

The regular meeting of the San Anselmo Planning Commission was called to order at 8:00 p.m. on February 2, 1981, in the Town Hall Council Chamber by Chairman Ollinger. T. J. Robbins present. 223

1. ROLL CALL

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

2. APPROVAL OF MINUTES - January 19, 1981

M/S McPeak, Peterson, to approve the minutes of January 19, 1981, as written.

Motion carried; Commissioners Hayes and Ragan abstained.

3. OLD BUSINESS

A. V-914 - John and Janet O'Connor, 72 Lincoln Avenue, A/P 6-241-18, a third story variance to construct a living addition.

John and Janet O'Connor, applicants, present.

Warren Fairbanks and Heather Dufton, 74 Lincoln Avenue, asked that the item be continued as adequate time was not given to review the revised drawings.

Mr. O'Connor agreed to the continuance but proceeded to explain the new proposal to the neighbors.

M/S McPeak, Hayes, to continue V-914 for John and Janet O'Connor, 72 Lincoln Avenue, A/P 6-241-18, to the meeting on March 2, 1981.

Motion passed unanimously.

B. Z-199/SS-241 - Isabel Cook Community Center, 1000 Sir Francis Drake Boulevard, A/P 6-032-15, environmental review, proposed rezoning of the rear portion from R-1 (Single Family Residential) to SPD (Specific Planned Development) for an 18 unit housing development for lower income families, elderly and handicapped persons, and a proposed two-lot parcel split.

Mr. Robbins showed a drawing prepared by staff that provides 37 parking spaces south of the housing complex, 42 spaces to the west of the Recreation Center, and 61 at the north end of Memorial Park (Log Cabin area). He noted that it is proposed a minimum of 23 spaces be allowed for the tenants of the housing project to the south of the complex. He referred to the Town Administrator's memorandum which states demolition of the existing rear building will reduce community service organization rental space by 38 percent, and related parking proportionately. He added that the parking design will be taken up further at the use permit stage.

Commissioner McPeak said he appreciates the Administrator's remarks, but feels the needs are not recognized in terms of the parking and traffic situation in that neighborhood.

Dick Blood-Bornholdt, Housing Authority, said it is difficult to determine how many cars the project will generate as the tenant occupancy will continually change. He suggested the zoning be approved and the parking design discussed at the use permit stage.

Referring to the memorandum, Commissioner Ragan said he didn't think the Administrator should be telling the Commission what to do on this matter.

Commissioner Hayes made an informal count of the parked cars at different times and found that presently on a typical week day and weekend day the number of spaces is adequate. Occasionally during the evenings and weekend there will be large numbers of people and the parking will not be adequate. He suggested that perhaps the activities be controlled so that the people can be instructed to use the Log Cabin parking area. Mr. Robbins pointed out that parking cannot be supplied for occasional peak periods.

Commissioner Peterson said he disagrees with the Town Administrator's comment that the housing tenants will not generate a lot of traffic and feels it would be unfair for the Housing Authority to discriminate against prospective tenants for owning a car. He suggested the tenants of both the housing and recreation center have a special permit for parking. He also said if four handicapped housing units are proposed then there should be four handicapped parking stalls. He also feels if a signal is necessary at the intersection then the developer should have it installed regardless of who the developer is. He reiterated the fact that the EIR consultant for the Willow Glen development has recommended a signal be installed for that project.

Commissioner Ollinger agreed with most of the above points, but noted that private developers seldom construct low income housing. He also said statistics will show that tenants in this type of housing generally have a low use of cars. Mr. Robbins said the architect, John Campbell, does have some information on this which can be made available to the Commission.

Commissioner Ollinger suggested a traffic analysis be made of the area dealing with the traffic concerns of who uses what parking at what times and how traffic will flow.

Motion, Peterson, to adopt the Negative Declaration on the basis that the project could have a significant effect on the environment, but will not in this case because of mitigating measures to be adopted as follows:

1. That there be a minimum of 23 allowed spaces for the residents of the property in that lot most adjacent to the housing facilities; and
2. that a signal be installed, whether by the proponents of the project or HUD funds, at the intersection of Sunny Hills Drive and Sir Francis Drake Boulevard.

Commissioner McPeak said he would second the motion with a change in the second condition so that it reads:

Signalization should be a result of a study done by the Town.

Commissioner Peterson agreed with the amendment and said that perhaps the signalization study will be completed before this project is through the use permit stage; Mr. Robbins said that will not be possible.

Commissioner Peterson said Items 13 a and b on the checklist are checked 'Maybe' and should be checked 'Yes.'

Commissioner Peterson made the following amendment to his motion:

The traffic situation should be studied for the possible need, if any, for signalization of that intersection.

Mr. Robbins pointed out that the CEQA guidelines allow the Planning Commission to find social and economic benefits to outweigh some possible effects.

Commissioner McPeak made another amendment:

The Commission strongly recommends that a traffic study be made of the area and a signalization study be made of that intersection.

With the amendments the motion read:

M/S Peterson, McPeak, to adopt the Negative Declaration on the basis that the project could have a significant effect on the environment, but will not in this case because of mitigating measures to be adopted as follows:

1. That there be a minimum of 23 allowed spaces for the residents of the property in that lot most adjacent to the

facilities; and

2. that the Commission strongly recommends that a traffic study be made of the area and a signalization study be made of that intersection of Sunny Hills Drive and Sir Francis Drake Boulevard.

Motion passed unanimously.

M/S Ragan, McPeak, to recommend to the Town Council approval of Z-199 for the Isabel Cook Community Center, 1000 Sir Francis Drake Boulevard, A/P 6-032-15; rezoning of the rear portion from R-1 (Single Family Residential) to SPD (Specific Planned Development) for an 18 unit housing development for lower income families, elderly and handicapped persons, on the basis that it is in conformance with the General Plan and is also a desirable social amenity to our community.

Motion passed unanimously.

M/S Ragan, McPeak, to approve SS-241 for the Isabel Cook Community Center, 1000 Sir Francis Drake Boulevard, A/P 6-032-15, for a two-lot parcel split as shown on the drawing, F-102, as prepared by the Town and dated January 23, 1981; on the basis that this split is in conformance with the General Plan.

Motion passed unanimously.

- C. V-928 - Bruce and Marilyn Wallace, 48 Valley Road, A/P 5-082-09, a five foot sideyard variance and a ten foot rearyard variance to construct a bedroom addition within three feet of the side property line and ten feet of the rear property line - WITHDRAWN.
- D. Z-176 - Jeffrey Kroot, A/P 7-182-02 (across from 600 Redwood Road), use permit and design review for one house under a specific planned development.

Jeffrey Kroot, applicant, present.

Mr. Kroot said he placed the house six feet from the road right-of-way so as to increase the size of the back yard and not to disturb existing trees.

M/S Hayes, Ragan, to approve the use permit and design review portion of Z-176 for Parcel 2 on the grounds that it is necessary for substantial property rights and will not be detrimental to the neighborhood.

Motion passed unanimously.

4. NEW BUSINESS

- A. NU-24 - Sven and Gerda Lund, 135 Calumet Avenue, A/P 6-072-23, use permit for a second unit in an R-1 zone.

Sven Lund, applicant, and Craig Sommers, attorney, present.

Mr. Sommers said the house has two street frontages, one for each unit. He said Mr. Lund's brother lives in one unit, which currently does not have cooking facilities and he pays no rent, and a woman lives in the other unit.

Mr. Robbins said there is sufficient parking on the lot for a second unit.

Discussion followed regarding the fact that Mr. Lund, if granted a use permit, must agree to live on the property. Mr. Sommers then requested this item be continued to March 16, 1981, so that he can explain the Ordinance to his client.

M/S McPeak, Peterson, to continue NU-24 to the March 16, 1981, meeting.

Motion passed unanimously.

- B. NU-25 - John R. Swoffer, 140 Butterfield Road, A/P 5-111-43, use permit for a second unit in an R-1 zone.

John Swoffer, applicant, present.

Mr. Swoffer said he currently lives on the property and intends to remain there.

M/S Ragan, McPeak, to approve NU-25 for John R. Swoffer, 140 Butterfield Road, A/P 5-111-43, use permit for a second unit in an R-1 zone, on the grounds that it will not be detrimental to the neighborhood and will afford the property owner sufficient property rights.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- C. V-929 - Dirk Wells, 33 Carlson Court, A/P 5-062-38, a 20 foot frontyard and an eight foot sideyard variances to construct a hot tub and open deck within zero feet of the front and side property lines - AFTER-THE-FACT.

Dirk Wells, applicant, present.

Mr. Wells said he and some friends constructed the deck and hot tub on an existing slab and he was advised that it would be simple to get an after-the-fact permit.

Leticia Fish, 35 Carlson Court, said the hot tub is right under her kitchen window and the noise from the motor and conversation carries back to her bedroom. Mr. Wells said he was surprised at her objection as her husband had looked at the construction and said he liked it. Mr. Wells added that other neighbors had said it was an improvement to his property. Mrs. Fish said her husband did not talk to Mr. Wells about the hot tub and deck construction.

M/S Ragan, McPeak, to deny that portion of V-929 for Dirk Wells, 33 Carlson Court, A/P 5-062-38, for a 20 foot frontyard and eight foot sideyard variance for the hot tub for the reason that it is in violation of that portion of the Municipal Code that states a variance not be detrimental to persons residing in the neighborhood; and to approve that portion of V-929 for a 14 foot frontyard and six foot sideyard variances for the open deck to be within zero feet of the front and side property lines.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

Mr. Robbins advised that Mr. Wells would be instructed to remove the hot tub within 30 days of staff's formal notification.

- D. V-930 - Patricia Gallagher, 51 Foothill Road, A/P 7-053-19, two foot sideyard variances to construct an attic dormer within six feet of the side property lines, a third story variance and a parking variance (per SAMC Sec. 10-3.1907(a)(1)) - AFTER-THE-FACT.

Patricia Gallagher, applicant, Corey Kline, carpenter, and Robert Davis, Builder, present.

Ms. Gallagher said the construction originally started with plans to insulate the attic. In the process the workers discovered the rafters were seriously bowed and sitting on a non-bearing wall. She then saw the potential for sleeping space in the attic and decided to put in dormers. Ms. Gallagher, wishing to maintain her neighbor's privacy, elected not to put windows on his (Mr. Danon) side and when she heard of his complaint to the Building Department she attempted to discuss it with him; however, she was unsuccessful. Ms. Gallagher did not realize the necessity of obtaining permits for this work and said she is willing to compromise with Mr. Danon.

Mr. Danon, 53 Foothill Road, said the construction is a detriment

to him as he cannot see the sky from that side of his house.

Mr. Davis showed the Commission slides he had taken of the construction.

The Commissioners discussed alternatives to the present construction with the applicant and neighbor, who agreed to a change in the proposal.

Mr. Robbins asked the applicant, builder and Mr. Danon to meet with him at the site to make sure that Mr. Danon will not object to the proposal. Mr. Robbins advised the Commission to make a motion to move the building back six feet and if there is an impasse the application can be brought back to the Commission at no fee. He noted the variances were a sideyard, third story and parking.

M/S Hayes, Peterson, to approve that portion of V-930 for Patricia Gallagher, 51 Foothill Road, A/P 7-053-19, for a two foot north sideyard variance to construct an attic dormer within six feet of the north side property line, a third story variance and a parking variance, 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 steepness of the lot and the location of the house on that lot.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

5. DOWNTOWN REZONING WORKSHOP

Woodland Avenue - Discuss possible rezonings and set a date for a public hearing.

The Commissioners acknowledged receipt of a letter from Paul E. Frank regarding A/P 7-282-06 (25 Woodland Avenue/24 Ross Avenue) requesting the property be rezoned to multiple-family residential.

The Commissioners agreed to advertise that the following lots may be rezoned to either R-1, R-2, R-3 or P: 24 Woodland Avenue, 25 Woodland Avenue, 87 Woodland Avenue, 89 Woodland Avenue and 93 Woodland Avenue; and that 29 Woodland Avenue and 41 Woodland Avenue be advertised that they may be rezoned to R-3.

It was agreed that a public hearing be set for April 6, 1981.

6. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned to March 2, 1981, at 11:30 p.m.

Lisa Burghin

LISA BURGLIN
PLANNING ASSISTANT