

**TOWN OF SAN ANSELMO  
PLANNING COMMISSION MINUTES OF OCTOBER 19, 2009**

**CALL TO ORDER**

Commissioners' present: Harris, Krebs, Overberger, Schinner, Zwick  
Commissioners' absent: Brown, Sisich

**OPEN TIME FOR PUBLIC EXPRESSION**

No one spoke during this time.

**CONTINUED ITEMS**

None

**PUBLIC HEARING ITEMS  
CONSENT AGENDA**

**1 Minutes – October 5, 2009**

- 2 DR-9011–Michael McKee, 255 San Francisco Boulevard, APN 005-204-37**, Design Review for a new 1,500 square foot single family home which meets all Zoning Ordinance requirements located in the R-1 Zoning District. This project was continued from the October 5, 2009 meeting because the applicant has changed the slope of the roof from 4:12 to 6:12 and increased the height of the roof from 18 feet 2 inches to 23 feet (Code: 30'). (Staff person: Boyle)

M/s Zwick/Krebs to approve minutes. All ayes.

Harris recused himself because he lives within 500 feet of 255 San Francisco Blvd.

M/s Krebs/Zwick, and passed (4-0) to approve 255 San Francisco Blvd. The audience was advised of the ten day appeal period to the Town Council.

**REGULAR AGENDA**

- 3 DR-0904/V-0903–Alice Tompkins, 24 Cypress Road, APN 006-113-14**, Hillside Design Review and Setback Variance to construct a one car, ±239 square foot garage within 2'-6" of the north side property line and 6" of the rear property line (Code: 8' and 20' respectively); and for the two uncovered parking spaces to be substandard in length between 16'-4" and 18'-3" (Code: 19'), located within the R-1 zoning district above 150' msl elevation. This project is continued from the June 1, 2009 meeting. (Staff person: Boyle)

Town Attorney Hurd said the application has been withdrawn by the applicant due to a settlement with the neighbor and the Permit Streamlining Act but will come back in the near future.

- 4. UP-0910/DR-0909–George Morf, 115 Calumet Avenue, APN 006-072-28** Use Permit for demolition of a 1,168 single family home and Design Review for construction of a two story 3,079 square foot house and a 514 square foot attached garage, located in the R-1 Zoning District. This project is continued from the September 21, 2009 meeting where the Commission requested changes to the design. (Staff person: Boyle)

Planning and Building Director Wight presented the staff report. She noted that letters have been received from Michael Rex, Sais Avenue, who had comments on landscaping modifications, Stephen Lee, Calumet Avenue, who does not support the project, and Susanne and Jerry Knecht, 114 Calumet Avenue, who support the project.

George Morf, applicant, explained the design changes from the previous hearing.

In response to Harris, Morf said there will be some branches that will have to be trimmed but there will not be significant pruning.

In response to Schinner, Morf said the large tree scheduled for removal is in the location of the new house and it is old and reached its life span.

Zwick asked for clarification on the Heritage Tree Ordinance. Wight read the Ordinance with respect to removing trees. She noted that the Commission can review the project however, if the Public Works Director is unable to support removal of the tree, the project would have to be revised.

Harris asked if there can be a consideration on colors and materials in the flatland. Wight said the Commission cannot review color. Hurd added that the idea was not to rule out a particular style and that is why the finding was not specifically articulated.

Steven Lee, Calumet, said there are 11 people who signed the petition against the project. He presented photographs of homes on Calumet and Yolanda, noting that the neighborhoods have different character from one another. He said the proposed house fits in on Yoldanda but not Calumet. He does not feel the goal of the General Plan has been met because of the scale, intensity and design within the Calumet

**TOWN OF SAN ANSELMO  
PLANNING COMMISSION MINUTES OF OCTOBER 19, 2009**

neighborhood. He believes this house would change the character of the neighborhood. With regard to the heritage tree, it has been stated that the tree is disproportionately large for the site, but he feels the house is disproportionate to the site.

Chris, Calumet, chose the neighborhood for the small scale of homes. She said the height will block light and disallow the neighbor from putting on solar panels in the future.

Warren Heiman, Calumet, said he is on the south side of the proposed project. There are mature oak trees on the site and he has no problem with the project, noting that the house will be setback and will be screened by trees.

Vern Cummings, Calumet, is concerned about the bulk and mass of the project and the trees that will be removed, and the size of the house will change the character of the neighborhood.

Peter Paolino, Calumet, has lived on Calumet for 59 years and he is in support of the project. The applicant has been very considerate of the neighbors and has made many changes before it even can to the Commission. There are 37 homes on Calumet, 19 are two stories, and there have been 5 second story additions. The character of the neighborhood has not been changed with these additions and he feels this project should move forward.

Ned Farnkopf, Calumet, feels the house is a little large and would like it reduced and the vertical mass is too large.

Dina Leitch, Calumet, would like the mass reduced because she is adjacent to the proposed dwelling.

In response to Schinner, Leitch said another neighbor did not want the dwelling pushed back. She would like the second story reduced and she is also concerned about the potential precedent. She also has a detached second unit behind her dwelling and there is a concern about privacy for both her house and the second unit.

Harris asked if the first floor went further back on the lot and the second story was reduced, would that solve the problem. Leitch said it would help.

Morf said he is working within all the setbacks and is not exceeding the allowed lot coverage. If the house becomes longer, it would be a railroad house. He said the few modifications he has made will reduce the mass. He does not think the story poles will be a true indication of the house and garage. He noted that he would be willing to add more trees as necessary to provide privacy.

Zwick asked if the applicant would make the windows translucent above a certain height. Morf said he would rather not because it is a bedroom and he wants the light to come in.

In response to a question from Zwick, Morf explained to what extent trees will be pruned. He also explained he will have a pier and grade beam foundation and will have the arborist on site during construction.

Harris said he appreciated the applicant meeting with the neighbors and addressing some of the Commission's concerns from the last meeting. He believes the canopy of the trees over the house will be affected and some large limbs will have to be removed. He understands there will be some thinning of trees but he is uncertain to what extent. He feels the heritage tree is being removed because it is in the way, not because it is old. He noted that the staff report states that no shade study was required because of the canopy of trees however, with the canopy removed, it will have an impact on 111 Calumet. He would like to see a shadow study. There has been some effort made to articulate however, his concern is the size of the house; it is very large and very vertical, particularly coming up Calumet. He is not against the railroad style but there are other alternatives with a reduction on the second story. It is also hard to look at the plans to see what the modifications were and would require that in the future changes be indicated.

Zwick asked about the process of the Tree Ordinance. Hurd said it is somewhat deficient with regard to this application. The determination is made by the Public Works Director at a separate meeting. Therefore, the design review is subject to the heritage tree removal.

Krebs asked for clarification. Hurd said he would anticipate a code revision in the future however we now work with the code that is in effect.

Krebs stated he appreciates the applicant working with the neighbors. At the previous meeting he wanted a reduction in bulk and mass and the changes made are helpful but superficial. Although he does not like to see heritage trees removed, this is a lot that has many trees and the removal of trees is subject to approval by the Public Works Director. In addition, more trees will be added. There is adequate parking on the lot, so this is a non issue. He was surprised on the number of two story homes on Calumet. He is still somewhat concerned about the bulk and mass.

Zwick said he is torn. The applicant has talked with neighbors, meets the setbacks, meets the lot coverage, etc. However, his arborist would never allow him to construct with pier and grade beam footings because the trees will go into decline. The ordinance wants to protect heritage trees. The proposed house is pretty much up to all the limits, so he is on the fence. However, the project seems a little large on the long narrow lot.

**TOWN OF SAN ANSELMO  
PLANNING COMMISSION MINUTES OF OCTOBER 19, 2009**

Schinner stated that he appreciates the applicant taking into consideration the neighbors. He does not see a concern with the size but has issues with the removal of heritage trees. If too much of the trees are removed, the project massing will have an impact. He does not support removal of tree no. 5. It is troubling to see a tree being removed because of its age, when it is still in good health.

Overberger said the lot is unique, long and narrow. Also, because of several trees that are located on the lot, it further reduces the location of the house. She thinks a fairly good job has been done on the design of the house. There are lots of trees on the lot and more will be added. She noted that it is difficult for the neighbors because the existing house is small and the new house is large and is also located on a lot that is higher than the surrounding lots.

Krebs asked Zwick what kind of design alternatives could be done. Also, given the trees, it seems like the first floor at the front of the lot is an issue and wondered if moving it back 4' to 5' would help. Zwick responded that they did not reduce the bulk and mass but articulated the house. The house could be slid back on the first floor and make room for the two oaks in the front. He also suggests not moving the second story. He agreed there are constraints on the lot as Overberger suggested however, he would like to save the heritage trees in the front.

Harris said the proposal is for a 3,000 square foot house and because of the constraints on the lot, a smaller house can be built. He would like the house moved back and save the trees in the front.

Morf said he is not removing the trees in the front and there is a concrete driveway now and the trees are healthy. He noted that they are only removing the large tree to build the house but the tree is also along the side property line and the adjacent neighbor also thinks the tree is a problem.

Jim Caines, arborist, Small World Trees, explained that the trees in the front are live oaks. He would require hand digging within 10 feet of the trunk of all trees and at times he has used hand drilling. Zwick said he feels more comfortable but would like to see it in the report.

M/ Harris, to continue the application in order for the applicant to get a shadow study that indicates the impact on 115 Calumet, and the impact to the neighbor with the pruning of the tree canopy, and a more detailed arborist report on methods of root protection, and a reduction on the mass and bulk.

Krebs said a shadow study will not be conclusive due to the number of trees and that 111 Calumet is so much lower so he would not require a shadow study.

Zwick said the shadow study would be important if there were not so many trees. He would like them to have more specificity in the arborist report and then we could then rely on it. If any trees die within a reasonable time there should be new trees added. He also would like to see the house reduced. There are constraints on moving the house back to satisfy the neighbors.

Harris withdrew his motion.

Zwick said the house is too big because it runs up against too many code restrictions.

M/s Zwick/Schinner, to continue the application to November 2 to allow the applicant time to reduce and adjust the mass, try to save the trees in the front, with consideration of sliding the house somewhat, a more detailed arborist report, and a tree replace plan if trees die. Ayes: 4 Noes: 1 Harris. Motion carried.

Harris said his no vote is because he thinks the house is too big and there is no shadow study.

**ITEMS FROM PLANNING COMMISSION**

Overberger said she will be out of town until November 10<sup>th</sup>.

**ITEMS FROM STAFF**

None

The meeting was adjourned at 8:45 p.m.

Barbara Chambers