

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF MARCH 3, 2003**

CALL TO ORDER

Commissioners Present: Chair Harris, Vice Chair Sisich, Commissioners Fernandez, House, Jochum, Wittenkeller

Commissioners Absent: 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 MARCH 17, 2003

D. PUBLIC HEARING ITEMS

CONSENT AGENDA

1. **MINUTES – February 3 and 18, 2003**
2. **DR-0312 – Steve Murch, 560-564 San Anselmo Avenue, APN 006-102-16**, Design review of a commercial building façade of approximately 56 lineal feet, located within the C-2 Zoning District. (staff person: Bell)
3. **V-0308 – DR-0305 – Susan McDowell and Michael Frideger, 140 Allyn Avenue, APN 007-092-19**, 1) Design review of a 52 square foot upper story and 90 square foot lower story additions; 27 square foot addition to the existing deck, replacement of a 542 square foot parking deck, and addition of a 192 square foot storage enclosure under the parking deck; and 2) A setback variance to enclose the under story of the parking deck (to be used as storage) within 1'-0" of the north side (Code: 8') and 0' of the west side(front) property line. (Code: 20')(staff person: Chambers)
4. **V-0301 – Dennis Pufpaf, 71 Elm Avenue, APN 007-052-39**, lot coverage variance to add a 222 square foot addition and remove 288 square feet of decking, reducing the lot coverage from 42% to 41% (Code: 35%). (staff person: Chambers)

M/s Fernandez/Sisich and unanimously passed (6-0) to approve the minutes of February 3, 2002, and all consent items based on the findings and conditions of the staff reports. Chair Harris advised all parties of interest of the 10-day appeal period to the Town Council.

REGULAR AGENDA

5. **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)

Planning Director Bell presented the staff report.

Commissioner Fernandez said that the Town's insurance liability and the length of time it is suggested that it runs are insufficient. Mr. Bell said that these are minimum requirements suggested by the Director of Public Works that can be amended.

The Architect for the Project, Fredric Divine notes that the minutes of the previous meeting should record that he said a subdivision should be submitted. Mr. Divine said that the plans have been revised to show pedestrian access to Sir Francis Drake from Loma Robles. Furthermore, design changes have been made to accommodate aluminum windows, rather than ivory or white, which are not favored by the Commission. Mr. Divine presented a color photograph montage to the Commissioners, noting that he had redesigned certain buildings with a craftsman-type front.

Furthermore, Mr. Divine has spoken with an acoustic engineer, who confirmed that he is not aware of a suitable design or building material that would deflect sound. However, he believes the design of the project is sufficiently broken up that sound deflected from the buildings should not be too loud.

Pete Pedersen, the landscape architect, said the acacia trees at the front of the property will be replaced with clusters of box-size redwoods and live oaks. They will be grouped into two or three to create an evergreen screen. Furthermore, large-scale trees will be planted to address off-site views and the shrub layer will be improved. Mr. Pedersen intends using trellises to maintain privacy and improve off-site views. Shrubbery will also be planted on either side of the public access area that fronts Sir Francis Drake Blvd.

Farhad Iranitalab, Traffic Engineer for project, referred to his report on traffic impact, noting he had also studied traffic reports prepared for Walgreens at 820 Sir Francis Drake and the previous prospective tenant, Blockbuster. He explained that the number of cars entering the eastbound side of Sir Francis

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Drake with the need to make a u-turn at an intersection to join westbound traffic is negligible. He determined that at peak times 7 cars would make outbound journeys and 3 inbound per hour, a tally of 10 trips for 13 units.

Commissioner Wittenkeller questions the number of peak time outbound journeys, which seems low. In response, Mr. Iranitalab explained that the inhabitants of the lower income units may not own cars and will use public transport. However, the Commissioner said that some households may have 2 cars and asked if school trips were included in the number. Mr. Iranitalab's response is that the figures are based on national averages, which include trips to supermarkets and so forth. School trips are not included in the statistics because it is assumed that drivers will continue to their place of work. He further suggests that car-pooling would reduce the number, although he is unable to break it down further.

In response to Commissioner Fernandez, Mr. Iranitalab confirmed that he had studied the intersections at Bella Vista Avenue and Madrone Avenue. In his view, these streets have a low volume of traffic and the increase in traffic will be unnoticeable to the inhabitants. The Commissioner believes that even a low number of cars will have an impact on such neighborhoods and he remains concerned for the residents. Mr. Iranitalab suggested that drivers would use Redhill Shopping Center to gain access to eastbound Sir Francis Drake, to which the Commissioner replied that the Shopping Center would be impacted. Mr. Iranitalab agrees that an impact would be felt but that it is a matter of deciding how many cars amount to a significant impact.

The Commissioner asked if the car journeys of the occupiers of premises behind Marchant Chapman had been taken into account. Mr. Iranitalab has calculated that 4 or 5 cars from this area will make a turn during each peak hour.

In response to Chair Harris, Mr. Iranitalab said that the total increase in traffic using Sir Francis Drake Blvd is less than 1%. Chair Harris suggested that the morning peak hour traffic might have the greatest impact, for example, on Bella Vista Avenue and asked for a breakdown. In response, Mr. Iranitalab said that evening peak hour traffic is generally believed to be greater than morning peak hour traffic and, therefore, traffic studies are taken from evening peak hours only.

Mr. Divine interjected to say that if the same national standard is applied, which is the only data available, then the usage of side roads will be low. Furthermore, the new Walgreens development at 820 Sir Francis Drake will create more traffic, as would have Blockbuster, should they have occupied that building. Nevertheless, Chair Harris observed that data for morning peak hour traffic is not available and the impact of traffic on side roads may be considerable. Mr. Divine said that a traffic study could be made at peak hours on Bella Vista Avenue and Madrone Avenue.

Chair Harris believes there may be safety issues concerning westbound Sir Francis Drake traffic needing to slow down, for example, as cars enter and exit the development. Mr. Iranitalab believes the main safety concern would be visibility and that this would not be a problem. However, where a car needs to make a turn in a traffic lane, there is always the possibility of an accident occurring. He said that traffic signals increase the likelihood of rear enders.

Chair Harris said that whilst the project is under discussion, there are opportunities to incorporate traffic safety issues. He asked Mr. Iranitalab to explore the ideal arrangements for the Commission to discuss. Mr. Iranitalab said the widening of the road at the entrance to Loma Robles had been considered but then discarded because it would impact the adjacent property owner.

Referring to the traffic study undertaken by Blockbuster, Commissioner House believes the impact on Bella Vista will be considerable. Furthermore, considering that it is not unusual for households to own 3 or 4 cars, the anticipated number of morning trips seems low. Many of these cars will need to join eastbound traffic, which will surely have an impact on Sir Francis Drake Blvd and neighboring side roads. The solutions put forward for enabling vehicles to join eastbound traffic are not satisfactory. In response, Mr. Iranitalab observed that a turn will need to be made on a side street or at the shopping center and he repeated the point that a 13-unit development will cause the least amount of increase in traffic.

In response to Vice Chair Sisich, Rabi Elias, Director of Public Works, said that a traffic study had been undertaken from Fairfax City limit to Ross. It appears that the number of cars using Sir Francis Drake Blvd is not the issue but the side roads, which would be impacted. The level needs to be evaluated and a balance found between the benefits of the project and its impact on side roads.

Stephen Bauser, Civil Engineer for the project, reported on the drainage plans. In reply to Commissioner House, Mr. Bauser confirmed that there is nothing on the site that would hold water. The run-off will be increased by 15% but he believes that there will not be a great deal of water run-off.

Commissioner Wittenkeller asked Mr. Bauser about his plans for water run-off from the hillside, with his particular concern being the upper most retaining wall. Mr. Bauser replied that the wall will have a swell in the back to collect water and V-ditches, (which he identified on the plans) will take care of the run-off. This water will then discharge into storm drains.

In response to Chair Harris, Mr. Bauser said that, in general, homeowners should be responsible for general cleaning maintenance of drainage systems. However, atrium gates can be added to landscaped

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areas to ensure water spills in over the top. Chair Harris suggested that this could be made a recommendation.

The Soils Engineer, John Hollingbeck, explained how he would improve the soil and excavate and stabilize the site. Pier foundations will be drilled deep into bedrock and the steep portion of the hill will be rock-bolted. He also proposes to construct a subsurface retaining wall. Rabi Elias, Director of Public Works, said that according to the Peer Review by J. Nelson, the whole area should be buttress-filled.

Mr. Elias said that catchment walls would not stop debris flowing if there is a catastrophic landslide. He believes that, nevertheless, catchment walls provide some protection and that adequate drainage measures contribute to the safety of the site. However, the land has not previously been developed and the safety of the project cannot be guaranteed. In reply to Chair Harris, Mr. Elias said that the lower the units are positioned upon the hill, the safer they will be because a slide picks up speed as it gathers debris.

Commissioner Jochum noted that the catchment wall at the top of the lot would be in the path of a catastrophic slide.

In response to Commissioner House and Vice Chair Sisich, Mr. Elias said that in order to provide the best safety features, the owner would need to go off-site. However, this would not be feasible because the abounding land is owned by the Town of San Anselmo.

Chair Harris asked if the plans for stabilizing the land are the very best or if there is a better, more expensive alternative. Mr. Divine responded that the methods are very good but are limited by the boundaries of the property.

Commissioner Wittenkeller believes that deflection walls do not provide adequate protection and he remains concerned with the safety of the site. Furthermore, the upper portion of Redhill still needs addressing. He has confidence in the engineer to stabilize all that has been described but not with the upper areas of the project. Mr. Divine observed that this area is stable according to the soils report, with the danger being in the lower levels of the hill, which are being addressed. However, the Commissioner has witnessed a slide on a slope that was not as steep when that slide brought down trees and boulders. It seems senseless to endanger people's lives.

In response to Chair Harris, Mr. Divine said that planter boxes and trees could be used to screen and decorate the reinforced covering on the slope. Furthermore, the redwoods at the bottom of the complex should provide screening and faux rock could be used, if deemed necessary.

John Walters, 110 Santa Cruz Avenue, produced a map that preceded the 1967 slide. In 1955 20" of rain fell in 48 hours and in 1967, following the development of apartments, a landslide occurred after 11" of rainfall. Mr. Walters said that in 1967 Salem Howes had warned the Council before approving the project that a landslide might occur. Following the Loma Prieta earthquake in 1989, he studied the road and found a fissure 50' long and 2" wide, which indicates an earthquake fault. Mr. Walters believes this area should not be developed.

Jonathan Braun, of 479 Scenic Ave, said that the land is not safe. One home was destroyed in 1967 and there appears to be a great depth of unstable soil. He believes this project is not in the least justifiable on such a hazardous site and, furthermore, there are considerable problems with road access. He suggests a smaller project with less impact, such as a small office building with a small footprint that would produce less traffic and allow the owner the economic use of his property. The Town should direct the applicant to provide an alternative use of the land. Furthermore, Mr. Braun suggests that the use of Redhill Shopping Center may be illegal because it is privately owned property. The residents of Bella Vista Blvd. and Madrone Avenue will not approve of drivers using their roads to make a turn to join eastbound traffic on Sir Francis Drake Blvd. Mr. Braun also notes that there have been 2 fatalities in the area and is concerned that pedestrian safety has not been addressed.

Kay Gagy, of 280 Redwood Road, believes there is no compelling reason to change the zoning to allow a large development. There are 3 parcels of land which are adequate to build 3 homes or small offices. With regard to traffic issues, an environmental impact report should be undertaken. A DKS survey of San Anselmo indicated that the level of service on Sir Francis Drake was an F, which is the worse level. Chair Harris observed that a Negative Declaration has been proposed for the project.

Kathy Sanders, of 210 Redwood Road, said that a 13-unit complex would provide serious traffic issues. The impact on road users of the construction of the project should also be studied. She envisions drivers using a driveway on Madrone in order to turn around and supports Mr. Braun in encouraging a lower density operation that produces lower road usage.

John Marchant, Real Estate owner, said that in his experience his employees make a turn on Redwood, in order to join eastbound traffic on Sir Francis Drake Blvd, or they use the Walgreens building or Redhill Shopping Center. He has never seen a driver use Bella Vista Blvd and believes, in general, that people do not use residential neighborhoods for such purposes.

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Bob Chapman, Real Estate Owner, is concerned about parking issues and believes that requirements fall short. He has an office in the vicinity of the project and would not like his offices to be impacted.

Patrick Hayden, of 36 Luna Lane, said that debris is constantly falling into his yard from the slide area, along with water, which cascades down to the access road which is being proposed. He is concerned that water will be drained from the site into the storm drain on Loma Robles that cuts across Luna Lane and for which the Town is not responsible. Furthermore, the parking lot at the back of his property is constantly wet, even though there has been little rainfall. He does not wish to deal with run-off water from the new development.

Cherilyn Gilboy, of 36 Luna Lane, observed that the site of the proposed development is steeper than one side of Spaulding Hill, which is considered too steep to develop.

Commissioner Fernandez remains concerned with traffic issues and subsidence behind the steep slope. He asks if the applicant can present the geology report or make it available to the Commission.

Commissioner Wittenkeller asked to review the Negative Declaration, acknowledging that it was presented at the last hearing for the project. He believes it inconceivable that a project with a serious environmental impact will be mitigated through a Negative Declaration. He would also like an environmental study to be undertaken.

Commissioner Jochum commutes daily along Sir Francis Drake and has not seen any difficulty with the ingress and egress of Loma Robles. He acknowledges that Sir Francis Drake is narrow and cannot handle the current traffic flow effectively and that additional traffic will exacerbate the problem. Nevertheless, he does not object to the project and considers there are more important matters to consider, such as the configuration of the egress and sharpness of the turnout. At present, drivers need to wait until both westbound lanes are free before being able to pull out on to Sir Francis Drake Blvd. The Commissioner has confidence in the soils engineers and the Building Department to review the plans well. He believes there is sufficient expertise to ensure the site is developed as safely as possible. Commissioner Jochum would like the designer to present an accurate color photographic montage of the development.

Vice Chair Sisich is unable to support the project until he is sure the site is stabilized. Despite indemnity insurance, he would not want to support a project that was later involved in a landslide, since the hillside above the subject property will still be unstable. Furthermore, traffic issues still remain, particularly concerning Bella Vista Blvd. However, he understands the owner's right to develop his land and acknowledges that the project complies with the Housing Element.

Commissioner House is in agreement with Vice Chair Sisich with regard to the right of the property owner to develop his land, although problems with stability still need to be addressed, along with traffic conditions. If the project is approved, she would like one unit to be sold as part of a Work Force project with a deed restriction. The Commissioner gave an example of sound absorption panels she has seen in Kentfield, which the tenants said are helpful. If feasible, Commissioner House would like an extra lane added to westbound Sir Francis Drake Blvd and a maintenance agreement in place to care for the drains.

Chair Harris agrees with Commissioner Jochum with regard to the road conditions of Sir Francis Drake Blvd. He would like data on morning peak hours in neighboring streets before making an informed decision. To enhance public safety, the density might have to be reduced or structures removed. The Chair observed that the landslide issue really concerns the adjacent land but he believes a balance needs to be found between recognizing a serious safety risk and penalizing the landowner. He would like a color drawing of the shot-crete to be presented at the next meeting.

M/s House/Jochum and unanimously passed (6-0) to continue the project the meeting of 7 April, 2003.

6. V-0311/DR-0308 – Jeff and Gabriella George, 57 Scenic Avenue, APN 007-081-16, Design Review to add a 2nd 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 Vice Chair Sisich, Mr. Bell said that the Commission could decide to make findings based upon a small depth to the lot compared to other lots in the area, or move the upper story to fit within setbacks. In response to Commissioner House, Mr. Bell said the increase into the set back is not significant but the house is already in nonconformance.

Wendy Posard, Architect, said that the second story has been designed towards the rear of the lot in order to maintain the existing character of the house and ensure that shadow lines are not created on neighboring properties. The lot has been challenging and they have had to encroach upon the rear yard to create architectural interest. A huge oak tree provides screening and a bay window on the east side of the property is at the top of the stairs and does not create privacy issues.

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Commissioner Wittenkeller notes that the shadow study took place on 21 December, 2002 when there was no shadow on the neighboring house. Ms. Posard does not think that the house will be effected during the summer months since the sun should rotate around and behind Mt Baldy.

In response to Chair Harris, Ms. Posard confirmed that the oak tree is in good condition.

Geoff George, applicant, explained that he has lived in the house for 8 years and needs to enlarge his home to accommodate his family. He would like to remain in the neighborhood and realizes that enlarging his house is financially more feasible than moving to a larger home. Most of his neighbors support the project but he acknowledges that his adjacent neighbor on Scenic Avenue has concerns.

Those who voiced their support for the project include: Tom Kordick, 54 Scenic Avenue, John White, 28 Scenic Avenue, Kathleen Salazaar, 38 Scenic Avenue, and Edwin Kahler of 8 Elm Court.

However, Bill Hendrickson, representing his daughter, the owner of the neighboring property at 55 Scenic Avenue, strongly supports the Planning Director's recommendation to deny the project. He is concerned that the bay window looks directly into two bedrooms and believes that it might encroach on the side yard setback. Furthermore, the shadow lines will be more severe than shown on the drawings and the roofline obliterates hillside views.

In response to Chair Harris, Mr. Bell confirmed that the windows meet the side yard setback requirements.

Commissioner Wittenkeller asked if the design could be altered to mitigate the impact such as by changing the bay window. The loss of the hillside views by the neighboring house cannot be prevented because a flat roof would be impractical.

Chair Harris asked Mr. Hendrickson to bear in mind that the applicant is still able to build a second story addition of under 400 sq ft without planning permission.

In response to Vice Chair Sisich, Mr. Hendrickson said that his daughter had addressed her concerns to the applicant.

Bill Hendrickon, the brother of the owner of 55 Scenic Avenue, explained that his sister is concerned with shadow lines that will cross her property and block out the sun. This situation will be exacerbated in summer. In response to Chair Harris, Mr. Hendrickson said he did not think that a difference would be made if the second story were removed from the set back line.

Arthur Cronos, resident of 55 Scenic Avenue, said the applicant had not spoken with him. He objects to the shadow study that was undertaken during the time of year when the sun is at its lowest and said he will lose his hillside views. Furthermore, Mr. Cronos works from home and will be greatly disturbed for 14 months by the construction of the project and the noise and health hazards associated with building. He said that the project will not impact many of the neighbors who have shown support and suggests that a 1400 sq ft home should be quite adequate for a family. He observed that the lot is too small for the size of house the owners are proposing and he asks the Committee to deny the request.

In response to Chair Harris, Mr. Cronos said that shadows would be cast across his property during the summer months if the second story were allowed into the set back. A reduction in size of the second story would reduce the shadows.

Geoff George, applicant, said that the construction process should be no longer than 6 months. He is committed to the neighborhood and would be happy to move a window or to make it smaller. He said that there is a lot of shade throughout the day. He does not believe that moving the second story forward will effect the shadows. He notes that the kitchen window of 57 Scenic Ave. already overlooks 55 Scenic Ave and, besides which, an oak tree provides screening on the second floor.

Commissioner House suggested the second story bay window should have frosted glass. The applicant asked if the Committee would consider frosting for the lower part of the window.

Commissioner House said that the applicant does not have a right to extend further into the setback but notes that the addition will move less than 1' further in, for which the design is more attractive than if the addition were built towards the front of the house. Ms. House suggests an arborist's report be undertaken to protect young trees and notes that construction work is by its nature disturbing to neighbors.

Vice Chair Sisich understands the applicant's motives for the addition and finds the shadow study argument unpersuasive. He is more concerned with the neighbor's loss of views and would like to know if the views would be obscured if the owner built the house according to code, which would preclude planning permission. If this is the case, then he would support the application.

Commissioner Jochum observed that this project would exceed a typical FAR if one were in place. He believes the set back in the rear yard should be maintained unless there are mitigating factors, which he believes are absent in this case. By encroaching on set backs, the development rights of the neighboring property will be limited. Besides these factors, the house is already nonconforming. The Commissioner

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suggests that the applicant should rework the mass of the design and cooperate with the neighbor on the bay window.

Commissioner Wittenkeller approves of the design but the addition will impact the neighboring property to a degree that he cannot support the variance. The Commissioner suggests the application is continued whilst the applicant and neighbor try to reach a reasonable compromise.

Commissioner Fernandez was recused from comment because he resides too close to the applicant.

Chair Harris supports Commissioner House's comments and notes Commissioner Jochum's observation that a variance is being requested for a property that is already nonconforming. However, he believes such applications should be taken on a case by case basis. The Chair is not convinced that the shadow problem will be increased and the neighbor's views obliterated any more than if the second story were designed without the need for a variance. He notes that findings could be made for a variance based on the size of the lot and the fact that the variance is required on the street side of the property where there is no immediate neighbor. However, in the interests of community relations, he believes the problems might be mitigated by changing the pitch of the roof, the plate height or reducing the size of the addition.

Mr. Cronos and Mr. Hendrickson, speaking on behalf of the owner, said they would be willing to meet with the applicant and architect to see if a compromise could be reached before the next Planning Committee Meeting.

M/s Harris/Jochum (5-1 abstention Fernandez) to continue the item to the meeting of March 17, 2003.

7. **V-0315/DR-0309 – Lesleigh 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; and a setback variance for a first story addition to be within 3.5' of the south side property line (Code minimum setback: 8'), located within the R-1 Zoning District. (Staff person: Wight)

Senior Planner Wight presented the staff report. Commissioner Wittenkeller notes that story polls have not been erected and thus the neighbors will not be aware of the impact of the project. Ms. Wight said that the design does not cause an impact on light and air to the neighboring property and that there is no impact on the house at the rear of the property because it is at a higher elevation. Furthermore, privacy will not be unreasonably effected. A view of the neighbor's yard might be observed from the second story bathroom window and the window at the front looks on to the porch.

The architect, Eric Layton, confirmed that he had asked his clients to speak with their neighbors although, evidently, this did not happen. He explained that the addition at the rear of the property would have less impact on the neighboring properties.

Matt Parker, of 199 San Francisco Blvd, said that his property would be the one most impacted. He believes that sunlight might be blocked from his yard.

M/s House/Jochum and unanimously passed (6-0) to postpone the item to 17 March, 2003, by which time story polls should have been erected.

8. **UP-0304/V-0312/DR-0310 – Clayton and Molly Fraser, 48 Barber Avenue, APN 006-191-31,** Use permit to demolish a single family dwelling and flatland design review of a 1,418 square foot second story on a new single family dwelling, located within the R-1 Zoning District. (Staff person: Wight)

Commissioner Wittenkeller recused himself from the podium.

Senior Planner Wight presented the staff report.

Clayton Fraser, applicant, explained that he is seeking approval to replace a dilapidated building and believes he has the support of most of his neighbors.

Glenn Dicky, of 101 Barber Avenue, opposes the use of wood burning fires. His wife is allergic to smoke and needs to keep the windows closed during winter months. He supports the project providing a wood burning fire is not installed.

Chair Harris suggested the applicant might consider using a gas fire.

M/s Jochum/House and unanimously passed (6-0) to approve the staff report.

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

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9. U-0305/V-0314/SR-0301 – Holly Hopper Clifford, 417 San Anselmo Avenue, APN 007-251-20, Use permit to establish a 1,425± square foot garden accessories and home furnishing sales facility, and a parking variance for no on-site parking (Code: minimum 6 spaces) and Sign review of a conforming sign, located within the C-2 Zoning District. (staff person: Bell)

Planning Director Bell presented the staff report.

M/s Sisich/Jochum and passed (5-0) to approve staff report with conditions of approval.

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

E. GENERAL DISCUSSION

Commissioner Jochum suggests that the Town's Tree Ordinance needs to be reviewed. A permit was apparently denied for the removal of a tree on Barber Avenue, which was later brought down in bad weather. Mr. Bell said he would speak with the Director of Public Works.

1. **General Plan discussion**

To be continued.

F. REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

126 Laurel Avenue.

G ADJOURNMENT TO THE SPECIAL MEETING ON MONDAY MARCH 17, 2003.

The meeting was adjourned at 11.15pm.



Joanne O'Hehir
Sr. Admin. Services Asst.