

MINUTES
TOWN OF SAN ANSELMO PLANNING COMMISSION
Monday, January 10, 2022

This meeting was conducted via Zoom.

COMMISSIONERS PRESENT: Chair David Swaim, Vice Chair Thomas Tunny, Tim Heiman, Leyla Hilmi, Daniel Krebs, Gary Smith, Jennifer Asselstine

COMMISSIONERS ABSENT: None

1. CALL TO ORDER

Chair Swaim called the meeting to order at 7:00 p.m. and announced how the public may participate in the meeting.

2. OPEN TIME FOR PUBLIC EXPRESSION

No one wished to speak during open time.

3. PLANNING DIRECTORS REPORT

Planning Director Elise Semonian reported that the appeal of the Planning Commission decision for 75 Jones will be considered by the Town Council on January 11, 2022. The Town Council will receive a presentation on Affirmatively Furthering Fair Housing by the County of Marin on January 25, 2022, and she encouraged the public to attend.

4. APPROVAL OF MINUTES

It was M/s Asselstine/Heiman to approve the November 15, 2021, minutes. The motion carried by a 6-0-1 vote (Hilmi abstained).

5. PUBLIC HEARINGS

A. 24 WOODLAND DRIVE – VARIANCE AND DESIGN REVIEW Application for design review and a variance for significant remodel and 164 square foot first story addition and 1,093 square foot second story addition to an existing legal non-conforming single-family residence in an R-2 Medium Density Multifamily Zoning District. A variance is requested to allow the second story to encroach into the front yard setback with a 16-foot setback (20-foot front setback required). The lower-level floor would be elevated 1' 9" to comply with Town flood prevention regulations. The maximum building height would be 26'-6" (up to 30 feet allowed).

Lot Size	4,875 sq. ft.
Existing Lot Coverage	1,381 sq. ft. 28.3%
Proposed Lot Coverage	1,607 sq. ft. 33.0% (up to 35% allowed)
Existing Floor Area	1,217 sq. ft. 19.7%
Proposed Floor Area	2,484 sq. ft. 45.7% (no maximum in R-2 District)

Commissioner Heiman recused himself from the hearing as he lives within 500 feet of the site.

Contract planner Lorraine Weiss presented the staff report and recommended that the Planning Commission direct the applicant to eliminate the setback variance for the addition, as the special circumstance variance finding cannot be made, and to continue the application.

Staff confirmed there is no floor area ratio in the multifamily zoning district. In response to a question by Commissioner Asselstine, staff indicated they have done no research regarding if other buildings on the street had received setback variances to be lifted or raised.

Project architect Jeff Kroot presented the application and answered questions. Applicant Kate Ball was present. Kroot indicated that they met with neighbors and are not aware of anyone that is opposed to the project. They are not changing the lower floor plate height and trying to keep as much of the old house as they can. He described the reasons for the four-foot front yard variance for the second floor. First, they are not proposing to move the existing house forward and the existing residence is located 16 feet from the front property line. They are saving as much of the existing house as possible. They are only proposing that the upper floor front wall be directly placed over the existing lower floor and maintain the same front yard setback. The setback was 15 feet when the house was built. Almost all other residences on Woodland have front yard setbacks of 12 to 18 feet. Most of the buildings on the other side of Woodland Avenue are located much closer to the property line. He listed other property that is closer to the street. If they push the front facade of the upper floor back from the lower floor it will break up the front façade, which will make it look different than the other houses on the street. Almost all of the two-story houses and apartment buildings have their upper floors stacked directly above the lower floor. Their proposed front facade is consistent with the architectural vernacular of the street. If they push the front facade of the upper floor back four feet, it will create a seismic weakness in the front wall. If they push the front facade of the upper floor back it will make the front guest bathroom and bedroom small and less usable. He could comply with the front setback by pushing the whole house back four feet. But that pushes it back from everyone on the street and reduces the small rear yard. He answered commissioner questions.

At that point, the discussion was opened to the commissioners since there were no public comments.

Commissioner Krebs liked the design but could not find special circumstances at the site to support the setback variance.

Commissioner Tunny agreed with Commissioner Krebs that there are no facts to support the special circumstance finding.

Commissioner Smith noted that they are trying to develop a structure that is aligned with the character of the community. He is considering if the setback would help break up the massiveness of the two-story front elevation. He would be inclined to grant relief since it complies with existing conditions on the street and a better structural solution.

Commissioner Hilmi stated there are many two-story homes that do not meet the 20-foot setback, but they are not necessarily an aesthetic to mimic. She was concerned the front wall

would be 22 feet high and significantly taller than homes to either side. She wondered if the special circumstance could be that the addition lines up with the existing building and neighborhood.

Commissioner Asselstine supported the design but was concerned with how close the two-story elevation would be to the street. She was concerned with the height of the wall in combination with the porch being in alignment with the wall and nothing breaking it up vertically.

Chair Swaim could not make findings for the variance. He supported a continuance.

It was M/s Krebs/Tunny to continue the item to allow the applicant to redesign the project consistent with their remarks. The motion carried by a 6-0-1 vote (Heiman recused).

B. 4 MYRTLE – VARIANCE AND DESIGN REVIEW Application for design review and a variance for a remodel and two-bedroom, two bath, 905 sq. ft. second story addition. A setback variance is requested to remove the pyramid roof structure above the living room, to be replaced by a gable roof.

Lot Size	7,386 sq. ft.
Existing/Proposed Lot Coverage	26.1% (up to 35% allowed)
Existing Adjusted Floor Area	1,646 sq. ft. 22.3%
Proposed Floor Area	2,551 sq. ft. 34.5% (up to 39% allowed)

Commissioner Krebs recused himself as he lives within 500 feet of the site.

Planning Director Elise Semonian presented the staff report and recommended the commissioners to approve the project subject to the findings in the staff report, the applicant's findings, and subject to the Standard Conditions.

Project architect Jeff Kroot presented the project.

Discussion was opened to commissioners as there were no public comments. The Planning Commission confirmed that the setback variance is for a small portion of new lower-level roof that will be installed over the existing structure to improve its appearance. Most of the lower-level roof change within the setback involves a reduction in the height of the roof. The consensus of the Planning Commission was to approve the project.

It was M/s Heiman/Asselstine to approve the project based on the findings and conditions in the staff report. The motion carried by a 6-0-1 vote (Krebs recused).

Chair Swaim announced the 10-day appeal period.

- 6. PUBLIC HEARING HOUSING ELEMENT 2023-2031** Receive presentation on Housing Element 2023-2031 new requirements for Affirmatively Furthering Fair Housing (AFFH) and Racially Restrictive Covenant Mapping and Removal program.

Staff presented information on new requirements for affirmatively furthering fair housing and the Town's racially restrictive covenant mapping and removal program and answered commissioner questions.

The matter then was opened to the public comments, where citizen Jen Douglas indicated her property on Island has a restrictive covenant. Semonian suggested she go to the Town website for more information.

7. ITEMS FROM PLANNING COMMISSION

A Planning Commissioner asked about the 9 Laurel Avenue story poles. Staff indicated the project has been appealed to the Town Council and they are doing a new shadow study that will be peer reviewed.

8. ADJOURN

Chair Swaim adjourned the meeting at 9:20 p.m.