

**SAN ANSELMO PLANNING COMMISSION  
MINUTES OF MARCH 17, 2003**

- A. CALL TO ORDER**  
Commissioners Present: Chair Harris, Vice Chair Sisich, Harris, House, Wittekneller  
Commissioners absent: Fernandez, Zwick

**B. OPEN TIME FOR PUBLIC EXPRESSION**

No one spoke during this time.

**C. CONTINUED PUBLIC HEARINGS**

1. U-0218/DR-0237 - Seneca Properties, LLC, 240 Redwood Road, APN 7-095-01, Use permit to demolish a 700 square foot single family dwelling and hillside design review of a proposed 3,202 square foot three-story single family dwelling and a 488 square foot garage, (staff person: Wight) **CONTINUED TO APRIL 7, 2003**
2. ER-0301/PPD-0301/SPD-0301/DR-0304/U-0302 - Coby Friedman, M.B. Ventures, LLC., 790 Sir Francis Drake Boulevard, APNs 006-091-02, 34, 35 and 62, Environmental Review, zone change from R-1, R-3 & C-L to PPD/SPD, Use Permit and Design Review to consider 13 residential dwelling units on .87 acres. (staff person: Bell) **CONTINUED TO APRIL 7, 2003**

**D. PUBLIC HEARING ITEMS**  
**CONSENT AGENDA**

1. MINUTES - March 3, 2003

M/s Wittenkeller/Jochum and passed (5-0) to approve the minutes with minor corrections.

2. DR-0309 - Leigh and John Ordway, 195 San Francisco Blvd., APN 006-021-02, flatland design review of a 660 square foot second story addition and of a first story addition, both within 6.5' of the north side property line; a setback variance for a first story addition to be within 3.5' of the south side property line (Code minimum setback: 8'); and a height variance for an existing fence, which is up to 8.5' above grade, to be replaced with a fence up to 10' above grade on the east side property line, on property located within the R-1 Zoning District. (Staff person: Wight)

In response to Chair Harris, the architect for the project, Eric Layton, said that the neighbor at 199 San Francisco Blvd had seen the current plans and is satisfied.

M/s Jochum/House and passed unanimously (5-0) to approve the application.

3. DR-0313 - A. K. Strotz for Walgreens, 820 Sir Francis Drake Blvd., APN 6-061-13, amendment to change the circulation in the parking lot on property located within the C-3 Zoning District. (Staff person: Wight)

Senior Planner Wight presented the staff report.

Commissioner House recommends that the Director of Public Works require the curb on the west side of the entrance to be cut in the same fashion as the curbside entrance on the east side.

Commissioner Jochum will approve the project but he believes that the best traffic circulation plan has not been formulated. He suggests that the Director of Public Works reviews the traffic plan 6 months after it has been implemented. Chair Harris is in agreement, unless there is a sufficient number of complaints to warrant another hearing.

M/s House/Jochum and unanimously passed (5-0) to move the staff report with the added condition that the Director of Public Works reviews the traffic plan 6 months following implementation.

4. V-0313/DR-0311 - Nathalie and Weatherly Kemp, 6 Glen Road, APN 007-012-30, variance to extend the length of the existing garage and raise the building by  $\pm 6'-6"$  within 16'-10" of the north side property line fronting Creek Road (Code: 20'); and design review of the middle and upper story additions totaling 399 square feet and decks totaling 200 square feet. (staff person: Chambers)

M/s Wittenkeller/Jochum and passed unanimously (5-0) to approve the application.

Chair Harris advised all parties of interest of the 10 day appeal period to the Town Council for the items on the consent agenda.

**SAN ANSELMO PLANNING COMMISSION  
MINUTES OF MARCH 17, 2003**

**REGULAR AGENDA**

4. **V-0311/DR-0308 – Jeff and Gabriella George, 57 Scenic Avenue, APN 007-081-16**, design review to add a 2<sup>nd</sup> story addition of approximately 970 square feet in conjunction with a 100 ± first level addition; and a setback variance for the addition to be within 8'-1" of the rear property line (Code: 20'), located within the R-1 Zoning District. (staff person: Bell)

Planning Director Bell presented the staff report.

In response to Chair Harris, the architect for the project, Wendy Posard, said the maximum square footage that could be added to the second story without a variance is approximately 120 sq ft.

Jeff George, Applicant, said that he had met with the Hendricksons to discuss further the issues of privacy, loss of hillside views and construction.

William Hendrickson, representing the owner of 55 Scenic Avenue, remains concerned with the removal of hillside views. The project will enhance the value of his neighbor's home whilst adversely affecting his daughter's home.

The tenant, Arthur Cronos, presented photographs showing how the new development will obscure their hillside views. He also presented photographs showing the shadow effect of the development, whereby the sun had disappeared from the deck between 3pm – 4pm. Mr. Cronos confirmed that some agreement has been reached over the construction of the project.

In response to the Chair, Mr. George said that if the top floor were moved toward the front of the house, the side yard setbacks would be encroached upon and the structure would effect other neighbors. He does not believe it would enhance the views of his neighbors at 55 Scenic Avenue.

Commissioner Wittenkeller cannot make the findings to approve the project and he perceives the shadow effects to be more severe than he had previously believed.

Commissioner Jochum agrees with the previous Commissioner. He suggests that the applicant bring the mass forward and remain within the setback requirements as much as possible. If the applicant conforms to the zoning requirements, which may not produce the desired square footage, the Commissioner could support the project. Commissioner House is in agreement.

Commissioner Sisich believes the neighbor's loss of view is not significant but that the mass needs to be pushed to the front for his support of the variance request. The Commissioner supports staff's report as the plans have been submitted.

Chair Harris would be able to support the variance but not to the full extent proposed. He agrees that the second story should be moved towards the front and he also believes that the neighbor's loss of views is not significant.

M/s Wittenkeller/Harris and passed (5-0) to continue the application to the meeting of 7 April, 2003 with the consent of the applicant.

6. **U-0306/V-0317/DR-0314, Tom and Kari Levine, 115 Sunnyside Drive, APN 7-263-03**, use permit to demolish the existing dwelling, garage, and accessory building; flatland design review of a 800 square foot upper story addition; and a height variance for a 6' high fence to be constructed on an existing retaining wall, resulting in a 9' high fence structure along the rear property line (fronting the 10' wide public way), located within the R-1 Zoning District. (Staff person: Wight)

Senior Planner Wight presented the staff report.

The applicant, Tom Levine, corrected the arborist's report that proposed the removal of two heritage palm trees. Mr. Levine intends removing just one tree, the least healthy of the two. Referring to the staff report, Mr. Levine would like the master bedroom window to be of clear glass because an elm tree provides sufficient privacy between his house and the neighboring property at 109 Sunnyside Avenue. Mr. Levine said he has spoken to many of his neighbors and has received their support.

Susan Hoy, 19 Melville Avenue, is concerned that houses are being built which are too large for their lots. She acknowledges that the applicant is working within code but she believes the house will be too large for his lot.

Mary DeLaRocha, speaking on behalf of her mother who lives at 25 Foss Avenue, said that her mother is concerned that the third story will obliterate her views of the Seminary. She is further concerned that the applicant will use the easement behind 115 Foss Avenue for access during construction.

Leonard Nash, of 15 Foss Avenue, supports the project.

**SAN ANSELMO PLANNING COMMISSION  
MINUTES OF MARCH 17, 2003**

Mr. Levine explained that he is unable to move the mass to accommodate the owner of 25 Foss Avenue. However, he will not use the easement for access. Commissioner Wittenkeller suggests this be made part of the construction plan.

In response to Chair Harris, Ms. Wight confirmed that there are no issues preventing demolition.

Vice Chair Sisich, Commissioners House and Jochum support the staff report. Commissioner House supports the applicant's wish for the upstairs bedroom window to be clear glass.

Chair Harris notes that the applicant is asking for a variance only for the fence height, but he believes the house will be too large for its lot. He would like the applicant to speak further with his neighbor at 25 Foss Avenue and for the item to be brought before the Commission, once again, on the consent agenda.

M/s House/Jochum and passed (4-1: noes Harris) to move the staff report with the following amendments:

1. The upstairs dressing room and downstairs bathroom shall have opaque glass; and
2. A construction management plan, including no access on the upper unpaved right of way, shall be submitted to the Building Department prior to permit issuance.

Chair Harris advised all parties of interest of the 10 day appeal period to the Town Council

7. **DR-0315/U-0307 – Warren Perry, 100 Sir Francis Drake Blvd., APN 006-241-01**, design review of a 2,132 square foot commercial building and parking lot; and use permit for a new occupancy by Tamalpais Bank, on property located within the C-3 Zoning District. (Staff person: Wight)

Commissioner Wittenkeller recused himself from the podium.

Senior Planner Wight presented the report. Ms. Wight also presented two letters of opposition.

In response to Vice Chair Sisich's inquiry regarding the proximity of the corner of the building to the creek, Ms. Wight directed the Vice Chair to the Soils Report.

The applicant, Warren Perry, supports the staff report and he said that there is no intention to interfere with the creek bank or the heritage trees along the bank. He notes that more parking spaces have been allotted than are required and the building has been designed to code.

In response to Commissioner House, Mr. Perry said there were no plans to create living space. The difficulties would be numerous, including the provision of an elevator and parking spaces. It would also be uneconomical and a security risk.

In response to Commissioner Jochum, Mark Garwood, President of Tamalpais Bank, said a contemporary design is desired rather than a traditional design.

In response to Chair Harris, Mr. Warren explained that a lot line adjustment is necessary to gain the footage needed for the project and to enable Tamalpais Bank to bear responsibility for the upkeep of the creek bank and trees. Easements would not then need to be created for the use of services. The owner of Insalata's has no objection.

In response to Chair Harris, Mr. Perry said that on-site parking would not be sufficient for employees, who will need to park elsewhere. He notes that a shortage of such parking exists everywhere in Town. Mr. Perry confirmed that the building will require piers no matter where it is placed on the property because of the nature of the soil.

Support for a third, right turn lane on Barber Avenue to ease traffic congestion comes from Dickson Long, 123 Sturdivant Ave, Richard Burns, 24 Barber Avenue, Pat Burton of 43 Alta Vista, and Glen Dickey of 101 Barber Avenue.

Mr. Long and Mr. Dickey are concerned that the Bank will add to the problem of parked cars along both sides of Barber Avenue and Mr. Burns suggests that signage is needed to indicate to drivers that access to Sir Francis Drake Blvd can be gained behind Insalata's.

Sandra Hamilton, 41 Entrata Avenue, and Pat Burton are concerned for pedestrian safety.

Charles Kennard, 76 Suffield Rd, is concerned that harm may be done to wildlife. He would like to see creek set back requirements enforced by the Town. Furthermore, Mr. Kennard believes the oak trees at one corner of the building will be adversely affected, as will the creek bank, in general. In response to Chair Harris, Mr. Kennard believes that the creek bank consists of soil and is not stabilized.

Roger Smith, Real Estate Broker, supports the new project, as does Ross Perry, co-owner of Sunnyside Nursery. Mr. Perry says that he is open to reciprocal parking arrangements.

The applicant is willing to comply with signage and he notes that the previous tenant, an auto shop, had many more cars in the vicinity than a Bank would ever generate. In response to Chair Harris, Mr. Perry said that parking would be made available to the restaurant in the evening. Mr. Garwood said the Bank would be amenable to restricting employee parking to areas outside the Barber Avenue subdivision.

**SAN ANSELMO PLANNING COMMISSION  
MINUTES OF MARCH 17, 2003**

In response to Commissioner Jochum, Ms. Wight said that the Town Engineer confirmed that it is not possible to create a third lane on Barber Avenue. The Commissioner notes there is no solution that would not include the need to egress on Barber Avenue and that pedestrians will be as much at risk as anywhere else. However, Commissioner Jochum does not like the building design and would prefer darker colors.

Commissioner House believes that the handicap parking space on the plans is not as well placed as the present parking space. On the issue concerning the creek, the Commissioner supports the Town Engineer's decision but she does not support the design.

Vice Chair Sisich would like the building to be further back from the creek but he will support the present location if more effort were made on the design. He suggested that a false front and flat roof could achieve a more appropriate design, which Mr. Garwood agrees can be addressed.

Chair Harris suggests that the location of the building in relation to the creek be examined further but he accepts that the current engineering solution may be sufficient. He would like more landscaping in the front and believes that there is no better alternative to the ingress/egress and general parking situation than that which is set out in the plans. He does not see how restrictions on employee parking can be enforced but appreciates the Bank's efforts. The Chair supports previous comments with regard to pedestrians and the design of the building.

M/s House/Jochum and passed (4-0) to move the project to the meeting of April 7, 2003.

8. **V-0318/U-0308 – Henry Pardi, 54 Sir Francis Drake Blvd., APN 006-191-21**, after the fact setback variance for a living addition to be within 18' of the rear property line; a use permit for a second living unit in this addition; and a parking variance for the third required parking space to be located within 14' of the front property line, on property located within the R-1 Zoning District. (Staff person: Wight)

Senior Planner Wight presented the staff report which Henry Pardi, the applicant, is in agreement.

M/s House/Jochum and passed unanimously (4-0) to approve the application.

Chair Harris advised all parties of interest of the 10 day appeal period to the Town Council.

**E. GENERAL DISCUSSION**

**1. General Plan discussion**

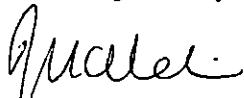
To be continued.

**F. REPORT OF UPCOMING APPEALS TO TOWN COUNCIL**

126 Laurel Avenue has been continued to the next Council Meeting.

**G. ADJOURNMENT TO THE MEETING ON MONDAY APRIL 7, 2003**

The meeting was adjourned at 11.15pm.



Joanne O'Hehir  
Sr. Admin. Services Asst.