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The Regular Meeting of the San Anselmo Planning Commission was called to order by Vice Chairman George Buckle at 8:00 p.m. on July 11, 1977, in the Town Hall. Representing Town Staff: Lynn McGovern.

1. ROLL CALL

Commissioners present: Goltz, Greenberg, Olive, Ollinger,  
Buckle  
Commissioners absent: Ragan  
Unfilled position: One

2. OLD BUSINESS - PUBLIC HEARINGS

A. U-473 - Lorenzo's Italian Cuisine, 729 Sir Francis Drake Blvd.

This item was on the agenda for review of the outdoor eating use. There was no one present from Lorenzo's. There was no one in the audience to comment on the item.

M/S Goltz, Greenberg, to hold U-473 over until the next regular meeting of July 25, 1977. Passed unanimously.

B. U-475 - Richard Puntillo, 116 Jordan Avenue. Application for use permit to allow a live-in babysitter.

Mr. Puntillo said he had looked for additional parking in the neighborhood but there was none available. A possibility of one exists when a neighbor's daughter gets married in the fall. He has nothing definite. He said his wife graduates from school in December, and they would probably not need the live-in sitter after that time; however, he felt an obligation to provide his sitter a place to live until she graduates from college next May, if she so desired.

Several of the Commissioners said they felt this was a self-imposed hardship.

M/S Greenberg, Ollinger, to approve U-475, to allow a live-in babysitter, and an 8 foot sideyard and a 20 foot front-yard variance to allow parking to the property line at 116 Jordan Avenue, A/P 6-114-11, for Richard Puntillo on the basis that this is not now an apparent detriment to the neighborhood and provides property rights in allowing a legal and reasonable use, and with the condition that all parking will remain within the property lines; the size and steepness of the lot presents a hardship in providing the additional one parking space. Passed by the following vote:

AYES: Buckle, Goltz, Greenberg, Olive  
NOES: Ollinger

3. NEW BUSINESS - PUBLIC HEARINGS

A. U-487 Shibui Gardens, 19 Tamalpais Avenue. Application for use permit to allow hot tubs (spa).

Mr. Tom Bertotti, 44 Belle Avenue, Fairfax, outlined the proposed operation. He said there will be two hot tubs, available for public rental on a half-hourly basis. He said they proposed to beautify the existing building and yard. The tubs will be enclosed in an arbor structure. They will be covered securely with redwood lids which can be locked in place when not in use. Hours will be 10:00 a.m. to 10:00 p.m. This is the only such operation in Central Marin. The closest similar facility is in Mill Valley. Parking spaces are available on the property. Six spaces are required. Noise is minimal; the motors are small and enclosed. Generally speaking, people who use hot tubs are there to relax and not to party.

Mr. Doug Morris, 349 Bolinas Road, Fairfax, briefly explained the function of hot tubs. He said they are commercial hydrotherapy machines, with jacuzzi equipment. The water is recycled and filtered by a 24 inch sand filter. All water for the tubs will be trucked in from a private well. The pools are heated by natural gas. Each tub is equipped with

a shower, the water for which will be from metered MMWD water.

M/S Goltz, Ollinger, to approve a use permit to operate a hot tub spa for Shibui Gardens, 19 Tamalpais Avenue, A/P 7-212-20, on the basis that this will not be detrimental to the neighborhood and approval is necessary for the preservation and enjoyment of property rights for a reasonable use, with the following stipulations:

- (1) That the hours of operation be 10:00 a.m. to 10:00 p.m., seven days per week;
- (2) That there be a minimum of six parking spaces provided as required by ordinance;
- (3) That the Design Review Committee, when they review this, be sure to consider the privacy screening.

Motion passed by the following vote:

AYES: Goltz, Olive, Ollinger, Buckle  
NOES: Greenberg

- B. VAR 730 - James and Bettie Mansen, 45 Angela Avenue.  
Application for 3 foot sideyard variance to permit building addition.

Mr. Mansen said his hardship was in the house size, a hill in the rear of his property, a small rearyard, and an unstable frontyard. He presented a letter from Mr. and Mrs. R. Somers, 41 Angela Avenue, his immediate neighbor on one side, in favor of the addition. He said his immediate neighbor on the other side was present in the audience and would speak favorably for the variance. He said there was also a wind condition that the proposed addition would somewhat alleviate. Mrs. Norma Julianus, neighbor immediately adjacent on the other side, spoke in favor of the application. Although two other members of the audience nodded their approval, neither chose to speak. Comments from the Commission: Massive expansion, getting close to maximum coverage allowance; there are other ways of expanding the building without need for a variance; hardship exists if unable to conform with existing dwelling lines; size of lot is small and front unstable.

M/S Olive, Greenberg, to approve VAR 730 at 45 Angela Avenue A/P 5-022-11, James and Bettie Mansen, for a three foot sideyard variance on both sides for an addition to the existing house because it is needed to exercise reasonable property rights; because there is a hardship, namely the size of lot is small, living space is small; soil condition is such that this is the most reasonable place to put the addition and it will not be detrimental to the neighborhood.

Passed by the following vote:

AYES: Greenberg, Olive, Ollinger, Buckle  
NOES: Goltz

Mr. Mansen complimented the Commission on the manner in which they pursued each option of each application and the thoroughness with which each application was considered.

#### 4. MATTERS FOR CONSIDERATION

##### A. Downtown Zoning - For discussion

Commissioner Goltz had prepared input in the form of a map of the downtown area and with ideas for zones including first a buffer zone for parking, second a buffer zone of a street, third a buffer zone of professional office area. He said at present there are two areas in San Anselmo where residential zoning abuts commercial zoning and there is constant conflict as a result of the uses. He cited Lincoln Park and the Hilldale area.

Lynn McGovern, Planning Technician, said she had asked for input from all of the Commission and she hoped to get something in the form of a map or written suggestions. A workshop was suggested with a Public Hearing for input, along with a

Commission field trip. Staff was directed to prepare drawings showing existing problems, the possibilities, a negative and positive overlay; perhaps to show zoning, problem, traditional and conceptual zoning.

A discussion meeting of the downtown zoning was set for September 12, a Planning Commission/Staff field trip for Saturday, September 17, and a Planning Commission meeting to reevaluate problems and set a public hearing was set for September 19. A large wall map will be necessary for the public hearing. In the meantime, each Commissioner shall consider the problems and come to the meeting of September 12 with input.

B. Ordinance 728 amending regulations in the C-1, C-2 and C-3 zones to provide for additional uses and changes in height, bulk, and parking requirements.

This matter was held over until the next regular meeting with a request for a memo from staff with recommendations. Each Commissioner to receive a copy of ordinance 728. Staff was asked to delineate some examples, or to do a study of the various aspects of commercial/residential ratios and possibilities.

5 APPROVAL OF MINUTES - June 27, 1977

1. The following should be shown as Roll Call:

Commissioners present: Buckle, Greenberg, Olive, Ragan  
Commissioners absent: Goltz, Ollinger, Hulpke


Item 2, D, 1. Commissioner Greenberg asked that this item be corrected as follows: Line 1 delete "we should leave zoning the same". Add instead "I would like to see zoning on those areas downzoned to use".

Lines 3 and 4, delete "Felt Tamalpais Avenue should be same." Add in its place: "Felt that the streets running east and west into San Anselmo Avenue should, as much as possible, be zoned so that the use stays the same".

M/S Olive, Greenberg, minutes of June 27, 1977, be approved as corrected. Passed unanimously.

Commission Goltz requested a joint meeting with the Town Council be set to discuss procedures as soon as possible.

Meeting adjourned at 11:10 p.m.

  
Thelma Foster  
Secretary