

TOWN OF SAN ANSELMO  
PLANNING COMMISSION MINUTES FOR THE MEETING OF APRIL 18, 1994

The regular meeting of the Planning Commission was convened at 8:00 p.m. by Chairman Mihaly in the Council Chambers. Staff present were Planning Director Ann Chaney, Public Works Director Wayne Bush and Associate Planner Lisa Wight.

**A. CALL TO ORDER**

Commissioners Present: Harle, Julin, Sargent, Sias, Mihaly  
Absent: Hayes

**B. CONSENT**

1. Minutes - April 4, 1994

M/S Julin/Harle, to approve Consent Agenda.

Ayes: Harle, Israel, Julin, Sargent  
Abstain: Sias: all aye;  
Motion carried.

**C. PUBLIC HEARINGS-CONTINUED**

1. **V-9406 - Michelle Chouinnard, 208 Sequola, A/P 6-114-01**, a variance request to: 1) allow the applicant to relocate a spa within 1' of the rear property line (8' is required); 2) a trellis and arbor to remain with 0' of the rear property line (8' is required); and 3) to allow portions of a fence to be 8' in height where 6' is permitted; on property located within the R-1 Zoning District. (After-the-Fact) Note: The spa and portions of the fence and trellis currently encroach into the adjoining property. **CONTINUED TO May 2, 1994**
2. **V-9411 - Nick Kaeonli, 727 Sir Francis Drake Boulevard, A/P 6-083-07**, a design review and parking variance (6 required, 5 provided) to establish a new restaurant on property located within the C-L Zoning District. **CONTINUED TO THE MEETING OF MAY 16, 1994.**

**D. OPEN TIME FOR PUBLIC DISCUSSION**

There was no discussion.

Commissioner Hayes arrived at the meeting.

**E. PUBLIC HEARINGS**

1. **PDP-9401/VTM-9402/ER and Density Determination, Peter and Pamela Fraser, near 390 Redwood Road, APN's 7-071-03, 7-101-02, 7-154-04**, Environmental Review, Density Entitlement, Precise Development Plan, and Vesting Tentative Map applications for a 25.65 acre site located off Redwood Road near 390 Redwood Road. The subdivision map would create seven (7) homesites on about 5.66 acres and a Public Open Space parcel totaling 19.95 acres. No homes are being proposed at this time and such homes would require Design Review approval prior to construction. A Density Entitlement of 12 units is requested although 7 units are proposed. This property is located within the R-1-H Zoning District.

Planning Director Chaney presented the staff report. She noted the EIR prepared in the 1980's for 24 units was also used in the preparation of the current environmental document. There are some significant environmental impacts, but with mitigations, those concerns could be mitigated such that they would not be significant. Ms. Chaney noted that she has not yet prepared the mitigation measures, which is required by law, so this cannot be approved this evening. The land purchase and trade agreement action should be taken one way or another within 120 days of the notice of completion, which will be June 3, 1994. Previous action: in 1981 the application was for 24 units and the EIR prepared for those 24 units was certified. 11 of those units would have been in the area that is now shown as public open space. Nothing happened with the property since 1981. In 1993 the Town entered into an agreement to create 7 units through a vesting tentative map; Frasers would retain ownership of 4 of those (Lots 1, 2, 3, 4), and with a gift deed would donate the development rights to 3 units (Lots A, B, and C), hiking trails and 3 single family homes sites intended for use by the town for either density or open space purposes. 6 lots would be accessed off Redwood Road and 1 off Oak Avenue. The other land would hopefully be purchased by the Marin County Open Space District. The steep trail comes through the rear portion of Lot A, crosses private property, Redwood Road, and to open space and ultimately leads to Worn Springs Road. Another trail leads to Allyn Avenue, intersects with

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Scenic Avenue trail and these ultimately tie into Worn Springs Road. The Town has hired an individual to assist in some of the negotiations.

The open space land would be in exchange for \$450,000 at the close of escrow, the Town owned lot on Indian Rock Court, and possibly a Town owned lot at Scenic Avenue and Summit Road. The appraisal is not yet completed.

There is a proposal to widen Redwood Road, and to spur off that with a new road to serve Lots 1, 2, 3, and C. The parcels average .88 acres, which is acceptable per the Zoning Ordinance and General Plan.

The applicant has submitted a set of design standards with the California bungalow design: board and batten or stucco. Natural finishes and pastels are to be avoided.

The lower 6 properties off Redwood Road would be served by public water and sewer. There is a proposed 20,000 gallon water tank for irrigation purposes that would be located on the common area next to Lot C to be shared by the 6 lots. The applicants plan to test for well water. The yield testing can only be performed July 15 through November 30. The well would serve domestic and fire needs. In addition, the Gill well could serve this property with fire protection. If that turns out, this well can be reduced in size. The Sanitary District has approved an extension of 1,200 feet to within 300 or 400 feet of this project.

There is a hydrology plan to replace 8 culverts, some to be larger than are there currently.

There is a proposed maintenance agreement which is to be reviewed by the Town Attorney.

The Open Space District expressed concern that there would be maintenance problems with the strip connecting Lot A to the larger open space. An alternative is to make that strip a separate parcel for public open space and owned by the Town, which is staff's recommendation.

In response to Commissioner Israel's question, Ms. Chaney said that a maximum density of 12 was assigned to this property several years ago (during the R-1 H hearings). A "maximum" number is determined by traffic, circulation, etc. This agreement is for the applicant to donate 7 lots to the Town and develop 5 lots. Mr. Fraser noted that those 7 lots would be retired by the contract.

Chairman Mihaly questioned the set up of the Agreement. The Town is suppose to approve this tentative map and then the map and other documents go into escrow. He asked the following questions: where is the revocable agreement for the open space? All conditions should be on the map itself because once a vesting map is recorded, a list of conditions may be worthless. How does the public open space become public and what happens if everybody doesn't do what they're suppose to do?

Ms. Chaney discussed the Conditions of Approval. She recommended an additional condition that areas be protected for infrastructure.

The roadway improvements are lifted out of the Traffic Study. The applicant will share in the contribution of engineering and construction of improvements as stated on Conditions 14 through 18.

Since the writing of the initial study, the story poles have been erected and staff has completed a visual analysis. The Lot 4 story pole is visible to the naked eye from several locations in Town, but the other story poles are not visible. Driving along Redwood Road, the poles are still not visible. Staff is recommending that the maximum height of structures on Lot 4 not exceed 30' since the pole was visible. There will be further evaluation of the house design and height will be evaluated at the design review stage. The applicant has prepared design standards, which staff recommends should be recorded as a condition. For the most part these standards represent a well designed home. Fencing should be natural materials and painted with natural tones. Fences should not be joined from property to property in order to allow migration of wildlife between properties. The water tank is to have natural wood shingle siding.

Ms. Chaney acknowledged that Public Works Director Wayne Bush is present to answer any questions.

Commissioner Hayes questioned the costs of the roadway improvements. Mr. Bush said the short term mitigations recommended by DKS to be performed by the applicant would cost \$24,050, which includes the pavement (recommended by staff) cost of \$16,250. The long term improvements recommended in the DKS Traffic Study, and calculated by staff, is to be \$131,000. Improvement 18 to widen a portion of Redwood Road could range in price from several thousand dollars.

Staff is proposing the fair share costs to be calculated as follows: There are approximately 17

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houses planned for Redwood Road, 6 of which are the Fraser parcels. 6/17ths of the estimated long term costs equal \$46,000. Rather than ask for a \$46,000 contribution now, it makes more sense to assign that fair share to another improvement. The Public Works Director and Fire Chief tried to prioritize the improvements, and would recommend that Priority 17 be first, with 14 being the lowest. We would take the \$46,000 and apply it towards the top 3 priorities.

Commissioner Julin said that the existing property owners generating traffic on Redwood Road should also be in that equation for their fair share. Otherwise, we are setting a policy for only new developers to pay for the existing problems. Mr. Bush said there is no mechanism to set that up at this time, e.g., an assessment district; any new construction will make the existing conditions that much worse, so they should be assigned to the new developers.

Commissioner Julin noted that the Town has no roadway width policy. The General Plan specifically states that there should be no road widening in the hillsides. The project is consistent with the General Plan, but she sees an inconsistency with the General Plan in terms of road widening. Mr. Bush noted that the only widening is for safety reasons in certain areas. It is a policy matter to be decided whether a 15' width is "rural" or not. Ms. Chaney noted that 20' is the State standard, so the 15' width is less. It is staff's feeling that since some of the roads were 11' wide, and because of the concern for safety, 15' was satisfactory. She also stated that the small open space area behind Lot A needs to be retained as part of the open space package being offered to the Marin County Open Space District and that there are compelling reasons to justify this.

At this point, Chairman Mihaly placed the Water Well Ordinance hearing after the Benke application.

Chairman Mihaly confirmed that the Town must act on the project by June 3, 1994, and questioned how staff would like the review period to proceed. Ms. Chaney reiterated that the Commission cannot act until the Mitigation Monitoring is completed.

Commissioner Sargent agreed with Commissioner Julin's comments. Referring to the Conditions, he thought some comments, i.e., "fair share", was too vague to be attached to the vesting tentative map. Ms. Chaney noted that the road conditions are existing, and the DKS's study referred to those items that were not existing, so the improvements are not based on existing conditions. Specifically, he questioned Condition 13 and whether we would need evidence that these kinds of other levels of improvement are related to the development. DKS's notes on traffic distribution is how Mr. Bush came up with the condition for repaving. Other conditions, i.e., a center white line, mirrors, etc., are cosmetic. Chairman Mihaly noted that any nexus item has to be documented by findings.

Commissioner Israel suggested that Item 18 be done first since it is the most expensive item. Otherwise this item will continue to increase in cost.

Chairman Mihaly said this is an ideal situation for an assessment district and discussed the different types of assessment districts.

Commissioner Israel was unsure how to deal with the water and Lot 4 and its timing; what happens if this applicant goes halfway through the process and then goes away. He suggested widening the road only on one side, versus widening both sides, in order to reduce the amount of grading. He asked why there is a proposal to retain the tree snags.

Ms. Chaney said they need to review the Agreement language and forward it into the map. Regarding water, Ms. Chaney reiterated that they cannot drill until July. Mr. Bush said his initial response is that it could result in additional retaining walls. Ms. Chaney said it was for wildlife.

Dietrich Stroeh noted that this is a joint project between the Town and the applicant. He supported an assessment district. The Water District cannot serve that area, but there are other options, i.e., a spring that could be used. The easement could be revised to be part of Lot 4 and use for the water travel.

Steve Araga of Stuber Stroeh referred to Item 1 A on page 8: strike: ". . . With the exception of Lot 1 . . ." ". . . A landscape plan shall be prepared by a qualified arborist . . .": strike "arborist", because an arborist may not be able to design an irrigation system. On page 9, ". . . final design of the roadway and each individual house . . .": strike "roadway". Item 6, ". . . all cut and fill areas must be reseeded" is not needed because it is included in Item 9. Item 8, grading operations not be restricted between October and April. Erosion control will be in place and we wouldn't want to work with wet soil. Item 10, ". . . the arborist shall note . . . trees that should be preserved" replace "should" with "will." We have reduced the number of trees to be removed even further than first suggested by us. As the application for each individual lot is processed, that process may determine removal of trees only. Item 10B, ". . . soil moisture . with drip irrigation. ." change to eliminate "drip irrigation" and state "A professionally designed landscape solution . . ." Item 12, ". . . deed restriction . . ." to restrict from pruning beyond envelope and trimming may prevent us

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from having a vegetation management zone designated by the Fire Department. We may be required to eliminate trees to reduce fire fuel in the area. Item 14, ". . . all snags . . . should be preserved . . ." will come in conflict with the vegetation management plan.

Peter Fraser wanted to provide some background and his response to the report.

5 minute break.

Mr. Fraser said this started 16 months ago with a conversation with Hal Brown asking how open space could be obtained without cash or bonds. We have the first recognition of the value of Town assets. The Town is losing processing fees and a lot on Indian Rock Court. We had an appraisal done with the County and we were in agreement on the value. They asked for input from San Anselmo Open Space. Ultimately a 19 page contract was signed in December, 1993. We have an agreement from the County, the Town, Marin Community Foundation, and possibly other agencies. Everyone would agree that they would compromise by contributing so that everyone walks away with value at a bearable cost. The last segment was to make this deal work and achieve the overall goal of preserving the overall view shed of the Town of San Anselmo. We will convey lots A, B, and C to the Town. It is possible that the rest of the ridge will become open space if the Town lots are traded to those owners. We are having a disproportionate share of improvement costs. No one ever contemplated \$75,000 in roadway mitigation fees on top of drainage fees. We put a plug number in and had a traffic study done (and later amended) and now we have a roadway mitigation measure to solve the problems of the Town. He said it is his intent to participate, but it needs to be a fair share formula. The short term improvements are acceptable to us. No one has paid any roadway mitigation fees anywhere in this Town and to do so now without any guidelines, is arbitrary. It has the potential to destroy a concept and formula that works. In response to Commissioner Sias' question regarding participating in an assessment district, Mr. Fraser said he would not waive his rights. Redwood Road is not a Town-maintained road, but it has been maintained by the Town regardless, so it is also the Town's responsibility. He did not feel the Commission could load up on one mitigation and expect a project to work. If Lots A, B, and C are so loaded with debt, how will you attract somebody with land that has no debt to buy down? Mr. Fraser noted he turned in a 5-page letter with his comments.

Jonathan Braun, member of Open Space Committee, described the existing public open space that leads to 18,000 acres to Mt. Tamalpais. The Fraser property is somewhat of a hub for a system of trails that lead to public open space. The Town has broken new ground for obtaining open space and it has opened doors to some property owners who have, in the past, been less than receptive to working with the community.

Kathleen Sanders, Redwood Road, said there are two things to take into consideration: regarding the discussion about road improvements, there is also discussion about reducing on-street parking. There are properties developed with little, if any, parking. Once this starts happening, we will have some problems. Regarding the issue of the dead trees and snags, they are wildlife habitat and they should remain. Regarding colors, we agree on colors that are low in contrast, we prefer dark colors. Therefore, the language needs to be stronger than "not pastels." The applicant should also be required through photo-montage so that the colors would not be visible from near or distant view sheds. The Bald Hill Committee is considering coming up with a color palette. We are also talking about certain times of day prohibiting large construction trucks travelling up the road, welding, volatile paints on certain days, visual standards are most important: maximum heights are not entitlements. Tree removal outside the building envelope needs to be reviewed; it may be that smaller trees need to be thinned to make room for the large oaks, shoulders of roads should be strengthened.

The Bald Hill Committee mainly discussed the Fraser project this evening.

Barbara Geisler, 405 Redwood Road, said the path that goes through Lot A also goes through her property, which is 2.02 acres. Her legal counsel has said that she is liable if someone gets hurt and she has noted that it makes a great bicycle ramp. Therefore, she does not want to be included. Commissioner Israel pointed out that the portion of the trail that goes through the Fraser property does not go through her property.

Chairman Mihaly suggested at the next meeting that the public hearing portion of the next meeting be of a workshop nature so that everyone can speak.

Ms. Chaney suggested continuing this to both May 2 and May 3, so that it could be heard at the end of the Gill hearing on May 2, and if necessary continue to May 3.

**M/S Mihaly, Israel, to continue PDP-9401/VTM-9402/ER and Density Determination, Peter and Pamela Fraser, near 390 Redwood Road, APN's 7-071-03, 7-101-02, 7-154-04, Environmental Review, Density Entitlement, Precise Development Plan, and Vesting Tentative Map applications for a 25.65 acre site located off Redwood Road near 390 Redwood Road. The subdivision map would create seven (7) homesites on about 5.66 acres and a Public Open**

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Space parcel totaling 19.95 acres. No homes are being proposed at this time and such homes would require Design Review approval prior to construction. A Density Entitlement of 12 units is requested although 7 units are proposed. This property is located within the R-1-H Zoning District. This matter to the May 2 and May 3 meetings.

Motion passed unanimously.

The next item taken out of order.

3. **PDP-9402/DR-9407 - Karen S. Behnke, End of Summit Road, A/P 7-031-28, precise development plan and architectural review of a single family dwelling located on property located within the R-1 H Zoning District.**

The applicant and her Architect Donald MacDonald, were present.

Ms. Wight presented the staff report.

The proposal is to construct a 2,400 square foot house and a detached 500 square foot pool house, for a total of 2,900 square feet. The project also includes a 10' by 55' swimming pool, several uncovered decks, and a 420 square foot attached garage.

Because the property is not in the ridge zone, a maximum of 35 feet is permitted. Staff found that a total of 6 bay trees and 5 oaks are proposed to be removed. Story poles constructed on the site can be seen in the area of the "Great Room". The proposed house should not be visible from downtown and does include a landscape plan. With regard to colors, the applicant has revised the colors to a darker tone, however the dark green metal roof is still proposed. Staff did not believe the roof would be highly visible and is appropriate to the site.

Staff is still concerned with the removal of two trees near the Great Room which would expose it more than the story poles currently show. Staff also recommends that a deed restriction be imposed to ensure that the pool house not be used as a living unit.

Commissioner Julin asked whether a gravel driveway could be used provided there is an annual inspection to ensure its viability. Ms. Wight explained that the Public Works Director is not inclined to allow gravel. Part of this is due to fire department concerns.

Mr. Behnke said that they would like to have the turn around condition deleted because of the need for cut and fill. They are willing to revise the colors but reiterated the desire for a gravel drive.

Mr. MacDonald, explained the rationale for deleting the fire truck turn around and the rationale behind the design of the project, materials used, colors used, roof elements, etc.

Jonathan Braun, resident at 479 Scenic Avenue, stated that a letter from the Open Space Committee has been submitted to the Commission, however, he is representing himself tonight. He pointed out that a large oak tree would come out which currently obscures the story poles. In addition, he noted that the elevation on the downslope contour, and the most visible elevation, would be taller than 35' and believes that the elevation should be further addressed. In terms of drainage, he recommended improving the capacity of the drainage ditch along Scenic Avenue (off-site) would go a long way to improve drainage conditions from this site, down Scenic and onto Canyon Road. He asked if it would be appropriate to condition the Behnke's to clean out this drainage ditch.

Kathy Sanders, representing the Open Space Committee, stated that she felt more comfortable with the reddish-brown tones rather than those with white or lighter values.

Mr. MacDonald responded to the question of the downslope elevation by stating the upper story wall cantilevers beyond the lower story. However, the story poles give the illusion that the structure will touch the ground at a lower elevation but the poles could not create the cantilever effect.

The applicants indicated that the lower area should be well covered, particularly on the lower elevation.

Commissioner Sargent asked how staff can make sure the colors are retained. He supports the requirement of a deed restriction.

Commissioner Sias was impressed with the design of the house but was concerned with the reddish colors and preferred the more true brown colors. He also agreed that the landscaping is somewhat sparse in front of the Great Room. He was concerned about the turn around but felt it should be left with the Fire Department and Public Works.

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Commissioner Harle felt the color was fine and agreed with the drainage proposed by the Public Works Director.

Commissioner Israel stated that design is the issue and that color does not necessarily impact the visibility of a house as much as design. An example of this is the dark, natural looking house next door which is not particularly well designed and tends to stand out. He felt This project would be more visible than the Fraser project and wondered whether additional analysis, such as a photo montage, should not be required. However, he is in support of the project and considers it to be well designed.

Commissioner Julin stated she likes the design of the house and the original colors selected by the applicants but will defer to the other Commissioners. She asked that the issue of gravel roads and turn around be discussed in the broader sense with the Fire Chief and Public Works Director.

Commissioner Israel stated that alternatives such as grass-crete or concrete blocks could be used.

Commissioner Hayes stated that he shared Commissioner Julin's concerns and while he does not want to compromise fire safety, he wants to make sure that the major turn around is absolutely necessary. He would support a meeting with the Fire Department staff to reconsider this item but would support the turn around if this condition is not just a standard and has in fact been evaluated specifically for this site.

M/Mihaly/Julin, to approve PDP-9402/DR-9407 - Karen S. Behnke, End of Summit Road, A/P 7-031-28, precise development plan and architectural review of a single family dwelling located on property located within the R-1 H Zoning District. Approval is based on the following:

Precise Development Plan

1. That the Precise Development Plan protects and preserves the natural and existing land forms and vegetation of the hillside and ridges, watercourses, and any unique habitats located on the property. The proposed development will result in a loss of 6 bay trees and 5 oak trees on a heavily wooded site. 2. That the precise grading plan is designed to retain the natural and existing features of the land, that cuts and fills are minimized and that all graded areas are rounded and contoured to blend with the existing topography. The dwelling is to be cut into the slope. Grading is limited to a removal of 285 cubic yards of dirt, 45 of which will be retained on site. 3. That both on-site and off-site roadways are structurally suitable and adequate to carry projected traffic, and that the proposed development will not generate traffic which cannot be adequately accommodated by the roadway network outside the project area. Upper Scenic Avenue and Summit Road were widened and paved in the 1900's. The addition of one single family dwelling will not generate traffic which cannot be adequately accommodated by the roadway network outside the project area. 4. That the intensity of development will not have the potential to make a residential street traffic dominated. Upper Scenic Avenue and Summit Road were widened and paved in the 1900's. The addition of one single family dwelling will not generate traffic which cannot be adequately accommodated by the roadway network outside the project area. 5. That building site locations and the access to said building sites are selected to minimize visibility of the development from the remainder of the community, and are geologically stable. Access to the property is to be from the existing graded road, which passes in front of 57 Summit Road. By minimizing the number of trees to be removed for this driveway, the views of the oak and bay trees from No. 57 will be retained. The dwelling design is such that only 5 oaks and 1 bay tree are to be removed. With the exception of the great room, it appears that the existing tree canopy may screen the dwelling. 6. That development is located so as to be screened by portions of the site where existing topography provides screening or by existing woodlands. Development within existing woodlands may be allowed if tree removal is minimal. See Item 1 and Item 5 responses. 7. That landscaping is provided to screen, maintain, or improve the overall visual quality of the project as it relates to the community; that said landscaping stabilizes erodible soil; and that said landscaping camouflages the visually harsh aspects of improvements such as cuts, fills, and retaining walls. That the type and character of plant materials employed in said landscaping are reasonably related to plants in the surrounding areas. That said landscape plans demonstrate a recognizable pattern or theme for the overall development by choice and location of plant varieties. Small trees and shrubs are proposed on both the north and south sides of the dwelling, with a maximum height of 30'. However, the existing trees already will provide significant screening of the dwelling. These additional plants will provide minimal additional screening. 8. That pedestrian easements are provided where pedestrian facilities are not contained within streets. That continued use of established local trails and trails associated with the accepted Countywide Trails Plan is preserved. There are no sidewalks in this area. The development will not impact established trails. 9. That were developable land exists beyond the development being considered, that road easements and dedications are provided to the appropriate bodies. That such easements are the same standards as other public roads within the development. The status of the road easement is to remain unchanged. 10. That where developments include dedication of public open space, or that where developments abut existing public open space, that access to said public open

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space is provided for the public, including public emergency, and public open space management vehicles and equipment. This property does not abut public open space. 11. That construction, if any, within the ridge zone meets the following findings: a) That any construction within the ridge zone is permitted only when the applicant has demonstrated to the satisfaction of the Planning Director and the Planning Commission that construction outside of the ridge zone would be detrimental within respect to soil and geologic conditions, vegetation removal, drainage, and such other factors as are determined to be pertinent; and b) That construction allowed within the ridge zone, under this article, is kept to a low visual profile, the acceptance of which shall be determined in the design review process. The construction will not be within the ridge zone. 12. That the Precise Development Plan does not adversely affect the health or safety of persons in or adjacent to the area or endanger property located in the surrounding area. This development will not adversely affect the health or safety of persons in or adjacent to the area or endanger property located in the surrounding area. 13. That the Precise Development Plan is in conformance with the San Anselmo General Plan, with specific reference to the applicable sections of the General Plan. The Precise Development Plan is in conformance with the San Anselmo General Plan, specifically: Land Use Policies 2.2, 3.2, 7.5, 9.1, 9.4, 9.5, 9.7, 9.8, 10.3, 11.1, 11.2, 12.2, 13.1, 13.2, 15.1, 16.1 Circulation Policies 10.1, 10.2, 10.3, 10.6; Open Space Policy 1.4 14. That each individual phase of development, as well as the total development, can exist as an independent unit. This single family dwelling is an independent unit.

**Design Review**

1. Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area; Staff feels the building design is compatible with the existing improvements and the natural elements in the surrounding area. There is a minimal loss of tree vegetation and the majority of the building should be tucked within the trees. However, the 20' wide great room will be visible from surrounding properties. While 20' is not a vast expanse and it is understandable that the applicants would want to take advantage of the bay area view from this room, an effort should be made to darken the colors used on this building face in particular. Since staff does not have the latest color selections, we are unable to comment on the color selection at this time. 2. Provides for protection against noise, odors, and other factors which may make the environment less desirable; The single family use of the property will be compatible with the neighborhood and should not cause noise, odors, and other factors which may make the environment less desirable. Staff believes that the paved access road and driveway will be less noisy when travelled by vehicles than a gravel road. 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 the area. The structures have been sensitively sited to minimize grading and tree removal, and, thus, is not highly visible to surrounding properties. 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; and The single family dwelling 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 existing road easement is accessed off Summit Road, which only serves 3 houses beyond this point: Nos. 57, 80, and 100 Summit Road. sight distance is adequate for persons backing out onto Summit Road. The Ross Valley Fire Department is requiring specific improvements on the access easement, including turnouts and turnarounds, such that in case of an emergency, the fire apparatus can turn around on the road. 5. Will not adversely affect the health or safety of persons using the improvements or endanger property located in the surrounding area. The development 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. The Commission is simultaneously reviewing the Precise Development Plan and Design of the project. 7. Adequacy of Screening. See Items 1 and 5 responses under Precise Development Plan findings. 8. Selection of architectural features and colors that enable the structure to blend with its environment and which results in a low visual profile. Also see Item 1 response.

**Conditions of Approval: Prior to issuance of a building permit, the following conditions shall be recorded:** 1. Color selection to be determined at the Public Hearing. 2. No exterior lighting has been proposed and none is herein approved. Any future exterior lighting shall be permitted for safety purposes only, must consist of low wattage fixtures, and must be directed downward and hooded. 3. A Construction Plan shall be submitted and approved by the Public Works Director. This Plan shall set forth the types, size, weight, and number of pieces of construction equipment and vehicles a property owner or contractor intends to use in improving a hillside or ridge parcel. The Plan must also specify the route to be used to deliver equipment to the site, number of workers, and parking provisions for workers' vehicles, how and where equipment vehicles will be stored on-site, and the anticipated length of time needed to complete improvements. The Plan shall indicate the hours of construction activity. 4. The applicant shall be responsible for ensuring that all construction vehicles, equipment and materials are stored on-site and off the street so that pedestrians and vehicles can pass safely at all times. 5. Only those trees shown on the site plan as proposed to be removed, if any, may be removed. No other existing trees on the subject property shall be removed except to comply with local and State fire safety hazards to people and property. 6. The landscape plan shall be revised to

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Indicate the specific number, size, and species of proposed plantings, and the Irrigation plan. Amendments are as follows: 1) Color to be determined by the Planning Director using the colors on the materials chart and the painting of a 4' by 8' swatch on site and that the Great Room use one of the darker colors; 2) the Public Works Department be urged to approve a driveway surface alternative; 3) the landscape plan be revised to include one or more trees in front of the Great Room not to obscure the space but to break up the elevation; 4) that the Planning Department staff meet with the Fire Department regarding the turn around and evaluate its impact on environmental; 5) tree topping be prohibited; 6) bring the issue of drainage to the attention of the Public Works Director; 7) the large stucco walls on the south elevation have suitable vegetation to soften the wall; 8) there be a recorded Deed restriction on colors; and 9) Staff to draft a tree topping condition on maintenance.

Motion was approved unanimously.

Audience advised of the ten day appeal period.

2. **Water Well Ordinance Amendment - Town of San Anselmo.** This amendment would permit a well to be shared for irrigation purposes only (currently prohibited) and would allow waivers of water connection fee deposits under certain circumstances.

Ms. Chaney said this Ordinance amendment was prompted by the Fraser project. Mr. Fraser requested that irrigation wells serve more than one lot. Secondly, Mr. Fraser wanted his water connection fee deposit waived.

M/S Israel, Harle, to approve the negative declaration and recommend that the Town Council approve the draft Resolution (attached to staff report) approving an Amendment to the Well Ordinance.

Motion passed unanimously.

Audience advised of the ten day appeal period.

**F. GENERAL DISCUSSION**

There was none.

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

There was no discussion.

**H. ADJOURNMENT TO THE MEETING OF May 2, 1994**

The regular meeting of the San Anselmo Planning Commission was adjourned at 11:55 p.m. to the next meeting