

TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES FOR AUGUST 19, 1991

The regular meeting of the San Anselmo Planning Commission was convened at 8:00 p.m. in the Council Chamber by Chair Julin with Commissioners Yarish, Sias and Kroot present and Commissioners Hayes, Harle and Mihaly absent. Staff present: Planning Director Ann Chaney.

B. CONSENT AGENDA

1. Minutes - August 5, 1991
2. **DR-9005 - Peggy Hosmer, 22 Magnolia, A/P 7-212-34**, design review amendment to: 1) add exterior support columns; 2 increase height of the elevator area; and 3) revise roof material, for property located in the P zoning district.

Chair Julin requested that 22 Magnolia be removed for discussion.

M/S Sias/Kroot, to approve August 5, 1991 minutes. Motion unanimously passed.

C. PUBLIC HEARINGS CONTINUED TO THE MEETING OF SEPTEMBER 16, 1991

1. **SR-9104 - Mohammand Banaee, 100 Sir Francis Drake Boulevard, A/P 6- 241-01**, sign variances for the number and size of signs on an automobile repair facility on property located in the C-3 zoning district.
2. **DR-9108 - William Whistler, 45 Tomahawk Drive**, design review to construct a fence within the private open space of the property located within the R-1H zoning district.
3. **V-9128 - Charles C. Mohun, 46 Broadmoor Ave, A/P 5-185-13**, a 4'6" sideyard variance to construct a first and second story addition within 3'6" of the side property line, on property located within the R-1 zoning district.
4. **V-9129 Dennis Shine, 54 Yolanda, A/P 7-042-17**, a 3' sideyard variance to construct a bathroom addition within 5' of the side property line, on property located within the R-1 zoning district.
5. **Amendment to the Zoning Ordinance Text to Conditionally Permit Retail Uses for Non-Profit Organizations within the R-1 (Single Family Residential) Districts**
6. **GPA-9101/Z-9101/ER/LLR-9101/U-9104/V-9130/DR-9110 - Jim McDonald, 40 Belle, A/P 7-301-05, 7-301-16 and 7-301-17**, 1) Environmental review of the General Plan amendment and rezoning; 2) General Plan amendment to revise the land use map for a portion of the property currently C-3 to have a designation of R-1 and a portion currently R-1 to have a designation of C-3 (fronting Mariposa Avenue); 3) Rezoning of a portion of the property currently zoned C-3 to be rezoned to R-1 and a portion currently zoned R-1 to be rezoned to C-3 (fronting Mariposa Avenue); 4) Lot line relocation to create two parcels from three existing parcels; 5) A use permit, variance and design review to construct a new building and parking area within 6' of the west side property line (fronting Mariposa Avenue) to house current school activities; and 6) A use permit for the Rummage Rack location to be shifted from the C-3 zoned parcel to the adjacent R-1 parcel (located in the new building fronting Mariposa Avenue).

D. PUBLIC HEARINGS

1. **DR-9005 - Peggy Hosmer, 22 Magnolia, A/P 7-212-34**, design review amendment to: 1) add exterior support columns; 2 increase height of the elevator area; and 3) revise roof material, for property located in the P zoning district.

The applicant and Jay Halberg, Engineer for the project, were present, as well as the property owner.

Planning Director Chaney presented the staff report. She stated that in the near future there will be a proposal before the Commission to request a variance for the column and beams to be placed on the west side property line instead of the original approval for the east side property line.

Commissioner Yarish recalled that the original approval for the column and beam was for the west side. Director Chaney stated that she will research the minutes for clarification because the motion for approval stated that the variance was for the east side. Commissioner Kroot agreed with Yarish and added that the wall could be anywhere from 6' to 10' in height on the west side.

Jay Halberg agreed that he felt the previous approval might have just been misworded.

Commissioner Kroot had no problem approving the application before them tonight. He stated the roof effect will be the same and the dormer was fine.

TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES FOR AUGUST 19, 1991

Commissioner's Yarish and Sias concurred with Kroot.

Chair Julin stated that she had no objections to the dormer but did not want to support the roof because she preferred the quality of the original roof material.

M/S Sias/Yarish, to approve DR-9005 - Peggy Hosmer, 22 Magnolia, A/P 7-212-34, design review amendment to: 1) add exterior support columns; 2 increase height of the elevator area; and 3) revise roof material, for property located in the P zoning district. The approval is based on the following: 1. *Is functionally and aesthetically compatible with the existing improvements and natural elements in the surrounding area.* The few revisions to the previously approved plans are designed to be an integral part of the building and are functionally and aesthetically compatible. 2. *Provides for protection against noise, odor, and other factors which may make the environment less desirable.* The proposed revisions will not have an affect on, nor necessarily protect against noise, odor or other environmental factors. 3. *Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development in such area;* The proposed revisions will not create any adverse impacts that would cause neighboring properties to diminish in value. 4. *Will not create unnecessary traffic hazards due to congestion; distraction of motorists, or other factors and provides for satisfactory access by emergency vehicles and personnel;* The proposed revisions, nor the approved project, are expected to create traffic hazards. Emergency personnel, such as fire fighters, would have satisfactory access by extending hoses onto the site and without needing to access the site with emergency vehicles. 5. *Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area.* These revisions will not result in any adverse or detrimental impacts on this property nor will it result in the endangerment of activities or structures located on neighboring properties. The proposed use is in conformance with the established zoning, and the activity is consistent with existing neighboring land uses. 6. *Conformance to the approved precise development plans.* This property is located in the P zoning district and a precise development plan is not required. 7. *Adequacy of screening;* Six foot high walls, and a limited amount of landscaping, are to be located along a portion of the west property line. Landscaping has been incorporated into the east side to help screen portions of the building from that elevation. 8. *Selection of architectural features that enable the structure to blend with its environment.* The revision to a composition shingle roof will be consistent with the materials currently used for this project. **Conditions of approval are: that the design review for 1) additional columns on the west elevation, 2) elevator height revision, and, 3) use of gray composition shingles, is hereby approved per the site and elevation plans dated August 7, 1991. Further, that staff is to review the minutes to clarify as to whether a future variance is required for the west side for the column and beam and wall height or whether the original intent of the Commission was to approve the westside variance with wall height.**

Ayes: Yarish, Kroot, Sias
Noes: Julin

Motion carried. Audience advised of the ten day appeal period.

2. V-9127 - David Cellers, 706 San Anselmo Avenue, A/P 6-102-37, parking variance to permit a restaurant on property located within the C-2 zoning district.

The applicant was present.

Planning Director Chaney presented the staff report.

Mr. Cellers stated that parking was available on Tamalpais Avenue during the noon hour. His hours of operation would be from 6:00 a.m. to 12:00 p.m. mid-night, but if the business does not demand those hours he would cut back.

Mr. Hendrickson, Owner of Building at 706 San Anselmo Avenue, supported the applicant's proposal.

The Commissioners supported the proposal with hours of operation as proposed by the applicant.

M/S Yarish, Kroot, to approve V-9127 - David Cellers, 706 San Anselmo Avenue, A/P 6-102-37, parking variance to permit a restaurant on property located within the C-2 zoning district for the following reasons: 1. *Due to special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the controlling zoning ordinance or regulation deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification, and the granting of a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.* The special circumstances surrounding this tenant space, and the property on which it is located, is that its size and the surrounding development

TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES FOR AUGUST 19, 1991

preclude its ability to provide on-site parking. To require on-site parking per the ordinance would deprive this property of privileges enjoyed by other properties in the vicinity under identical zoning. Parking lots and on street parking is available to this and other uses in the downtown neighborhood. Although the restaurant use is an intensification over the existing retail use, it is anticipated that it will not be a primary attractor, but rather will draw from people already in downtown San Anselmo due to its size, method of serving customers, lack of kitchen, and limited menu. 2. *The granting of the variance, under the circumstances of the particular case, will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property or the applicant and will not be detrimental to the public welfare or injurious to property or improvements in such neighborhood.* The granting of this variance will not have any detrimental impacts on any of the surrounding commercial or residential properties. This intensification of uses not expected to materially change the overall nature of this neighborhood. **Conditions of approval are: 1. The hours of operation will be between 6:00 a.m. to 12:00 p.m. mid-night; 2) The parking variance is approved subject to the site and floor plan dated August 5, 1991.**

Motion unanimously passed. Audience advised of the ten day appeal period.

E. GENERAL DISCUSSION

The Commission felt that parking is and always has been an issue in town and many of the businesses have to apply for a parking variance. They suggested that the members of the Chamber of Commerce be poled as to whether parking is really a problem. There was also discussion of an assessment to whether or not businesses should be assessed for parking as part of their application to the Town. The consensus was that this item be discussed at the Planning/Council zoning subcommittee.

Director Chaney discussed the proposal at 33/35 Park Way where the slide occurred in March. The owners are in the process of submitting a plan to reconstruct the guardrail and retaining wall with chain link fence and to replant the ground cover. The consensus was that Director Chaney would contact each Commissioner when the elevation plan was available to seek their comments.

Director Chaney asked for the Commission's clarification of the definition of dormers. The consensus was that they are typically window projections which project from the roof line.

F. ADJOURNMENT

The meeting was adjourned at 9:50 p.m. to the next meeting of September 16, 1991.

BARBARA CHAMBERS