

The Regular Meeting of the San Anselmo Planning Commission was called to order by Chairman Dan Goltz at 8:00 p.m. in the Town Hall on August 4, 1975. Representing Town Staff: T. J. Robbins, Associate Engineer/Planner.

1. ROLL CALL

Commissioners Present: Ainsworth, Bolles, Fairchild, Goltz, Ragan
Commissioners Absent: Greenfield, Strassman

2. APPROVAL OF MINUTES - JULY 14, 21 and 28, 1975

The minutes of July 14 and July 28 were held over until the August 18th meeting.

M/S Ragan, Fairchild that the minutes of July 21 be approved as amended. Passed unanimously.

Amendments:

Pg. 1, 4th para. from bottom, second sentence to read: Commissioner Bolles agreed the applicant was improving the appearance of the building, ^{For Correction} felt there was not enough parking spaces for the proposed construction. _{Page 98}

Pg. 2, second to the last sentence of motion for VAR-620 to read: "...substantial property rights and, that the granting of such application will not under the circumstances of the particular case materially affect persons or the health and safety of persons working or residing in the neighborhood.

Pg. 3, 8th line of second motion of U-415: "...such conflict may be alleviated"

Pg. 3, 10th line of second motion of U-415: "...S.F. of commercial floor space, at a minimum...."

Pg. 7, insert para. before last two motions regarding setting of public hearings: The Commission felt that the implementing ordinance for Second Units was priority #1. Further they felt a concentrated legal effort rather than planning effort should be made.

OLD BUSINESS

A. PUBLIC HEARING: U-160 - The Lion's Share, 60 Red Hill Ave.,
Continuation of a public hearing on considering the revocation of The Lion's Share Use Permit.

M/S Ragan, Ainsworth that the public hearing for review of U-160 for the Lion's Share, 60 Red Hill Ave., be terminated as operation has now ceased to exist. Passed unanimously.

4. NEW BUSINESS

A. USE PERMITS

1. U-416 - David C. Burnett, 182 Meadowcroft Dr., A/P 5-144-02,
Application to teach piano as an home occupation using garage as studio.

Applicant was present and had received/reviewed Staff Report.

No one in the audience objected to the application. Seven persons, unidentified, spoke in behalf of applicant. A petition containing 52 signatures was submitted to the Commission in favor of the application.

M/S Ragan, Fairchild that U-416 application for home occupation to teach piano for David C. Burnett, 182 Meadowcroft Dr., A/P 5-141-02, be approved on the basis that this will not be detrimental to people or property in the neighborhood because of the small scope of the operation and adequate off street parking is available, and that property rights shall be preserved by allowing this legal use as requested by the owner.

Motion carried: Ayes: Ainsworth, Bolles, Fairchild, Goltz, Ragan
Nays: None

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2. U-417 - World College West, 101 Ross Ave., A/P 7-283-06, Application for a use permit to use a dwelling for private school purposes of faculty and staff office space and student lounge.

Applicant, Dr. Gray, was present. He had received and reviewed Staff Report.

Commissioner Ragan commented on the terrible condition of the dwelling which has been used by the Shasta School. He stated that there should be some way of checking use permits for schools. Had this use been checked the permit probably would have been revoked as they were not fulfilling their obligations.

Peter Fenton, 75 Ross Ave., stated that since 101 Ross Ave. was sold to the Seminary he had stood before the Commission three times on different applications. The first use was an encounter group, the second Shasta School (it was quiet but dirty), and now World College West.

Mr. Fenton objected to the constant traffic of trucks and cars, garbage and the fire hazard. He would like to regain the peace and quiet of the neighborhood.

Dr. Gray explained his operation and told Mr. Fenton he was sympathetic to the problem.

M/S Ragan, Ainsworth U-417, application for private school use in an R-1 Zone at 101 Ross Ave., A/P 7-283-06, for World College West be approved on the basis that this use will not be detrimental to people or property in the neighborhood.

Further move that the use will be reviewed by the Planning Commission at the end of four (4) months to make certain parking arrangements are adequate and are not of such magnitude as to cause problems in the neighborhood.

Motion carried: Ayes: Ainsworth, Bolles, Fairchild, Goltz, Ragan
Nays: None

3. U-418 - Mr. & Mrs. Chai Wang Chan, 340 Sir Francis Drake Blvd., A/P 6-251-05, Application to permit the on-sale business of serving wine and beer.

Applicant was present and had reviewed Staff Report.

M/S Fairchild, Ragan to approve U-418, application to serve beer and wine at 340 Sir Francis Drake Blvd., A/P 6-251-05 for Mr. and Mrs. Chai Wang Chan on the basis that this use will not be detrimental to people or property in the neighborhood.

Motion carried: Ayes: Ainsworth, Bolles, Fairchild, Goltz, Ragan
Nays: None

4. U-419 - The Learning Exchange, 1000 Sir Francis Drake Blvd., A/P 6-032-15, Application for pre-school kindergarten.

Applicant was present, but had not received Staff Report. No one was in the audience to comment on this application.

M/S Ragan, Ainsworth that U-419, application for a use permit to operate a preschool kindergarten by The Learning Exchange at 1000 Sir Francis Drake Blvd., A/P 6-032-15 be approved on the basis that this use will not be detrimental to people or property in the neighborhood as substantiated by a number of years of similar use without objections, and that substantial property rights shall be preserved by allowing this legal use as endorsed by the owner.

Further, had this application come before us on a General Plan Conflict basis it would have fallen into the category of as presently being used.

Motion carried: Ayes: Ainsworth, Bolles, Fairchild, Goltz, Ragan
Nays: None

- 5. U-420 - Family Crisis Center, 1000 Sir Francis Drake Blvd., A/P 6-032-15, Application to permit a crisis center for families and friends of individuals with alcohol or drug problems.

Applicant Helen Foster of the Family Crisis Center and Beverly Egan of Ted Smith Realty were present. They found no conflict with their application and the other uses proposed for the school.

M/S Ragan, Ainsworth to approve U-420, application for a use permit to operate a counseling and school use at 1000 Sir Francis Drake Blvd., A/P 6-032-15, by the Family Crisis Center on the basis that this use will not be detrimental to people or property in the neighborhood as substantiated by a number of years of previous and similar use at this location without objections, and that substantial property rights shall be preserved by allowing this legal use as endorsed by the owner.

Motion carried: Ayes: Ainsworth, Bolles, Fairchild, Goltz, Ragan
Nays: None

- 6. U-421 - Carden Marin School, 1000 Sir Francis Drake Blvd., A/P 6-032-15, Application to operate a private day school.

Applicant Louise Jensen was present.

M/S Ainsworth, Ragan to approve U-421, application for a use permit to operate a private day school in an R-1 Zone, 1000 Sir Francis Drake Blvd., A/P 6-032-15, by Carden Marin School, Louise Jensen, Applicant on the basis that this use will not be detrimental to people or property in the neighborhood as substantiated by a number of years of previous and similar use at this location without objections, and that substantial property rights shall be preserved by allowing this legal use as endorsed by the owner.

Motion carried: Ayes: Ainsworth, Bolles, Fairchild, Goltz, Ragan
Nays: None

B. VARIANCES

- 1. VAR-627 - Mr. & Mrs. Jack Schroth, 28 Elm Ave., A/P 7-023-10, Application for 3' sideyard setback to construct deck over driveway.

Applicant was present. Mr. Robbins stated that since he had noticed the drawings presented to the Commission had been based on an incorrect property line too late for correction, he had asked applicant to revise drawings and resubmit for the August 18th meeting.

Applicant submitted a petition signed by neighbors and some pictures taken of the house for this application. Applicant agreed to resubmit application for the August 18th meeting.

- 2. VAR-628 - D. R. McClurg, 1604 Sir Francis Drake Blvd., A/P 5-121-14 Parking variance.

Applicant D. R. McClurg and his architect, Mr. J. Shenefield, were present.

M/S Ainsworth, Ragan to approve VAR-628, application for 20' rearward variance of 1' in width, 1' in length for 9 parking spaces and a variance from a maximum of 1 story in a C-1 Zone on the basis that the shape of the lot makes it impossible to provide reasonable parking and at the same time adequate floor space area and that these variances will not be detrimental to people or property in the neighborhood due to the distance between adjacent property and proposed elevation of construction and that these variances are necessary to provide enjoyment of substantial property rights and allow a reasonable development of this property.

Further move that applicant be relieved of necessity of going before Design Review Board again.

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Motion carried: Ayes: Ainsworth, Fairchild, Goltz, Ragan
 Nays: None
 Abstain: Bolles

C. SUBDIVISIONS

1. SS-189 - Stuart Mercereau/Charles English, 33 and 31 Skyline Rd., A/P 5-082-27 and 5-082-28, Application for lot line revision to remove an existing encroachment.

Applicants Stuart Mercereau and Charles English were present. Mr. English had not seen the Staff Report.

Mr. English informed the Commission that his lawyer had advised him to continue this application to another hearing.

M/S Ragan, Bolles to continue SS-189 until the next regular meeting of September 8th. Passed unanimously.

D. MATTERS FOR CONSIDERATION

- A. SS 188 - Town Acquisition of Right-of Way, Greenfield and Red Hill Ave. Approval of Tentative Maps.

Mr. Robbins explained that the bids on this job would be opened August 6. He stated that the project itself had already been approved by the Council in 1973.

Chairman Goltz explained that the Council had asked the Commission to prepare the General Plan, which has been done. The Council has now approved a project which has substantial conflict with the General Plan

M/S Ainsworth, Fairchild that the Town Council be requested to reconsider this project on the grounds of the following circumstances. For the reason that the Hub is now a controlling traffic point in Ross Valley and Miracle Mile corridors and also for the reason that the project conflicts with the Housing and Circulation Elements of the General Plan in that it would eliminate one unit of low income housing and that the Circulation Element contemplates that human interest will no longer be sacrificed to traffic interest in the absence of extraordinary circumstances.

For Correction
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Provided that if the Town Council should reaffirm this project, SS-188 lot line revision for right-of-way acquisition in connection with Greenfield/Red Hill Avenue traffic improvements be approved for the reason that all requirements under Section 10-2.707 are hereby favorably determined.

Motion carried: Ayes: Ainsworth, Bolles, Fairchild, Goltz,
 Nays: Ragan

Commissioner Fairchild had the following concerns on this project:

1. Removing signal at Greenfield/Red Hill/Sequoia Avenues intersection would almost certainly encourage more auto traffic to travel Greenfield instead of Red Hill. This would certainly cause disruption of a neighborhood already impacted by the heavy traffic flow only one street away. This move would be against their interest.
2. Currently, there is really only one safe route for a bicyclist to use between San Anselmo and San Rafael, and that is Greenfield Avenue. The increased number of cars which will be using Greenfield will make this one safe route less safe for the bicyclist.
3. A low/moderate income unit will be removed. While one unit may seem insignificant, in San Anselmo the opportunity to meet the social goals of our Housing Element will come on a one or two unit basis, so this elimination of this unit must be considered seriously.
4. Safety for Greenfield Avenue drivers may be compromised by removal of a signalized green phase.

- 5. I have observed the traffic pattern and flows at this intersection at many different times on many different days. The number of cars backed up in any of the lanes does not increase significantly during the Greenfield green phase. The problem is brought about by the total volume of vehicles travelling on that stretch. The number of cars is quite long even from the beginning of the red phase on Red Hill -- my observation is that this is not compounded significantly during the short Greenfield green phase. The problem is that there are altogether too many cars travelling that stretch.
 - 6. Our General Plan states that accommodation for the private auto will not be encouraged. That was a very difficult and far-reaching decision to have made, but one which was carefully thought out after months of study and deliberation. This realignment would go directly against that policy.
- B. Proposed Heritage Tree Ordinance - Review Town Attorney's redraft. M/S Ragan, Fairchild to hold over the Heritage Tree Ordinance until the meeting of Sept. 8th, 1975. Passed unanimously.

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ADJOURN

M/S Ragan, Ainsworth to adjourn to the Workshop Meeting of August 18th. Passed unanimously. 10:20 p.m.

DAN GOLTZ, CHAIRMAN
SAN ANSELMO PLANNING COMMISSION

By *Catherine Carpenter*
Catherine Carpenter
Planning Secretary

The Workshop Meeting of the San Anselmo Planning Commission was called to order by Chairman Dan Goltz at 8:00 p.m. in the Town Hall on August 18, 1975.
Representing Town Staff: T. J. Robbins, Associate Engineer/Planner

1. ROLL CALL

Commissioners Present: Ainsworth, Fairchild, Goltz, Greenfield, Ragan,
Strassman
Commissioners Absent: Bolles

2. APPROVAL OF MINUTES OF JULY 14, 28 AND AUGUST 4, 1975.

M/S Ainsworth, Strassman to approve the minutes of July 14, 1975. Passed unanimously.

M/S Strassman, Greenfield that the minutes of the meeting of July 28th be approved as written. Passed unanimously, Commissioner Fairchild abstaining.

M/S Ainsworth, Ragan to approve the minutes of August 4, 1975 as amended. Passed unanimously, Commissioner Strassman abstaining.

Amendments - Minutes August 4, 1975

Pg. 1, under the approval of the minutes of July 21, 1st amendment, 3rd line change "was" to "were".

Pg. 4, motion under SS-188 from 2nd line on to read: "...this project on the ground of changed circumstances for the reason that the Hub is now the controlling traffic...etc"

2nd para., of same motion to read: "; provided, that if the Town Council should reaffirm this project, move that...etc."

3. OLD BUSINESS

- A. VAR-627 - Mr. & Mrs. Jack Schroth, 28 Elm Ave., A/P 7-023-10, Application for a 3' sideyard and a 4' frontyard variance to construct an open deck.

Applicant was present and had received Staff Report.

Commissioner Ragan asked Mrs. Schroth if she had anything to say about Staff's recommendation to deny this application.

Mrs. Schroth stated that the rear of the house has a small flat patio. In back of this patio is a steep hill held up by a retaining wall (a photograph was passed around to the Commission). She felt to build a deck in this area, as suggested by Staff, would not only be costly, but not as practical or desirable.

Commissioner Greenfield agreed with the applicant. He felt although applicant had living space from the patio, they would not want to put a deck there as they would have to go back into the hill.

Commissioner Greenfield stated he had talked to the neighbors of the Schroth's. They had no objection to the deck. (Applicant had also submitted a petition signed by neighbors to that effect.)

M/S Ainsworth, Ragan to approve VAR-627, application for a 3' sideyard and a 4' frontyard variance to construct an open deck at 28 Elm Ave., A/P 7-023-10, on the basis that there is a site hardship in that due to the upslope in the rear yard substantially limiting developable area of the lot and the modest living space in the existing dwelling, and the fact that a front deck and the increased size of the front deck necessitates a frontyard and sideyard variance, that the granting of the application is necessary for preservation and enjoyment of substantial property rights, and that the granting of the application will not under the circumstances materially adversely affect the health or safety of persons residing or working in the neighborhood or be materially detrimental to public welfare or injurious to property or improvements in the neighborhood.

Motion carried: Ayes: Ainsworth, Fairchild, Goltz, Greenfield, Ragan
Nays: Strassman

Applicant was advised that there would be a 10-day appeal period before they could proceed.