the viewing of the underside of the deck is undesirable. He suggested an alternative until the landscaping is mature. The light color was okay for the body of the house with a contrast to the deck. Many houses in this area are the 50's look and the proposed color is in keeping with the neighborhood.

Commissioner Kroot concurs with Commissioner Israel. He had no problem with the color.

Mr. Ballard stated that he has no objection to a slightly darker color for the deck.

Commissioner Harle did not have a strong opinion about the color but would not favor placing the burden of repainting the entire house on the owner for such a small addition.

M/S Kroot/Israel to approve DR-9315 - Conrad Sovig, 61 Oak Springs Drive, A/P 5-254-21, a design review of an addition on property located in the R-1 Zoning District (above 150 mean seal level elevation). That the applicant should consider the comments made this evening and prior to painting the house, submit to staff the final color.

Commissioner Israel would like to see more than just the deck posts for some coverage on the underside of the deck. Commissioner Kroot did not feel that should be a requirement.

Commissioner Israel withdrew his second.

M/S Kroot/Harle to approve M/S Kroot/Israel to approve DR-9315 - Conrad Sovig, 61 Oak Springs Drive, A/P 5-254-21, a design review of an addition on property located in the R-1 Zoning District (above 150 mean seal level elevation). Approval is based on the following: 1. *Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area.* With the exception of the existing/proposed color, the additions will be functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area. 2. *Provides for protection against noise, odors, and other factors which may make the environment less desirable.* The additions should have no impact on noise, odors, nor other factors which may 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, investment, or orderly development in such area;* The addition should not cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development in such 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 additions will not create unnecessary traffic hazards and will not impact the satisfactory access of 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 additions will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area. 6. *Adequacy of screening.* The additions will not be significantly visible and the existing landscaping is adequate for screening. 7. *Selection of architectural features and colors that enable the structure to blend with its environment and which results in a low visual profile.* The proposed colors will not enable the structures to blend with the environment. Staff recommends a darker tone of color.

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

5. **DR-9314 - Andrea Moyer of 43 Tomahawk Drive representing the Quarry Mountain neighborhood, A/P 177-220-66 thru 68, 177-250-57 thru 65**, a design review request to add new exterior color options to the approved color palette for homes on Quarry Mountain, on property located within the R-1-H Zoning District.

Ms. Wight presented the staff report.

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Commissioner Israel did not have any objection to discussing alternate colors to add to the palate for Quarry Mountain. He stated that he can view the subdivision from his house and is not so opposed to the colors that currently exist, but would be opposed to dark colors.

Commissioner Hayes stated that he is not bothered by the current approved colors and would be open for discussion to alternate colors. As far as the color proposed by the applicant, it was difficult to make a decision because the color sample was so small.

Commissioner Harle stated that when the original colors were discussed for Quarry Mountain, there was a large 4' by 8' color sample provided on site for the Commission to review. He wondered if that might not be the course of action for any amendments.

Because of the late hour and the representative not being present, the consensus was to continue the item. The Commission also requested that the applicants narrow down the exact colors that they would like and hopefully the applicant will be present at the next meeting with a larger sample to present her arguments.

M/S Israel/Kroot, to continue DR-9314 - Andrea Moyer of 43 Tomahawk Drive representing the Quarry Mountain neighborhood, A/P 177-220-66 thru 68, 177-250-57 thru 65, a design review request to add new exterior color options to the approved color palette for homes on Quarry Mountain, on property located within the R-1-H Zoning District. This is continued to the meeting of August 15, 1993 and the Commission requests that the applicant bring in a larger color sample. Motion unanimously passed.

**E. GENERAL DISCUSSION**

1. Set a Special Planning Commission Meeting for September 7, 1993 in lieu of September 6, 1993.

M/S Hayes/Kroot to set a special Planning Commission Meeting for September 7, 1993.

**F. OPEN TIME FOR PUBLIC DISCUSSION**

There was none.

**G. REPORT OF UPCOMING APPEALS TO TOWN COUNCIL**

There was no discussion.

**H. ADJOURNMENT TO THE MEETING OF August 16, 1993**

The regular meeting was adjourned at 12:05 a.m. to the special meeting of September 7, 1993.

**BARBARA CHAMBERS**