

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman Hayes at 8:00 p.m. in the Council Chamber on May 16, 1983. L. Wight present for staff.

1. ROLL CALL

Commissioners Present: Bergeson, Harle, McPeak, Sharp, Signorelli, Sousa, Hayes
Commissioners Absent: None

2. APPROVAL OF MINUTES - May 2, 1983

Held over until the June 6 meeting.

3. PUBLIC HEARINGS

A. V-1056 - Louis Lituanio

The application was withdrawn by the applicant.

B. SS-250 - B. M. Beins

Staff pointed out that an exception to the ordinance was being requested. Mr. Beins is asking for the lower lot to be 8,450 sq. ft. - required area is 10,500 sq. ft. Staff also recommended, if approved, a condition be a small area of land on Hillside Avenue be dedicated to the Town. The area is delineated on the file copy of the map. Staff reported Town requirements for off-site improvements would probably include street paving, repairing, widening, drainage construction. Staff mentioned all letters received and made a part of this file; one from Sheldon Donig against the application; one from Mr. Buse, representing 6 neighbors, supporting the application.

Mr. Ted Vogelaar, 25 Richmond Road was present for Mr. Beins who is temporarily confined to his bed. He pointed out that Mr. Beins could make the lower lot 7,500 square feet, and then it would meet compliance with square footage requirement of the lot slope policy.

Mr. Howard Mollenkopf, adjacent property owner, mentioned flooding on Laurel; he said there were no culverts; gravel, wood, leaves and debris all end up in front of 220 Laurel Avenue. Drainage on the south side goes through a 6 inch pipe and all ends up in the backyard of 219 Laurel Avenue. He said all of the Hillside drainage goes through the properties and ends up on Laurel Avenue.

Sheldon Donig, 340 Laurel Avenue said the real problem seemed to be the density. He said he thought Mr. Beins had 5 units on the upper lot.

Mr. Vogelaar said there were 4 units in two houses.

Mr. Donig said he felt the property should be inspected to verify the number of units. He said it was almost a motel.

Mr. Mollenkopf said if you tried to turn around in the cul-de-sac you couldn't because of traffic. He said he did not think a fire truck could do it.

Ken Anderson, Laurel Avenue, said he thought it important to know just how many units there really are up there. He said several houses on Laurel Avenue flooded in past years. He pointed out that both Laurel and Hillside are unaccepted streets at this point. He said there was a total of 47,620 square feet of land; in accordance with the lot slope policy, there would be allowed 2 lots with a total of 2 houses. He further stated the new house would require a hillside cut; the hill, he said, as evidenced by slides on Hillside, is unstable. How many units, he wondered, should a person owning an R-1 lot be entitled to before he enjoyed substantial property rights? Mr. Anderson pointed out Mr. Beins had enjoyed the privilege of additional units over a number of years already, when other R-1 properties enjoyed only one unit. He said at present on the Laurel Avenue frontage there is one small house with one occupant with one vehicle; if a new home were to be built there, it would most certainly have at least two or more people with probably 2 vehicles, adding to the density on Laurel Avenue.

Commissioner McPeak stated this property was right on the edge of property presently being considered by the Planning Commission in connection with the density ordinance. Conceding there are two parcels there, there is still a dilemma. He said he is not in favor of another unit - it is inconsistent with other hillside areas.

Commissioner Harle said his sentiments were the same as Commissioner McPeak's.

Commissioner Sharp agreed, saying there was too much density there. He said he would not do anything without knowing how many units are there.

Commissioner Sousa agreed with other Commissioners; he added his concern over drainage.

Commissioner Bergeson said he had no problems with the merits of the subdivision application; however, there are quite a few clouds over the issue. He thought a review was needed of the drainage problem; wants more information as to where all the cars come from.

Commissioner Signorelli said he thought we needed to delineate each house on the upper part of the hill. He is concerned about the density; he said there needed to be an investigation to determine how many units there actually are. He said rainwater would not substantially increase the amount of run-off; he felt there were 2 problems to straighten out (1) the entitlement of use (2) cutting off a lower parcel for another house.

Chairman Hayes suggested two places to go for guidance (1) the lot slope policy, and (2) the densities being considered in the proposed ordinance. In accordance with the lot slope policy, he would be entitled to 2 dwellings. It was not clear how many there are; however, it appears there are at least 5. The density ordinance being considered would allow a rather lower density than the present use. To approve the subdivision would be to grant this owner a favor which others in the same category may not have. He wishes a clarification of the number of units that now exist.

It was the consensus of the Commission that it appears a denial would occur and therefore a negative declaration discussion would be moot.

Bob Derber of Walnut Creek asked for a continuance of the application until Mr. Beins could attend the meeting himself to answer any questions regarding the property and use.

Mr. Donig said he thought if an appointment were made to inspect the property, some of the units would disappear until after the inspection. He asked about contiguous ownership to justify the number of units.

Dan Goltz, 107 Holstein Road, San Anselmo said a continuance sounded like a good idea; he said the staff ought to check the number of units.

Mr. Vogelaar said the density is on Hillside, not Laurel, and it is another whole world up there.

M/S McPeak, Signorelli, to continue SS-250 - B. M. Beins, 95 Hillside Avenue and 428 Laurel Avenue, A/P Nos. 7-121-26 and 7-121-27, initial environmental review and two-lot parcel split to the June 6 meeting and request staff to report the number of units that exist and other pertinent data. Passed unanimously. P/C 5/16/83

C. SR-335 San Anselmo Shopping Center 850 - 910 Sir Francis Drake Blvd.

Mary Anne Spinozi, representing the Shopping Center explained in the past where there was a special event, banners and flags were attached in some way on the pagoda sign in the front of the Center. She said they would like to have an arrangement whereby they could use permanent guide to slide plywood signs in. The changeable copy would consist of seasonal signs and would not remain up for more than 10 days at a time. There would be no extra lighting other than what is there at the moment.

M/S Sharp, Sousa, to approve SR-335, application of the San Anselmo Shopping Center, 850 - 910 Sir Francis Drake Boulevard, A/P 6-061-12, variance for a sign to have changeable copy, in accordance with drawing received by the Town on April 20, 1983,

allowing 45 square feet of sign on the basis that granting of this variance is necessary due to unique difficulties of the Center, and the Commission finds the strict application of the provisions of Title 10, Chapter 7 of the Municipal Code would result in unreasonable practical difficulties or unnecessary hardships for the applicant, which difficulties are not generally present; that the strict application of the provisions of the chapter would bring about results inconsistent with the purposes and intent of the chapter; that the granting of such application will not adversely affect the public health, safety, or welfare or be detrimental to or endanger or depreciate the property located in the surrounding area.
Passed unanimously. P/C 5/16/83

D. Draft Revisions to the Subdivision Ordinance:

Each Commissioner was given an opportunity to suggest any changes, additions or deletions they thought appropriate, and at the end of the discussion period, it was M/S McPeak, Sousa we recommend adoption of the revised subdivision ordinance as submitted to the Planning Commission, and as amended with additional comments to be incorporated as the Commission has suggested, to the Council.
Passed unanimously. Staff announced this item would be heard at the next regular Council meeting. P/C 5/16/83

At 10:00 p.m. the meeting was adjourned to the special meeting of May 23, 1983 for the Proposed Density Ordinance Public Hearing.

Thelma Foster