

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES OF NOVEMBER 4, 1991**

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

B. CONSENT AGENDA

1. Minutes - October 21, 1991

M/S Kroot/Sias, to approve consent agenda.

Ayes: Harle, Yarish, Kroot and Sias

Abstain: Julin

Motion passed.

C. PUBLIC HEARINGS CONTINUED TO THE MEETING OF NOVEMBER 18, 1991

1. 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 (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).

2. U-9106/V-9143 - Mario and Emilia Orihuela, 26 Sals, A/P 6-072-16, a use permit and parking variance to legalize a proposed second living unit located on property within the R-1 zoning district.

D. PUBLIC HEARINGS

1. DR-9117/V-9140 - Sue McDowell and Michael Frideger, 140 Allyn Avenue, A/P 7-092-19, 1) design review of a second story living room and deck addition; 2) 1 foot side yard variance to construct a deck within 5 feet of the side property lines on property located within the R-1 zoning district (above 150 feet mean sea level). CONTINUED FROM THE MEETING OF 10/21/91

Commissioner Kroot stepped down from this application.

The applicants were present accompanied by their architect, Jeff Kroot.

Ms. Chaney presented the staff report.

Commissioner Hayes arrived at 8:10 p.m. but stated he would abstain from this application because he was not here for the beginning of the item.

Mr. Frideger stated that there seems to be a discrepancy on the plans because the actual walking space on the side yard deck is 35" to 36" and a reduction would create safety hazards. He also felt the variance was necessary because of the location of the house on the lot.

David Mehler, 136 Allyn, stated he had no objection to the variance although he would overlook their deck and would take away from their privacy. He suggested that the applicants might want to provide some screening for privacy but that was really optional for the applicants.

Commissioner Sias supported the proposal stating that the addition was just an extension of the existing deck. He also said that he would go along with the actual measurements made by the applicant instead of those on the plans and felt that safety was an issue.

Commissioner Harle felt that safety was an issue because of the narrowness of the deck and was therefore able to support the application.

Commissioner Yarish agreed with his colleagues and added that any screening would have to be at least 30' to be effective.

Chair Julin had nothing further to add.

M/S Yarish/Sias, to approve DR-9117/V-9140 - Sue McDowell and Michael Frideger, 140 Allyn Avenue, A/P 7-092-19, 1) design review of a second story living room and deck addition; 2) 1 foot side yard variance to construct a deck within 5 feet of the side property lines on property

TOWN OF SAN ANSELMO

located within the R-1 zoning district (above 150 feet mean sea level). The approval is based on the following.

Design Review

1. *Conformance to the approved preliminary and precise development plans. Preliminary and precise development plans only pertain to those properties with a zoning designation of R-1 H.* Subject property is zoned R-1. 2. *Adequacy of screening.* The intent of the design review requirement for R-1 parcels located above 150 foot mean sea level elevation is to "protect the visual character of the hillside." The proposed 360 square foot second story living room addition and 382 square foot second story uncovered deck addition will not adversely impact the character of the hillside. As it exists, the dwelling is very small and oddly shaped and the proposed addition will square off the building. The dwelling additions will not be visible from surrounding hillside properties due to several existing trees. 3. *Selection of architectural features that enable the structure to blend with its environment.* The proposed addition, decks, and exterior siding and trim should contribute to an aesthetic improvement to the dwelling and the white trim will not be highly visible due to the existing vegetation. 4. *Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area.* The improvements will be functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area. 5. *Provides for protection against noise, odors, and other factors which may make the environment less desirable.* The additions should have no impact on noise, odors, and other factors which may make the environmental less desirable. 6. *Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy.* The additions will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy. 7. *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 additions will have no impact on traffic nor access by emergency vehicles and personnel. 8. *Will not adversely affect the health or safety of persons using the improvements or endanger property located in the surrounding area.* The additions will not adversely affect the health or safety of persons using the improvements or endanger property located in the surrounding area.

Variance

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 the property of privileges enjoyed by other property in the vicinity and under an identical zoning classification, and the granting of the 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.* Special circumstances for approval are the location of the existing house and deck on the lot and the necessity for passage along the side yard deck for safety reasons. 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 of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.* The deck encroachments into the north and south sideyards are very minor and should have no adverse impact on the neighborhood.

Ayes: Yarish, Harle, Sias, Julin

Abstain: Hayes

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

2. **V-9144 - James McDonagh, 205 Brookside Drive, A/P 5-131-16, a 3 foot side yard variance to construct a first and second story addition within 5 feet of the side property line, within the R-1 zoning district.**

The applicant was present.

Mr. Washington presented the staff report.

Mr. McDonagh stated that he already has approval for a first and second story addition to his house, all within the setbacks. His variance request is for a very small area (less than 9 square feet) to continue the existing line of his house. This request is for the first floor only. He felt that if he had to jut the line of the house in to comply with the setbacks it would not be logical or aesthetically pleasing to his next door neighbor.

Chris O'Conner, 110 Brookmead, stated that his property backs up to the applicants and he supports the proposal. He felt it was a logical continuation of the lines of the house.

Dave Fleming, 209 Brookside, stated that he lived next door and if the addition had to jog in it would not be aesthetically pleasing.

Commissioner Harle supported the application, stating that he was just continuing the line of the house and this house has a non conforming side setback of 5 feet.

TOWN OF SAN ANSELMO

Commissioner Yarish stated that this would be considered such a minor intrusion that he hoped it would be considered as an exception. He hoped the Zoning Subcommittee will consider amending the ordinance to include such situations as this.

Commissioner Hayes supported the proposal and stated that he would like to see those items under a such a deminus level be treated as an exception.

Commissioner's Kroot, Sias and Julin, had nothing further to add.

M/S Harle/Hayes, to approve V-9144 - James McDonagh, 205 Brookside Drive, A/P 5-131-16, a 3 foot side yard variance to construct a first story addition within 5 feet of the side property line, within the R-1 zoning district. The approval is based on the following. 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 the property of privileges enjoyed by other property in the vicinity and under an identical zoning classification, and the granting of the 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 house is set on the lot at the five foot sidearm which used to be the setbacks for this area and to adhere to the 8' setback for this addition would not be logical for the design. Also, if this addition were to conform to the setback it would be a view detriment to the adjacent neighbor because it would be a strange looking structure. 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 of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.* There is no detriment to the neighborhood, in fact the neighbors are in support of the addition. **Conditions of approval are: 1. That the project be constructed according to plans dated 8/27/91.**

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

3. **DR-9120 - Theodore F. Posthuma, 379 Oak Avenue, A/P 7-241-61**, design review of a living addition to the existing single family dwelling and a carport on property located within the R-1C zoning district.

The applicant and Gary Kida, Architect, were present.

Mr. Washington presented the staff report. He also handed out additional information from the applicant that identifies square footage of other houses within 1/2 mile of his project.

Mr. Kida stated that there was erroneous information contained in the Staff Report which he notes as follows: 1. Paragraph titled "Drainage" - the Staff Report states that a runoff easement is present through this site for the benefit of 395 Oak Avenue. He stated that no such easement exists. When the land currently occupied by 379 and 395 was one parcel, a drainage pipe was installed. That pipe runs through what is now 379 Oak Avenue, however his client indicates that a drainage easement was never recorded. 2. Paragraph titled "Square Footage" - When staff was questioned about the inclusion of the octagon shaped deck into the square footage, Mr. Washington stated that any structure with framing in excess of 30" above grade should be included in the square footage. Mr. Kida felt there was an inconsistency in the way this requirement is applied because decks more than 30" above grade would have to have railings 36" high and therefore should be included in the tabulations to be consistent with the aforementioned method of compiling square footage figures. Mr. Kida said he then asked staff why the upper level decks were not included in the square footage calculations and was told that the Planning Commission had determined a specific way of calculating square footage for this project. 3. Under the paragraph titled "Compatibility" - the staff report contained a chart tabulating selected neighboring properties with their parcel size and residence size. Mr. Kida wanted assurance that the calculations used for square footage for Mr. Posthuma's property will be the same as those calculations used for the parcels in the staff report. He also noted that there are other houses within a 1/2 mile radius that were not included in the staff report and he provided a list of those to the Commission. 4. Paragraph titled "Summary" - Staff stated that they had hoped to see a substantial redesign and reduction of the floor area. They further go on to state that the previous application was for a 4,734 square foot house and the Planning Commission approved a 4,546 square foot home. Mr. Kida felt this was incorrect. He felt that the discussion at the previous hearings centered on the method by which square footage was to be calculated. Mr. Kida stated that this application is for a 4,261 square foot house, which is a reduction of any where from 1,533 to 662 square feet, depending on whose calculations were used. The rooms are shrunk from the original proposal. He noted that the retaining wall in the rear has a cut of 3' to 4'. He stated that in May of this year the Planning Commission approved a proposal similar to the proposal now before the Commission. He said that if the Commission now decides not to approve this application, he wanted to know why it was acceptable before and now not acceptable. He was hopeful that the Commission could make a decision tonight to approve the project. He was against there being another meeting on this to have the decision in a form of a resolution.

TOWN OF SAN ANSELMO

Commissioner Yarish stated that it looks like the overall length of the project was 115 feet. In reviewing the plans he also noted that it looked to him that the building would be cut deeply into the hill and that would mean considerable grading.

Commissioner Sias wondered if there was an Ordinance prohibiting two driveways for one property.

Director Chaney cited the section 7-1.05 of the Municipal Codes that states "No additional driveway entrance or approach shall be erected, constructed, or maintained into or from the same premises, except that if any such premises, is situated on a corner of intersecting streets, one additional driveway or approach may be erected, constructed, or maintained into or from such premises provides such two (2) driveways or approaches on one street frontage shall be separated by a sidewalk area or island not less than forty feet in width from any other driveway entrance or approach, measured at the narrowest point".

Mr. Washington stated that for clarification purposes the Planning Commission decided not to include exterior decks in the calculation for the property where as the ordinance includes decks. He stated he would look into the matter of grading and amount of cut and respond back to the Commission.

Mr. Posthuma stated that he has reduced the height of the house and disputes the comment by Commissioner Yarish that there will be considerable grading. He felt he has complied with the direction of the Town Council and would like approval for his project.

Paul Anderson, Redwood Road, stated that his property is directly north of this project and he did not see how it would obscure any views. He did not feel the project would be obtrusive or detract from other houses in the neighborhood.

Bill Johnson, 348 Oak Avenue, stated that his home is approximately 3,700 square feet and did not feel the proposed project would be out of character in the neighborhood.

David Bassett, representative of Ms. Leonard of 395 Oak Avenue, stated that three Town Councilmembers indicated that the original proposal was in conflict of the General Plan and did not want to see the project at the maximum square footage allowed from the density table in the zoning ordinance. Some of the Council stated that they thought 3,000 to 3,500 square feet was the maximum to be allowed on this parcel. He felt that the project, as proposed should be further reduced to comply with the Council direction.

Cathy Sanders, 310 Redwood, opposed the project because she felt it was in conflict with the General Plan and that it should not be a right to build to the maximum density allowed. She felt the project was out of scale and character of the neighborhood. She also felt the exterior color should be reconsidered.

Gay Kagy, 280 Redwood Road, stated that this project is essentially the same as the original project that was rejected by the Town Council. She wanted to see the house reduced even further. She felt the existing eucalyptus trees were too large to screen the addition. She would like to see the second garage be used as a garage or abandoned.

Dixie Ruud, 367 Oak Avenue, wanted to see his garage and driveway off of Oak Avenue.

Phyllis Wright, 367 Oak Avenue, was opposed to the large addition. She also did not feel that it was necessary for him to access his driveway across the easement.

Mark Kertz, attorney representing Ms. Leonard of 395 Oak Avenue, felt that 1/2 mile radius house size comparisons was too great a distance. He was in agreement with the comments in the staff report.

Mr. Posthuma presented a petition signed by neighbors in support of his project. He stated that the Planning Commission approved a 4,712 square foot house at 80 So Oak Avenue. He stated that he is proposing minimal excavation and wants to keep the house as low as possible. If the addition was to be farther up the hill he would have to remove his orchard. He indicated that he has reduced the decks and has included a pyramid roof. He presented photographs from his property and that from 395 Oak Avenue, indicating that the owner of 395 Oak will not be able to view the addition.

Commissioner Yarish stated that he was more concerned about visual impact than the total amount of square footage. He specifically was concerned about the massing and height of the structure as viewed from different view corridors. The house still looks very long as viewed from the north east elevation. He was also disturbed about the amount of cut. He also stated because the roof was flat it gave the appearance of a large mass. He wondered if the addition could be placed to the east and have the applicant give up the maple tree. This would cut back on the massive appearance. He stated that the addition has two bands where as the original house has three. He would like that to be carried over to the addition. He also would like to see

TOWN OF SAN ANSELMO

the stucco curve around the windows of the addition, similar to how they are on the original house.

Commissioner Hayes still felt the house was too large and it looked like two houses. He did not feel it was compatible with the neighborhood. The length of the house was too massive. He would like to see the house redesigned. With regard to exterior color, he was not opposed to Tradewind.

Commissioner Kroot would like to have verify the amount of grading to be done but said that by grading, it would reduce the height of the house. He said he was a little fuzzy on the Council direction but said that this proposal is a reduction of approximately 500 square feet. He felt he could approve the project would like to see an elevation of three bands around the parapet. He concurred with Commissioner Hayes that the darker color was more suitable for the exterior color. He would like to see the pyramid roof tied a little more to the roof where the office is located on the plans.

Commissioner Sias was in agreement with the staff recommendation of denial. He also felt that the driveway was a real issue and felt that more than one driveway was inconsistent with the San Anselmo Municipal Code. He preferred Tradewind as the exterior color. The size of the house should be reduced to around 3,500 square feet which would then be in scale with other houses within proximity of this house. He would like staff to respond to the grading issues. He wanted the three bands carried over to the addition as well as the curved stucco around the windows.

Commissioner Harle felt the applicant has a right to build to his taste as long as it was not detrimental to the health and safety of the neighborhood. He felt the big issue in this project is compatibility. He did not think that it was outside of the range of compatibility and therefore could support the project. He said he could approve the size as proposed but felt a light exterior color would stand out and therefore preferred a dark color.

Chair Julin felt there should be more redesign before she could approve. The height and massing should be reduced.

Chair Julin wondered if Mr. Posthuma wanted to continue the project because if the Commission voted tonight it looked as if the project would be denied. Mr. Posthuma asked for a continuance to allow him time to consider the comments of the Commission.

M/S Sias/Kroot to continue DR-9120 - Theodore F. Posthuma, 379 Oak Avenue, A/P 7-241-61, design review of a living addition to the existing single family dwelling and a carport on property located within the R-1C zoning district. This is continued until the meeting of November 11, 1991.

Motion unanimously passed.

4. **DR-9119 - Gloria Mattis and David Rising, 180 Spring Grove Avenue, A/P 6-221-27**, design review of a one and two story addition to an existing single family home to add two car garage, bedroom, bathroom, and extensions to the family room and dining room, on property located within the R-1 zoning district (located above 150 feet mean sea level).

Gloria Mattis was present.

Ms. Chaney presented the staff report.

All the Commissioners were in support of this application

M/S Sias/Kroot to approve DR-9119 - Gloria Mattis and David Rising, 180 Spring Grove Avenue, A/P 6-221-27, design review of a one and two story addition to an existing single family home to add two car garage, bedroom, bathroom, and extensions to the family room and dining room, on property located within the R-1 zoning district (located above 150 feet mean sea level). This approval is based on the following.

Design Review

1. *Conformance to the approved preliminary and precise development plans. Preliminary and precise development plans only pertain to those properties with a zoning designation of R-1 H.* Subject property is zoned R-1. 2. *Adequacy of screening.* No trees are proposed to be removed as a result of this construction. Thus the existing oak trees, which dominate the site, will remain. While oaks do not fully screen the house from properties directly across the valley, they do screen the house from nearby surrounding properties and properties located lower down the hill. 3. *Selection of architectural features that enable the structure to blend with its environment.* While the architectural features do not blend with the heavily wooded nature of the surrounding hillside, the additions are not massive and are compatible with the original architectural of the house. 4. *Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area.* Because of its Spanish design, using stucco walls and mission tile roof, this house does not replicate the natural features of the surrounding wooded hillside. However, the additions have been designed to be compatible with the existing

TOWN OF SAN ANSELMO

improvements which appear to have been built in the 1940's or earlier. Given the existing heavy tree growth, the size of this parcel (approximately 32,904 square feet), and the fact the two story addition, as seen from the front, will extend only 11 to 12 feet further than the existing house, staff believes that the addition will not have a significant adverse affect on views from surrounding hillside areas. 5. *Provides for protection against noise, odors, and other factors which may make the environment less desirable.* This proposal will not have any major long-term detrimental impacts on the environment. 6. *Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy.* This proposed addition will not cause surrounding properties to depreciate, either in appearance or value. 7. *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.* This property is to remain a single family residence and therefore will not have any long-term impacts on traffic beyond what is currently being generated. Adequate room appears to be available on-site to accommodate vehicles and equipment during construction. 8. *Will not adversely affect the health or safety of persons using the improvements or endanger property located in the surrounding area.* The proposed addition will conform to all established codes controlling building in San Anselmo. These standards have been adopted in insure that all new development and additions will not create any adverse or hazardous conditions during construction and after completion. **Conditions of approval are that the addition be built according to plans dated 8/29/91.**

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

5. **U-9107 - Leo and Vera Sanotsky, 118 San Francisco Blvd, A/P 6-023-07, use permit to legalize a proposed second living unit located on property within the R-1 zoning district.**

The applicant's son and their Architect, Richard Mcree, were present.

Ms. Chaney presented the staff report. She also presented a letter of opposition from the property owners of 119 San Francisco. As an aside she stated that this looks more like a duplex rather than a second unit although there is no design review required for this project. She also added that there is a moratorium on new water meters from MMWD therefore until a meter is granted the second unit can not be operational and the families will have to share the same kitchen. She added, that if the Commission desired, another approach would be to grant approval but not allow the second unit to be built until a water meter is secured.

Chair Julin was concerned that staff would be placed in the position of having to be responsible for monitoring the property if the Commission approved the project and allowed the applicants to build at this time.

Commissioner Sias stated that he thought this project might go against the intent of the Second Unit Ordinance by tearing down an existing house and rebuilding again.

Mr. Sanotsky stated that he resides at 176 Los Angeles and not his parents as is stated in the staff report. Their intent is to move into the new house with his parents after the house and second unit are completed. He said that they understand that there can only be one kitchen until MMWD lifts the moratorium.

There was a discussion among the Commissioners as to the pros and cons of approving the unit prior to the end of the water moratorium.

Commissioner Kroot was in favor of approving now without the additional kitchen.

Commissioner Sias felt he could approve but not allow then to build until they have clearance. He then stated that all the findings can be made for the second unit and therefore should be approved.

Commissioner Harle felt that he could support the second unit. He added that the difference between a second unit and a duplex is that a second unit has rent control.

Chair Julin felt she needed more information about how staff could monitor this project if it were approved. She said that the Commission and staff should establish a clear direction for this process because more second unit applications will be coming to the Commission in the future.

On reconsideration, Commissioner Sias felt he could approve the second unit because the necessary findings can be met.

Richard Mcree said that they would not build the kitchen until there is approval from MMWD. He tried to soften the front of the property with landscaping. He tried turning the garage to the side but that would create additional problems.

M/S Yarish/Kroot, to approve U-9107 - Leo and Vera Sanotsky, 118 San Francisco Blvd, A/P 6-023-07, use permit to legalize a proposed second living unit located on property within the R-1

TOWN OF SAN ANSELMO

zoning district. The approval is based on the following. 1. Falls within the maximum number of second residential units authorized by resolution of the Council for the single family residential use area in which the unit is located; This unit falls within the maximum number of second residential units authorized by resolution of the Council. Should this unit be approved, there will be one remaining opening for legalizing a second unit in this neighborhood. 2. Is located on an Assessor's parcel or parcels in which the owner of record maintains his principal residence. The owners' representative has indicated that their son and his family will live in the second unit. Owner occupancy must take place within one year after approval of the use permit. 3. Does not encroach upon required setbacks, or cover land in excess of the maximum lot coverage of the R-1 zoning district, or necessitate vehicular parking within required setbacks. 4. Meets all applicable Codes in effect at the time of the establishment of the unit. The Building Department will issue permits, perform inspections, and issue a Certificate of Occupancy, only if the applicable Codes in effect at the time of the establishment of the unit are met. 5. Has been made the subject of a rent guarantee contract between the applicant and the Town. The applicants must enter into a Rent Guarantee Agreement as a condition of the use permit approval prior to building permit issuance. Does not cause excessive noise, traffic, parking, or overloading of public facilities. San Francisco Boulevard is an arterial thoroughfare in town, connecting a large neighborhood to Sir Francis Drake Boulevard, and traffic is continuous. Providing a secondary unit to this property with more than adequate on-site parking should not cause excessive noise, traffic, parking, or overloading of public facilities. 7. The establishment, maintenance, or operation of the use or building applied for will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the Town. Staff has received a letter of opposition from the property owners of 123 San Francisco Blvd. Their reasons for opposition are 1) there are already two properties with second units on their block; 2) the property owner does not maintain No. 118; 3) there is no need to construct a second unit; 4) multiple parking spaces will make the block look like apartment row; 5) there will be a significant increase in traffic to an already noisy and congested street. Staff's response to these concerns are: 1) the San Francisco Blvd neighborhood, which encompasses properties between Oakland Avenue and Monterey Avenue, is permitted a maximum second unit density of 12 units. Should this unit be approved, an additional 1 opening will be available; 2) the property does not appear to be maintained. since owner occupancy of the property will be required, that condition may improve the situation; 3) The Second Unit Ordinance allows second units to be established in single family residential neighborhoods under a use permit contract procedure; 4) staff is not supportive of the guest parking area and has recommended turning it around but the architect has given reasons as to why that is not feasible; 5) One second living unit should not result in a significant increase of traffic to this neighborhood. A secondary unit on this parcel should not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood, or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the Town. Conditions of approval are: 1) **The downstairs kitchen not be installed until the Marin Municipal Water District has issued a separate water meter.** 2) **This approval is based on drawings dated 8/29/91 and modified to exclude the downstairs kitchen;** 3) **The driveway plan be done in such a manner to maintain the street sycamore tree.**

Ayes: Hayes, Yarish, Kroot, Harle, Sias

Abstain: Julin

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

E. ADJOURNMENT

The regular meeting of the Planning Commission was adjourned at 12:00 p.m. to the next regular meeting of November 18, 1991.

BARBARA CHAMBERS