

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF NOVEMBER 15, 1999**

The meeting was convened at 7:30 p.m. in the Council Chamber by Chair Zwick.

CALL TO ORDER

Commissioners Present: Chair Zwick, Commissioners Cronk, Wittenkeller, House
Commissioners Absent: Commissioner Dowd

Staff Present: Planning Director Feagans and Senior Planner Wight

OPEN TIME FOR PUBLIC EXPRESSION

No one spoke during this time.

CONTINUED ITEMS TO 12/6/99

DR-9941 – Dan Hillman, 853 San Anselmo Avenue, A/P 7-162-06, Design Review of the second stories of three apartment units (the main house is to be raised with parking below, and a proposed new second building will have two stories with two living units) on property located within the R-3 Zoning District. (Staff person: Wight)

CONSENT AGENDA

1. **Minutes** – November 1, 1999
2. **V-9936** – Bill and Kim Stafford, 80 Camino de Herrera, A/P 5-092-36, Variance to construct a master bedroom of which a small portion will constitute a third story (Code maximum: two stories), located within the R-1 Zoning District (above 150' msl) (Staff person: Wight)

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

Chair Zwick advised all parties of interest of the ten-day appeal period.

PUBLIC HEARING - WITHDRAWN

1. **DR-9829/PDP 9801** – Lowell Dwyer, 289 Redwood Road, A/P 7-097-02, Renotice of project previously reviewed and approved at the August 2, 1999 Planning Commission meeting. Precise Development Plan Amendment and Design Review to increase the allowable building size from 3,700 square feet maximum to 4,119.5 maximum, and Design Review of a 4,119.5 square foot house, on property located within the R-1-H Zoning District (above 150 msl) (Staff person: Feagans)

PUBLIC HEARING

1. **DR-9942** – Scott Sanders, 80 South Oak Avenue, A/P 7-241-70, Design Review amendment for a single family dwelling and option to relocate water tanks, which would conform to the previously approved variance, located within the R-1H Zoning District. (Staff person: Wight)

Ms. Wight presented the staff report.

Tom Roman, designer representing the applicant, presented a rendition that would be seen from below the site. He explained the complexity of developing on the site, noting that the more the project is lowered, the more the house is cut into the site. The plate heights are 10' and 9' and the roof pitch is 4:12 and cannot be seen.

Jonathan Braun, 479 Scenic Avenue, said he was disappointed that the modifications were so minor from the last meeting because this is a key piece of land and the house will be very exposed because there is no vegetation to screen it. He wondered if there could be additional alternatives, such as changing the building shape that can still be done prior to approving the project. This design does not mitigate the visual impacts and should not be approved.

Theresa Tamley, 951 South Oak Avenue, said the style of the building is a great change from the previous project. The two feet reduction helps but she is not sure that is enough. It is very important not to overlook the color. She liked the idea of having the base a dark color and the other colors should be defined prior to the building being constructed. The chimney now seems to have a generous mass to the front of the building and she wondered if it should be reduced. Regarding the conditions of approval, she was very concerned about the current condition of the road and wants assurance that it will not get worse because of the construction.

Scott Sanders, applicant, said he has made a very conscience decision to work very closely within the building envelope. The roof mass will be largely invisible from anyone. They will obtain further mitigation for the mass of the house by using a darker color. Lower areas will be dark brown, and the basic

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selection of colors for the rest of the house would be done after the building has been constructed, as staff is requesting.

Commissioner Wittenkeller said the elevations do not show the retaining wall, which is quite a vertical surface. Mr. Roman responded that the wall would be planted with ivy and there would be a grassy area below the retaining wall.

Mr. Sanders noted that the retaining wall would be stucco and covered with ivy.

Commissioner Wittenkeller said that he wanted the wall to be non-reflective.

Chair Zwick said that it would be nice to see a more clever way to make adjustments to the building rather than what has been proposed. He would push in that direction if this project did not have a previous approval. Contingent on his vote of approval, he would like to see additional reduction in the 10' and 9' plate heights.

Commissioner Wittenkeller said that what is before them is the best of all the submittals for this site. Even though the house will not be viewed from up close, the craftsman's style is better for San Anselmo. He can approve it with the dark colors. Video taping should be done at the earliest possible moment, especially because of the raining season.

Commissioner Cronk said she does not have more to add. She feels very strongly about the dark colors and agrees that the final colors can be determined after the building is construction. She was happy to see the house reduced in size and would like to see the house further reduced if it is possible, but she is not qualified to know if it is possible.

Commissioner House said she is torn with the issue of what is good for the homeowner as well as the neighborhood. She does not know if reducing the height by one foot really makes a difference viewing the house from downtown. She likes the design and is happy to see that the applicant's worked with the approved building envelope.

Chair Zwick said he would not want to see the reduction below grade at the garage level because of the structural reasons but there is room to reduce the ceiling height. The previously "butterfly house" was articulated, but he would not have approved it with so much glass. This current structure is a very imposing and would have an impact from way across the valley. He could see a reduction of at least 6" on each level; for a total of 1'.

Mr. Sanders responded that he couldn't reduce the height at the family room either for the same reasons.

Commissioner Wittenkeller said that they have done a lot to reduce the house from the previous approval and he did not think one foot would negatively impact anyone and that it would be aggravation placed on the applicant unnecessarily.

Mr. Roman said that a civil engineering changed would be necessary unless it came out of the top floor, but it is up to his client to make the decision.

M/s Wittenkeller/House, and passed (3-1 Zwick to vote no), to recommend staff to prepare a resolution of approval, incorporating the previous conditions as specified in Resolution 3378, and add the condition that the darker colors on all the stucco below the first floor as well as the chimney, and the final colors are to be brought back to the Commission for their review. This is continued to the meeting of December 6, 1999 and will be placed on Consent.

With regard to an alternative water tank location, the consensus of the Commission was that it should be heard at the Commission if an alternative location is desired.

2. **V-9944/DR-9945 – Jeffrey and Karen Detwiler, 46 Sunnyside Avenue, A/P 7-262-18, Design Review and Variance to construct a 1,560 square foot second story addition within 15'-6" of the front property line (Code requires 20'). A 0' side yard Variance (8' required) is requested to construct two arbor structures (518 square feet and 108 square feet) in the back yard. Variance to exceed lot coverage to 37% (35% maximum). The project also involves the removal of two detached out buildings totaling 1,052 square feet, and construction of a 441 square foot detached garage, located within the R-1 Zoning District. (Staff person: Feagans)**

Ms. Feagans presented the staff report. She noted that the larger of the two arbors is to be reduced, which would reduce the lot coverage.

Jeff Detwiler, applicant, said their house has a lot of challenges, including a funny lot size. The property has many outbuildings that they are proposing to remove as part of this renovation. He explained that there is no place on the lot that can be added to without a variance.

Karen Detwiler, applicant, said the original plans did call for a second story when the house was built during the depression but the owners probably ran out of money. The roof in the back now has a flat roof and leaks and there is a need to change the roof pitch. The landscaping would actually be a gift to the Town.

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Fran Halprin, architect representing the applicant, said there is a parapet that goes along the flat area and a new roof would be necessary anyway. She presented a survey of the neighborhood that indicates the number of houses that have second stories. She is very excited to be able to be part of this renovation because the house is very unique and the addition would follow the character of the existing house. She noted that the findings for approval for construction in the front yard setback is for structural reasons.

Commissioner House asked if the tree that is located in the driveway would remain because it seemed that it would be in the way of the cars going in and out of the driveway. She also asked why the garage was not located closer to the house and if it would be an easier access to the house if there were a path from the driveway to the house. She also asked if the wrought iron fence would be carried around the house. Mr. Detweiler responded that the easiest access to the house is from the kitchen at the rear of the house, which is near the garage and he would prefer not to have a walkway to the house from the driveway. With regard to the wrought iron fence, they cannot replicate the original fence but would place something similar around and would probably make it a little bit higher, at 3'. The shrubs will not be any higher than they are now.

Chair Zwick said that he loved the design and it is an example of what other projects could be. The project does not overwhelm the other houses in the neighborhood and the good design wins out over the fact that it is over the county's FAR.

Commissioner Cronk said this is a wonderful example of how a large house can be done gracefully. It is beautifully articulated and will be an enhancement to the neighborhood.

Commissioner Wittenkeller stated that he too could support the project.

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.

Chair Zwick advised all parties of interest of the ten-day appeal period.

Conditions of approval:

1. That the request for Design Review and Variance be granted to build a second story addition and two arbor/trellis structures in accordance with the plans date stamped September 8, 1999, received by the Town of San Anselmo Planning Department.
2. The larger arbor structure shall be reduced to a maximum of 308.5 square feet in size to achieve a maximum lot coverage of 35 percent.
3. Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections. A revocable encroachment permit may also be required by the Public Works Department for the resurfacing of the driveway.
4. This permit and each condition contained herein shall be binding upon applicant and any transferor, or successor in interest.
5. 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.

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3. **Zoning Code Amendment – Town of San Anselmo** – Amendment to Title 10, Chapter 3 of the San Anselmo Municipal Code to require conditional use permit approval for permitted uses over 1,500 square feet in floor area; and to require design review approval for commercial properties at change of occupancy.

Ms. Feagans presented the staff report.

Commissioner Wittenkeller asked if this has been addressed with the Council because the proposed amendment seems to be heading in a different direction than what the Council wants. Ms. Feagans responded that she did speak with the Town Administrator and she felt that the Commission should put their ideas forward for the Council to review.

Commissioner Wittenkeller asked what the affect would be if a 3,000 square foot building went in. He also asked if the Town Attorney has reviewed the document. Ms. Feagans stated that staff can request more from the applicant and can have more control over applications if a use permit is required. With respect to the Town Attorney, Mr. Roth was aware of the research and the formula used, although he has not seen this ordinance.

Commissioner Cronk said that formula businesses may be able to come in by right if they are less than 1,500 square feet, like Starbucks. Perhaps that is contrary to what the Council might want. She suggested a review at the 1,200 square footage.

Commissioner House said that she would like to make changes to the facades of certain buildings and suggests a change in the wording. Commissioner Cronk suggested wording change as follows: "...will not be detrimental to the existing character of the facades..."

Chair Zwick suggested that the fees be scaled to the size of the business. He also wondered if the triggering square footage might even go down to 1,000 square feet rather than 1,500 square feet.

Ms. Feagans suggested that those projects that are less than 1,500 square feet could be reviewed by an Administrative Use Permit.

Ruth Wright, 55 Avenue Del Norte, agrees with the 1,200 square feet but would even like it to be as low as 1,000 square feet. She would like to have a mechanism to have public input in the event the citizens of San Anselmo oppose the intended use. If the new use takes away from the existing businesses in town, she would not like to see them come into San Anselmo.

Commissioner Cronk explained that the Commission couldn't control the type of business with this ordinance amendment but could control the size of the use and the signage.

Mark Salasberg, 855 San Anselmo Avenue, agreed that it is difficult to restrain the type of trade but it the Commisison can make it difficult for businesses to come in.

M/s House/Wittenkeller and unanimously passed (4-0), to recommend the Zoning Ordinance amendments to SAMC Articles 3,4 and 15 to the Council with the following amendments: Wording change as follows: : "...will not be detrimental to the existing character of the facades..."; and to reduce the proposed use down to 1,200 square feet from 1,500 square feet.

WORKSHOP

Town of San Anselmo – Review of existing design review procedures and discussion of opportunities and recommendations for revisions to the current process.

This item was continued to the meeting of December 6, 1999.

GENERAL DISCUSSION

Ms. Wight stated that the owner of 38 Tomahawk is requesting a change to the approved exterior siding to cedar horizontal siding. The consensus of the Commission was that any exterior change must be reviewed at a public hearing.

Ms. Feagans advised the Commission that there will be a public hearing to discuss the bus shelter. .

Ms. Feagans asked if the Commission would be opposed to canceling the January 3, 2000 meeting. The consensus of the Commission was to cancel the meeting..

Commissioners Wittenkeller and Cronk advised staff that they will be absent for the 12/20/99 meeting.

REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

None at this time.

ADJOURNMENT

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The meeting was adjourned at 10:15 p.m.

BARBARA CHAMBERS