

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF OCTOBER 17, 2005**

A. CALL TO ORDER

Commissioners Present: Freeman, Harris, House, Krebs, Zwick
Commissioners Absent: Sisich

B. OPEN TIME FOR PUBLIC EXPRESSION

C. WITHDRAWN ITEM

ER-0501/PS-0501/PPD-0501/V-0504 – Carlos and Norine Castro, 444 Redwood Road, APN 007-191-10, Environmental Review (Mitigated Negative Declaration), Parcel Split and Precise Development Plan for a new two-story, 3,562± square foot single family dwelling and 509± square foot attached garage (Code setback: 20') on property located within the R-1H zoning district. (staff person: Wight)

D. CONTINUED PUBLIC HEARING ITEMS

1. **ER-0501/PS-0501 - Joseph Maquire, 1535 Sir Francis Drake Boulevard, APN 005-153-01**, environmental review and parcel split for: Lot 1: one single family dwelling; Lot 2: one single family dwelling; Lot 3: 4 townhouses, 4 workforce apartments and common parking area. (staff person: Wight) **CONTINUED TO NOVEMBER 7, 2005**
2. **UP-0513/V-0531/DR-0526 – Alletta and Ted Bayer, 32 Elm Avenue, APN 007-053-01**, Use Permit to demolish an existing 1,860 square foot single family dwelling; Variance for retaining walls varying in height up to approximately 9 feet within 1 foot of the north side property line and up to approximately 5' in height within 11 feet of the front property line to construct a new driveway (Code: 8' and 20' respectively); and, Flatland Design Review for the second story of approximately 1,945 square feet (in conjunction with a new single family dwelling of approximately 3,958 square feet and garage of approximately 491 square feet). (For information, project would ultimately require from the Public Works Director a revocable encroachment permit for a portion of the retaining wall to be located in the right-of-way (off pavement) and a permit for the removal of 3 heritage trees), located within the R-1 zoning district. (staff person: Chambers) **CONTINUED TO NOVEMBER 7, 2005**

E. PUBLIC HEARING ITEMS

CONSENT AGENDA

1. **Minutes – October 3, 2005**

M/s House/Freeman and unanimously passed (5-0) to approve the minutes of October 3, 2005.

REGULAR AGENDA

2. **DR-0529/V-0532 – Jan Thomas, 45 Valley Road, APN 005-081-13**, 1) Setback Design Review to demolish and reconstruct a portion of the existing house within 5' of the north side property line; 2) lot coverage variance to exceed the permitted 35% up to a maximum of 36.68%; and 3) setback variances to permit an extension of approximately 18 square feet within 17'-7" of the front property line and 6'-8" of the north side property line (Code: 20' and 8' respectively), on property located within the R-1 zoning district. (staff person: Chambers)

Planner Chambers introduced the staff report. Ms. Chambers said that the applicants have amended the plans so that lot coverage is no longer an issue. However, setback variances are still necessary.

In response to Chair Zwick, Ms. Chambers discussed the design changes to the bay window that would render the variances unnecessary.

Sutton Cunningham, designer, explained the project in further detail. He said that the bay window is really a bump-out created to install a built-in cabinet, but does not create floor space. The master bedroom is small and they are trying to build storage into a wall rather than bringing in a separate dresser. This means that the street setback and side setback are being affected.

In response to Chair Zwick, Mr. Cunningham discussed other design options that were considered and the reasons they did not work. He explained that the current option is easier to construct. Mr. Cunningham said that the house is small and the lot narrow, and that his clients do not desire a second story. Furthermore, the garage has been reduced, so the lot coverage variance is no longer required.

Vice-Chair House would like to support the project if the findings can be made, because the applicant has worked with staff to try and make the project work, and they have reduced the garage.

Planning Director Wight and Chair Zwick discussed changes to the floor that might enable the bay window to meet setbacks.

Commissioner Freeman noted that the applicants are not asking for a great deal.

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Chair Zwick and Mr. Cunningham discussed various building options to meet setbacks.

Vice-Chair House said that the exterior area beneath a bay window could attract vermin.

In response to Commissioner Harris, Mr. Cunningham said that the lot is one of the smallest in the area. However, Ms. Chambers confirmed that it is not the smallest lot.

Vice-Chair House suggested that a finding could be made based on the lot being small.

M/s House/Krebs and unanimously passed (5-0) to approve the front yard and side yard setback variance, based on the lot being one of the smallest and shallowest in the neighborhood, and that the addition will not adversely impact the neighborhood. Additional conditions being that:

1. Prior to framing inspection, the garage wall has to be moved back.
2. The plans used for construction should be those that were revised today, October 11, 2005.

The setback design review findings are:

1. *Will not unreasonably impair access to light and air of a structures on neighboring properties:* The north facing wall currently is 5' to the side yard setback and being replaced in the same location with the same footprint and the increase in height will not impact the only neighbor affected because the addition is to the rear of the property and the neighbor's house is two stories and set forward on the lot.
2. *Will not unreasonably affect the privacy of neighboring properties:* The north facing wall currently is 5' to the side yard setback and being replaced in the same location with the same footprint and the increase in height will not impact the only neighbor affected because the addition is to the rear of the property and the neighbor's house is two stories and set forward on the lot.
3. *Will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental tot he public welfare or injurious to property or improvements in such neighborhood:* This is a wall that is being reconstructed and raised slightly but is in the same location, with the same footprint of the existing wall and will not materially affect the neighborhood.
4. *Is of a scale, intensity, and design that integrates with the existing character of the surrounding neighborhood:* This is in scale with the neighborhood.

Chair Zwick reminded the audience of the 10-day appeal period.

3. **DR-0528 /U-0515 - Verizon Wireless on behalf of Seventh Day Adventist Church, 1509 Sir Francis Drake Boulevard, APN 005-153-03,** 1) Design Review of a new telecommunication facility at an existing church; and 2) Use Permit for the installation and operation of communication equipment in the R-2 zoning district (Medium Density Residential). The equipment consists of ground-mounted equipment at the rear of the church and three panel antennas screened behind a false roof chimney. (contract planner: Vazquez)M/s to approve the minutes

Chair Zwick recused himself because he lives within 500 ft of 1509 Sir Francis Drake Blvd.

Planning Director Wight introduced Jan Vasquez, Consultant Planner.

Planner Vasquez introduced the staff report, using the plans to explain the project in more detail.

Commissioner Harris and Ms. Vasquez discussed an easement, which would be used temporarily to locate a generator in an emergency. Ms. Vasquez suggested that, as a condition of approval, the easement be made non-exclusive so that the church congregation could use the parking space. She further suggested that the Town review the easement prior to it being recorded.

Commissioner Harris and Ms. Vasquez discussed a chimney that has been temporarily erected to show where the antennas will be placed.

In response to Commissioner Freeman, Ms. Vasquez said that she did not envisage there being a generator on the easement on a regular basis. Commissioner Freeman noted that problems could be solved if the cabinets were moved elsewhere, perhaps on a parking space.

Tom Miller of Cal Com Systems, representing the applicant, said that the area they are trying to serve is surrounded by single family residences and that the church is one of the few non-residential buildings in the area. Mr. Miller noted that they have lowered the height of a chimney, moved equipment closer and provided for landscaping. He is therefore surprised that staff have recommended denial. Mr. Miller spoke about concern for the second chimney, and he said that the ground equipment blends in with the environment. Furthermore, under the existing design, the Church will retain much of the lawn for kids to play on three or four times a week.

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In response to Commissioner Harris, Mr. Miller said that other locations for the equipment had been considered but that staff had informed them that a variance would be required. Mr. Miller explained why they considered the present location to be the most suitable.

In response to Commissioner Freeman, Mr. Miller explained why it was not possible for them to share the equipment belonging to the other communications companies.

In response to Vice-Chair House, the Pastor of the church said that the location of the equipment is not a problem. He said that a licensed day care facility is not necessary and that kids spend a few hours a week in the back after service.

Commissioner Harris and the Pastor discussed other areas that might be suitable for the equipment. The pastor said that he preferred the current position.

Various commissioners discussed the removal of sheds, which might provide a suitable place for the equipment. Planner Vasquez said that she thought that the sheds are located in the rear yard and side yard setbacks.

Cindy Geofft, 51 Austin Avenue and a concerned citizen, said that there are 43 antennas in the town and that the Church is already supporting 6 antennas. She said that the antennas should be placed in another location where there is less residential housing. Ms. Geofft thought it unlikely that the antennas will affect the congregation, many of whom might live out-of-town. Ms. Geofft had numerous questions on the report by Hammett & Edison.

Commissioner Harris and Ms. Geofft discussed Ms. Geofft's comments on the potential health hazard caused by electricity.

Jane Hall, 31 Nokomis Ave and a concerned citizen, said that there are 43 antennas in a 1½ mile radius of San Anselmo. Ms. Hall is concerned with the combined signal strength of the antennas and whether or not it has been measured.

In response to concerns aired by members of the public, Mr. Miller said that their facilities are governed by FCC regulations and that their site has been evaluated and found to be far below anything that could cause harm to humans.

Bill Hammett, Engineer, discussed how the signal strength was measured, and he said that tests were based on all the antennas. He also discussed the measurement of radio frequency.

The Pastor explained that both he and his congregation have a voice in the decision-making process, and he confirmed that they support the project.

Commissioner Harris said that he shares the concerns of the concerned citizens, particularly with the proliferation of antennas. However, Commissioner Harris assumes there is a growing demand for cell phone usage and it appears that these antennas will serve the Town of San Anselmo. Furthermore, he does not perceive the middle chimney to 'clutter' the roofline, but he does have issues with the proposed location of the ground equipment. Commissioner Harris suggested that a better location could exist, although it might require a variance. The play structure or 2 sheds could perhaps be moved, although Commissioner Harris acknowledges that he does not know if a variance would be possible and whether or not the houses next door would be affected. In general, Commissioner Harris said that he supports the staff report with respect to the ground equipment location, the use of property, and the heritage tree.

Commissioner Freeman believes that more thought should be given to the location of the cabinets and he would support a continuance.

Commissioner Krebs said that he has little to add to the comments of the previous commissioners, and that he supports the findings of the staff report with respect to the location of equipment. Commissioner Krebs said that he is unable to comment on whether or not the chimney clutters the roofline because he has not seen it. He agrees with the staff report with regard to the ground facilities.

Vice-Chair House does not believe that the chimney makes the roof look cluttered. She suggested that the heritage tree could be used as a finding for a variance.

Vice-Chair House, Commissioner Harris, and Mr. Miller discussed the noise level emanating from the electrical equipment.

In response to Mr. Miller, Planner Vasquez said that there might be a possibility of putting the low ground vault below ground. This was discussed further with input from Vice-Chair House.

The commissioners and staff further discussed the possible alternative locations for the equipment.

In response to Mr. Miller, Vice-Chair House elaborated on those locations that the Commissioners have indicated might be suitable for the equipment that they wish the applicant to explore further.

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M/s Harris/Freeman and unanimously passed (4-0) to continue the project to the meeting of November 21, 2005, to enable the applicant to explore alternative locations for the ground equipment.

Vice-Chair House reminded the Hearing of the 10-day appeal process.

F. ITEMS FROM PLANNING COMMISSION

In response to Commissioner Krebs, Ms. Wight said that the Town Council will hear a recommendation to extend the Urgency Ordinance regarding signs at their next meeting on October 25, 2005.

G. ITEMS FROM STAFF

Changes have been made to the plans at 186 Scenic Avenue, which will be heard at the next Town Council Meeting on October 27, 2005.

H. ADJOURNMENT TO THE NEXT MEETING OF NOVEMBER 7, 2005.

The meeting was adjourned at 9pm.


JOANNE O'HEHIR
SENIOR ADMIN. SERVICES ASST.