

MINUTES
TOWN OF SAN ANSELMO PLANNING COMMISSION
Monday, August 15, 2022
This meeting was conducted via Zoom.

Commissioners Present: Acting Chair Danny Krebs
Tim Heiman
Kim Pipkin
Gary Smith
Peter Strauss

Commissioners Absent: Chair Thomas Tunny
Jennifer Asselstine

Staff Present: Planning Director Heidi Scoble
Town Attorney Emily Longfellow
Planning Consultant Melinda Lind

1. Call to Order

Acting Chair Krebs opened the meeting at 7:00 p.m.

2. Open Time for Public Expression

There were no comments.

3. Special Presentation
A. Brown Act Overview

Town Attorney Longfellow gave a PowerPoint presentation that included the following: 1) Ralph M. Brown Act; 2) Basic requirements; 3) All legislative bodies must follow Brown Act; 3) What is not a legislative body; 4) What are "meetings" of legislative bodies; 5) What is not a "meeting"; 6) Serial meetings prohibited; 6) Hub and spoke; 7) Daisy chain; 8) Use of technology to "meet"; 9) Social media; 10) Public Records Act; 11) Best practice with emails and texts; 12) Agenda requirements; 13) Public participation; 14) Brown Act enforcement.

There were no questions from the Commission.

Acting Chair Krebs opened the meeting to public comments.

There were no comments.

Acting Chair Krebs closed the meeting to public comments.

4. Planning Directors Report

Planning Director Scoble welcomed the two new Commissioners. The subject of the next Planning Commission training session will be "Conflicts of Interest". Staff is in the process of recruitment for the Senior Planner position and will continue to use the planning consultant firm. She discussed the status of the Housing Element Update process. The first

Community Workshop was conducted in July and the second is scheduled for Thursday, August 25th at 6:00 p.m.

5. Approval of Minutes

- A. Approve minutes from the June 23, 2022 meeting.

Acting Chair Krebs stated approval of these minutes would be continued to the next meeting.

5. Public Hearings

- A. Nelson Residence: 225 Los Angeles Blvd, Project No. PRO-2021-0030
Planning Commission consideration of Design Review to allow a second story addition and Variance to allow the construction of a porch within the front yard setback at 225 Los Angeles Boulevard (APN 006-011-26)

Planning Consultant Lind presented the staff report. She answered questions from the Commission regarding whether the front yard is in the Los Angeles Boulevard right-of-way; if there is a requirement for a continuous sidewalk; how encroachment permits are issued; property owner's responsibilities; if an encroachment permit "runs with the land"; proposed vs adjusted Floor Area Ratio (FAR); maximum FAR's; justification and alternatives for the Front Yard Setback.

Mr. Jay Nelson, property owner, gave the following comments:

- The porch will be eighteen feet from the street and a couple feet off the ground.
- It is creating a clean dry space from which to exit the front door.

Acting Chair Krebs opened the Public Hearing for public comment.

No Public comment was received.

Acting Chair Krebs closed the public comment.

Commissioner Smith provided the following comments:

- The home is attractive and blends well with the varied elevations in the neighborhood.
- His concern was acknowledging the setback that represents an area of encroachment.
- He supported the project.

Commissioner Heiman provided the following comments:

- There is a seventeen foot setback from the porch to the street.
- The curb is thirteen feet in front of the actual property line which is a unique condition of the site.
- The Town has no plans to widen this street.
- He could support the Variance.
- He referred to the Design Review application and noted the setback of the second floor breaks up the façade and gives the property some interest.
- He has one design comment- the front gable seems large. He would like to see some articulation in the upper part of the gable (use of different materials or switching the direction of the siding).
- He is in favor of the project.

Commissioner Strauss provided the following comments:

- He is wary of encroaching into the front yards- they need to protect that private space that faces the public.
- He likes the idea of a porch which activates the streetscape.
- He supports the Variance.
- He asked if the applicant was requesting enclosure of the second garage space. Mr. Nelson stated he wants a two-car garage.

Commissioner Pipkin provided the following comments:

- The neighborhood is unusual in a lot of ways- some streets are tight and some are a bit “wonky”.
- Having the second garage attached provides off street parking.
- It is a nice project that is not overly stated.

Acting Chair Krebs provided the following comments:

- He agreed with the comments made by the other Commissioners.
- He is concerned about protecting front yard setbacks but this request is acceptable.
- The design is attractive.
- He supports the project.

M/s, Heiman/Pipkin, motion to approve the application based on the findings and conditions set forth in the staff report.

Ayes: All

Absent: Asselstine, Chair Tunny

Acting Chair Krebs stated there is a 10-day appeal period.

B. McCune Residence, 49 Sunnyside Avenue, Project PRO-2022-0018
Planning Commission consideration of a Grading Permit at 49 Sunnyside Avenue
(APN 007-263-24)

Planning Consultant Lind presented the staff report. She answered questions from the Commission regarding public notice requirements for a Grading Permit.

Ms. Catherine Phillips, owner, gave the following comments:

- The foundation is old, weathered, and has water damage.
- They wanted to make several improvements while replacing the foundation.
- They are adding space for a laundry room and a home office.
- The improvements will bring the home into conformance with respect to height and setbacks.

Acting Chair Krebs opened the Public Hearing for public comment.

No Public comment was received.

Acting Chair Krebs closed the public comment.

Commissioner Heiman asked about the proposed ceiling height in the first level living space. He asked if they investigated bringing the height limit to full conformance (thirty feet).

Commissioner Heiman noted they were moving the house forward and to the side a bit to increase the setback on one side. It is still not in full conformance. He asked if they have looked at moving it another three feet to make it eight feet on each side. Ms. Phillips stated

in order to achieve the full eight feet setback on both sides they would need to move the house further forward. They did look at that but were advised against it by staff because it would change the spatial relationships with the neighboring homes and require additional excavation.

Mr. Andrew Phillips, owner/architect, gave the following comments:

- There will be a net clear height of seven feet, two inches in the proposed first floor.
- They are lifting the existing house and installing cross beams for support.
- The current house exceeds the maximum 30 foot height limit as is.
- The house will be lowered one foot, ten inches below the current absolute height.
- Their intent is to ultimately replace the roof and bring the house into full conformance of the maximum height based on the grade.
- He would like to bring the house into full conformance.

Commissioner Pipkin asked why the first floor level would not be eight feet in height. Mr. Phillips stated it had to do with the foundation work and beams. He wants a straight forward construction process.

Commissioner Strauss stated Sheet A3.010 shows a 7'2" ceiling height in the garage but a higher ceiling height in the bedroom. Mr. Phillips stated it was all 7'2"

Commissioner Heiman stated habitable spaces need a 7'6" ceiling height. Mr. Phillips stated he thought it was 7'0". He could excavate deeper and make taller stem walls.

Planning Director Scoble noted the application will go through the Building Permit process.

Acting Chair Krebs closed the Public Hearing.

Commissioner Heiman provided the following comments:

- He is satisfied the applicants have done their due diligence.
- They are trying to bring the existing house closer to conformance.
- The house is unique with a huge attic space.
- He supports the project

Commissioner Pipkin provided the following comments:

- She is happy that the house is being renovated.
- She would like to see a few more inches in the ceiling height.
- She commended the applicant on the plans and drawings.
- This is a great project.

Commissioner Smith provided the following comments:

- He agreed with the comments made by the other Commissioners.
- He thanked the applicants for being conscious of the planning guidelines regarding excavation.
- He supports the project.

Commissioner Strauss provided the following comments:

- He agreed with the other Commissioners.
- Trying to bringing the house into conformance is commendable.
- With respect to the height, he would rather see more habitable space on the ground floor.
- The project looks great.

Acting Chair Krebs provided the following comments:

- He asked if construction fencing would be part of the construction Management Plan. Planning Director Scoble stated it would be a Condition of Approval.
- This is a good project.
- He encouraged the applicants to continue with the “second phase” of improvements. This is a good, solid foundation.
- He supports the project.

M/s, Heiman/Smith, motion to approve the application based on the findings and conditions set forth in the staff report, including the amendment noted by the Planning Director regarding the construction fencing.

Ayes: All

Absent: Asselstine, Chair Tunny

Acting Chair Krebs stated there is a 10-day appeal period.

C. Blom Swimming Pool, 31 Lincoln Park, Project No. PRO-2022-0030
Planning Commission consideration of a Grading Permit at 31 Lincoln Park
(APB 006-254-07)

Planning Consultant Lind presented the staff report.

Ms. Karen Blom, owner, gave the following comment:

- The neighbors are happy about the pool.

Acting Chair Krebs opened the Public Hearing for public comment.

No Public comment was received.

Acting Chair Krebs closed the public comment.

Commissioner Pipkin asked if the lot was located on the corner of Lincoln Park and Bank. Ms. Blom stated “yes”. Commissioner Pipkin noted these are very narrow and busy streets. She asked how the construction process would be handled. Ms. Blom stated a Construction Management Plan has already been approved.

Acting Chair Krebs closed the Public Hearing.

Commissioner Smith provided the following comments:

- This is a well-scaled project for the site.
- He is happy about the neighborhood support.
- He asked about the elevation facing the street. Ms. Blom stated the pool will sit on the upper portion of the hill. There will be a rock wall that is planted with shrubs.

Commissioner Strauss provided the following comments:

- The project looks good.
- He supports the project.

Commissioner Heiman provided the following comments:

- This is a nice design that meets all the setback requirements.
- He supports the project.

Commissioner Pipkin provided the following comment:

- She supports the project.

Acting Chair Krebs provided the following comments:

- The project is well designed and does not impact any neighbors.
- He supports the project.

M/s, Smith/Pipkin, motion to approve the application based on the findings and conditions set forth in the staff report.

Ayes: All

Absent: Asselstine, Chair Tunny

Acting Chair Krebs stated there is a 10-day appeal period.

7. Future Agenda Items and/or Commissioner Reports

Commissioner Pipkin asked about the Housing Element Meeting. Planning Director Scoble stated it was scheduled for Thursday, August 25th at 6:00 p.m. She discussed the agenda for the next Commission on September 19th.

8. Adjournment- Acting Chair Krebs adjourned the meeting at 8:40 p.m.

Respectfully submitted,
Toni DeFrancis, Recording Secretary