

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF APRIL 5, 1999**

The meeting of the San Anselmo Planning Commission was convened at 7:30 p.m. in the Council Chamber by Vice Chair Cronk.

CALL TO ORDER

Commissioners present: Vice Chair Cronk, Commissioners Wittenkeller, Dowd and House

Commissioners absent: Chair Zwick, Commissioners Harle, Israel

Staff present: Senior Planner Wight, Associate Planner Griffin

OPEN TIME FOR PUBLIC EXPRESSION

No one spoke during this time.

WITHDRAWN

1. V-9912 – Lelf and Sherri Ortegren, 15 Laurel Avenue, A/P 7-112-37, A variance to build a second story addition within 15' of the rear property line (20' required), on property located within the R-1 Zoning District. (Staff person: Griffin)

CONSENT AGENDA

1. Minutes – March 15, 1999

2. V-9908/DR-9910 – Scott and Krista Rosen, 14 Agatha Court, A/P 6-043-18, Design Review of a first and second story addition within 5' of the east side property line; and a parking variance for the existing parking to remain, which is a 9' by 17.5' garage and 9' by 19.5' driveway (2: 9' by 19' spaces required by Code in conjunction with a living addition), on property located within the R-1 Zoning District. (Staff person: Wight)

M/s Wittenkeller/House, and unanimously passed (4-0), to approve the Consent Agenda.

14 Agatha Court Staff Conditions of approval:

- The approval is based on the plans date stamped received by the Town of December 22, 1998.
- Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections for the approved project.
- This permit and each condition contained herein shall be binding upon applicant and any transferor, or successor in interest.
- Should construction not commence within one year from the date of this action, the variance becomes null and void. However, this discretionary action may be renewed by the Planning Director for a maximum of one year provided the applicant places such a request in writing to the Planning Director showing good cause prior to the expiration of the discretionary action.

The audience was advised of the ten-day appeal period.

PUBLIC HEARINGS

1. V-9909/DR-9913 – Scott and Florence Baker, 208 Butterfield Road, A/P 5-052-45, Design Review to build a new, 596 square foot second story to the existing house. Both house and additions are within 7' of both side property lines. Variance to build a 400 square foot garage, within 15' of the front property line (20' required) and within 3' of the northerly side property line (8' required), on property located within the R-1 Zoning District. (Staff person: Griffin)

Mr. Griffin presented the staff report.

Commissioner House wanted the applicants to be able to back out of the driveway and be able to turnaround. If that was possible with a three-foot setback she would not be opposed to staff recommendations.

In response to Vice Chair Cronk, Mr. Griffin stated that he was not certain if the footbridge would be blocked if the garage was moved in an additional two feet. He further explained how staff would enforce the second unit deed restriction.

Scott and Florence Baker, applicants, stated they are in agreement with staff's conditions with the exception of moving the garage in an additional two feet. The garage requires a skewed arrangement because of the two stands of trees and the creek. They are somewhat concerned that the garage, if moved over an additional two feet, could block the bridge. They had to observe the 15' setback to the creek and that is the reason for the proposed front yard location. They chose to put the living space above the garage because their addition is not very large and they wanted to minimize an obtrusive

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appearance. They want to put a guestroom above the garage, which would help balance the addition. They did investigate the idea of a second unit but are not interested in that at this time but do reserve the right to ask to have the deed restriction removed at a future date. They intend to use the guestroom for extended family when they visit. They presented a petition from some of the neighbors who were in agreement with their proposal.

Commissioner Wittenkeller wondered how critical the direct access to the bridge was because it is just used for pedestrian traffic. Mr. Baker responded that he would like to see the back house from the front house and it would be difficult to carry large articles if there were a jog. It is probably workable but not the best solution. There are some pepperwood trees, if they were removed they would not have to skew the garage but they would rather retain the trees.

Commissioner Wittenkeller asked if staff could make the finding with a three-foot setback. Mr. Griffin responded that the hardship on this lot is the creek but it is tough for staff to make the findings for a three-foot setback and staff does not typically support three-foot setbacks. The Commission, however, can approve it if they could make the findings.

Commissioner Dowd stated he has no major issues with the three-foot setback because of the existing trees on the lot.

Commissioner Wittenkeller concurred with Commissioner Dowd, noting that the location of the creek, as well as the placement of the trees, make the lot unique.

Commissioner House concurred.

Vice Chair Cronk stated that she cannot find the hardship to support the three-foot side yard setback and is not that comfortable with the room above the garage because of the potential use and enforcement in the future.

M/s Wittenkeller/Dowd, and passed (3-1 Cronk to vote no), to approve the application based on the findings and conditions as set forth in the staff report with the following amendment: The special circumstances for the three-foot side yard setback are the uniqueness of the lot because is divided by substantial trees, and the location of the creek, which restrict the placement of the garage in other locations.

The audience was advised of the ten-day appeal period.

Staff conditions of approval For 208 Butterfield Road:

- That the request for a Variance and Design Review be granted to allow the improvements in accordance with the plans date stamped February 9, 1999 received by the Town of San Anselmo Planning Department.
- The building plans shall include an "all weather surface" application to driveway and turnaround improvements. Driveway shall be improved to accommodate the size and location of the new garage. This surface shall be to the satisfaction of the Public Works Director.
- A deed restriction, provided by the Town, shall be executed and recorded with the Marin County Recorder prohibiting a second and separate dwelling unit on the property including the garage or proposed guestroom. And that the guestroom shall be of exclusive and accessory use to the residents of the house.
- The proposed garage/guestroom shall not be used for a home business, or home occupation.
- Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections for the approved project.
- This permit and each condition contained herein shall be binding upon applicant and any transferor, or successor in interest.
- If construction is not commenced within one year from the date of final action, the permit becomes 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 a request in writing to the Planning Director showing good cause prior to the expiration of the discretionary action.

2. **DR-9851 - Andronico's Market, 631 Sir Francis Drake Boulevard, A/P 6-101-05, Design Review of proposed parking lot and landscape plan, , on property located within the C-3 Zoning District. (Staff person: Wight)**

Ms. Wight presented the staff report.

In response to a question by Commissioner House, Ms. Wight stated that the emergency driveway for the new parking lot is 12' wide.

John Sutti, architect representing the applicant, explained that if PGE needs to get access to their lot the gates would automatically close but they have not worked out the details at this point.

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In response to Commissioner Wittenkeller, Ms. Wight stated that the Commission could ask the applicant to widen the emergency driveway but the gate would then have to be larger.

Mr. Sutti stated that he envisioned the gate to be just a single-wide tube but they have not designed it yet.

Vice Chair Cronk stated that she did not think it was a safe spot to place the carts because a pedestrian would have to go across traffic.

Vice Chair Cronk wondered if there was a way to discourage people from walking across the parking lot to the store.

Commissioner House would like to have the applicant consider adding annuals, not just perennials. She was also concerned about the choice of Wisteria, because it is deciduous.

Commissioner Wittenkeller stated that Wisteria is quite attractive and can be wonderfully attractive even when the blossoms are gone. He does agree with the concept of adding some annuals so there would always be color. He supports George Girvin's concept. There are a lot of ways to form the concrete for the raised planters and the retaining wall. He sees it as finished concrete, with shadow line or recessed panel markings on the face of the wall. The wall must be detailed to stand on its own. The finish of the wall is critical and should probably be lightly sandblasted. He would like to refer the final details of the wall design to Mr. Griffin. There is a real opportunity to make a fine statement. He noted that the coprosma kirkii will freeze down to the roots and should not be used and MMWD's current Irrigation Ordinance is 385.

In response to Vice Chair Cronk, Mr. Sutti stated that he had no objection to adding one additional cart location and placed it on a location on the plan. He also stated that Mr. Girvin has been hired to do the lighting and architectural design of the wall, etc.

M/s House/Wittenkeller and unanimously passed (4-0), to approve the application based on the findings and conditions as set forth in the staff report; and to add the additional conditions: a) the emergency driveway shall be widened and reviewed by the Public Works Director; b) annuals shall be planted in addition to perennial plants in the concrete planters to allow for year long color; c) an additional cart storage shall be added; d) root guards be added to all street trees to protect the sidewalks; and e) the retaining wall shall be reviewed by staff and George Girvin (the Town's architect for Downtown revitalization).

Staff Conditions of approval for 631 Sir Francis Drake Boulevard

- The specifics of the "San Anselmo" lettering and logo shall be subject to administrative sign review.
- The specifics of the 4 gates shall be subject to administrative design review.
- That the approval is based on the plans date stamped received by the Town on March 10, 1999.
- The streetlights are to match the design of the lights at Town Hall.
- Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections for the approved project.
- This permit and each condition contained herein shall be binding upon applicant and any transferor, or successor in interest.
- Should construction not commence within one year from the date of this action, the variance becomes null and void. However, this discretionary action may be renewed by the Planning Director for a maximum of one year provided the applicant places such a request in writing to the Planning Director showing good cause prior to the expiration of the discretionary action.

4. ER/DR-9848/U-9810 - Safeway Store, 838 Sir Francis Drake Boulevard, A/P 6-061-23, review of Negative Declaration of environmental impact, use permit/design review amendment to the Redhill Shopping Center to expand the existing 27,492 square foot Safeway Store to 37,699 square feet, a fenced trash enclosure and new retaining walls in the rear for the loading area, new landscaping, and alterations to the parking lot in both the front and east side of the store on property located within the SPD Zoning District. (Staff person: Wight)

Ms. Wight presented the staff report.

Commissioner Cronk stated that there was a strong request from some members of the Commission that there be a right turn only, not left turn as proposed, onto Sir Francis Drake Boulevard.

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Commissioner Wittenkeller wondered if there have been many accidents for the pedestrians or is it a perceived problem. Ms. Wight responded that she does not have any statistics from the Police Department.

Commissioner Wittenkeller wondered if they are close to the maximum signage allowed. Ms. Wight responded that she was not sure but they are zoned SPD and the businesses are setback from the street.

Vice Chair Cronk stated that she is surprised that the required parking is only two cars per thousand. She also thought that there was concern about the oleander not being trimmed on Sir Francis Drake because it caused site distance problems.

Brandon Farrell, Safeway representative, responded to questions from the Commission as follows:

- They are planning to plant the oleanders uniformly along the Sir Francis Drake frontage, and they will maintain one variety..
- They strongly support the idea of keeping their signage lit during the hours that the store is open otherwise people will not know they are open.

Brian Schneider, JSJ Electrical Display, stated that he looked at other businesses in town; and noted that Andronicos has a translucent sign made of white Plexiglas and is illuminated. Theirs is the same. Staff is opposed to the size of the letters and they are willing to discuss that. Currently, the letters are 36" high and the proposed letters would be 48" high and spacing would be closer than what they currently have. Safeway feels the translucent letters read a little better than the halo letters.

Commissioner Wittenkeller stated that Safeway has been successful in this location and he does not understand the necessity to increase the signage. Bigger is not necessarily better and what is currently there is adequate. The increase is very substantial and many people would be opposed to the increase.

Mr. Schneider responded that the biggest concern was the illumination but if they only get the same allocation it would not be a problem.

Mr. Farrell stated that the sign will have a dark background but the letters will be lit. They will go along with the same size letters of 36" but they are increasing the size of the building and would prefer the 48" if possible.

Commissioner House stated that she would not object to the insignia signs being lit but has strong feelings about the Safeway sign being lit all night. She might go along with the larger letters but wanted to hear from the other Commissioners.

Mr. Farrell responded that he is opposed to turning the sign off at night when they are still open for business because other businesses in town have illuminated signs. In response to a Commissioner, he stated that the employees are required to park around the perimeter of the property.

Commissioner Wittenkeller stated that he does not see that many cars parked along Sir Francis Drake and would encourage the businesses to have their employees' park along the perimeter. Farrell: the enforcement is up to the retailers and store managers.

Joan Weinheimer, 8 Sais Avenue, had the following concerns:

- Was concerned about the balance of the lighting in the parking area and supported the idea of turning off all lights at night, including those for Longs.
- She was concerned about the noise from the delivery trucks as stated in her letter to Mr. Farrell.
- Parking is now a problem in the area and she is concerned about the additional traffic.
- The Red Hill field would generate 141 trips, which is significant. She wondered if the traffic study took into consideration the trip generation for Memorial Park during when there are activities. What is the cumulative impact?
- With regard to the walkway into the shopping center from Bella Vista, she wondered if the sidewalk would remain or be changed.
- She is doubtful that the proposal to make pedestrians walk across two streets would work and felt it should be studied for a long time before a decision is made. Therefore she would like the sidewalk kept on the left for now and would also like the bushes trimmed to allow for better visibility.
- The noise level as stated by the noise consultant, was taken from 300-400 feet of the project and she thought it should be the actual rating of the mechanical.
- Wants a sound wall that has good absorption behind the store because she can feel the vibration of the trucks.

Mr. Farrell stated that they have done all the traffic and noise studies asked by the Town. All the intersections, including the Red Hill site, were included in the traffic study and the

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increased traffic levels would not change the levels of service. With regard to the noise, they want to work with the public to reduce the noise. Also, the sound absorption wall has been addressed in the Noise Study.

Mr. Forest stated that the sound wall is angled so the noise will bounce from one wall to the other wall and will be confined within the two walls.

In response to Commissioner House, Mr. Farrell stated that Safeway could live with the delivery hours of 6:00 a.m. to 11:00 p.m. He also said that they could agree to turn off the Safeway sign when the business is closed.

In response to Commissioner House, Ms. Wight stated that the Commission cannot require the applicant to change the entrance sign until an application is brought forward from the Shopping Center.

Commissioner Wittenkeller made the following comments:

- He would like to see the Safeway sign not exceed 36" and be turned off when the store is not open.
- Did not want any deliveries between 11:00 p.m. and 6:00 a.m.
- Concurs with all staff conditions.
- Concerned about the crosswalk. If the Town closes the easterly cross walk and forces people to cross two traffic crossings instead of one to get to the sidewalk, it does not appear to make sense. Feel this needs more investigation.
- The size of the logos seems large and he would like to see them scaled down.

Ms. Wight explained that the Town Engineer spoke with the traffic engineer and the traffic engineer felt the best way would be to phase the signal with Bella Vista and pedestrian traffic and prepare a traffic study. This study could be done prior to any changes being made. Therefore, staff concurs this is a first solution prior to making a final determination. Mr. Farrell responded that Safeway has no problem participating in a traffic study.

Commissioner House made the following comments:

- Staff Condition 11 should be removed so the Town could work with the applicant in determining the safety of the crosswalk.
- She liked the idea of limiting the deliveries.
- She felt the idea of a right turn only sign should be discussed.
- Is concerned about the size of the letters and the internal illuminated sign.
- Wants to make sure that the Safeway sign is turned off when the store is not open.

Vice Chair Cronk made the following comments:

- It is important to require a right turn out of Sir Francis Drake Boulevard from Bella Vista. That also ties into what works for the cross walk.
- She is not comfortable with parking – it will still be difficult to park and there is not adequate parking.
- She is sympathetic to the sign issue. Turning sign off when the store is closed is a good compromise.
- She is sympathetic to the size change based on the fact that the letters are closer together – 42" is a compromise.
- Supports Staff that the other two signs to be scaled down.

Commissioner Dowd stated that there is no convincing argument to enlarging the letters.

M/s House/Wittenkeller and unanimously passed (5-0) to approve the application based on the findings and conditions as set forth in Resolution 9903; with the following additional conditions: a) that the deliveries are limited to the hours of 6:00 a.m. to 11:00 p.m. only; b) The roof sign lettering shall not exceed 3 square foot letters; the roof logo shall not exceed 33.25 square feet, and the wall logo shall not exceed 33.25 square feet; c) all signs shall be turned off when the business is not open; d) Remove condition 11 and add: The Traffic Consultant shall study the potential phasing of the Bella Vista signal. The applicant shall share in the cost of both the study and the potential phasing, if needed for the Bella Vista signal phasing, as deemed necessary by the Town Engineer. Whether 1) the east crosswalk should remain; 2) the east crosswalk should remain and the Bella Vista signal be phased; or 3) the east crosswalk be removed and pedestrian barriers installed will be determined by the Town Engineer; and 4) The Town Engineer shall look at the possibility of a right turn only onto Bella Vista.

Vice Chair Cronk advised all parties of interest of the ten day appeal period.

CONTINUED ITEMS

1. DR-9842/PDP-9805/V-9904 – Chris Albrick, 370 Redwood Road, A/P 7-360-05, (Old Lot A) Precise Development Plan building envelope amendment, Design Review

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of a single family residential dwelling, and Variances for; 1) height of chimney to be 41.25' above grade and the roof peak to be 39.75' above grade (35' Code maximum); and 2) dwelling size to be 4,488 square feet (4,045 square feet Code maximum) on property located within the R-1-H Zoning District (above 150' msl) (Staff person: Wight) **CONTINUED TO 4/19/99**

2. DR-9843/PDP-9806 – Chris Albrick, 376 Redwood Road, A/P 7-360-06, (Old Lot B) Precise Development Plan building envelope amendment and Design Review of a single family residential dwelling, on property located within the R-1-H Zoning District (above 150' msl) (Staff person: Wight) **CONTINUED TO 4/19/99**

3. DR-9844/PDP-9807 – Chris Albrick, 398 Redwood Road, A/P 7-360-07, (Old Lot C) Precise Development Plan building envelope amendment and Design Review of a single family residential dwelling, on property located within the R-1-H Zoning District (above 150' msl) (Staff person: Wight) **CONTINUED TO 4/19/99**

4. DR-9845/PDP-9808 – Chris Albrick, 392 Redwood Road, A/P 7-360-01, (Old Lot 1) Precise Development Plan building envelope amendment and Design Review of a single family residential dwelling, on property located within the R-1-H Zoning District (above 150' msl) (Staff person: Wight) **CONTINUED TO 4/19/99**

5. DR-9846/PDP-9809 – Chris Albrick, 394 Redwood Road, A/P 7-360-02, (Old Lot 2) Precise Development Plan building envelope amendment and Design Review of a single family residential dwelling, on property located within the R-1-Zoning District (above 150' msl) (Staff person: Wight) **CONTINUED TO 4/19/99**

6. DR-9847/PDP-9810 – Chris Albrick, 396 Redwood Road, A/P 7-360-03, (Old Lot 3) Precise Development Plan building envelope amendment and Design Review of a single family residential dwelling, on property located within the R-1-H Zoning District (above 150' msl) (Staff person: Wight) **CONTINUED TO 4/19/99**

7. V-9861/DR-9850 – Jeff & Diane Ramsey, 14 Spruce Avenue, A/P 7-024-05, Design Review and Variance to build a new 2,014 square foot, three-story house and a 423 square foot attached garage. Variances are requested as follows: 1) To build the house and garage within 11' from the front property line (20' required) this request also includes the allowance of all parking spaces within the front setback area, 2) to allow a 36'-5" building height (35' allowed), and 3) build an elevated driveway within 0' of the front property line, on property located within the R-1 Zoning District. (Staff person: Griffin) **CONTINUED TO 4/19/99**

8. DR-9912V-9912 - Dan Kelly, 580 Redwood Road, A/P 7-181-10, design review of a single family dwelling and front and west side yard variances to construct a driveway retaining wall up to 9.75' high within 9' of the front property line and within 2' of the west side property line (20' front and 8' Code required) on property located within the R-1 Zoning District. (Staff person: Wight) **CONTINUED TO 4/19/99**

9. Master Plan Amendment – San Francisco Theological Seminary, 2 Kensington Road, - Proposed revisions to the Master Plan regarding the catering service, and the parking lot for Montgomery Hall, on property located within the SPD Zoning District (Staff person: Wight) **CONTINUED TO 4/19/99**

GENERAL DISCUSSION

- It has been brought to staff's attention that the street trees directly in front of the parking deck on Spring Grove fronting 208 Greenfield Avenue are confining the sidewalk. Staff visited the site and agrees that the three trees adjacent to Spring Grove are a hazard. Commissioner Wittenkeller stated he would take a close look at it before making a decision but would hate to see the trees removed.
- A Commissioner asked staff to report back on the status of Attention to Detail, the business located at 1535 Sir Francis Drake Boulevard.
- A Commissioner asked staff to report back on the status of Ted's Restaurant, located at 218 Sir Francis Drake Boulevard.

REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

- Nave project was appealed.

I. ADJOURNMENT TO MONDAY, APRIL 19, 1999

The San Anselmo Planning Commission was adjourned at 10:15 p.m.

BARBARA CHAMBERS