

**SAN ANSELMO PLANNING COMMISSION  
MEETING OF JUNE 18, 2001**

**CALL TO ORDER**

**Commissioners present:** Chair House, Vice Chair Jochum, Commissioners Harris, Morita, Wittenkeller and Zwick

**Staff present:** Acting Planning Director Wight, Planning Technician Chambers and Consultant Planner Faw

**OPEN TIME FOR PUBLIC EXPRESSION**

Roger Bettini, 18 Bank Street, stated that Ted's Bar had amplified music until after 11 p.m. last week and all the front doors were left open. He thought the recent Planning Commission approval did not allow him have amplified music until the building enclosure had been completed and then, only with the doors and windows closed.

**CONSENT AGENDA**

**1. Minutes – June 4, 2001**

M/s Jochum/Wittenkeller and unanimously passed (6-0) to approve minutes with the following amendments: page 2, 4<sup>th</sup> paragraph: change "...3' clearance for pedestrians..." to: "...3' clearance for customers..." and page 1, 1<sup>st</sup> paragraph, spelling correction: MTBE

**CONTINUED PUBLIC HEARING**

**V-0123/DR-0129 – Peter G. Joseph, 53 Summit Road, APN 7-031-44, design review of a new 620.5 square foot garage to replace an existing carport, and to exceed the maximum floor area ratio (FAR) by 118 square feet, located within the R-1 Zoning District (above 150' msl). (Staff person: Wight): CONTINUED TO JULY 2, 2001**

**PUBLIC HEARINGS**

**1. DR-0126 – Scott and Gina Webster, 20 Myrtle Lane, APN 7-161-20, flatland design review of a new, two story 2,366 square foot dwelling and 375 square foot garage, in conjunction with the demolition of the existing dwelling and garage, located within the R-1 Zoning District. (Staff person: Faw)**

Mr. Faw presented the staff report.

Eric Layton, architect representing the applicant, stated that their primary concerns were to have limited impact on the closest neighbors, the Lewises. The Lewises felt more comfortable about the design now that they understood the impact, particularly since the story poles have been adjusted. The neighbors were concerned about their light and the view from the kitchen and dining rooms. The second story is stepped back and light will not be impacted anymore than the current impact. The shade and shadow study indicates it is not very different than the currently house. The house design is traditional and not unlike houses within San Anselmo. They have tried to minimize the size and mass of the garage doors and give the house symmetry. He provided a model of the house. They discussed with the Lewises the possibility of hipping a section of roof that faces the Lewises and they would be happy to make that concession.

In response to Commissioner Harris, Mr. Layton stated that the attic pitch is 6:12 now and if it were reduced it would look flat and the design would be compromised. The space will be used for mechanical equipment.

Edwina Whitbeck, Myrtle Lane, understood the house would be set back farther on the lot than the current house. Mr. Layton responded that although the first story is not set back, the house is articulated in a manner that it would not appear looming. Ms. Whitbeck stated that she felt the house was beautiful but it is quite a bit larger than the original house.

Commissioner Harris stated the house is very nice and was most happy to see the applicant and the neighbors have discussed the project.

Commissioner Wittenkeller said it is a nice looking building, larger than what is there now, but is an improvement to the neighborhood and he can support the project.

Commissioner Jochum said he also could support the project. The hipping of the roof will improve the encroachment of the roof on that side. However, the positioning of the structure on the front side of the house still has a presence.

Jim Lewis, 16 Myrtle, asked how close the house is to the creek. Although he supports the proposal he would really would like the applicants to push the house back 4' or so.

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Commissioner Morita said she is in support of the hip roof on the one side. She added that if the attic were not important space it would be nice to drop it to the level of the front. It cannot be seen from the street but reducing the height would make the house not feel so close to the neighbors.

Mr. Faw stated that the existing dwelling is within the allowed 15' setback line of the top of creek bank. The new house could be moved back but it would mean a complete redesign because it decreases in width as it goes back. Additionally, the deck is about two feet from the creek setback.

Commissioner Zwick stated that it was worthwhile to have the applicants talk with the neighbors and make concessions based on their input. He has a difficult time with projects that are at their lot coverage limit. A 70% FAR will change the character of San Anselmo but he recognizes that this is a difficult site and he can support the project and the project is very well done. He would not support flattening the front; it needs to be more pitched, which provides character. If they want to lower the pitch (tilt in the side by 16 Myrtle Lane) that can be left up to staff but he would not require it.

Commissioner Jochum said he could support the current proposal before the Commission or the modification as proposed by the architect for the roof. Commissioners Wittenkeller, Harris, and House concurred.

Chair House wanted to see a permeable driveway.

M/s Wittenkeller/Jochum, and passed (5-1 Noes: Morita) to approve the application based on the findings and conditions as set forth in the staff report; and modified to include a permeable driveway and with the optional hip roof on the east gable, which would be reviewed and approved by staff.

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

2. **V-0122/DR-0125 – Steven and Alexandra Wines, 132 Brookmead Court, APN 5-131-08, flatland design review to extend the dwelling within 6' of the east side property line and a setback variance to extend the dwelling within 3'1" of the east side property line, located within the R-1 Zoning District. (Staff person: Wight)**

Ms. Wight presented the staff report.

Steven and Alex Wines, applicants, stated that they did put up the story poles and provided photographs for the Commission with the story poles in place. They believe the photographs indicate that only a minimal portion of the next door neighbor's view would be impacted. They are not in support of lowering the roof as requested by the neighbor.

William Craig, architect, stated that the height of the addition was arrived at in a pragmatic way. They wanted to connect the roof height with the existing height. They tried to be respectful of the neighbor's light when designing the project. Lowering the roof would put physical constraints on the project. The roof is considerably lower than the 30' height limit requirement.

David Turner, 128 Brookmead Court, provided photographs of the story poles as viewed from his window. He stated that the light will probably not be an issue but the main issue is the amount of time they spend in their kitchen and they have a very closed space already. They would like to see the roof height lowered. He wondered why it couldn't be the same height as the living room, which is lower than 16'.

Thor Anderson, 2 Roble Court, stated that his backyard abuts the applicant's property. It has more impact on him than anyone but he has no problem with the application.

Tim Pult, 209 Brookside Drive, welcomes improvement in the neighborhood.

Commissioner Jochum stated that the addition that will be going to extend back from the existing structure is as innocuous of a structure that can be built. He has no problem with the addition. He went to the neighbors to see what the impact would be; in fact it hides the tar and gravel roof two houses away. The addition will not impact the neighbor as they think it will.

Commissioner Zwick stated that the impact would not be as great as the neighbor thinks. The design is sensitive and he can support the project.

Commissioner Harris stated that it is sensitively designed but he wants to make sure it is lowered as much as it can be. The view is being impacted because of the removal of the tree, but it is minimal.

Commissioner Wittenkeller said he could support the staff report. He hopes the area will be landscaped to soften the addition but he would not make it a condition of approval.

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Commissioner Morita stated that she could support the project with the reduction of 3', a compromise that seems workable since the rest of the house is even lower than that; and this could help solve the neighbor's view problem.

Chair House would like the decks to be permeable. She looked through the neighbor's windows and could still see the sky. There will be an impact, but over time it will not be as large of an impact as the neighbors think.

Commissioner Harris asked about the location of the venting. Mr. Turner responded that the kitchen venting can be on the roof but the bathroom venting cannot but the hood will be on the other side of the ridge.

M/s Zwick/Jochum and passed (3-1-1Noes: Morita Abstain: Harris) based on the findings and conditions as set forth in the staff report; and amended to add a separate condition that the decks be of a permeable material.

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

**3. V-0123/DR-0127 – Gigi and Gene Phillips, 13 Carlson Avenue, APN 5-062-05, request for a 38% floor area ratio (Code: 35%) and design review to add a 406 square feet kitchen/dining room extension and bedroom located at the rear of the house, located within the R-1 Zoning District (above 150' msl). (Staff person: Chambers)**

Chair House and Commissioner Harris recused themselves for this application. Chair House handed the gavel over to Vice Chair Jochum.

Ms. Chambers presented the staff report, noting that this matter was continued from the June 4<sup>th</sup> hearing.

Gene and Gigi Philips, applicants, said they were available for any questions.

Clay Thongnopneua, spoke for his parents, Tom and Peggy Thongnopneua, 9 Carlson Avenue, saying that the Commission had requested a plan of the two houses, side by side. The plan they looked at did not provide that information. Even though someone would have to be 8' tall to look down on his property, they still can see the window, so a natural barrier planted by the applicants is requested.

Julia Wiersema, 15 Carlson Avenue, next door neighbor to the applicants, but actually behind them, said she supports the application as it is a nice addition and they need the room, to which Mr. Thongnopneua said he disagrees because he feels they are the most affected.

Gene Philips said the window discussed by Mr. Thongnopneua would not be seen through their addition. Looking straight out that window, he will see the neighbors' roof. The subject window is several feet down, and they can't even see it from their dining room window. Ms. Philips noted that there is already a natural barrier.

In response to Mr. Thongnopneua's question, Commissioner Jochum said the new window is at the same sill height as the existing bathroom, kitchen and dining room windows.

Commissioner Zwick said he regrets the fuss between the neighbors and does not understand the neighbors' concern as it should not be a privacy issue, and that it may unfortunately be due to something else. That being said, Commissioner Zwick suggested planting one more Heavenly Bamboo as a nice gesture, but he would not require it.

Commissioner Wittenkeller said after carefully looking at the site today, he did not see a privacy issue. Noting that he is 6'2", he can see a blank wall when he looks over the fence. The window in question is not where the addition will be. He also acknowledged that this is not the principal issue tonight. He added that he would not support an additional plant as that could cause shadowing.

Commissioner Morita said she viewed the area of the addition from both properties and does not see it as a privacy issue. The neighbors could not leer at each other. She supports the project and if, as a peace gesture, the applicant could offer to plant an additional plant that is mutually acceptable to give them more of a sense of privacy, that would be a good thing to do, but she would not require it.

Commissioner Jochum agreed and said there is absolutely no privacy issue involved. He asked the neighbor as another possibility of holding off another call to a lawyer, would the neighbor favor that, and suggested that the neighbor plant something as well.

M/s Wittenkeller, Jochum, to support the staff report.

M/S Zwick, Morita, and unanimously passed (3-0) to amend the approval as follows: The applicant can think about adding a plant along the fence line, but it is not a requirement.

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

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Chair House and Commissioner Harris returned to the dais.

4. **SR-0101/DR-0128/U-0125 – Bob Chapman and Jon Marchant, 780 Sir Francis Drake Boulevard**, APN 6-091-41, sign review of a freestanding sign and planter to be erected on subject property at the intersection of Loma Robles Drive and Sir Francis Drake Boulevard, and a sign on the building; design review of window and door alterations; and use permit for change of occupancy, located within the C-L Zoning District. (Staff person: Wight)

Ms. Wight presented the staff report.

Jon Marchant, co-applicant, clarified that that they want to place a logo on the gray wall, they do not want a separate sign. Also, the wood sign is actually 16 square feet' not 4 square feet. He would like some leeway to make it that size or smaller. They want to adjust the sign to get maximum visibility getting out onto Sir Francis Drake Boulevard. The remodeling is very minor. He does not know how many veterinarians were there when the business opened but they will probably have fewer employees with their real estate business. He did not think traffic would be a significant issue. They do not care if the peak tile roof is approved over the sign however they would like some approval of some type of cover to protect the sign. Regarding the drip irrigation, it would take quite a bit of money to water a very small area but he said they could run the hose down there every day and water the area.

In response to Commissioner Jochum, Mr. Marchant stated that they did not think they could erect the sign to the west of the driveway because that is land that is owned by the Town.

Commissioner Morita stated that it would be nice if they could landscape and place the sign on the Town property. Mr. Marchant responded that he would discuss this at some time in the future with the Town but not now. Ms. Wight stated that it is not allowed by code.

Cherlyn Gilboy, 36 Luna Lane, is very pleased that someone local would use the building although she felt the use would make parking more congested. She noted that there is a fire gate that is the main access to Red Hill and she would like to have some proper signs at the fire gate prohibiting people from parking there. She has no objections to the project.

Ms. Wight suggested Ms. Gilboy write a letter to the Traffic Safety Committee regarding her concerns.

Commissioner Wittenkeller stated the use would be good unless the traffic is excessive. He prefers a simplified sign without the point and the lower sign with the planter should be mocked up and placed at the site to be reviewed by the police department for traffic safety issues because it may block the view of oncoming traffic.

Commissioner Harris welcomes the new use and the changes to the building. He likes the individual letters on the building. He does feel however that the 11' free-standing structure is too massive and would like the traffic safety issues addressed. The roof structure on the sign should be kept to a minimum to protect the life of the sign.

Commissioner Jochum stated that he had no problem with uses of the building or modifications to the windows. Regarding the sign – it will be a very large sign and he concurs with the idea of a mock up sign to be reviewed by the police department.

Commissioner Morita wished the sign could be moved to the other side of the driveway and perhaps the applicant could talk to the public works director. However, if that is not possible, she would like the sign reduced in size, noting that others in the neighborhood are approximately 6' in height. She is also concerned about safety for visibility.

Commissioner Zwick said he had nothing further to add.

Chair House stated she would like to see a mock up for the safety issues that have been discussed. She could not support the roof element on the freestanding sign but would consider it if it were more charming. She supports staff's suggestion of drip irrigation.

Commissioner Jochum said it is in their best interest to have the plants maintained. Can require them to install it but they still might not turn on the water.

M/s Harris/Wittenkeller, and unanimously passed (6-0), to approve the window and door alteration 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.

M/s Harris/Wittenkeller and unanimously passed (6-0), to continue the sign review to the meeting of July 16<sup>th</sup> in order for the applicant to: 1) talk with the police department and public works department about the traffic safety issues; 2) provide story poles for the two high points of the sign and an artist rendition of the proposed sign; and 3) provide color samples of the sign; and 4) find out if the sign can be placed on town property.

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5. **DR-0130 – Gerard and Kathy Renk, 156 Hilldale Drive**, APN 6-144-19, design review of a conversion of an existing garage to living area, a 627 square foot second story addition, a 628 square foot new garage (with storage area and half bath) with a 481 square foot second story living area (proposed to be used as storage) above, located within the R-1 Zoning District (above 150' msl) (Staff person: Faw)

Mr. Faw presented the staff report, noted that there is a letter of support from the next door neighbor at 152 Hilldale. He also noted that the applicant stated that the application states the siding would be gray. The application states that it is beige.

Hank Taylor, architect representing the owner, stated that they plan to widen the driveway at the top. Although it would be more difficult for one car to get out of the garage, the second vehicles could back out into the driveway and turn around with ease. They wanted to honor the setback and there is a culvert under the center of the driveway and do not want to build over that. They also do not want to encroach into the lawn area. The deed restrictions for exterior light and material type and tree restriction seems to be unusual to him. Mr. Faw stated that this is not an unusual condition in San Anselmo.

Commissioner Harris asked about the height of the second story garage. Mr. Taylor responded that at the highest point of the gable it is 22' in height. The ceiling height is approximately 11'6.

Dick Stutsman, 152 Hilldale, stated he has no issues with the proposed conditions as stated in the letter submitted by his wife.

Commissioner Wittenkeller stated the addition would not adversely affect anyone. He approves the staff report except he does not necessarily feel paint; planting sizes and light should be required in a deed restriction.

Ms. Wight stated the plant size is used as screening and that is why it is a condition and a deed restriction is a standard condition. It is also common about colors.

Commissioner Jochum concurred with Commissioner Wittenkeller.

Commissioner Zwick asked if there were any more second units available in the neighborhood, noting that if there were, he would not want to require a deed restriction prohibiting this.

Ms. Wight responded that there is an opening for one more second unit but they would also be required to have one additional parking space.

Commissioner Morita said that it was a nice addition. The garage, if used as a second unit, would be quite nice and is even larger than her house.

Commissioner Zwick said it was a nice project and tucked away and will not have a negative impact on the neighborhood.

Commissioner Harris said he was generally in favor of the project. With regard to the deed restriction - this house is tucked away and not visible so he does not feel condition 12 is necessary for the deed restriction. He would also like condition 10 to be amended to state: "...should not be used as a second unit unless under a separate application". He does have concerns about the visibility of the garage because it is very visible from Hilldale.

Chair House had nothing to add.

Ms. Wight stated that she agrees this house is tucked away but this is standard for hillside properties. It is necessary for future owners to understand the conditions on their property.

M/s Jochum/Zwick, and passed (5-1 Abstain: Harris) 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.

6. **V-0124 – Wally and Susan Buck, 14 Sunview Avenue**, APN 5-164-01, a parking variance for the existing parking to remain, with two parking spaces to be substandard in length on the 12' deep driveway, in conjunction with a proposed 493 square foot living addition, located within the R-1 Zoning District (above 150' msl). (Staff person: Chambers)

Ms. Chambers presented the staff report.

Susan Buck, applicant, stated that they could support the staff recommendations.

Commissioner Zwick said he supports the project, which was echoed by the other members of the Commission.

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M/S, Zwick, Harris and unanimously passed (6-0), 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.

- 7. ER/Zoning Ordinance Amendment – TOWN OF SAN ANSELMO**, Environmental Review and Zoning Ordinance Amendment to Land Use Table 3A, Definitions, and Use Permit Findings for Approval to require a Use Permit for Demolition of Commercial and Multi-Family Dwelling Units.

Ms. Wight presented the staff report.

Section 10-3.1305(f): Findings for Approval

- 3) Amend wording as follows: Plans have been approved by Town Planning Commission and/or Town Council for development of the property. Consensus by Commission

Commissioner Zwick stated he wanted to encourage a mixed use within the downtown area with retail on the bottom and housing above.

M/s Wittenkeller/Harris and unanimously passed (6-0), to recommend the Negative Declaration and Zoning Ordinance Amendments be adopted by the Town Council based on the findings and conditions as set forth in the staff report.

**GENERAL DISCUSSION**

Town Hall Design Revisions

Ms. Wight presented an overview of the town hall revisions.

Commissioner Wittenkeller stated that Bomanite (pressed concrete) has some wonderful textures and is far better than stamped concrete. He noted that concrete pavers are deadly.

Commissioner Zwick wanted the paves, or whatever is selected to be permeable.

Chair House commented that Birch trees are dirty trees.

Commissioner Zwick stated the first design creates a space and he liked it better.

Commissioner Morita stated that inmates of the Sonoma County jail grow plants for sale at a very reduced price. The contact person would be Rick Stearn.

**REPORT OF UPCOMING APPEALS TO TOWN COUNCIL**

Kragens had been appealed.

**ADJOURNMENT TO MONDAY, July 2, 2001**

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

**BARBARA CHAMBERS**