

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES FOR JULY 18, 1994**

The special meeting of the San Anselmo Planning Commission was convened at 8:00 p.m. by Vice Chairman Israel. Staff present was Planning Director Ann Chaney, Associate Planner Lisa Wight, and Planning Consultant Delvin Washington.

A. CALL TO ORDER

Commissioners present: Hayes, Ollinger, Julin, Sargent, Israel,
Commissioners absent: Harle, Mihaly

B. OPEN TIME FOR PUBLIC DISCUSSION

There was none.

C. PUBLIC HEARINGS

1. **V-9420/DR-9414 - Leonard Garriott, 422 Scenic Avenue, A/P 7-031-08, 1) 20' front yard and 8' south side yard variance for required parking spaces to be within 0' of the front and south side property lines (Code minimum setbacks: 20' front and 8' sides); 2) a parking variance for the third required parking space to encroach over the right of way (an encroachment permit will be required); 3) a 3' south side yard variance to construct a dwelling within 5' of the south side property line); 4) a 2.5' south side yard variance to construct an uncovered deck within 3.5' of the south side property line; and 5) design review of a new dwelling, on property located within the R-1 Zoning District (Above 150' Mean Sea Level).**

The applicant was present.

Ms. Wight presented the staff report. She noted that this application has not been deemed complete but because it has been noticed, staff would like to have the Commission's input. Staff will also have to renote this application because a variance was not included. Also, although a landscape plan has been submitted and is in the Commission's packet, it has not been evaluated by staff.

Commissioner Hayes asked about the geometry of the parking. Ms. Wight stated that the Public Works Director has reviewed it and the applicant's Civil Engineer also states it will work.

Jonathan Braun, 479 Scenic, was surprised at the brevity of the materials. The drainage issue is a concern because of the steep slope. He wants the off site drainage runoff and deposition discussed. The design of the house is inconsistent with the neighborhood, and the vertical mass from the street is rather out of character with the neighborhood. He offered that the stories be stepped back in succession. He did like the sample of the materials used for the house and the retaining wall.

Tony Ryans, 427 Scenic, is concerned about the vertical nature of the house and retaining wall. There are two on-street parking spaces that will be removed by the construction of the dwelling and would like that discussed.

The applicant stated that the on-street parking will remain.

Page Deans, lives across from the lot, is concerned about the runoff of the drainage and wants assurance that the runoff is diverted away from his house.

The applicant stated that the soils report will be completed next week and he will also address the drainage.

Commissioner Ollinger appreciates the steep grading and the narrow lot however the house looks like it should be on a flat lot. It really does not fit into the hillside. This house will be out of character with the neighborhood; most are one story, some are two, and he is very uncomfortable with this design on the lot. It doesn't take advantage of the slope. He is also concerned about the slope of the driveway. It is unclear what is on the west side (Scenic) in the parking area, but is not sure it is an adequate wall to hold up the cars. It almost looks like a double retaining wall, in addition to a bulky house. He agreed that Scenic has had drainage problems and should be very clearly addressed. The neighbor's deck looks like it goes on the applicant's lot and should also be addressed. The 5' setback does not bother him because it is a condition of the site and wants to move it as far away as possible from 418 Scenic. Also, the stairway and the retaining wall is overwhelming and would like to see the stairway more compact with less retaining wall. He would like to see some story poles in place prior to next meeting. 418 Scenic is about on the same plane as 422 and it can be used as a comparison. Materials are fairly suitable to the area.

Commissioner Julin had nothing further to add.

Commissioner Hayes asked about the elevation on the roof of the peak. Ms. Wight stated it was at elevation 152. Commissioner Hayes was sympathetic to the site and difficulties to construct but would like to see it stepped back. He has no trouble with the materials used.

Commissioner Sargent stated the applicant has attempted to bring the house to the ground. He concurs with Ollinger's comments.

Commissioner Ollinger would like the applicant to provide three off-street parking because it does look like the on-street parking spaces will be lost.

Commissioner Israel stated the applicant has done a lot to provide character but he also agrees with the comments of Commissioner Ollinger. He would look for ways to reduce the retaining walls, and that a little too much is attempting to be placed on a lot that is very narrow. A trench drain on the side of the driveway would be essential to get the water into a culvert. Materials and colors are fine and there will be a benefit on getting more texture on the front of the house, like a porch, or anything that can be done to break up the mass.

The applicant stated he will step the house back. His engineer said there would not be a problem with the driveway and they will look at ways to reduce the impact of the wall again.

Commissioner Israel suggested a bench, which would also allow for landscaping.

Commissioner Julin said the peer review will not be done prior to the next meeting.

Commissioner Ollinger stated that if the soils report is done that would be adequate and he did not want to see the peer review done.

Commissioner Israel wanted more information that the driveway would be adequate.

Commissioner Ollinger felt there will be a need for a retaining wall in that area looking at the down hill side of the parking area. He would consider terracing with landscaping which will break up the facade.

M/S Julin, Sargent, to continue V-9420/DR-9414 - Leonard Garriott, 422 Scenic Avenue, A/P 7-031-08, 1) 20' front yard and 8' south side yard variance for required parking spaces to be within 0' of the front and south side property lines (Code minimum setbacks: 20' front and 8' sides); 2) a parking variance for the third required parking space to encroach over the right of way (an encroachment permit will be required); 3) a 3' south side yard variance to construct a dwelling within 5' of the south side property line); 4) a 2.5' south side yard variance to construct an uncovered deck within 3.5' of the south side property line; and 5) design review of a new dwelling, on property located within the R-1 Zoning District (Above 150' Mean Sea Level). This is continued to August 16, 1994.

All ages.

2. **V-9423 - Bryan Yorke and David Wallace, 37 Lansdale Avenue, A/P 7-012-16, a 7'6" west side yard variance and a 6' east side yard variance to construct first story addition within 6" of the west side property line and within 2' of the east side property line, on property located within the R-1 Zoning District.**

The applicants were present.

Ms. Wight presented the staff report.

Commissioner Israel stated that the original house appears to have overhangs and asked if the addition would also. The applicant said he is intending to do the same as the original house. The existing soffit will not be changed, it will just be closed in.

Ms. Wight indicated that he cannot have an 8" overhang because it would be over the property line. However, those details could be worked out with staff.

Paul VanDusan, will be buying 47 Lansdale and is in favor of the project.

Bryn Yorke said there are two or three houses on the block that are in bad shape, and they are one of those. They are looking to improve the neighborhood.

Commissioner Julin supports staff recommendations. She suggests the all wether surface be changed to an impervious surface because it is environmentally preferable.

Commissioner Hayes supports the project and concurs with the staff report.

Commissioner Sargent recommends approval.

Commissioner Ollinger leaves the type of surface up to the Public Works Director especially in this location.

Commissioner Israel asked about the front yard parking. In this case he sees no alternative but would suggest they compact the parking area and add landscaping if possible. He is also generally in favor of impervious surfaces but not gravel. There are some alternatives that can accomplish that.

M/S Hayes/Julin, to approve V-9423 - Bryan Yorke and David Wallace, 37 Lansdale Avenue, A/P 7-012-16, a 7'6" west side yard variance and a 6' east side yard variance to construct first story addition within 6" of the west side property line and within 2' of the east side property line, on property located within the R-1 Zoning District. Approval is based on the following: 1. Due to special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the controlling zoning ordinance deprives the property of privileges enjoyed by other property in the vicinity and under an identical zoning classification, and the granting of the 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. The special circumstance is the lot width, which is only 25'. The existing and proposed dwelling width is only 16'. Were the additions to conform to the 8' minimum side setbacks, they would be limited to a 9' width. With the exception of the adjacent westerly property, all other properties in the area enjoy a wider lot area. Combined, this 25' wide lot and the adjacent 25' wide lot were originally Old Lot No. 191. Several years ago the old lot was split and these two properties were developed with separate single family homes. These two parcels are the only 25' wide lots in the neighborhood. 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 improvements in such neighborhood. Although the new construction will be very close to the side property lines, there should not be an adverse impact on view, air, or privacy to adjacent neighbors due to the location of the neighboring homes in relation to the additions.

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

3. **DR-9416 - Daniel Weiss, 196 Spring Grove, A/P 6-221-31, design review to construct a 1,724 square foot addition to an existing single family residence, on property located within the R-1 Zoning District (Above 150' Mean Sea Level).**

The applicant was present.

Mr. Washington presented the staff report.

Commissioner Israel noted the "future roof deck" as drawn on the plans and wondered about the type of railings. Mr. Washington said there are no plans to put on a deck at this time.

Commissioner Sargent asked about the location of the fireplace because it looked so close to the second floor and not to code.

Stan Teng Architect, said they understand the concern of the uphill neighbor but the addition is approximately 25 feet away from the roof line. Also, the neighbors view is away from his client's house. They have revised the plan on the second story to remove two windows on the north side and this gesture should help mitigate the situation.

Commissioner Israel asked about the railings for the future deck. The owner said they are not planning to do that now so they have not thought about it yet.

Mr. Harvy Lerchin, 190 Spring Gove, said the addition will significantly obstruct his view.

Commissioner Hayes asked about the landscaping plan. Mr. Washington stated that staff is proposing to review it with the applicant and is hopeful that there will be some type of vegetation that will screen the house from the neighbors.

Commissioner Hayes was mostly assured that the addition will not significantly impact the neighbor but is not sure that any landscaping will solve the problem with the neighbor. He wonders if a darker color might not reflect as much but does understand that they are just incorporating the addition with the same color as is on the existing house. Mr. Washington said he discussed a darker color with the applicants and they were going to look into it. But this house is very well hidden and can only be viewed from the neighbors deck. Commissioner Hayes would like more discussion on a darker color. He is not opposed to the project overall.

Commissioner Sargent agrees with Commissioner Hayes regarding the color. The reflection of the light roof can be an impact. The lighter colors on the side may not be a problem but a darker roof would not reflect as much light.

Commissioner Ollinger stated he took the liberty of looking at the house from the deck at 190 Spring Grove. The roof of 196 really jumps out and it would be very noticeable. It appears that there were two stumps remaining on the neighbors property so there may have been screening at some time. The color scheme other than the roof is compatible and acceptable.

Commissioner Julin supports the application. She said that she questions condition number 5, 6 and 7. Condition number 5 should be only informational; Number 6 regarding trees is imposing a condition of enforcement, and felt it should be made clearer and have some ending. Number 7, it might be excessive and is almost impossible not to see another house in town. The darker roof is the best solution.

Commissioner Israel supports the application. The applicants and their neighbors enjoy an incredible area. The only concerns are that the roof overhang on the addition should match the existing overhang. It will help soften the impact to the neighbor. He suggests that if a deck is placed on the roof, the railing should be reviewed by the Planning Director. The current plan shows a 9' ceiling height on the second floor, it could be reduced by one foot but does not think that will make much of an impact. He supports Commissioner Julin's comments about the removal of the conditions.

Commissioner Ollinger said the north wall where the windows are eliminated is two stories high with no break in the wall. He would like to require some vegetation to be placed against the 18' wall. Mr. Weiss said there is no vegetation within in that area. Commissioner Ollinger said a planter box could be placed with vines. The Architect said the area has been articulated by different textures.

Commissioner Israel stated that the neighbor will see more siding with the addition. There are some darker tones in the color scheme that he would prefer. The applicant presented another color sample.

Mr. Weiss responded to the roof color. He would be delighted to have a darker color. Kevin Kearney, Engineer, said the overhang is 24", and has been reduced to 12". Mr. Teng said if the overhang is increased, it will increase the bulk.

M/S Sargent/Julin to approve DR-9416 - Daniel Weiss, 196 Spring Grove, A/P 6-221-31, design review to construct a 1,724 square foot addition to an existing single family residence, on property located within the R-1 Zoning District (Above 150' Mean Sea Level). Approval is based on the following:

Design Review:

1. Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area. This neighborhood is developed with single family residences and the proposed land use and structure are similar in scale and activity type as surrounding residences in this neighborhood. The addition of a second story will be compatible with the existing residences in San Anselmo.
2. Provides for protection against noise, odors, and other factors which may make the environment less desirable. This proposal will not have any major long-term detrimental impacts on the environment. The proposed use is consistent with current activities occurring on this property and in this neighborhood. A condition of approval has been included limiting the work hours and days minimizing construction impacts on the neighborhood.
3. Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy. The construction of a second floor addition will not cause the depreciation of property values in the surrounding area. The expansion of an existing single family residence will cause the appreciation of neighboring residences. The proposed addition will be an upgrade from the existing structure on the property.
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. This expansion of this house will not increase traffic levels. The location of the house will not obscure visibility on Spring Grove Avenue.
5. Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area. The proposed dwelling will conform with all established codes controlling building and grading associated with the construction of a new single family residence. These standards have been adopted to insure that all new development will not create any adverse or hazardous conditions during construction and after completion. Furthermore, the construction of this new house will conform with all the required setbacks.
6. Conformance to the approved precise development plans. This property is zoned R-1-C and a precise development plan is not required.
7. Adequacy of Screening. All of the mature trees and much of the existing landscaping on the site will be maintained. The proposed location of the house is not highly visible and this property is not visible from the lower elevations around town.
8. Selection of architectural features that enable the structure to blend with its environment. The proposed use of redwood siding on the exterior is appropriate and will complement the neighboring homes in the area. This proposed location will not result in the need to modify the existing topography of the site. The color scheme presented by the architect is appropriate for this style of a house. Since this site is not highly visible from various points around San Anselmo its lighter color

does not present any visibility problems. Conditions of approval: 1. That the request for Design Review be granted to construct a new single family residence, in accordance with the plans date stamped received by the Town of San Anselmo on June 13, 1994. 2. The exterior of the house shall match the color board, siding sample, and roof material submitted by the architect. 3. The applicant shall strive to carpool site construction workers in order to reduce the number of vehicles driving on Spring Grove Avenue and to park construction vehicles on or immediately adjacent to the site. 4. Construction activities shall be limited to Monday - Friday between the hours of 7:30 a.m. to 5:00 p.m. 5. The exterior of the house shall match the existing house or be (Benjamin Moore) Hampshire Taupe. 6. The roof is to be a dark, non reflective color. 7. The two windows as discussed are to be removed from the plans.

All ayes.

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

4. **V-9422-DR-9417- John Paletta, 29 Oakwood Court, A/P 5-062-83**, a design review and variance application to construct a new single family residence that will be 0' from the front property line (20' required) and have 2 off street parking spaces (3 required), on property located within the R-1 Zoning District (Above 150' Mean Sea Level).

Rich Rushton, Architect, was present to represent the applicant.

Rich Rushton wanted to construct a small house but get adequate light. They kept the building out line simple but moved the house as far up the site as possible. The farther the house is pushed down slope, the greater the volume. The dining room was kept away from the neighbor's house for privacy. There are a lot of trees which will screen the house. Section 6.1 indicates the slope of the site. They are under the height limit, but if moved down slope, will bring it over the height limit and they will lose some privacy and will expose it to Butterfield Road. They could provide three on site parking but would have to remove additional trees. They have an updated letter from Bob Sedgast, Soils Engineer, which was handed out to the Commission. The letter indicates that nothing has changed from the original soils report.

Commissioner Ollinger asked about the section drawing regarding the driveway. Mr. Rushton explained that it is a bit of a swale. Commissioner Ollinger asked if it is the lowest it can get. Mr. Rushton said he has gone as far as he can.

Rich Sheviakov, 30 Oakwood, ask the Commission ask for a continuance until other questions are answered. His concern is that the plans are conceptual and somewhat imprecise and therefore it is hard to respond to. Additional areas of concerns are overall zoning and planning issues, specifically the legality of the lot, overall visibility from the street, construction impact and drainage issues. The original house was 27/29 Oakwood and therefore the Commission cannot approve a house that has already been approved. The plans have not been shared with the neighbors and therefore he has been unable to give input. Drainage is an issue. He does not really think there would be enough room for five cars as suggested. He is pleased it is a small house and that the trees will remain, but he would like a much darker color and more screening. Proposes a dark forest green. Regarding noise, he is pleased there are no decks on the street side, but he will still hear people. Finally, with regard to construction, he read the conditions from 27 Oakwood Court. Oakwood Court is a narrow street, closure is not only an inconvenience and a health and safety issue. He suggested the same conditions that were prepared by Public Works Director John Kottage for the 27 Oakwood project to also be used for this project. Quietness is his biggest issue.

Gary Fisher, 27 Oakwood Court, did not think that the lot next door could be built on; the road is very narrow and he backs up to the neighbors to turn around. He felt the renderings were nice but they are only renderings. His major concern is that he travels a lot of the time and when he is home he needs peace and quiet.

Gene Puerling, 22 Oakwood, agrees with his neighbors. He appreciates that the trees will remain. He agrees that the siding should be darker than proposed. The street is very narrow and an invalid lives on the block and therefore is concerned about emergency vehicles.

Phyllis Ostrander, 45 Oakwood Avenue, agrees with the other neighbors concerns.

Commissioner Sargent said they are all sensitive to issues of privacy and narrow roads, however if the lot is buildable, they have no choice. He applauds the applicant for the design on a small difficult site. He does not want to drop the house farther down the site because it will cause additional trees to be removed, and the house would be larger. He is comfortable with the variance and having it in the driveway area. He does have trouble with the color. It should be a darker exterior. He would like to see some of the conditions that have been placed on 27 Oakwood Court placed on this application.

Commissioner Ollinger said the design works given the downslope. He has no trouble with the parking variance. Two cars in and two cars on the deck is reasonable. He recognizes it is a very narrow road and difficult to get out of. He does not see the advantage of moving the house down the

hill. Steel construction might prove to be quieter construction. He has no problem with the conditions that were placed on 27 Oakwood Court. The soils engineer and civil engineer will have to address the roadway. If the slope shown on the section is slightly off, it will be better, because it will be lower. The colors have sharp contrasts and would rather have a color scheme with not so much contrast. He does not see the need to expand the parking deck. He is not sure about the size of the 16' deck but it is the only outdoor space.

Mr. Rushton said he will darken the color that has been proposed.

Commissioner Julin has nothing further to add and was thankful for the explanation of the address and would suggest approving the parcel number, not the address. Also, remove condition number 12 and would like to discuss the peer review issue.

Commissioner Israel said the repaving of the street and the driveway will help to make the street stronger. He really likes the design and has skillfully taken advantage of the site. The thing that bothers him is the tall or wide expanses of glass (as imposed on the Gills). He is not sure it is a problem with this project but wants assurance that it is not, therefore he suggests surveying the tree tops to make sure it is not a problem. The only other mechanism would be a photo montage, which is very expensive. There is a little window in the bedroom that might be an impact. He would like to verify maneuverability on the site for the cars and has no objection to the variances as proposed. He appreciates the cantilever solution of the deck but does not want a 4x4 column and would have no objection to the deck.

Commissioner Hayes said the design is very nice, the size is small and minimized by not moving down the hill and not removing many trees. There were extensive issues on 27 Oakwood and would like those used as a baseline. He would like feedback from the neighbors on how they worked for 27 Oakwood. The color should be darker. Commissioner Hayes would also like the suggestion as proposed by Commissioner Israel. He not want to approve the application until there is a soils report.

Commissioner Israel is not interested in having the house very dark with no contrast, but this site is very sensitive and much is covered by trees, and he would like to preclude the topping of trees. The owner of 27 Oakwood Court did not think that 29 Oakwood would be as visible as his has been because of the elevation and the trees.

Mr. Rushton did not want it to get too dark because it would appear muddy.

Commissioner Ollinger said the house is facing north, so the sun will not hit the glass very much. He would be more concerned if it was a southern exposure.

Garrett Fisher, 27 Oakwood Court, stated that he only gets sun until 8:00 a.m. The view from his window is San Domenico and if it is cut farther down, there is no objective because the view is of other houses. He does not object to the windows that are facing his house because there is a need to have light in the bedroom. His main concern is the noise issue.

Commissioner Hayes requested that that the original soils report be included in their next packet.

Ms. Chaney stated that the Public Works Director needs to feel comfortable with the soils report also for the siting of the house.

M/S Ollinger/Sargent, to continue this to the meeting of August 15th, 1994, to allow staff to address the additional conditions and concerns. All Ayes.

D. GENERAL DISCUSSION

There was none.

E. REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

Ms. Chaney stated that T. Posthume, 379 Oak Avenue, will be brought to the Town Council instead of the Planning Commission.

Ms. Chaney explained the outcome of the Gill project at the Town Council.

F. ADJOURNMENT TO THE MEETING OF August 1, 1994

The special meeting was adjourned at 11:10 p.m. to the next regular meeting of August 1, 1994.

BARBARA CHAMBERS