

**SAN ANSELMO PLANNING COMMISSION  
MINUTES OF NOVEMBER 6, 2000**

**CALL TO ORDER**

Commissioners present: Chair House, Vice Chair Jochum, Commissioners Couture, Wittenkeller and Zwick

**OPEN TIME FOR PUBLIC EXPRESSION**

None at this time

**CONTINUED ITEMS**

1. DR-0035 – Laura Merrill, 285 Redwood Road, A/P 7-097-06, Design Review to construct a new 3,613 square foot house and 500 square foot garage in the R-1H zoning District. CONTINUED TO 11/20/00
2. U-0011 – Talin Agharzarian for The Alaris Group, 921 Sir Francis Drake Boulevard, A/P 6-073-09, use permit to install two cellular antennas on the north elevation of the church building and antenna on the south elevation. One antennas will be 5' in height and screened by a decorative shroud matching the color of the exterior building wall, on property located within the R-3 Zoning District. (Staff person: Feagans) CONTINUED TO 11/20/00

**CONSENT AGENDA**

1. Minutes – October 16, 2000
2. V-0034 - David and Claire Andrade, 179 Scenic Avenue, A/P 7-062-02, front yard setback variance to rebuild a retaining wall in a different location up to 14' in height, within 0' of the front property line to create two off-street parking spaces, of (which a portion will encroach into the public right-of-way), on property located within the R-1 Zoning District. (Staff person: Feagans)
3. V-0035/UP-0010 - Anne Bergstrom and Reese Smith, 90 Alder Avenue, A/P 7-041-23, use permit and parking variance to convert existing habitable space (family/recreation room) to a second unit and allow the required third parking space to be a tandem space on the existing driveway, on property located within the R-1 Zoning District. (Staff person: Feagans)
4. V-0038 – Peter and Debbie Fay, 20 Suffield Avenue, A/P 5-127-12, setback variance to construct a one-car garage within 3' of the west side property line (Code: 8'), on property located within the R-1 Zoning District. (Staff person: Wight)
5. V-0037 - Paul and Rosalie Griesshaber, 64 Suffield Avenue, A/P 5-123-17, replacement of a former one-car garage with a new one-car garage within 2' of the west side property line (Code: 8'), on property located within the R-1 Zoning District. (Staff person: Wight)
6. V-0036/DR-0037 - Ed Tischer and Gilda Selchau, 11 Hampton Avenue, A/P 5-243-12, design review of 1) a first story addition to be within 6'1" of the southeast side property line; and 2) first and second story additions within 6'1" of the northwest side property line; and setback variance for a first story addition to be within 11'11" of the front property line (Code: 20'), on property located within the R-1 Zoning District. (Staff person: Wight)

At the request of Commissioner Zwick Items 1 and 2 to removed from Consent and placed on public hearing.

At the request of a member of the audience, Item 3 to be removed from Consent and placed on public hearing.

M/s Zwick/Jochum, and unanimously passed (5-0), to approve Consent items 4 and

**E. PUBLIC HEARING**

Items Taken from Consent Agenda

- Minutes for 10/19/00

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Commissioner Zwick wanted to make sure that wording in the resolution for approval of 14-20 Greenfield includes the condition that the strip of land that was San Anselmo Land to be included in the resolution: want to have them stripe the area and mark it for a loading zone

Triangular portion and the strip that belongs to San Anselmo - all to be landscaped except for the one loading area, and that would be marked as a loading zone.

M/s Zwick/Jochum, and passed (4-1 Wittenkeller to abstain)

- **179 Scenic:**

Commissioner Zwick stated that he was concerned that because the wall was so expansive he wanted feedback from other Commissioners if the wall surfaced should be in some kind of stone. He also thought that stepping the wall back a little would be helpful because it is 21 feet tall. He asked Commissioner Wittenkeller his opinion of whether or not plants could grow through the walls.

Commissioner Wittenkeller responded that engineers don't usually like holes in the wall for a wall as the one proposed.

Rob Brockman, landscape architect representing the applicant, stated that they have specified a stone-faced wall that is a stone veneer but is real stone, similar to Arizona fieldstone. As far as stepping the wall, it is almost worse than a 1:1 slope. As far as covering with vines, they can cover the top of the wall and then it can drape down over the wall. They are proposing 3 to 5 on center and a vine that is quite vigorous. He would not commit to plant vines through the footings, but would leave that up to the structural engineer.

M/s Couture/Zwick, and unanimously passed (5-0), to approve the application as proposed but omitting the option of a split faced block (as specified on the plan) based on the findings and conditions as set forth in the staff report.

Chair House advised all parties of interest of the ten day appeal period to the Town Council.

- **90 Alder Avenue**

Commissioner Zwick asked for a background on how each neighborhood was set up with second units. Ms. Feagans provided a brief background, noting that the Yolanda neighborhood has been granted nine-second units, and if approved, this would be the last second unit available in the neighborhood.

Sara Nome, 77 Alder Avenue, stated that she was part of the original committee to research second units in neighbors. She stated that there are now 9 illegal second units in her neighborhood. The intent of the second units is that they must look like residential neighborhoods with lawns, trees, and not a lot of hardscape. She disputes the fact that the 87-year-old relative needs a full kitchen. She is protesting the use. Alder Avenue is one of the nicest streets and should not be ruined by this second unit.

In response to Chair House, Ms. Feagans stated that there are currently 8-second units in the Yolanda Track and this would be the last unit allowed, for a total of nine-second units. The Second Unit Ordinance requires that three-car parking is required but the third could be in tandem.

In response to Commissioner Couture, Ms. Feagans explained the applicants can currently accommodate three cars, and the parking configuration would not change.

Commissioner Wittenkeller stated that second units are extremely valuable, particularly with the housing rents as they are today. He fully supports this kind of housing.

Louise Matthews, 72 Foothill Road, said she was required to have four parking spaces when she applied for a second unit on her property. If this application is approved, the second unit will remain even after the relative no longer uses it and the parking situation could potentially be worsened in the future. She is not in favor of having second units in the flatlands or the hillsides.

Steve Minus, 82 Alder, stated that he is the next door neighbor and given the construction proposed for the second unit, he does not think there will be any visual problem from their point of view. There is adequate parking on the property even after the unit is not used by the elderly relative.

Tom Hood, architect representing the applicant, stated that he has represented them on several modifications to the house, and that through the additions and modifications, it is back to the same structure it was when the house was built in 1925. The application is consistent with the general development plan. He noted that they did get permits for the recreational space, with heat, and they are now asking for the entitlement for a second unit.

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M/s Zwick/Couture, and unanimously passed (5-0), to approve the staff report based on the findings and conditions as set forth in the staff report.

Chair House advised all parties of interest of the ten day appeal period to the Town Council.

- **11 Hampton Avenue**

Commissioner Zwick stated he did not think it would be possible to make the findings for approval for the front yard encroachment.

Commissioner Couture stated that he had no concern because the design of the house will improve greatly. The special circumstances are the smaller than normal size lot.

Commissioner Jochum concurred with Commissioner Couture.

Chair House could support the project, noting that the request was diminimous.

Ms. Wight noted that the structure was already there except for the walls.

Ed Fisher, applicant, said they want to enhance the house. It is also an introduction into their home.

M/s Couture/Wittenkeller, and unanimously passed (5-0), to approve the application based on the findings and conditions as set forth in the staff report.

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

1. **V-0030/DR-0033 – Bruce and Kelly Krill, 1640 San Anselmo Avenue, A/P 5-191-23, setback variance: to construct a 1,086 square foot first story addition within 6' of the northwest side property line and within 5' of the southeast side property line (Code setback: 8') (this will necessitate removal of an existing shed, mudroom, and bathroom); design review and setback variance to construct a 649 square foot second story addition within 6' of the northwest side property line and within 5' of the southeast side property line and within 12.5' of the rear property line (Code setback: 8'); and setback variances to construct a 420 square foot garage within 6' of the northwest side property line, within 5' of the southeast side property line and within 12.5' of the rear property line (Code setbacks: 8' side; 20' rear), on property located within the R-1 Zoning District. (Staff: Wight)**

Ms. Wight presented the Staff Report.

Bruce Krill, applicant, presented a model of the proposed design. He also demonstrated the turning radius of the shared driveways and the need for the proposed width. The neighbors at 1 Mono Lane have to do a 3-point turn now. If they were to keep the 6-foot side yard setback, it would help with the turning radius. Also, they are trying to preserve the architecture of the 12-pitch roof for their Tudor home. He did receive another arborist report that describes how to protect the oak tree during construction.

Tony Cox, 1644 San Anselmo Avenue, stated that the addition would negatively impact their property value and impact their morning sun, nothing that their property is 8' to 10' below the applicant's property. He has no problem with the addition out in front but the majority of their living space is their backyard and he therefore object to the addition in the rear. He also disputes the PG&E shadow study. They would be loosing sun from 5:30 a.m. to about noon.

Ken Vincent, attorney representing the Cox family, said the arborist report by Mr. Morse does not indicate he is licensed. The John Bryant report indicates ...the tree would be adversely affected because the roots will not get enough oxygen...the tree roots would not be able to get enough water to them. The report also indicates the adverse impact to the oak tree is due to the proposed addition. The addition would be a massive tower and light would be affected. Another study should be done. One story pole was taken down on October 15<sup>th</sup> and he wondered why. The lot is narrow and somewhat unusual and difficult to build on. The neighbors are not opposed to an addition but suggest the addition be towards the front.

Jan Grove, 1 Mono Lane, stated that she wants the project as proposed by the applicant, which includes the 6-foot side yard setback. The distance between the two garages now allows them to get in and out. If they were required to move two feet closer, it would make it very difficult for them to get out of the driveways. They are currently able to get one additional guest parking space for their businesses and they do not want to lose the good relationship they now have with their neighbors by having their parking reduced as a result of their neighbor's addition.

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Mr. Krill stated that if they do a shadow from the front of the lot, it would completely shadow the neighbor's house at 1644 San Anselmo Avenue so he does not understand why they would be able to support the addition in the front. Also it is his main patio area, and in addition, the PGE study said the neighbor's house is 6' lower.

Commissioner Wittenkeller stated that he believes that with all the best efforts to save the tree, there is no guarantee that the tree would survive. It may however, take up to ten years to decline. Even with the conditions in the arborist's report, it is a calculated risk.

Commissioner Zwick said that the soils report does not talk about the root system at all. It only talks about putting in pier and grade beams but there is no mention about the roots at all. He is skeptical about the report. Now there is another report that also questions the life of the oak. The applicants want to build the addition even if the tree does not survive. He is still is skeptical.

Commissioner Jochum said he is also concerned about the life of the oak tree. If this project were approved he would just assumes the tree would not survive. He is struggling with the findings on the setback issue. What struck him was what the neighbor was stating about the grade differential and the mass of the proposed structure. It has come about because the two properties have been build kind of staggered. One of the things setbacks tries to do is to line up the houses so light and air is not an issue. It is also a very narrow lot and in those situations the Commission is more lenient with setbacks but he is really struggling with this project.

Chair House said if the tree is gone, this is a project that brakes up the house and does not appear so monolithic and it does provide in a lower roof line in the middle section, which would allow for sunlight to get onto the neighbor's property. There does not appear to be any room for movement side to side because of the narrow lot. That means if there were any movement the addition would go to the front of the house it would be a completely different design. At the last meeting the Commission appeared to be okay with the addition to the rear of the house. She is comfortable with approving the project as it is now.

Ms. Wight stated that on page 5 of the arborist report, number 3,4,5, 7, there is a reference to tree roots.

Commissioner Zwick responded that it does not stated that 4" roots or greater must not be disturbed. This is a heritage tree and should be protected.

Commissioner Wittenkeller added that the Bryant report stated that they need a pier and beam foundation that would be used around the tree roots. That may also want to be incorporated into the conditions.

Commissioner Couture said it seems that breaking the house up breaks up the masses. He is under the height, and lot coverage but putting the two-story structure on the front of the house and attaching it to the existing portion of the house will make it a large house. Regarding the setbacks, there is a 2' encroachment into the left side and there has been talk about the space between the two garages. It is common use to have at least 24-foot backup space. There is 29' there now. There is an impact to the neighbor of 1644 San Anselmo Avenue for morning sun. The building and the building envelope is 20 feet wide; if the building is pushed 2' feet to the right, it into the setback and there would still be 27 feet of backup space, so he does not see the reason for a side yard variance. The mass looks better in the rear than it does in the front of the house. As far as the tree goes, there is a slim chance it will survive. The tree needs to be addressed a little more in the report

In response to Commissioner Zwick, Ms. Wight read Municipal Code language required to remove a heritage tree.

Based on the Municipal Code, Commissioner Zwick stated that this applicant is using his land in a way that is not prejudicial and that he has made a decision that he can live without this tree. The addition would not be able to be placed on a better location on this lot. However, he would try to save the tree, and he would like to see language of how the roots can be protected as a condition of approval.

In response to a question by Commissioner Wittenkeller, Mr. Krill stated that there are gaps between the deck to allow air and moisture to the tree roots.

M/s Zwick/ to approve the staff report based on the findings and conditions as set forth in the staff report; and with addition conditions as follows: that the town engineer work with the applicant's structural engineer to tighten up the language so that the appropriate size of root is avoided because whatever the engineer designs will go through some important root and we recognize that the tree is likely to die eventually and that the applicant understands there will be some expense with taking down the tree carefully around this house. And that the Commission asks the applicant to move the design forward out of the setback and that staff can review the change during the submittal of the working drawings.

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Commissioner Couture stated that if the addition was moved two feet there would mean the family room would have a two foot encroachment into the other setback and the stairs next to the bath would be two feet closer to the oak tree.

Commissioner Zwick stated that here would be no encroachment. They would have to make a split at about the stair so that the last piece of it slides forward. Therefore, move the first and second story forward two feet and the single story portion can remain where it currently is.

Mr. Krill stated that it would not work for the roof design because of the different roof pitches.

Chair House commented that if the Commissioners were willing to leave a part of the design along, she suggested leaving the entire design alone.

Commissioner Couture stated that he was out there at 10:00 a.m. and the 6' high fence cast a 6' shadow into the neighbor's backyard. Therefore, a 24' high structure will cast 24' into the neighbor's backyard. Allowing a variance for that is encroaching too much upon the neighbor's property.

Mr. Krill said there are currently 5 elm trees that provide a lot of shade. In addition, there is an existing garage that sits in the setback. The pictures on the shadow study show extreme times. The oak is a magnificent tree and they want to save it and the work around the tree would be done by hand.

Mr. Krill said he would agree to a continuance to the next meeting.

Commissioner Zwick stated that he recognizes that it is a heritage tree and the owner has a right to take it down as long as long as it falls within the SAMC regulations. Also, the applicant recognizes that he is building around the tree and, like it or not, it is likely to die and there would be a great deal of expense to carefully remove the tree without damaging his house.

M/s Zwick/Couture, and passed (4-1 Wittenkeller to vote no), to approve (a portion of the project): the project for rear setback and side yard variance for the single story based on the findings and conditions as set forth in the staff report; and that the town engineer work with the applicant's arborist and structural engineer to tighten the language relative to the root system. This to be reviewed by staff. To deny the two story and to deny the variance for the second story and garage. The modifications to the garage and second story are to be continued so the applicant can make those modifications and it will be placed on the November 20, 2000 agenda as a consent item.

Commissioner Wittenkeller stated that his no vote was because he would hate to lose the tree; and he really respect the issue of the neighbor with respect to light and air. By approving the finding that it does not have an effect on the light and air of the neighbor is not appropriate.

**2. ER-0003/PS-0001/V/PDP-0001/DR-0029 - Tommy Kennedy, Between 41 and 43 Tomahawk Drive, A/P 177-250-31, precise development plan, and design review of a single family dwelling, on property located within the R-1 (above 150 msl) zoning district. (Staff: Wight)**

Ms. Wight presented the staff report.

Fred Divine, architect representing the applicant, stated they tried to focus on the comments from the last meeting. Short of nothing being there, they did not know what would change the view for the owners of 40 Tomahawk. If they came further down the site they would be quickly in the oak trees. Moving the house closer to Broadmoor would make the house more visible from Broadmoor. They worked with the footprint and pulled the garage 10 feet farther to the north, which would have the least impact from Broadmoor. They then completely changed the design. He provided a description of the house layout and noted that there are seven different roof levels. They are now entering the house from the top as suggested by the Commission. The average roof height is 11 feet lower than the original submittal. There is a lot of variation on the facade. They have managed to have the family room and den at grade. At the lower floor all the bedrooms step out to grade as well.

Tommy Kennedy, applicant, stated that the house before the Commission is not a house that he can live in. This design has satisfied the neighbors but would not accommodate the owner, him. He did speak to the neighbor about the easement, and the neighbor is unwilling to provide an easement. The water from the driveway goes into a catch basin.

David Fox, 7 Indian Rock Road, said the applicant has stated that he would be willing to put the trees in prior to the house being constructed and he would like that to happen. He wanted to know if the eucalyptus trees would be removed now that the garage is being moved.

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Mr. Kennedy responded that the trees would be removed because of the potential danger to the garage.

Peter Ritter, 40 Indian Rock Court, stated that he understands there is no view ordinance in the Town of San Anselmo and any structure on this lot would ruin his view. It is unfortunate that there is not a suitable solution so he would not have to be a structure in his backyard. He does however, appreciate the changes made by the applicant. Looking at the surrounding houses on Tomahawk, the houses appear to be a one-story house, similar to his house, even though it is a three-story house. They are similar to those houses on Quarry Mountain. He is also speaking on behalf of the owner of 23 Indian Rock. He would like to see it step down the hill but without impacting the surroundings.

Fanni Hanson, 27 and 37 Indian Rock Road, said the Commission wanted the house to be less of an impact on the ridge. In reality, the house has gone up, not down. The house should step down the hill further, which would help the neighbor on 40 Indian Rock and the view from Broadmoor.

Mary Whitehead, 2 Indian rock Court, is concerned about drainage. She is not sure the dispersal system is sufficient. There is also a culvert at the corner of her property and wondered if that would be used.

Mr. Divine responded that there is a sewer manhole that would be used but there is no culvert that is being used for this project. There is a dispersion system and they will still have to meet all the Director of Public Work's requirements. They are sympathetic to the owner of 40 Indian Rock. This is really one story at the top and then the house steps down the hill. The garage is now setback and lowered and the house has been lowered. The house will not be out of the view of Broadmoor no matter what you do.

Mr. Kennedy said the house at 41 Tomahawk and 40 Tomahawk do not appear to be one-story houses from his view.

Commissioner Zwick asked about the driveway and turnaround because of the slope. Mr. Divine stated that it is already at maximum grade with a nine-foot retaining wall. If moved further, it would be the below side of the parking deck. It is now far enough to create the turnaround for the fire department, but no more.

Commissioner Wittenkeller said his previous comments were based on the landscape plan. He did review the plan and there have been some adjustments. He would recommend that the landscape architect put out some plants and shrubs on site and see what the deer will eat prior to planting on a large scale. The changes made by the applicant have been responsive to the Commission and the neighbors. This is a site that we would all rather not see anything built but unless we purchased the open space, they can build on this site.

Commissioner Couture said that quite a bit has been done from the initial application to break the house down into pieces. He is Impressed with the applicant's working with the neighbors. Any development on the site will have an impact. The driveway itself has an impact on the hillside but there is no way of getting around it. He still questions if this is the right location for the house on the site. If this were a tree covered lot, the decision would be easy; it isn't and the lot is very visible from Broadmoor. He is sad to hear that the applicant is resolved to sell the house because of the changes made to satisfy the Commission and the neighbor. None of the houses on Indian Rock are good examples of hillside design; good examples are up on Tomahawk on how to develop on a ridge.

Commissioner Jochum said the house is not in the location he would choose to build the house. The Commission is very concerned about the house and the location. He does not quite understand the statement about the driveway following the contours; it does not have to follow perpendicular; it can have switchbacks etc to accommodate steeper grades. He also does not understand the comment that pushing the house down to the oak trees would be undesirable. He felt it would be more desirable and would take the house off axis to Broadmoor and it would also be in a much less visible location for 40 Indian Rock and he did not think it would spare their Mt. Tam view. He could see more ways to minimize the height. The floor plates are 10'; and it seems to show there is a flat ceiling at the upper floor; they could be reduced to 8'. He appreciates some of the changes that have been made - articulation and mass have improved but the house still looms over Broadmoor.

Commissioner Zwick stated that the architect and developer have worked well with the neighbors. This is a very difficult site. They cannot build anywhere along the easement. This is the location where the turnaround should go but that spot happens to be at the end of Broadmoor. That means the garage goes there and the house goes next to the garage. He however, does not accept the fact the house belongs in this spot. Moving the house down to the trees would have less people look to the house but it would impact the house at 40 Indian Rock more. Maybe the cars and the roadway should be looked at. He cannot approve the current design.

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Commissioner Jochum stated the area of the oak trees is a better site for 40 Indian Rock as well.

Commissioner Couture said that there is an opportunity for the applicant to have the design he might want, although he is not sure if there is a way to get a driveway there.

Commissioner Jochum said the edge of the pavement area and the area that would not hurt the drip line of the trees, is an area where there could be a footprint for a house.

Mr. Kennedy said they have moved the house three times and it is now in the least visible place on the site. The lower portion by the oaks is not on solid soil and would be on top of the neighbor on Indian Rock.

Chair House said she feels the garage must be close to the house to be purposeful for the owners. To her, they have reduced the mass and have provided different articulation. She would be ready to approve the project that is before her. The drainage would be peer reviewed by the Town. She wants some attention paid to the driveway; does not want black asphalt and wants it to be as invisible as possible. She would support the trees going in first to allow for an extra year of screening.

Mr. Divine said there is no room to switch back the driveway to move it down. They could move the house down 32 feet; but the driveway would also move down 32'. You could build a house on the lower portion of the lot but the engineering does not work. He is at a loss at this point.

Mr. Kennedy said every time you want the house moved, it affects someone. He cannot move the house down the hill anymore. The house was never design to be at the lower part of the hill. The soil has never been tested down there either.

Commissioner Wittenkeller stated that any more changes would affect other neighbors.

Commissioner Couture stated that he still feels that the oak trees are a good screen. He has stated at every meeting that there are other options on the site.

Commissioner Jochum said the house has been moved and changed but has not been moved in the manner that the Commission has asked. The volumes have been articulated but it has not been taken off the axis of Broadmoor. To move it up or down a few feet is not addressing the issues. There is a solution. He would have liked to have seen, at least a sketch form, proving that the Commission's comments cannot be addressed lower on the lot.

Commissioner Zwick stated that this is a very unusual site and deserves a special approach; not the normal solution, on such a difficult site. This is a normative house on a very difficult site.

M/s Wittenkeller/House to move approval of the application based on the findings and conditions as set forth in the Staff Report.

Ayes: Wittenkeller, House  
Noes: Couture, Zwick, Jochum

Motion denied. Chair House advised all parties of interest of the ten day appeal period to the Town Council.

**3. DR-0028 – Frank Gobar, 120 Ross Valley, A/P 6-212-26, Design Review to add a 1,697 square foot two-story addition to an existing 1,197 square single story house, on property located within the R-1 Zoning District. (above 150 msl) (Staff: Feagans)**

Ms. Feagans presented the staff report.

Frank Gobar, applicant, stated that they have made modifications by decreasing the size, have provided more details and have stepped down the north side of the building to address the neighbor's concerns. They have also deleted some square footage and have deleted all windows but one on the side that faces the neighbors. The windows on the lower side will not have a direct view to the neighbors and there is a fence that would screen that window. They lowered the roofline to provide light to their yard. The design has been stepped down and back. They are proposing a natural shingle siding and the windows would be wood and the trellis would be painted white.

Bruce Spiegleman, 116 Ross Valley Drive, stated the structure would diminish his sunlight. This is an attempt to build on a substandard foundation. The retaining wall is already stressed. His fear is that the structure would create a danger to his property. He feels this structure would have to be demolished. He would like to see a solid, structure built. The mass of the story poles mask his house. He presented photographs of the failing retaining wall. All water drains towards his

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property and he wanted to know how that would be handled during the addition. The foundation was built in 1946 and cannot support such a large addition.

Commissioner Couture asked how would the mass would differ if it were a new house. Mr. Spiegleman responded that they would start building lower on the lot and his concern is also that a solid house be built that that would have less mass.

Peter Walls, architect representing Mr. Spiegleman, said the setback is 6 feet, which does not meet setbacks. There is no site plan or elevations to show where drainage might flow.

Christopher Kaiser, 191 Spring Grove Avenue, stated that he would like to see a sample of the roof material. He noted that what is currently there is an eyesore and agrees that something should be done. He appreciates that the skylight is tinted. He is also opposed to a green house.

Tony Micallef, 120 Ross Valley - co-applicant, stated they want to keep the foundation. The addition would be 6 feet higher than the original structure. Moving the property forward is a problem because of the mature redwood trees. They have not shown the drainage and did not know that was a requirement. The existing driveway takes the runoff and that will be shown on the construction drawings. They have reduced the building addition by 800 square feet from the original design.

Commissioner Couture said the Commission requested a survey or a topo to be done of the site. He asked if there has been verification that the site plan is accurate? He noted that the property lines are very difficult to see on the site. The building is up against both setbacks and he feels uncomfortable making any final decision without a survey. The topo information would be extremely helpful also. The design is better and the impact is less than before to the neighbors. He noted that natural color wood shingle will appear orange and asked if the applicant is intending to apply a stain to the shingle. He would like to see a sample of the roof material.

Commissioner Jochum concurs that a site plan and survey is necessary. It is an unusual project in that the addition is in the front and it appears to be a new house from the street. If it can be verified that the project is in compliance with the height and setbacks, he can support the project.

Commissioner Zwick said the existing roof slope is 3:12 and as it connects to the roof in the back it becomes 4:12. The applicant should make up their mind, but not have two different roof slopes because it would have an odd swale through the roofline.

Chair House said drainage and water runoff would be reviewed by the building department. As an aside, she suggested removing the wall between the laundry and the kitchen to allow them more room.

Mr. Gobar noted that the 6' setback is on the existing structure; the addition is at the 8' setback.

Ms. Feagans said that as a condition of the project the Commission could require a survey prior to the issuance of the building permit.

M/s Jochum/Couture, and unanimously passed, to approve the project based on the findings and conditions; and with additional conditions that a survey be submitted prior to the issue of a building permit to confirm the setbacks. This approval is based upon the setbacks conforming to the 8' and 20' setbacks. A material board, which includes the roof materials, shall be provided to the Commission for their review at the meeting of 11/20/00.

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

**4. DR-0038 - Huron Properties, L.L.C., 9 Indian Rock Court, A/P 177-250-55, design review of a new single family dwelling, on property located within the R-1 Zoning District. (Staff person: Wight).**

Ms. Wight presented the Staff Report.

Tony Richards, architect representing the applicant, stated that most of the front flat area is in the setback and the majority of the buildable area is a steep slope. Another problem is the heritage oak tree that they wanted preserved. They kept the house down to 29.5' in height and wanted the style of the house to be nuevo craftsman style. The landscape is mostly evergreen. The house is brown shingle with green trim.

Steve Bower, 17 Indian Rock Court, said the design is esthetically pleasing but he has issues with the height, size of the house, and lack of light and air. The height of the current house is on par with his house, while all the houses on the street scale up the hill. The height will encroach into their deck and take away their privacy. This design will impact their light and air. The house is more than 100 percent larger than that of the neighborhood. The key issue is really the height.



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He presented photographs that show the houses step up the hillside on Indian Rock from lot to lot and photographs of the impact of the story poles from his deck.

Mary Whitehead, 2 Indian Rock Court, stated that if they lop off the top level, it would be a better height. The neighborhood has a more contemporary look; not old style San Anselmo.

Richard Doyle, 3 Indian Rock Court, stated that the lot is 6/10<sup>th</sup> of an acre but it is difficult to build on. The house does not fit in with the neighborhood. The house appears to be a four-story house and the size is much greater than the other houses in the neighborhood. 17 Indian Rock Court would be devastated by this house. There is a swale that runs at the top of the hill. He would like to see drainage and sluff wall considerations. He would also like to make sure the redwood trees remain.

Lois Blylock, 10 Indian Rock Court, feels that the massive design is too much for the neighborhood.

Mr. Richards stated that according to the UBC it is a two-story house. He noted that the front of the house is fill. They are digging out the fill for the garage. It is the last lot in the subdivision because it is the hardest to build on. He agreed that it looks like a four-story house because it steps down the hill. They are trying to minimize excavation.

Commissioner Jochum said the lot presents itself as a smaller site from the road. He likes the design and he does not feel this is a large, looming house. The house meets the height requirements and setbacks. The materials and colors are fine.

Commissioner Wittenkeller is in favor of the project.

Chair House is generally in favor of the house. She is just concerned about the middle roof area because it seems so expansive. She would like something there. She would like to see the driveway be of a permeable surface. She noted that the drainage would be reviewed by the Town Engineer.

Commissioner Couture said the style of the house is more new Mill Valley, not old San Anselmo, but nicely designed. The houses on Indian Rock Court are also stacked pretty steeply. His biggest concern is the view on the uphill neighbor. The dormer is sticking out into their view. He would rather see a deck there and the dormer in the area where the deck currently is.

Commissioner Zwick stated that the design is really seductive. He would be in favor of the project with the changes in the dormer and change the story poles.

Mr. Richards stated that the deck is recessed on the other side to have a view to the mountains. The house has been lowered by 3' and he was not sure the dormer is affecting the neighbor. It is possible however, to change the dormer.

Commissioner Wittenkeller said that if the change were made, there would be a usable deck space instead of a blank wall. The neighbors should consider their options.

Mr. Richards stated that he would like to leave the living room where it is but perhaps they can lower the room.

Commissioner Jochum wanted to see a story pole plan.

M/s Jochum/Wittenkeller, and unanimously passed (5-0), to continue the application to the meeting of 12/4/00.

5. **San Anselmo Bicycle Plan and Marin County Master Plan.** Review and comment on the draft Marin County Master Bicycle Plan and the Town of San Anselmo Bicycle Plan, specifically the short term goals of the Town Plan will be presented. (Staff person: Feagans)

David Wolf, chair of Bicycle Task Force, explained the County Master Plan and the San Anselmo bicycle network, noting that all the bike lanes cross the HUB into San Anselmo. They are proposing a change in Creek Park, which would allow traffic to flow in both directions. The change could take place by building a small berm in the areas of the parked cars. He proposed alternatives for the bicycle path through San Anselmo. They are looking for a solution of the HUB. He listed the short-term goals for San Anselmo and asked the Commission to comment on their short-term goals.

Ms. Feagans added that the Task Force wants the Commission to concur that the Task Force is on the right track.

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Commissioner Zwick said if there is really money out there in terms of grants, etc., he would do something more adventurous than counter flow circulation through Creek Park. He likes the idea of widening the Bridge Street Bridge because it seems far more reaching. He concurs with the five areas the Task Force is proposing, including the stenciling. He can also support the signage. He applauds the cause.

Commissioner Jochum encouraged them to go for as much as is reasonable to get. He likes the idea of separating bikes from cars as much as possible.

Commissioner Wittenkeller applauds the efforts and encouraged the Task Force to set high goals and don't be afraid to go after the big picture. There is a lot of grant money available.

The Commission recommended the short-term goals set by the Task Force to the Town. Council.

**GENERAL DISCUSSION**

Special meetings on January 16,2001 and February 20, 2001 (in lieu of January 15 and February 19)

**REPORT OF UPCOMING APPEALS TO TOWN COUNCIL**

1509 Sir Francis Drake Boulevard has been appealed by a Councilmember.

**ADJOURNMENT**

The meeting was adjourned at 11:30 p.m.

**BARBARA CHAMBERS**