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The regular meeting of the San Anselmo Planning Commission was called to order on May 4, 1981, at 8:00 p.m. by Chairman Ollinger in the Town Hall Council Chamber. T. J. Robbins present.

1. ROLL CALL

Commissioners Present: Hayes, Ollinger, Ragan, Signorelli
Commissioners Absent: Harle, McPeak, Peterson

2. APPROVAL OF MINUTES - April 20, 1981

M/S Signorelli, Ragan, to approve the minutes of April 20, 1981, as written.

Motion carried; Commissioner Hayes abstained.

3. OLD BUSINESS

A. U-557 - Christopher McCombs, 11 San Rafael Avenue, A/P 7-211-11, use permit to allow a medical office in a P zone.

V-936 - Christopher McCombs, 11 San Rafael Avenue, A/P 7-211-11, parking variances.

BOTH ITEMS CONTINUED TO MAY 18, 1981.

B. C-180 - John Koyle, 606 Red Hill Avenue, A/P 6-092-04, design review of an additional covered area over parking and a new roof over an existing structure - CONTINUED TO MAY 18, 1981.

C. V-938 - Thomas and Deborah Burke, 21 Valley Road, A/P 5-121-01, 2'6" and 4'6" sideyard variances to construct an open deck and living addition with a one foot overhang within 3'6" of the south side property line - CONTINUED TO MAY 18, 1981.

D. SS-243 - Mr. and Mrs. Albert Riebeling, 106 The Alameda, A/P 5-102-21, two-lot parcel split and environmental review.

Mr. and Mrs. Riebeling, applicants, and Marius Nelson, Engineer, present.

Mr. Riebeling said he understood the Fire Department's and Sanitary District's requirements.

M/S Ragan, Signorelli, that the Negative Declaration for SS-243 as prepared by staff be accepted with the conditions that soils and drainage studies, with corrective work as required, shall be necessary prior to issuance of the building permit.

Motion passed unanimously.

Applicants were advised of the ten day appeal period.

M/S Ragan, Hayes, that the two-lot parcel split for SS-243 as indicated on the tentative map dated March 12, 1981, be approved on the basis that it complies with the General Plan, and that although Parcel B is below the area required that the density of the existing parcel would be allowable by the slope policy and, therefore, a waiver of the slope policy requirements is required and justified.

Motion passed unanimously.

Applicants were advised of the ten day appeal period.

5. DISCUSSION

A. Informal Discussion of the Rewrite of the Housing Element and Other Elements of the General Plan.

Pieter Toal explained that he, with the help of others, is rewriting the Housing Element and also plans to update the other Elements of the General Plan to send to the State in October or November, 1981.

Commissioner Signorelli suggested there be a joint meeting between the Planning Commission and Town Council and that the rewriting of the Housing Element be undertaken with the help of people involved with housing, i.e., bankers, architects, real estate agents, etc. Councilman Toal said that is his intention.

4. NEW BUSINESS

- A. Z-203 - Ben O'Hare, A/P Nos. 7-097-02, 7-097-05 and 7-141-04, across from Nos. 280 through 300 Redwood Road, proposed rezoning from PPD R-1 (Preliminary Planned Development with a presumptive use of Single Family Residential) to SPD (Specific Planned Development) for two single family dwellings.

Ben O'Hare, applicant, present.

Mr. Robbins said staff has no problems with the application, but recommends that the lot line for A/P 7-097-02 (Parcel 1) be extended downward crossing A/P 7-141-04 (Parcel 2) as a deterrent to further development in the future. He noted that an EIR was completed for the original proposal of four dwellings so another environmental review is not necessary for this reduced density.

Gay Kagy, 280 Redwood Road, indicated the proposed houses on a photograph of the site stating there will be a significant visual impact. She is also concerned about the removal of trees for the project.

Mary Cone, 349 Redwood Road, said she is not happy that access to the properties will be by her house; there is a drainage problem; and she would like some sort of a clause in the approval stating there will be no future development on the lands.

Commissioner Ollinger suggested 1. the applicant examine the possibility of reducing some of the retaining wall by spreading the turning area and then covering with ivy or texturing the concrete; 2. the houses have a low profile in terms of height.

M/S Hayes, Ragan, to recommend to the Town Council approval of Z-203 for Ben O'Hare, A/P Nos. 7-097-02, 7-097-05 and 7-141-04, across from Nos. 280 through 300 Redwood Road, proposed rezoning from PPD R-1 (Preliminary Planned Development with a presumptive use of Single Family Residential) to SPD (Specific Planned Development) for two single family dwellings, on the grounds that it is consistent with the General Plan; that the Environmental Impact Report accepted on October 15, 1979, is deemed adequate to represent the environmental impacts of this development; based on the map received by the Town on March 24, 1981, with the single change made tonight with the lot line for Parcel 1 as marked up on the map; this is to be contingent upon the granting of the access easement as stated in the letter to the applicant from James Ernst dated January 7, 1981.

Motion passed unanimously.

It was announced that this application will be heard by the Town Council on May 12, 1981.

- B. SS-244 - Dan Thomas, 180 and 202 Redwood Road, A/P Nos. 7-082-10 and 7-082-15, lot line relocation.

V-943 - Dan Thomas, 180 Redwood Road, A/P 7-082-10, 20 foot frontyard variances to construct a deck for legal parking and one guest parking space within zero feet of the front property line (with a six foot to 17 foot encroachment into the right-of-way per plan); 13 foot to 1'6" frontyard variances to construct stairs and an open deck within one foot to 12'6" of the front property line; and 10'6" to four foot frontyard variances to construct a dwelling within 9'6" to 16 feet of the front property line.

V-946 - Dan Thomas, 202 Redwood Road, A/P 7-082-15, a 20 foot frontyard variance and a 14 foot frontyard variance to construct a three car parking deck and stairs within zero feet of the front property line.

Dan Thomas, applicant, present.

Mr. Thomas said the most stable area to build is close to the road and added that building farther down on the lot would require a higher structure and the removal of trees. He submitted a petition signed by adjacent neighbors supporting the project.

Mr. Robbins recommended that the applicant request the Town to quitclaim a front portion of 180 Redwood Road to the applicant and that the pine tree in front of the proposed carport for 202 Redwood Road be removed as only a small car could fit in there otherwise.

Commissioner Ollinger suggested that the carports be left open so that vision will not be impaired when backing out.

M/S Ragan, Signorelli, to approve SS-244 for Dan Thomas, 180 and 202 Redwood Road, A/P Nos. 7-082-10 and 7-082-15, lot line relocation as indicated on the map received by the Town on May 4, 1981, on the grounds that it is in conformance with the General Plan.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

M/S Ragan, Hayes, to approve V-943 for Dan Thomas, 180 Redwood Road, A/P 7-082-10, 20 foot frontyard variances to construct a deck for legal parking and one guest parking space within zero feet of the front property line; three foot frontyard variances to construct stairs and an open deck within 11 feet of the front property line; and five foot to four foot frontyard variances to construct a dwelling within 15 feet to 16 feet of the front property line; with the stipulations that the applicant request the Town to quitclaim any rights to the area as shown on the marked up drawing dated May 4, 1981; and that the deck remain open to prevent any visual impairment; on the grounds of the unusual configuration of the land; it will not be detrimental to people who reside in the area; and it will afford substantial property rights.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

Commissioner Ollinger said he hoped the drainage swale is not aggravated by this development and, if anything, that it be improved.

M/S Ragan, Signorelli, to approve V-946 for Dan Thomas, 202 Redwood Road, A/P 7-082-15, a 20 foot frontyard variance and a 14 foot frontyard variance to construct a three-car open parking deck and stairs within zero feet of the front property line, on the grounds that the variances are necessary due to the configuration of the land; it will not be detrimental to the neighborhood; and will give the applicant sufficient property rights.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- C. V-947 - Tamalpais Hardware, 524 San Anselmo Avenue, A/P 6-102-10, parking variance for adding to a nonconforming use (the use of the building is changing from a gift shop and beauty parlor to a more intense use in terms of parking demand).

Ruth Schneider, applicant, present.

Mr. Robbins said the applicant and the Police Department have discussed the possibility of having all deliveries done on the Sir Francis Drake Boulevard side and walking across the bridge, rather than aggravating the already congested San Anselmo Avenue.

M/S Hayes, Ragan, to approve V-947 for Tamalpais Hardware, 524 San Anselmo Avenue, A/P 6-102-10, parking variance for adding to a nonconforming use; on the grounds that it is necessary for the enjoyment of substantial property rights; it will not be detrimental to the neighborhood; it is necessitated by the fact there is no on-site parking; and that it is a minor infraction in nature as it restores a use that the property had undergone for a number of years.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- D. V-948 - Hermann and Elfriede Hansson, 14 Brookside Drive, A/P 5-172-02, a three foot north sideyard variance to construct a bedroom extension within five feet of the north side property line - After-The-Fact.

Hermann and Elfriede Hansson, applicants, present.

M/S Signorelli, Ragan, to approve V-948 for Hermann and Elfriede Hansson, 14 Brookside Drive, A/P 5-172-02, a three foot north sideyard variance to construct a bedroom extension within five feet of the north side property line, based on the need for the enjoyment of property rights; it is necessary due to the location of the house on the property; and it will not have a negative effect on the neighbors.

Motion passed unanimously.

Applicants were advised of the ten day appeal period.

- E. V-949 - Nancy Filmer, 10 Entrata Avenue, A/P 6-241-32, a nine foot frontyard variance to construct a dining area within 11 feet of the front property line.

Nancy Filmer, applicant, present.

M/S Hayes, Signorelli, to approve V-949 for Nancy Filmer, 10 Entrata Avenue, A/P 6-241-32, a nine foot frontyard variance to construct a dining area within 11 feet of the front property line, on the grounds that it is necessary for the enjoyment of substantial property rights; it will not be detrimental to the neighborhood; and is necessitated by the location of the house on the lot.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- F. V-950 - Didrik and Victoria Pedersen, 20 Medway Road, A/P 5-153-22, a 20 foot frontyard variance and an eight foot south sideyard variance to construct a carport within zero feet of the front and south side property lines; and three foot north and south sideyard variances to construct an addition and a fireplace within five feet of the north and south side property lines.

Didrik and Victoria Pedersen, applicants, present.

M/S Signorelli, Ragan, to approve V-950 for Didrik and Victoria Pedersen, 20 Medway Road, A/P 5-153-22, a 20 foot frontyard variance and an eight foot south sideyard variance to construct a carport within zero feet of the front and south side property lines; and three foot north and south sideyard variances to construct an addition and a fireplace within five feet of the north and south side property lines, on the grounds that the variances are necessary due to the location of the house on the property and the configuration of the lot itself; it will not be detrimental to the community; and will give the applicants the opportunity to enjoy their property rights.

Motion passed unanimously.

Applicants were advised of the ten day appeal period.

- G. U-560 - Marc Stern, 1117 San Anselmo Avenue, A/P 7-085-08; use permit for a wholesale sandwich business and a sandwich and juice bar restaurant in a C-1 zone.

V-951 - Marc Stern, 1117 San Anselmo Avenue, A/P 7-085-08, parking variance for adding to a nonconforming use (the use of the building is changing from a gift shop to a more intense use in terms of parking demand).

Marc Stern, applicant, present.

Mr. Stern said he plans to sell sandwiches to local health food stores. The juice bar should cater to foot traffic and he plans to be open between 10:00 a.m. and 8:00 p.m. six days a week.

The Commissioners pointed out that the area is congested with traffic and recommended the applicant seek an off-street area for customer parking.

M/S Ragan, Hayes, to approve U-560 for Marc Stern, 1117 San Anselmo Avenue, A/P 7-085-08, use permit for a wholesale sandwich business and a sandwich and juice bar restaurant in a C-1 zone, on the grounds that it will not be detrimental to those in the neighborhood; and will give the applicant sufficient property rights.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

M/S Ragan, Signorelli, to approve V-951 for Marc Stern, 1117 San Anselmo Avenue, A/P 7-085-08, parking variance for adding to a nonconforming use, on the grounds that off-street parking is not available in the area; it will not be detrimental to the neighborhood; and it will afford the applicant sufficient property rights; furthermore, that the matter be referred back to the Planning Commission should there be any recognized complaints regarding parking.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

5. DISCUSSION (Continued)

B. Attendance at Planning Commission Meetings

Commissioner Ragan told the Commission he had received correspondence from the Town Administrator regarding his attendance record. Commissioner Ragan felt it was highly inappropriate for the Administrator to send him a letter rather than telephone. He also suggested a 24-hour notice required when one cannot attend a meeting is not feasible at times.

Commissioner Ollinger said he understood Commissioner Ragan's reaction to the correspondence, but added he hoped his attendance record would improve.

6. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission adjourned at 10:21 p.m. to the special meeting on May 11, 1981.

Lisa Burghlin

LISA BURGLIN
PLANNING ASSISTANT