

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF MARCH 18, 2002**

COUNCIL CHAMBER

CALL TO ORDER

Commissioners' present: Chair Jochum, Vice Chair Harris, Commissioners' Fernandez, House, Sisich, and Zwick
Commissioners absent: Wittenkeller

OPEN TIME FOR PUBLIC EXPRESSION

None

CONTINUED PUBLIC HEARINGS

1. **U-0113 - Sprint PCS, 820 Sir Francis Drake Boulevard, APN 006-061-13**, use permit to install three antennas on the building with equipment, located on property located within the C-3 Zoning District. (Staff person: Wight) **CONTINUED TO 04/01/02**
2. **PDP-0201/DR-0209 - Jon Pearlstone, 51 South Oak Avenue, APN's-007-241-73, 007-241-74 and 007-241-76 (formerly APN 007-241-51)**, precise development plan and design review of a proposed 3,500 square foot single family dwelling with potential living area of approximately 500 square feet, and a 493 square foot garage, on property located within the R-1 H Zoning District. (Staff person: Wight) **CONTINUED TO 04/01/02**

PUBLIC HEARING ITEMS

CONSENT AGENDA

1. **MINUTES – March 5, 2002**
2. **V-0211 – Steve and Laura Reinertsen, 21 Waverly Road, APN 007-264-03**, variance to expand the kitchen and increase lot coverage from 39.2% to 40.2% (Code maximum: 35%), located on property within the R-1 Zoning District. (Staff person: Wight)

M/s House/Fernandez, and unanimously passed (6-0), to approve Consent Agenda based on the findings and conditions as set forth in the Staff Report.

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

REGULAR AGENDA

1. **V-0206/DR-0206 - Ken Meyer, 20 Elkhorn Way, APN 177-265-05**, design review of a proposed 528 square foot garage with a 528 square foot addition below and a 264 square foot utility room on the lower floor (located west of the former car deck), and a 55 square foot uncovered deck (located at the rear of the proposed garage); and a height variance for a fence on the new approach ramp to be up to 21' above grade, (Code: 6') on property located in the R-1 Zoning District (above 150' msl). (Staff person: Wight)

Ms. Wight presented an overview of the project.

Ken Meyer, applicant, said he would like to have a gate similar to the pictures he presented to the Commission. He said that the 6' wall would have vines and would be more pleasing than just oleanders. There will be a drip system installed for the vines. He noted that although this is his front yard, it is the only usable outdoor space because of the steep down slope at the rear of his property. He provided photographs of similar stucco walls within the Ross Valley. He noted that the stucco wall would be articulated and is more pleasing than a redwood fence. His neighbors endorse the wall. It will also provide a deer proof barrier as well as privacy. He also explained the proposed changes to the rear façade.

In response to Chair Jochum, Mr. Meyer said he is not interested in pilasters although his neighbors want him to consider it. He noted that he has submitted a letter to the Commission with the changes in his design of 2/13/02.

Commissioner Zwick said the Commission has clearly asked for certain information and it has not been submitted in plan form; he cannot approve the project based on a letter.

Commissioner House said she felt the applicant has made an effort, however, she does not have any specifics before her. She likes the rear of the garage. She has been opposed to the fence in

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the front but perhaps she could be swayed by the other Commissioners at a future meeting once the plans are submitted.

Commissioner Harris said the back of the garage looks better but would like to see a plan.

Commissioner Fernandez concurred with the comments already made.

Chair Jochum said it is unfortunate that the architect has not responded to the concerns. However, the changes must be in drawing form to be able to evaluate the project in total.

Commissioner Sisich had nothing to comment.

Mr. Meyer said he does not want pilasters and the 2/13/02 drawing has not been modified. He has also submitted a drawing for the rear of the garage.

Ms. Wight noted that if the Commission denies the project, there is a six-month period that the applicant cannot reapply.

Commissioner Zwick said this is not a major remodel. The Commission has a list of required drawings to review. He would propose that once drawn, the orientation of the wall could be placed on consent. The location, size and volume is acceptable; the Commission is just looking at materials, just bring back a drawing of the wall.

Mr. Meyer said he has not received a release of the drawings from the previous architect to give it to the new architect, therefore he is unable to make changes at this time.

Commissioner Zwick said that the changes could be traced over the current drawings.

M/s Zwick/Fernandez, and passed (5-1 Noes: House), to continue the application to the meeting of April 1st to allow the applicant time to prepare a sketch overlay of the fence, and elevations with the proposed changes.

2. **DR-0207/U-0204/SR-0201/V-0212 – Ned McDonald, 14 Greenfield Avenue, APN 006-251-07 & 08**, use permit for change of occupancy in a space exceeding 1,200 square feet, with driveway access to remain off Greenfield Avenue and Smith Lane; use permit for outdoor display of merchandise; design review of exterior changes to the building and the parking lot; and sign review of a 58 square foot sign to be placed on the building wall fronting Greenfield Avenue (note: the previously approved project is not proposed at this time), located within the C-3 Zoning District. (Staff person: Wight)

Ms. Wight presented an overview of the proposed changes from the last meeting.

Steve Murch, architect representing the applicant, explained they appreciated the comments about the garden but they have reduced it in size to allow access from Greenfield; it is now more proportionate with the building. Regarding the fence, they looked at a metal fence as a solution but it does not offer the security that they need. They have redesigned the fence since the last meeting. Regarding the parking, they have modified it and provided access from Greenfield. They will keep the westerly gate open based on the requirement by the Fire Department to access the site. Regarding circulation near 13 Smith Lane, they are proposing to stripe the area to prevent parking. Regarding the curb cut along Greenfield, they want the driveway to remain on Greenfield for the existing use and future use. Regarding the east elevation, they have modified the door; it will no longer be an overhead door.

Commissioner House asked about opening the front gate into the sculpture garden during daytime hours. Mr. Murch responded that it would mean someone would have to be out in the garden at all times and would probably mean hiring an additional employee.

Commissioner Harris asked if they would consider a vertical, metal fence. Mr. Murch said they wanted an opaque fence for security reasons.

Commissioner Fernandez stated the applicant has provided changes based on the Commission's concerns and he can support the project.

Commissioner Harris said he appreciates the changes that have been made.

Commissioner House supports the project with the elimination of Condition 3.

Commissioner Sisich said he would be drawn to having an open fence. Otherwise, he can support the Staff Report.

Commissioner Zwick and Chair Jochum said they could support the staff report.

Mr. Murch said sometimes the Building Department and Fire Department require applicants to add other conditions during the building permit process and asked if it is within the Commission's purview to discuss this.

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Chair Jochum said the Commission could only address the aesthetic and zoning issues.

M/s House/Zwick and unanimously passed (6-0), to approve the application based on the findings and conditions as set forth in the Staff Report and amended to eliminate Condition # 3.

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

3. **V-0213 – Kim Berry and Kerry Coffey, 15 Rutherford Avenue, APN-005-127-14, variance to rebuild and partially enclose a two story deck within 6' of the side property line (Code: 8'), located on property within the R-1 Zoning District. (Staff person: Chambers)**

Ms. Chambers presented an overview of the project.

The Commission was able to support the project as proposed.

M/s House/Harris, and unanimously passed (6-0), to approve the Staff Report based on the findings and conditions as set forth in the staff report.

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

4. **DR-0208 - Howard Luria, 65 Summit Road, APN-007-031-28, design review of a driveway gate on the road easement on 65 Summit Road on property located within the SPD Zoning District. (Staff person: Wight)**

Ms. Wight presented the staff report.

Howard Luria, applicant, said that a condition by the Commission when the house was approved for development was that they allow public access over the private open space.

Commissioner House said she is concerned about the ability to turnaround if people are lost.

Jamie Williams, Fairfax, has no problem with the gate as long as he has access. He wants to make sure that there is proper notification about the public easement. He lives in Fairfax and there is no public easement across his property, which is contiguous to the applicant's property. He noted that there is an easement for neighbors to cross their property but there is no public right-of-way.

Commissioner House said the Commission has no jurisdiction over what happens in Fairfax.

Jim Stafford, 100 Summit Road, is very much in support of the gate due to the increased traffic. There is ample turnaround at the Elliots driveway.

Commissioner Zwick said he wants more clarity about the way around the gate for pedestrians and would like the gate moved slightly closer to the Elliots.

Commissioner Sisich said he has no problem with the gate but he is a little confused about the access to the public.

Commissioner House supports Commissioner Zwick's comments.

Commissioner Harris said it is his understanding that he is not expanding any public right of what may or may not exist. He supports the Staff Report.

Commissioner Fernandez supports the staff report.

M/s Fernandez/Harris, and passed (4-2 Abstain: Zwick and House), to approve the application based on the findings and conditions as set forth in the Staff Report.

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

WORKSHOP

1. **Possible Amendment to the Zoning Ordinance: to permit accessory residential garage structures on undeveloped, contiguous legal lots of record within the residential districts.**

Commissioner Harris suggested a conditional use permit.

Commissioner Zwick said he saw no compelling reason to allow this.

Planning Director Bell stated that there would be no control over the use. The simplest way to do it would be a lot line adjustment, if possible.

Ms. Wight proposed a condition that it could be used by the people of the contiguous property.

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Commissioner Harris said he would like the flexibility to look at it on a case-by-case basis, although he understands it could be a code enforcement issue in the future.

Chair Jochum said this seems like going backwards

By consensus, the Commissioners said the individual should come up with a proposal to formally present to the Commission.

2. Possible rezoning: between 21 and 245 San Anselmo Avenue from C-3 to C-2.

Commissioner Zwick stated he would make a chart of the existing uses.

GENERAL DISCUSSION

- Commissioner House stated that it appears trees have been removed from the new house on Spruce and Scenic that were not approved by the Commission.
- Commissioner Harris asked to receive staff reports 10 days prior to the meeting to allow additional time for site checks. Planning Director Bell was opposed to this because of timing of staff reports to Council and agenda that have to be mailed.
- Planning Director Bell stated that the preliminary Housing Element will be to the Commission in April.

REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

24 Knoll Road to be heard at the Council meeting to see what the elevations looked like.

ADJOURNMENT TO THE REGULAR MEETING ON MONDAY, APRIL 1, 2002.

The meeting was adjourned at 9:00 p.m.


BARBARA CHAMBERS