

The Regular Meeting of the San Anselmo Planning Commission was called to order by Chairman Dan Goltz at 8:00 p.m. in the Town Hall on September 8, 1975. Representing Town Staff: C. R. Leitzell, Planning Director.

I. ROLL CALL

Commissioners Present: Ainsworth, Bolles, Eisgrau, Fairchild, Goltz, Ragan  
Commissioners Absent: Greenfield

II. APPROVAL OF MINUTES - August 18, 1975

M/S Ragan, Fairchild the minutes of August 18th be approved as prepared. Passed unanimously, Commissioners Bolles and Eisgrau abstaining.

III. MATTERS FOR CONSIDERATION

A. Election of Vice-Chairman for Planning Commission

Commissioner Ainsworth nominated Commissioner Ragan for the position of Vice-Chairman of the Planning Commission.

Chairman Goltz, by proxy for Commissioner Greenfield, nominated Commissioner Ainsworth for the position of Vice-Chairman of the Planning Commission.

M/S Fairchild, Ainsworth the nominations be closed. Passed unanimously

A closed ballot was taken. The secretary announced Commissioner Ainsworth had been voted in to serve as Vice-Chairman for the remainder of the year.

B. Recommendation to the Town Council the appointment of one Planning Commissioner to serve on the Design Review Committee.

Everyone present felt they were either unable or unqualified to serve on the Design Review Committee. If no one could serve on the Design Review Committee, then some other method for reaching the required number of members would have to be considered. Perhaps the ordinance, which states there must be one member of the Planning Commission on the Design Review Committee, should be changed. This matter would be discussed further at the September 15th meeting.

C. Recommendation to Town Council regarding the Marin County Open Space District's option to purchase the 76-acre Meadowbrook property for open space (adjacent to Sorich Park on Pinto Ridge) at a cost to San Anselmo of \$11,000 per year for 5 years (total \$55,000).

M/S Ragan, Bolles that the Planning Commission recommend to the Town Council desirability of purchasing a portion of the 76-acre Meadowbrook property (adjacent to Sorich Park and Pinto Ridge), provided that the Town of San Anselmo shall not exceed the \$55,000 quoted in the letter, dated July 30th by the County of Marin, and provided that the funding of this project will not result in increase in the Town of San Anselmo tax rate.

Motion failed: Ayes: Bolles, Ragan  
Nays: Ainsworth, Eisgrau, Fairchild, Goltz

M/S Ainsworth, Bolles to recommend to the Town Council that the Town of San Anselmo participate in the Marin County Open Space District acquisition proposal of the 76-acre Meadowbrook property for open space under financial terms and conditions satisfactory to the Town Council for the reason that such acquisition is consistent with the General Plan.

Motion carried: Ayes: Ainsworth, Bolles, Eisgrau, Fairchild, Goltz, Ragan  
Nays: None

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IV. OLD BUSINESSA. Subdivisions

1. SS-189, Stuart Mercereau/Charles English, 33 & 31 Skyline Rd. A/P's 5-082-27 and 5-082-28, application for lot line revision to remove an existing encroachment.

At the applicant's request, SS-189 was held over until the next regular Planning Commission meeting scheduled for October 6, 1975.

V. NEW BUSINESSA. Use Permits

1. U-360, Mrs. Allen Torlakson, 31 Tomahawk Dr., A/P 177-250-28, application to permit construction of a single family dwelling.

Applicant was not present. No action was taken by the Commission.

2. U-422, George Buckle, 40 Indian Rock Ct., A/P 177-250-11, application to permit construction of a single family dwelling.

Applicant was present and had received Staff Report.

Mr. Leitzell read two letters received from neighbors regarding this application. One letter from Nancy & Gary Howell of 17 Indian Rock Ct., dated Sept. 7, 1975 requesting the Planning Commission to give their thorough consideration with concern to the environment of the neighborhood; and one letter from Thomas & Norma Lanner of 34 Indian Rock Ct., Robert and Elsie Maddux of 18 Indian Rock Ct., and Wm. and Carl Tabb of 26 Indian Rock Ct. dated Sept. 7, 1975 expressing concerns about the safety of their home.

Mr. Tabb of 26 Indian Rock Ct. stated he had not seen any plans of this house. He wanted to know where it would be located and also the location of the various facilities. He was very concerned about the safety of his property (danger of landslides and flooding).

Mr. Buckle stated that if everything was designed properly, water runoff would be directed to run down the driveway.

As this application was only for a GPC use permit, the Commission must determine whether there are conflicts with the General Plan.

Commissioner Ainsworth felt there was a conflict with the Open Space and Conservation Element of the General Plan (Health and Safety), but as had been done with similar use permits, this conflict could be remedied by the applicant submitting a satisfactory soils and geologic/engineering test to the Town Engineer.

Commissioner Eisgrau felt she could not make a judgement as she did not have any idea about the condition of the land. She would have to know the results of the report. Commissioner Eisgrau was opposed to the proposed driveway for this lot.

Chairman Goltz felt there was a conflict with the General Plan also. Subject lot was in conflict with the Open Space & Conservation Element (Health & Safety), which could be mitigated by the required report and also the lot was in conflict with the Proposed Ridgetop Ordinance; until the wordage of the Proposed Ordinance was finalized he could not say there was not any conflict. Also, Chairman Goltz felt there was a conflict with Land Use since this lot was not proposed for rezoning to PPD/R-1/B440, which will be considered at a public hearing 9/15/75.

M/S Ainsworth, Ragan to approve application to construct single family dwelling in a GPC Zone at 40 Indian Rock Ct., A/P 177-250-11, on the basis that while there is substantial

probability of conflict with the Open Space and Conservation Element (Health and Safety Open Space and Seismic) of the General Plan, such conflicts may be resolved by requiring applicant to submit a soils and engineering/geologic report satisfactory to the Town Engineer prior to building any improvements on the lot.

Motion failed to pass due to tie vote:

Ayes: Ainsworth, Bolles, Ragan  
Nays: Eisgrau, Fairchild, Goltz

Applicant was informed he had 10 days in which to appeal the Planning Commission's decision if he so desired.

3. U-423, Elinor Saxton, Corner of Knoll & Cypress, A/P 6-114-04, Application to permit construction of a single family dwelling.

Applicant was present and had received Staff Report.

M/S Ragan, Ainsworth that U-423, Elinor Saxton, A/P 6-114-04, application to construct a single family dwelling in a GPC Zone be approved on the grounds that there is no conflict with the General Plan. Passed unanimously.

Applicant was advised there would be a 10-day appeal period before she could proceed.

4. U-424, Mark Civarello, 729 Sir Francis Drake Blvd., Application to permit a restaurant in a GPC Zone.

Applicant was present and had received Staff Report.

Mr. Leitzell stated that since applicant was using the existing building he did not have to have any additional parking or loading space.

Commissioner Ainsworth felt that other than creek difficulties with this property, the problem here had always been parking. He questioned whether there would be an increase in traffic by shifting uses.

Mr. Civarello stated he wanted to turn this building into an Italian Restaurant. He would be open for dinners only and seat approximately 40 people. He stated he intended to have valet parking.

Commissioner Ragan questioned what the applicant planned to do with the house in the back. Applicant stated the living unit was in extreme disrepair. However, he was told the Town would not allow the unit to be destroyed so it would remain as is.

Commissioner Ragan felt this location was not a good place for a restaurant. He felt it would definitely generate more traffic than the antique shop.

It was noted that the traffic flow (commute) during dinner hours would be in the opposite direction, with the exception of weekend traffic.

M/S Bolles, Ainsworth to approve U-424, 729 Sir Francis Drake Blvd., A/P 6-083-06, application for a change in commercial use on the basis that there is no substantial conflict with the General Plan except for the Circulation Element. Such conflict can be resolved by requiring that the same agreement by previous applicant (Mr. A. Willman) for maneuverability room between adjacent property be finalized before current applicant could change facility to a restaurant use. Such agreement shall be filed with the County Recorder and provide that agreement cannot be cancelled without the consent of the Town Council.

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As a further condition to this approval, applicant shall:

1. Provide valet parking;
2. Appear before Design Review Committee so that they can develop and approve a final and feasible parking arrangement

Motion carried: Ayes: Ainsworth, Bolles, Fairchild, Goltz  
Nays: Eisgrau, Ragan

Chairman Goltz announced that Mr. Marius Cordone, 214 Sir Francis Drake Blvd., phoned Staff to state he was opposed to this use at this location.

Applicant was advised of the 10-day appeal period.

5. U-425, San Anselmo Shopping Center, 850 Sir Francis Drake Blvd., A/P 6-061-23, Revision to a Planned Development to allow a permanent flower and plant shop.

Mr. Calvin Niklaus representing the San Anselmo Shopping Center was present and had reviewed Staff Report.

Chairman Goltz stated that since he was the architect on this project he would turn the meeting over to the Vice-Chairman.

M/S Ragan, Fairchild that U-425, an application to revise present S-PD zoning at 850 Sir Francis Drake Blvd., A/P 6-061-23, to allow an addition of a flower/plant shop in the area off the southeast corner of the present Long's Drug Store be approved on the basis that this will not be detrimental to people or property in the neighborhood, and that approval would provide property rights in allowing the applicant reasonable development of the property.

Motion carried: Ayes: Ainsworth, Bolles, Fairchild, Eisgrau, Ragan  
Nays: None  
Abstain: Goltz

Applicant was advised of the 10-day appeal period.

6. U-426, Campolindo, 56-60 Red Hill Ave., A/P 6-201-02 & 04 Expansion of natural food store.

Mr. Ed Kuykendall, owner of Miracle Tune at 90 Red Hill Ave. stated that parking for Campolindo presented a problem. He also wanted to complain about the section of wall facing his business which needed painting, desperately.

M/S Ragan, Bolles to approve GPC U-426 to allow Campolindo Natural Food Store to expand to 60 Red Hill Ave., A/P 6-201-04, on the grounds that while there may be a conflict with the Scenic Highway Element of the General Plan this will be resolved by referring this application to Design Review Committee for their study and recommendation to applicant; and that there will be no detriment to people or property in the neighborhood as sufficient parking for this operation is available; and that appreciation of property rights will be afforded by reasonable use of this site.

Motion carried: Ayes: Ainsworth, Bolles, Eisgrau, Fairchild, Goltz, Ragan  
Nays: None

Applicant was advised of the 10-day appeal period.

B. Variances

1. VAR-629, Ronald Granucci, 106 Hawthorn, A/P 5-129-14, application for a 12'9" frontyard setback (7'3" frontyard variance) to construct a bedroom and closet addition.

Mrs. Grannuci and contractor V. Miholovich were present and had reviewed Staff Report.

Commission felt this variance request was a legitimate one. No matter where applicant chose to add, a variance would be required with the exception of where a large oak tree is located. Commission felt this was a very beautiful tree and was well worth saving.

M/S Fairchild, Eisgrau to approve VAR-629, an application for a 7'3" frontyard variance to allow construction of a dwelling addition 12'9" from the front property line at 106 Hawthorn, A/P 5-129-14, on the basis that a building hardship exists in that there is no other logical place to construct this dwelling; that no detriment will result to people or property in the neighborhood due to the low elevation of the addition and its distance from adjacent structures; and that substantial property rights will be provided in that the addition constitutes a reasonable development of the property.

Motion carried: Ayes: Ainsworth, Bolles, Eisgrau, Fairchild, Goltz

Nays: Ragan

Applicant was advised of the ten (10) day appeal period.

2. VAR-630/VAR-635, Mr. and Mrs. R. J. Wickliffe/Mrs. Marion Cain, 70 & 74 Monterey Ave., Application for 0' sideyard setback (8' sideyard variance) and a 9'6" frontyard setback (10'6" frontyard variance) to permit the construction of a double room over an existing double garage shared by residents.

Applicants were present and had reviewed Staff Report.

Applicants stated they really needed the room. They also stated they did not intend to use the room for any living arrangement.

M/S Ragan, Ainsworth that VAR-630 and VAR-635, R. J. Wickliffe and Marion Cain, 70 and 74 Monterey Ave., A/P's 6-013-30 and 6-013-29, application for a 10'6" frontyard and 8' sideyard variance for construction of storage/shop rooms above the common garage be denied on the grounds that this application cannot meet the requirements of subsection (3) of Section 10-3.2102 of the San Anselmo Municipal Code.

Motion tied: Ayes: Ainsworth, Goltz, Ragan

Nays: Bolles, Eisgrau, Fairchild

Since a motion to approve this application would result in the same "tie" vote, applicant chose to take back and rework subject application.

M/S Bolles, Ragan to put over until the next regular meeting, October 6, the application for VAR-630 and VAR-635 for R. J. Wickliffe and Marion Cain at 70 and 74 Monterey Ave., A/P's 6-013-30 and 6-013-29 application for a 10'6" frontyard and 8' sideyard variance on the basis that applicant will return at that time with revisions to proposal.

Motion carried: Ayes: Ainsworth, Bolles, Eisgrau, Fairchild, Goltz, Ragan

Nays: None

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- 3. VAR-631, Charles R. and Paula Leitzell, 117 Ridge Rd., A/P 5-172-85, Application to construct a roof over an existing cardeck with a 0' frontyard setback (20' frontyard variance) and a 3' sideyard setback (5' sideyard variance).

Applicants were present.

Mr. Signorelli of 90 Ridge Rd. stated he had no objection to this application.

M/S Bolles, Ragan to approve VAR-631, application for a 20' frontyard and 5' sideyard variance (as shown on applicant's drawing received and dated August 21, 1975) to allow construction of a roof over an existing cardeck at 117 Ridge Rd., A/P 5-172- approval of application is on the basis that a hardship does exist in that there is no current weather protection for owner's vehicles, that no detriment to people or property in the neighborhood will result as this roof will not obstruct light, air or create any safety problems, and that the granting of this variance will be consistent with property rights enjoyed by others in the neighborhood.

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Motion carried: Ayes: Ainsworth, Bolles, Eisgrau, Fairchild, Goltz, Ragan  
Nays: None

Applicant was advised of the ten (10) day appeal period.

- 4. VAR-632, Henry Van Dyke, Jr., 16 Foothill Rd., A/P 7-033-05, application for a 1'6" sideyard setback (6'6" sideyard variance) to construct a new retaining wall, staircase and expand the existing bathroom.

Applicant was present and had reviewed Staff Report.

Commissioner Ainsworth stated that the Houck's of 133 Humboldt, next door to 16 Foothill, had spoken to him and stated they approved of the application.

M/S Ragan, Eisgrau that VAR-632, Henry Van Dyke, Jr., 16 Foothill Rd., A/P 7-033-05, application for a 6'6" sideyard variance (as shown on applicant's drawing dated August 9, 1975) to allow expansion of an existing bathroom be approved on the basis that it is a building hardship in that the primary bathroom is unusually small, that approval of this variance will not be detrimental to people or property in the neighborhood, and that it will cause no obstruction to light and air, and property rights will be appreciated in that a reasonable size bathroom will be provided.

Motion carried: Ayes: Ainsworth, Bolles, Eisgrau, Fairchild, Goltz, Ragan  
Nays: None

Applicant was advised of the ten (10) day appeal period.

- 5. VAR-633, R. T. McPeak, 435 Scenic Ave., A/P 7-032-08, application for a 2' frontyard setback (18' frontyard variance) and a 3'6" sideyard setback (4.6' sideyard variance) to enclose substructure beneath the cardeck for use as a bedroom and shop.

Applicant was present and had reviewed Staff Report.

M/S Ainsworth, Ragan to approve VAR-633, application for an 18' frontyard and 4.6' sideyard variance to construct an addition between the present cardeck for use as a bedroom and shop as depicted on Plot Plan dated 8/24/75 as revised, at 435 Scenic Ave., A/P 7-032-08, on the basis that a site hardship is involved due to the steepness of the lot to the rear of the house, that no detriment to neighbors or property will result because the addition will be completely hidden from the street frontage, and that this is a reasonable development of the property and is necessary for substantial appreciation of property rights.

Motion carried: Ayes: Ainsworth, Bolles, Fairchild, Goltz, Ragan  
Nays: Eisgrau

Applicant was advised of the ten (10) day appeal period.

- 6. ADJOURN - Meeting adjourned at 12:40 a.m.

*Catherine Carpenter*  
CATHERINE CARPENTER, PLANNING SECRETARY