

**TOWN OF SAN ANSELMO  
PLANNING COMMISSION MINUTES OF DECEMBER 7, 2009**

**Commissioners' Present:** Brown, Harris, Krebs, Schinner, Sisich  
**Commissioners' Absent:** Overberger, Zwick

**OPEN TIME FOR PUBLIC EXPRESSION**

Brown wanted to acknowledge Planning and Building Director Wight's years of service as she is retiring at the end of December after 32 years of service to the Town of San Anselmo.

**CONTINUED ITEMS**

None

**PUBLIC HEARING ITEMS**

**CONSENT AGENDA**

**1. Minutes of November 16, 2009**

M/s Krebs/Brown to approve minutes. Motion carried 3-2 Abstain: Harris and Schinner.

**REGULAR AGENDA**

- 2. DR-0913 - Gabe and Samantha Block, 53 Berkeley Avenue, APN 005-163-05, Flatland Setback Design Review of a new 287± square foot garage to be located within 5'2" of the east side property line; and Flatland Second Story Design Review of a new 459± square foot second story addition and a 63± square foot uncovered second story deck (in conjunction with a first story enclosed porch and deck, both of which are exempt from Design Review) located in the R-1 zoning district below 150 msl elevation. (staff person: Boyle)**

Senior Planner Boyle presented the staff report, noting that staff is able to support the project.

Sisich asked about protocol for shadow studies. Boyle responded that it is up to staff to determine if a shade study is warranted. If one is necessary we require it based on spring, summer, fall and winter solstice, at 9:00 a.m. 12:00 p.m. and 3:00 p.m. This project did not seem problematic and so only the winter and summer were required.

Sisich questioned the new finding about bulk and mass. Wight explained it is subjective, but in this case it seemed clear that the finding could be made.

Schinner said the project description states that this is an extension of the existing eastern building wall so they are grandfathered in by not requiring a variance due to the existing condition. Hurd responded that in this case it is not a variance; it is a setback design review because the existing dwelling is between 5' and 8' of the side property line.

Brown asked for clarification about parking, noting that this third parking space is located along the 5' side yard setback, to which Boyle stated that parking can be in tandem in this situation and that a variance is not necessary.

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Gabe Block, applicant, said they designed the addition to be within the character of the neighborhood. They tried to minimize the impact to the neighbors by having small windows on the side and showed the plans to all the neighbors.

Krebs appreciates the effort to minimize the addition.

M/s Sisich/Krebs, to approve the staff report. All ayes (5-0).

The audience was advised of the ten day appeal period to the Town Council.

3. **U-0913/DR-0914 - Charles McLaughlin and Elaine Tope, 30 Vineyard Avenue, APN 007-265-12**, Use Permit to demolish an existing 2,585± square foot single family dwelling and garage; and Flatland Second Story Design Review of a 722± square foot second story floor area (in conjunction with a new 3,894± square foot dwelling and 621± square foot garage, both of which are exempt from Design Review) located in the R-1 zoning district below 150 msl elevation. (staff person: Wight)

Planning and Building Director Wight presented the staff report. Wight said design review is actually required for the entire dwelling because 50% or more of the dwelling will be removed per the ordinance adopted by the Town Council this year. In order to keep the project moving, Wight suggested hearing the Use Permit to demolish the building and Design Review of the 2<sup>nd</sup> story and continue the remainder of the house until staff can send out the public notice and allow it to be an administrative review.

In response to Brown, Hurd stated that if there is an objection to the first story, the first and second story would come back to the Commission for further review.

Harris asked if the basement is considered part of the application, to which Wight stated that a portion of the basement is counted.

Schinner asked if the wall of windows will be visible from surrounding hillsides. Wight responded that the project is located within the flatlands and the findings address light, air and privacy and how it fits in with the neighborhood.

Krebs stated that the current lot coverage is 15%, but the proposal lot coverage is 34.5%, and questioned why it jumps up considerably when the footprint does not change considerably. Wight suggested the architect explain the situation.

Charlie Barnett, architect representing the applicants, said this is the perfect lot, with southern exposure, and they want a green house. The idea was to have a house that was rooted in the hillside. There is a very extensive landscape plan. They reached out to the neighbors early. It is essentially a single story house with garage underneath. The house that is being demolished encroaches into the setbacks; the proposed house meets all required setbacks. There are mixed variations of architecture. The terraces and swimming pool are what increase the lot coverage. Although colors are not required as part of the flatland review, he presented color samples as well as photographs of the project.

Harris said he likes the design but it is a good sized house on a good size lot and it goes right to the side yard limits. Barnett responded that they originally wanted three stories to get the best views but wanted to be sensitive to the neighbors and therefore had to spread out rather than go up. They also wanted to

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retain the existing live oak so they could not come forward any further. In addition, they wanted to retain the existing driveway.

Schinner commented that one of the story poles goes through a live oak. Barnett said there is one branch to be removed.

Sisich said that the story poles are about 3' closer to the east than the existing structure. Barnett affirmed. Additionally, in response to Sisich's concern about the amount of glazing, Barnett said the evergreens will grow to 30' and will provide privacy, the glazing will be obscure and the east facing windows are not in bedrooms. Barnett added that the owners are also open to adding more mature plantings.

Sisich asked staff if the landscape plan provides enough screening. Wight said if the Commission has concerns, it could be amended to increase the landscaping species or number. Sisich said he is concerned about the impact on No. 26.

Schinner said he can support the Use Permit to demolish the building. He is not normally in support of spreading the house out, but in this case it is best for the neighborhood rather than going up on the knoll. There is a lot of glazing that is close to the neighboring dwelling, but there is a lot of landscaping and the east facing windows will be in a stairwell, not bedrooms.

Harris said he likes the design and the green element, and supports trying to take care of the live oak. He would, however, like to see the building reduced slightly, particularly on the side adjacent to No. 26. He suggested perhaps reducing the entryway. The project is almost at the maximum lot coverage.

Krebs said it is a good design and appreciates it blending in to the hillside. He would not look at it kindly to have someone come in later for another story. He understands the need to spread out and doesn't think it is problematic to the adjacent neighbor because they are close to the setbacks and there is adequate landscape screening.

Sisich said he really likes the house and likes the elements. The photos make the point that the house at No. 26 is huge, and therefore he is no longer concerned about the location and screening of the house. He has no additional requirements on landscaping.

Brown said the height has been kept low and he supports the Use Permit and second story Design Review.

M/s Sisich/Schinner, to approve the Use Permit to demolish the house and garage and second story Design Review based on the findings as set forth in the staff report and refer the first story Design Review to staff for Administrative Design Review. Motion carried (4-1 No: Harris).

The audience was advised of the ten day appeal period to the Town Council.

**ITEMS FROM PLANNING COMMISSION**

Brown said the Marin Model Green Building Ordinance was recommended for approval. Wight added that Bob Brown, San Rafael Planning Director, will make a presentation to our Town Council in January, 2010.

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Krebs asked about the outcome for the temporary homeless shelter at First Presbyterian Church, 72 Kensington Road. Wight said the church will have to make application to amend the General Plan and Zoning Ordinance, Environmental Review and a Use Permit. They have requested a fee waiver, which will be heard by the Town Council on December 8<sup>th</sup>. In the meantime, the Town Council voted unanimously to defer code enforcement.

Sisich said he has an idea that Isabel Cook would be a great location for affordable housing.

**ITEMS FROM STAFF**

Wight said the Draft Housing Element will be presented to the Planning Commission on December 21<sup>st</sup>, then go to the Town Council and then to the State for their review. The State will have 60 days to comment, and once we receive their comments the Draft Housing Element will be heard again by the Planning Commission and Town Council at public hearings.

Wight noted that 360 Redwood Road has been appealed and will be heard by Town Council on January 26<sup>th</sup>.

**ADJOURN TO THE NEXT REGULAR MEETING OF DECEMBER 21, 2009**

The meeting was adjourned at 8:15 p.m.

**Barbara Chambers**

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