

**TOWN OF SAN ANSELMO  
PLANNING COMMISSION MINUTES FOR JULY 24, 1995**

The regular meeting of the San Anselmo Planning Commission was convened at 8:00 p.m. in the council Chamber by Vice Chair Sargent. Staff present was Planning Director Ann Chaney.

**A. CALL TO ORDER**

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

**B. CONSENT**

1. Minutes - July 10, 1995

2. V-9526 - Derek Johnson, 22 Broadmoor, APN 5-184-12, 1) a 1'6" height variance to increase the height of an existing dwelling by 3'6" above the pre-existing height (Ordinance exempts 2' height increase) located 5'6" from north side property line; and 2) south side and rear yard variance to allow two existing parking spaces within 9' of rear property line (20' required) and 0' of side property line on property located within the R-1 Zoning District. (Note: Because this is considered a reconstruction, all Code requirements must be met unless Variance(s) granted. Plans include 2nd story addition which meets Zoning Ordinance requirements.)

3. V-9524/DR-9511 - Louise Mathews, 72 Foothill, APN 7-033-12, 1) Design Review; 2) Front Yard Variance to construct a fireplace, alcoves, and deck within 3'6" of front property line (20' required); and 3) south side yard Variance to construct garage and alcoves within 0' of property line (8' required); and 4) west side yard Variance to construct alcoves and deck within 3'6" of property line (8' required) on property located within the R-1 Zoning District.

M/S Mihaly/Julin to approve the consent with the following Conditions of approval:

22 Broadmoor

1. The addition shall be constructed in accordance to the plans date stamped received July 11, 1995 by the Town of San Anselmo. 2. That applicant shall obtain all necessary development permits and conform with all adopted standards of the Building and Public Works Department. 3. The proposed parking shall be an all weather surface to the satisfaction of the Building and Public Works Department. 4. That if this development which has received discretionary approval has not begun within one year from the date of the final action, the permit shall become null and void. However, this discretionary action may be renewed by the Planning Director for a maximum period of one year provided the applicant places such request in writing to the Director showing good cause prior to the expiration of the discretionary action.

72 Foothill

1. The applicant shall construct the house in accordance with the plans date stamped received on May 31, 1995 by the Town of San Anselmo. 2. Prior to issuance of a building permit the applicant shall remove one of the two storage sheds located along the west property line, and the stucco wall that appears to be leaning against the tree. 3. That if this development which has received discretionary approval has not begun within one year from the date of the final action, the permit shall become null and void. However, this discretionary action may be renewed by the Planning Director for a maximum period of one year provided the applicant places such request in writing to the Director showing good cause prior to the expiration of the discretionary action.

Motion carried with Ollinger and Hayes to abstain on B1. The audience was advised of the ten day appeal period.

**C. OPEN TIME FOR PUBLIC DISCUSSION**

There was none.

**D. PUBLIC HEARINGS - CONTINUED**

1. U-9504/Environmental Review - Tom and Lilka Areton, 104-106 Butterfield Road., APN's 5-072-17 and 5-072-18, A use permit and environmental review to allow Cultural Homestay International, a non-profit social service institution, to operate on property located within the R-1 Zoning District. CONTINUED TO THE MEETING OF AUGUST 21, 1995

2. Shelagh Kew Barker, for 1100, 1104, 1108, 1112, 1116, 1120 and 1124 Sir Francis Drake Boulevard, APN's 6-031-07, 6-031-08, 6-031-09, 6-031-10, 6-031-11, 6-031-12, and 6-031-13, 1) Environmental review; 2)

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General Plan Map Amendment: to change the classification for these properties from Single Family: 1-6 units per acre to Medium Density: 6-12 units per acre; 3) Rezoning to change the classification from R-1 (Single Family Residential) to R-2 (Two Family Residential); and 4) Zoning Ordinance Amendment to Table 4A, Footnote 4: to delete the reference to R-2 as follows: "The minimum lot area for all newly created R-2 (strike R-2 out), R-3, and P lots shall be as described in this table. No allowance for rounding up shall be granted for the last lot in a subdivision, which only partially meets the lot area requirement." CONTINUED TO THE MEETING OF SEPTEMBER 5, 1995.

E. PUBLIC HEARINGS

1. V-9520 - Robert Sandler, 98 Florence Avenue, APN 7-011-06, a variance to construct a new deck 3' - 4" from the street side property line (10' required) on property located within the R-1 Zoning District.

The applicant was present.

Mr. Washington presented the staff report.

Commissioner Harle asked if the street was a public right of way. Mr. Washington affirmed.

Commissioner Mihaly asked why the deck should be placed in this location. Mr. Sandler explained that the town did not want to maintain the alley and the street was too small for traffic and it was for that reason barricaded and used as foot traffic. The reason for the deck is because it is located next to the living room and dining room area and they wanted to enjoy outdoor living. The bedrooms are in the rear. He said the buffer zone should be considered in evaluating the deck and they are not blocking light, air, or view by placing the deck in this location.

Commissioner Ollinger had no objection to the deck because of the reasons stated by the applicant.

Commissioner Mihaly said the cut corner of the lot is also a reason for approval as well as the location of the alley and the pedestrian use of the alley.

Commissioners' Julin, Hayes and Sargent concurred with Commissioner Mihaly.

M/S Mihaly/Julin to approve V-9520 - Robert Sandler, 98 Florence Avenue, APN 7-011-06, a variance to construct a new deck 3' - 4" from the street side property line (10' required) on property located within the R-1 Zoning District. Special circumstances are based on the following: 1. The size and shape of the property is unusual because the dead end on Florence Avenue rendering configuration of the property and alternative location of the deck would be unfeasible because of the interior layout of the house; 2. The property is adjacent to a dedicated but unaccented alley which is not a roadway and is used exclusively for pedestrians and accordingly the strict application of the sideyard is appropriate especially in light of the fact there is more than 10' between the deck and center line of the alley and certainly more than 10' to the opposite end of the alley and much more to the adjacent structure. The evidence submitted to us by the applicant demonstrates that the adjacent property owners will not consider this will have a detrimental impact and materials submitted by the applicant bares this out.

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

3. U-9506/DR-9512/V-9527 - Warren Perry, 100 and 120 Sir Francis Drake Boulevard, APN's 6-241-01 and 6-241-02, 1) Design Review; 2) Use Permit, and 3) 14 space Parking Variance (24 spaces required; 10 provided on-site; 13 shared with adjacent use) to construct a 10,320 sq. ft., 22'6" tall, warehouse storage facility (4,950 sq. ft. existing - formerly Crocker Bank building) on property located within the C-3 (General Commercial) Zoning District.

Item taken out of order.

Warren Perry, property owner, Duane Hines, tenant, and James MacDonald, Architect, were present.

Commissioner Hayes noted for the record that he will abstain from this item.

Ms. Chaney presented the staff report. She noted that the staff report is in error because the zoning is actually General Commercial, not Central Commercial. Commissioner Julin wondered what kind of items could be stored. Staff was uncertain.

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Mr. Warren Perry said he understands the concerns of the community and the Town. He provided a copy of his letter dated May 15th that was written to the Planning Commission. He said he has discovered that many of the proposed applicants are turned off because the property has no pedestrian traffic and is dependent on the automobile. He said he discussed with Wells Fargo Bank about using the site and their response was negative because there is no pedestrian traffic and people are disinclined to cross Sir Francis Drake Blvd. Mr. Perry said he has realized that this area is different than the normal commercial area. In addition, the building is large and difficult to get the larger tenant. Also, some of the businesses that might be interested were video stores etc that have heavy signage which the Town would not consider. A heavy commercial area such as the auto detail creates a lot of noise for the property owners on Barber as well as the noise generated from Sir Francis Drake. This mini storage will provide a buffer and will not have excessive noise or odor. This would be an asset to the Barber Tract. This building will be consistent with the existing building and will be landscaped and will add to the Barber Tract. In summary he felt this would be a good use and good for San Anselmo.

Mr. MacDonald said that the mini storage was the most viable use and the tenant is local and has several other storage facilities in Marin County. The use will be low, no night time use, no odors, and no onsite parking. The building will not look like a storage facility and will have extensive landscaping. From the vehicular and pedestrian traffic, he viewed this use as a plus. From a design standpoint, they tried to connect the current building and the addition. He would come back with a formal irrigation and landscape plan if the Commission was in support of the project. He explained proposed parking.

Mr. Perry stipulated that Sunnyside Nursery can easily co-exist with the mini facility and that the shared parking would be perpetuated.

Mr. Hines explained that this kind of business will draw people from outlining areas and would help the businesses in San Anselmo. The use is very low key and in fact other types of businesses might be too noisy. He noted that half of his facilities are the most secure because they are locked. Every customer has to go past the office and they can view what is coming and going in each facility. They do however, have toxic insurance if necessary. There will be approximately 250 to 300 storage units. It is typically 2-3 visits per 100 people per day.

Commissioner Harle asked what items would be prohibited. Mr. Hines said he would prohibit gas cans, some paints, and they use their discretion on other items being stored.

Commissioner Julin said it seems like they are self policing rather than being regulated by the Fire Department. Mr. Hines explained that they have a strict contract with the facility tenants but there are no EPA restrictions that have to be complied with.

Commissioner Julin asked if 25% of the tenants would be businesses. He affirmed. He noted that a storage facility can not be used to operate a business. Typically a tenant will stay four months.

Commissioner Mihaly asked where the nearest facility is. Mr. Hines said they are in Sausalito on Coloma Street; in Corte Madera on Paradise Drive (by Dennys); and Mill Valley near Goodmans Lumber.

Commissioner Mihaly asked why he wants this location. Mr. Hines said that it is more inland and he wants to get that market. He explained that the industry is really interested in having their personal possessions in a warm and comfortable place and this design with landscaping would be a benefit.

Commissioner Ollinger asked if the properties are to be merged. Ms. Chaney said that the auto detail and bank will have to be merged and perhaps a lot line adjustment between the bank and nursery.

Commissioner Harle asked about the theft rate. Mr. Hines stated that in row type buildings the theft is greater.

Tom Perry, said that the nursery has cohabitated with various business with a greater use than this proposed and traffic has never been a problem. The new improved traffic circulation would be better for trucks going to the nursery. He said they have never considered this location as downtown because of the location. He also sees this site as an opportunity to landscape and build up the entrance to San Anselmo.

Commissioner Mihaly said he is not prepared to vote on this application tonight but wanted to give some preliminary thoughts. He views this property as an entrance to the Town and the applicant is asking the Commission to rethink the General Plan. A major point is that this is a low traffic generator and is good for the neighbors. A use for the entrance to the

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Town should be something to draw people. Is this a good ancillary use for businesses that already exist? He said the Town is in the midst of a downtown revitalization and any use has an impact on the Town. He would like to hear more from staff or the consultant on how this use could serve as a benefit for the Town. He did not think this design is very horizontal and lines need to be broken up; perhaps with trellises and vines. This building looks like it should be in an industrial park.

Commissioner Julin said this application raises some questions about the General Plan in light of the trends and changes that have been pointed out in the presentation by Mr. Perry. All the community servicing uses such as furniture stores, grocery stores, and appliance or drug stores are moving out of the communities. She said that many of the community serving uses have left. In addition, more and more people are staying home to work and the nature of peoples work styles will dictate the needs of the community. She needed more information before she could act on the application. This property was set aside as a tax revenue generator for the Town and yet is a waste to have a storage facility for community use. The advantage of the site is it is on a major corridor. She is unable to come to a conclusion at this time.

Commissioner Harle is favorably disposed to this use. He said perhaps the Commission made a mistake in analyzing this part of Sir Francis Drake. Farther down Sir Francis Drake has a stable residential neighborhood and should not have commercial. Residents of the Barber Tract would not be conducive to tenants like Walgreens or Longs. He said the Veterinary Clinic is not a generator of much traffic, nor does Sunnyside Nursery bring people to the neighborhood to shop at other stores. Therefore the self storage use appeals to him.

Commissioner Ollinger understands the concept of the General Plan as well as the potential revenue to the Town however as Mr. Perry has stated, the real world is just not like that. There are positive things about this use. It does sit in a prominent place on Sir Francis Drake as you enter Town. He would like to see a dynamic use rather than a passive use. With regard to design review, the building is drawn out, very horizontal, somewhat monochromatic. He would suggest that it be more dynamic. He would prefer to see the storage facility be a backdrop to the Nursery. Perhaps the design of the building could provide more of the General Plan.

Commissioner Sargent said he is a resident of the Barber Tract. He noted that when Broadway Video was a tenant it brought liveliness to the neighborhood and was an asset. His concern is if the storage facility is built and the tenant does not stay, what will happen to the use in the future. This use is specialized. He would be willing to go along with the use if it went into the current building or with a small addition. What has not been discussed is the creek to the rear of the property. He felt that the auto detail shop might have been a deterrent to the bank building. The drawing looks like Orange County and is too massive.

Commissioner Mihaly said that three Commissioners have issues with the design but it is the other concerns about the use that bother the Commission. Ms. Chaney said she has not gotten in touch with the Urban Design Consultant with this project. Also, is there a way to provide a mixed use on this site with the storage facility. Additionally, staff could look at other facilities and their locations.

Commissioner Mihaly would not be prepared to vote but would advise a redesign and a supplemental staff report.

Mr. Perry had no objection for additional drawings if the end result was positive. They would be happy to do that but would like approval on the use before they go forward. He also noted that the new building would increase property value which would increase property taxes and revenue to the Town.

Commissioner Mihaly said that the site design is related to the use in this particular situation. Commissioner Ollinger concurred.

Commissioner Julin would be interested to know if other communities are facing this type of situation. It is the social and commercial center of San Anselmo and wondered what the Town Design Consultant feels about this.

M/S Mihaly/Julin, to continue U-950G/DR-9512/V-9527 - Warren Perry, 100 and 120 Sir Francis Drake Boulevard, APN's 6-241-01 and 6-241-02, 1) Design Review; 2) Use Permit, and 3) 14 space Parking Variance (24 spaces required; 10 provided on-site; 13 shared with adjacent use) to construct a 10,320 sq. ft., 22'6" tall, warehouse storage facility (4,950 sq. ft. existing - formerly Crocker Bank building) on property located within the C-3 (General Commercial) Zoning District. This will allow staff to research the use issue and to respond to the concerns of the Commission and to consult with the Consultant for the Downtown and/or appropriate Downtown committee members; and for the applicant to supply a list of relevant self storage sites

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and provide supplemental information. Also to allow the applicant to present alternative information on site design if appropriate. This is continued to the meeting of September 5, 1995.. Motion carried with Hayes to abstain.

Ms. Chaney wanted to alert the Commission and the applicant that the Consultant may have to be charged for his time.

Mr. MacDonald suggested asking John Roberto, the author of the General Plan for his interpretation.

Commissioner Sargent would like a larger noticing because this is a very important project. Mr. Perry said they have already asked for input from the community by doing their own separate mailing.

2. PDP-9504/LLR-9501/V-9525 - Ben O'Hare, Redwood Road, APN's 7-141-04, 7-097-05, and 7-097-02, 1) Precise Development Plan and 2) Lot Line Adjustment to create two residential lots on land totaling 2.6 acres near 269 Redwood Road; 3) Variance to construct a single driveway to serve up to 3 properties; and 4) a variance to construct retaining wall(s) up to 10' in height within 0' of the property line, on property located within the R-1-H Zoning District.

The applicant was present.

Ms. Chaney presented the staff report.

David Bell, 10 Fernwood, felt that the proposed driveway is located in the best location. He would like to see a specific grading plan so he can tell exactly how many trees are to be removed.

Camillo Wilson, would like to see if the plan location of the house be recorded and also to preserve his privacy he would like 8 oak trees to be planted by his property line. It is his understanding that Mr. O'Hare agrees.

Kathy Sanders, 310 Redwood Road, explained the open space conservation map. The driveway proposed looks like it is a solid line and goes to the ridge line. She encourages the Commission to keep the trails. Also, many neighbors would like to keep Condition #2 in the proposal.

Mr. O'Hare asked for clarification on where staff felt the trail was. On page 2, he questioned the Peer Review process. Ms. Chaney explained.

Commissioner Julin asked about the time frame for the winterization plan as stated in i). Regarding Condition 4, and 11; she thinks that the tree replacement is in conflict with the fire safety plan of the Town. Regarding the Redwood Road Improvement Plan, the number of vacant parcels that are subject to the fee are 18. She thought it is terrible to impose a fee without due process and alerting affected people to this fee. She also said that the 30' bay tree should be carefully watched.

Commissioner Harle had nothing further to add.

Commissioner Hayes said that \$2,900 has been established without knowing the exact cost. It should be a fare share number but that has not been established yet. Regarding Condition #2, he wondered why staff wanted to remove it. Ms. Chaney said that they cannot impose recordation of the map and is not sure that it can be enforced. Commissioner Hayes indicated he would like to see Condition #2 deleted (left in). He asked about the size of the building envelopes. They seem larger than what has been approved in the past. Ms. Chaney explained that some other envelopes have been larger. Design review still must take place and exact placement can take place at that time.

Commissioner Hayes is concerned that the house doesn't get too close to the property line. He also asked about the additional number of trees that may be jeopardized during the grading of the driveway. Ms. Chaney said that an Arborist must be hired to protect the trees. A statement could be made that no trees can be removed without approval from the Planning Director or Planning Commission. He would like additional wording that states "no additional trees are to be removed.

Commissioner Sargent had nothing further to add.

Commissioner Mihaly said he supports deleting Condition #2.

Mr. O'Hare asked about the \$2,900 Redwood Road Improvement Plan fee. Ms. Chaney explained. Mr. O'Hare asked if it was legal. Commissioner Mihaly said the language could be changed to "\$2,900 or such an amount as has subsequently been determined".

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M/S Mihaly/Ollinger to approve PDP-9504/LLR-9501/V-9525 - Ben O'Hare, Redwood Road, APN's 7-141-04, 7-097-05, and 7-097-02, 1) Precise Development Plan and 2) Lot Line Adjustment to create two residential lots on land totaling 2.6 acres near 269 Redwood Road; 3) Variance to construct a single driveway to serve up to 3 properties; and 4) a variance to construct retaining wall(s) up to 10' in height within 0' of the property line, on property located within the R-1-H Zoning District. Approval is based on the staff report and amendments as follows: Item #4: "\$2,900 or such an amount as has subsequently been determined". and #8; and deleting Staff's recommendation of #2 (the Commission wants to leave in "The Lot Line Adjustment, date stamped received by the Town of San Anselmo on July 6, 1995, shall be revised to delete the "Dedicated Open Space" areas".

all eyes. Audience advised of the ten day appeal period.

Commissioner Julin would like to have it stated in the record that she objects strenuously to the Town of San Anselmo establishing fees, mitigation or otherwise, without affording the property owners and other citizens due process of notice and public hearing.

**F. GENERAL DISCUSSION - Memorandum regarding Use Permit for San Anselmo Pre-School at 121 Ross Avenue.**

The Commission concurred with the staff memorandum.

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

**H. ADJOURNMENT TO August 7, 1995**

The regular meeting of The San Anselmo Planning Commission was adjourned at 12:15 a.m. to the next meeting of August 7, 1995.

BARBARA CHAMBERS