

**TOWN OF SAN ANSELMO  
PLANNING COMMISSION MINUTES OF FEBRUARY 6 2012**

Commissioners Present: Chair Sisich, Vice-Chair Zwick, Commissioners Brasler, Brown, Krebs, Overberger, Schinner  
Commissioners Absent: None

**CALL TO ORDER**

Chair Sisich called the meeting to order at 7:00 p.m.

**OPEN TIME FOR PUBLIC EXPRESSION**

No one spoke.

**PLANNING DIRECTOR'S REPORT**

Interim Planning Director Diane Henderson welcomed all to the meeting.

**CONSENT AGENDA**

Minutes of Planning Commission Meeting of December 5, 2011.

M/s, Brasler/Brown, to approve the minutes of December 5, 2011.

Ayes: Brasler, Brown, Krebs, Overberger, Schinner, Sisich, Zwick  
Noes: None  
Abstain: None

**PUBLIC HEARING ITEMS**

UP-1201, DR-1201, Sarita Patel for G.W. Lucas, 55 Sequoia Drive, APN – 006-163-33:  
Use Permit to demolish the existing 1,859 square foot single family residence and 304 square foot studio and Design Review for plans to construct a new 1,050 square foot two story house with a 1,050 square foot attached garage. The project site is located in the R-1 Zoning District. (Staff person: Boyle).

Senior Planner Phil Boyle presented the staff report.

In response to Commissioner Schinner's question regarding the proposed cut and fill figures for the project, it was noted that these figures are included in the staff report.

Commissioner Brown asked if the easement which will provide access to parking for the new residence has been reviewed by staff, to which Boyle replied that the easement does meet Town requirements.

Brown asked for confirmation that the Public Works Department will review the proposed removal of the existing driveway, including curb cuts and sidewalks, to which

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Condry replied that these elements of the project will be reviewed during the building permit application stage.

Designer Bill O'Callaghan indicated the existing house, cabin, and driveway slated for demolition on the plans, explaining that the new home will be placed in the center of the parcel. O'Callaghan further described proposed fencing, retaining walls, terracing, and materials. He concluded by describing the proposed bioretention and construction management plans.

Commissioner Krebs asked O'Callaghan to describe three priorities of the construction management plan.

O'Callaghan cited parking and construction hours, ensuring that there is no offloading of soil from the site, instituting a construction timeline, and insuring placement of a traffic control person.

As there were no further questions from the Commissioners, Sisich opened the public hearing.

Malcom MacKenzie, Jordan Avenue, asked for a project timeline, proposed hours of construction, days of operation, and daily arrival time of the construction crew.

Louise Mathews, Foothill Road, suggested that the construction management plan for the project be placed on the Town's website for community members to review.

Louise Berger, Jordan Avenue, noted the size of the garage as compared to size of the home and asked what the plans are for the property and whether or not it is residential.

Sisich closed the public hearing and invited the applicant to respond to questions.

O'Callaghan responded that it is a small home with a four-car garage. It is hoped to limit construction to weekdays and to keep weekends quiet. Construction is slated to begin April 15 with a proposed completion date of February, 2013.

Krebs, in brief discussion with the applicant, confirmed that the proposed project should take about ten months to complete; that the owner of 55 Sequoia Avenue also owns the property next door and that residence was completed in about sixteen months; and that although there is no plan to impose hours of construction for the project that are different from those noted in the Municipal Code, it has been the applicant's practice to limit hours of construction to 7 a.m. to 3:30 p.m. on weekdays as much as possible.

Krebs asked what plans the owner has for the proposed residence and who will be using it, to which the applicant replied that the home will probably be used by one of the owner's children or another family member.

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Krebs asked who is using the other two residences on the same side of the street, to which the applicant responded that one is rented to a construction management firm and the other is rented as well.

In response to a question from Krebs regarding the length of time construction has been on-going in the neighborhood, the applicant responded that construction on the first of the four projects begun by the applicant in the neighborhood was started in 2008.

Henderson reminded the Commissioners that the structure as proposed meets the Town's definition of a house and that there is nothing in the code to preclude the applicant from building the structure. The issue before the Commission is the determination of whether or not the project meets the Town's design review findings.

Henderson further noted that the code neither addresses the number of properties owned by one individual nor does it impose a time limit on construction. At the building permit stage, it has been the practice to work with applicants to devise a plan with minimum impact to the immediate neighborhood.

In response to a question from Brown concerning the status of the easement long-term, Henderson confirmed that it is an easement in perpetuity.

Henderson further confirmed that any proposed change in use for the property would be reviewed by the Planning Commission.

Condry confirmed that the easement could only be removed if respective owners were in agreement and alternate access to the garage were available.

Zwick acknowledged the range of concerns with the project and Henderson's direction as to the Commission's limited purview. The project is a positive contribution and he supports it.

Brasler noted that he has not heard any negative comments from neighbors to the project, noted that the proposed design is well-conceived, and concluded by saying that he can support the staff report.

Brown concurred with Zwick's analysis of the project.

Overberger noted that although the on-going construction on behalf of the applicant is inconvenient for neighbors, the project meets the legal definition of a residence, no change in usage is being requested, and the design is an attractive addition to the neighborhood. She appreciates the effort to modify hours of construction in consideration of the neighbors and supports the project.

Krebs respects the applicant and his accomplishments but remains concerned about the on-going nature of construction and its impact on the neighborhood, particularly as it contributes to a loss of housing in the Town. He cannot make Finding 3 of the hillside

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design review criteria addressing the project's effect on the values of surrounding properties and on occupancy and/or investment in the area. Consequently, Krebs will not vote for the project.

Schinner concurs with all preceding comments and ultimately can make the findings. Regarding the evolving character of the community, there is merit in bringing the subject up for discussion.

Sisich recognizes the limited scope of the Commission's purview and does not see what the Town can do with regard to the changing character of a neighborhood. He can support the staff report.

M/s, Overberger/Zwick, to approve the staff report.

Ayes: Brasler, Brown, Overberger, Schinner, Sisich, Zwick  
Noes: Krebs  
Abstain: None

Sisich reminded all of the ten-day appeal period.

**UP-1202, DR 1202, VAR-1201, Barbara Shands, 194 Scenic Avenue, 007-063-17:**

Use Permit to demolish the existing 1,490 square foot single family residence, a Front Yard Variance to construct a carport on the front property line (Code: 20 feet) and Design Review for plans to construct a new 2,475 square foot two story house with a ±350 square foot attached carport. The third parking space is proposed at the northeast corner of the lot with access off of Foothill Road. The project site is located in the R-1C Zoning District. (Staff person: Boyle).

Boyle presented the staff report.

In regard to a question from Sisich, Condry indicated that the driveway and fire truck turnout will be placed on the northern corner of the property and that he is asking the applicant to widen the road on the southwest corner as well. Condry further confirmed that the most treacherous portion of that area of Scenic Avenue, where the road narrows considerably, is below the applicant's property.

Zwick asked about the visual impact of the proposed residence. Boyle confirmed that although he was able to find the story poles from a variety of locations, they were difficult to see and were only slightly visible from down Scenic and the flatland area of San Anselmo Avenue.

Sisich invited the applicant to speak about the project.

Barbara Shands, owner and architect explained that sustainability and maintenance of existing vegetation and landscape were key to her design. Locating the house toward the center of the property allows for the preservation of the oaks at the north end.

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Maintaining a low visual profile was also a consideration in choosing materials and deciding on the placement of the home. Shands has been working with the Ross Valley Fire Department on plans for widening the roadway and designing the driveway, carport, and fire truck turnout.

In response to a question from Brown, Shands indicated the various planters dedicated to bioretention.

Sisich opened the discussion to the public.

Jonathan Braun, Scenic Avenue, expressed concerns regarding traffic circulation and safety, plans to remove a healthy oak tree, and misconceptions about the height of the proposed structure. He supports the widening of the road.

Gwen Stanhope, Scenic Avenue, is interested in the construction management plan. She is also concerned about the proposed driveway exiting on a blind corner.

Eloise Rivera, Plumas Avenue, asked for clarification of the plans, including identification of the parking pad, walkway, trees slated for removal, and the placement of the proposed home in relation to the original structure. Rivera has consulted a soils engineer who expressed concerns about the lack of the stability of the area and vulnerability in the event of earthquakes. She would also like to know what provisions are being made for drainage.

Karen Benke Luria, 65 Summit, represents the homeowners at the top of the hill. The owners are concerned with road safety and would like assurances that the guardrails and mirror remain as currently placed.

Jeffrey Reinders, Spruce Avenue, does not believe the house fits the character of the neighborhood and asked for clarification of the depth of the proposed carport. He does not believe the structure should be within the setbacks.

Louise Mathews, Foothill Road, noted that there are concerns regarding the access of the dirt road from Foothill. Large construction vehicles would take their toll on the roadway; for that reason, Mathews would like to see a well-devised construction management plan as well as issuance of a road bond applicable to the Scenic and Foothill sites, as well as the pathway.

Jim Quinn, Scenic Avenue, is in agreement with Luria and Braun, sharing their traffic safety concerns.

Paul Elliott, Summit Road, asked if consideration had been given to approaching the property via Foothill Avenue. He also expressed concern that the owner may place a chain across the driveway, preventing its use as a turnout.

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Sisich closed the public discussion and asked applicant to respond to the comments and questions presented.

Shands advised that plans to upgrade the water meter and construction access requirements necessitate the removal of the oak tree. Further, the crown of the tree impedes placement of the roof of the house. The height of the house is 29'6" at the southeast corner, which is still within the guidelines. The construction management plan will be produced at the time of the building permit application.

Shands agrees with the comments about the width of the street and the associated potential hazards, pointing out that there are many such hillside roadways in Marin County. The guardrails and mirror would remain as they are. She observed that there is no living space within the setback area and that many homes in the neighborhood are built in a similar configuration. Finally, the fire department would not allow entry from Foothill Avenue, as the fire truck turnout is required to be tied to the street address of the property it serves. With regard to flaring the edge of the driveway, Shands explained that it was decided to widen the entire driveway instead.

In response to a question from Brown, discussion ensued regarding the definition of a story on a hillside and it was confirmed that the project conforms to the rules. Shands also confirmed that there are no plans to excavate the area adjacent to a planned storage area.

As there were no further comments, Sisich returned the discussion to the Planning Commission.

Zwick asked about measures to slow traffic in the area. Condry replied that speed tables are being considered for some projects, and that those are generally reserved for pedestrian areas. He can, however, place signage at the curve in the road encouraging the slowing of traffic.

Sisich confirmed that the construction management and drainage plans will be reviewed at the time of the building permit application.

Zwick believes it is a sensitive design that the applicant is improving the roadway to a reasonable extent. He is in favor of the project.

Brasler observed that traffic is an issue for everyone and that the applicants are improving the situation. He would not impose any additional conditions regarding street improvements. He supports the project.

Brown supports the project and is comfortable with the driveway design, confirming with Condry that he will review proposed modifications appropriately at the time of the building permit application process.

Overberger is comfortable with the plan and the design.

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Krebs likes the design of the house and believes the effort has been made to improve safety. He confirmed that drainage issues will be addressed at the next stage of the project.

Schinner supports the project.

Sisich supports the staff report and believes this is a well-designed project for a problematic site.

M/s, Zwick/Overberger, to approve the staff report.

Ayes: Brasler, Brown, Krebs, Overberger, Schinner, Sisich, Zwick

Noes: None

Abstain: None

**UP-1203, DR-1203, Andrew Johnston, 88 Florence Avenue, 007-014-35:** Use Permit to demolish the existing 1,070 square foot single family residence and garage and Design Review for plans to construct a new 2,738 square foot two story house with a 505 square foot attached garage at 88 Florence Avenue. The project site is located in the R-1 Zoning District. (Staff person: Boyle).

Boyle presented the staff report.

Sisich invited the applicant to speak.

Johnston noted that he has tried to keep the house traditional and has provided more generous setbacks than are required. He has also limited the scale and mass of the second floor, thereby mitigating the impact of the second floor on neighbors.

Sisich invited comment from the public.

James Shipman, Florence Avenue, encouraged the applicant to provide some screening along Florence Avenue. He requested that the applicant ask contractors to park on the construction site when possible. Shipman believes the home will be a nice addition to the neighborhood.

Anthony Martin, Oak Knoll Avenue, shares a property line with 88 Florence and believes the proposed structure will dominate his horizon and deny his enjoyment and privacy rights. Martin is also concerned about potential drainage problems. In conclusion, he is requesting that the home be built in a manner that preserves the natural beauty of the neighborhood; specifically, he would like to see the dwelling moved closer to the front of the property.

Sisich invited the applicant to respond.

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Johnston will provide both a construction management plan and a traffic management plan for the project. He plans to pull as much of the construction activity, including truck parking, on to the site as possible. He also plans to advise neighbors before any concrete pours or other impactful events. Finally, Johnston confirmed that a bioretention system has been proposed for the rear of the property and it will be addressed at the time of the application for the building permit.

Sisich closed the public hearing and returned discussion to the Commissioners.

Schinner agreed that this is an appropriate project for demolition. He appreciates the articulation and pulling back of the second story. Although he does not see a material impact on the neighbors, and supports the project as submitted, he invited the applicant to consider pulling the structure a few feet toward the front property line in consideration of Mr. Martin's comments.

Krebs generally concurred with Schinner's comments, noting that all the Commissioners are sympathetic with neighbors who wish to preserve their views. Unfortunately, development does occur and the Town has decided against instituting a view ordinance. He hopes the applicant will be sensitive to the neighbors during the construction period.

Overberger supports the project, observing that it is always difficult to imagine development on an empty lot. She commended the applicant for addressing drainage with a bioretention system.

Brown supports the project and believes it is nicely designed, demonstrating that efforts have been made to diminish the impact on neighbors' privacy with sill heights, articulation, and other measures.

Brasler supports the project and appreciates the fact that a relatively large home can be approved without the need for any variances.

Zwick supports the project.

Sisich supports the project, appreciates the applicant's efforts, and believes the applicant will be a good neighbor. Sisich observed that Johnston could have built a larger house with a steeper roof pitch.

M/s, Overberger/Krebs, to approve the staff report.

Ayes: Brasler, Brown, Krebs, Overberger, Schinner, Sisich, Zwick  
Noes: None  
Abstain: None

**ITEMS FROM PLANNING COMMISSION**



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Zwick would like consideration to be given to establishing a small historic overlay district in San Anselmo to protect important buildings, such as the Cheda Building and the Tamalpais Theatre.

Discussion ensued regarding the feasibility of the project; determination of the appropriate elements for consideration; the way in which historic value is determined; how the project would be funded, etc.

Brasler asked for an update on issues surrounding a project on Crescent Road.

Henderson advised that she would be reporting to the Town Council on February 28 regarding consideration of amending the Town's code or proposing ordinances.

Brown asked for an update on the Town's housing element application.

Henderson advised that some additional graphics had recently been provided to the project's consultant Jeff Baird for incorporation into the final revised copy of the report before it is forwarded to the state for further review.

Brown asked for an update on the proposed project for the San Francisco Theological Seminary.

Henderson advised that a request has been made of the Seminary to provide more information with respect to drainage and that the matter will be taken up before the Town Council on March 13.

**SELECTION OF PLANNING COMMISSION CHAIR AND CO-CHAIR FOR 2012**

M/s, Overberger/Zwick, to nominate Sisich as Chair and Brasler as Co-Chair of the Planning Commission for 2012.

Ayes: Brown, Krebs, Overberger, Schinner, Zwick

Noes: None

Abstain: Brasler, Sisich

**ADJOURN TO THE MEETING DATE OF MARCH 5, 2012**

Sisich adjourned the meeting at 9:45 p.m.

Respectfully submitted,  
Nancy Harris