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The Regular Meeting of the San Anselmo Planning Commission was called to order by Chairman David Ainsworth in the Council Chambers at 8:00 p.m. on June 21, 1976. Representing Town Staff: T. J. Robbins, Associate Engineer/Planner and C. R. Leitzell, P.E., Director of Public Works/Planning.

1. ROLL CALL

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

2. APPROVAL OF MINUTES - May 24th and June 21st, 1976

Minutes of May 24th were held over.

M/S Ragan, Eisgrau the adoption of minutes of June 7th as amended. Passed unanimously, Chairman Ainsworth abstaining.

Amendments: Pg. 1, Item 3, motion: Moved/seconded by Ragan/Eisgrau.

Pg. 2, Item 5-A, second para. correct spelling of "Fairchild".

Pg. 5, Item H, beginning of motion, exception #1, correct spelling "frontage".

Pg. 6, Item 6-F, last line: Change "nominated" to "elected".

3. PUBLIC HEARINGS

A. Z-154 -- Rezoning of certain parcels located in the Health & Safety area to either "PPD" or "SPD".

Mr. Leitzell explained the rezoning was readvertised for several reasons: 1) at the first public hearing there were very few people/property owners present; 2) the Town Attorney had not given an answer as to whether "PPD" or "SPD" was the appropriate zone. Since that time the Town Attorney had decided "PPD" was appropriate. Parcels zoned PPD would be capable of further development.

Two letters in favor and two letters opposed to the rezoning were received.

Commissioner Ragan stated he felt the Attorney representing Sunny Hills School should be corrected in his statement that the rezoning was only a tool for gathering open space.

Peter Vonderlee, owner of 25 Ancho Vista, A/P 6-121-32, questioned why his property was to be rezoned as it was completely developed.

Carl Baumsteiger, 1 Monterey Terrace wished to go on record as being against this rezoning as it was an intrusion of property rights.

Jack Keegan, 60 South Oak, questioned when the Commission would come to a decision about what they were trying to do.

Alan Wright, 50 Woodruff Rd., A/P 6-181-40 and 41 felt there was no need to rezone his property.

Mr. Signorelli stated he had written a letter to the County of Marin to find out whether the County followed the Attorney General's opinion concerning combining contiguously owned parcels. The County did not follow this procedure.

Mr. Signorelli stated he was very concerned about the right of property owners to be able to sell their excess land. He hoped the same consideration would be given to owners of the land as the consideration given to owners of second units, recently approved.

Mr. Winder, 26 Broadmoor questioned the effect of the rezoning. Commissioner Goltz felt his parcel was incorrectly listed because it didn't fall within slope stability or ridge area.

Staff advised the Commission that the Town Attorney had just advised that the Town would not be following the Attorney General's opinion combining contiguously owned lots any longer. This would alter the list of parcels considered tonight.

Commission agreed no action should be taken on these parcel until the list of parcels had been updated.

Commissioner Goltz felt this rezoning in no way reflected the General Plan. He felt the intent of the General Plan was to limit density in the planning area. As these parcels might be able to get a higher density than they originally could get, he did not agree that PPD was the way to implement the General Plan recommend it to the Town Council.

Commissioner Eisgrau disagreed. She felt "PPD" was a very effective way to enact the General Plan and still allow people the right to use their land. PPD zone designation does not devalue the land.

Chairman Ainsworth agreed with Commissioner Goltz that the rezoning of the parcels to PPD was not consistent with the General Plan. However, when the undeveloped parcels were rezoned specifying certain densities, the Council did not follow the recommendation but rezoned to the same density.

Although this rezoning was inconsistent, the PPD zoning would offer some kind of control.

M/S Ragan, Eisgrau the public hearing be continued to July 19th, public hearing concerning rezoning of various parcels which should be reviewed giving special attention to those parcels which do not fall into the purview of the General Plan. Passed unanimously.

M/S Ragan, Eisgrau that A/P 6-181-40, 41 and 6-121-32 be deleted from any consideration from rezoning to add PPD designation. Passed unanimously.

Chairman announced that the Frederick Roscoe variance application would be heard July 12, and Roy Stafford's variance application for 95 Holstein Rd. had been dropped.

- B. Amendments to Section 10-3.1909 of the San Anselmo Municipal Code: Technical language change only, allowing Planning Director, or his designate, authorization to grant permission for (a) outdoor display and sale of merchandise for a limited period; (b) the outdoor placement of plants, or street furniture on public or private property.

This amendment was proposed to clarify the existing section in the Code and to grant the Planning Director discretion to allow outdoor displays which are decorative.

M/S Ragan, Goltz that the Planning Commission recommend to the Town Council that Section 10-3.1909 of the San Anselmo Municipal Code be amended by deleting the present paragraph and replacing with the following:

"Upon an application therefore, the Planning Director, may summarily grant permission for: (a) the outdoor display and sale of merchandise for a limited period, not to exceed thirty (30) consecutive days; (b) the outdoor placement of plants, or street furniture on public or private property in limited quantity, which, in the opinion of the Planning Director, will not hinder the free use of the public sidewalk. Said plants or street furniture shall not bear any signs, price tags or indication that the material might be for sale. Permission may be revoked by the Planning Director at anytime following the granting thereof for good cause shown.

Any person aggrieved by a decision of the Planning Director may appeal the decision to the Planning Commission. A fee shall accompany each application, as established by resolution of the Town Council." Passed unanimously.

4. OLD BUSINESS

- A. Lorenzo's Italian Cuisine: U-444 - 729 Sir Francis Drake Blvd. Applicant not present, held over until June 28, 1976.

DDB863

- B. Susser Land Division: SS-191 - Application for a lot split
Application for a lot split of A/P 6-144-56, presently 168 Hilldale Drive, with a waiver of the slope policy.

Applicant was present and had received Staff Report.

Staff explained that this revision was requested by the Town Council. The new lot was still slightly less than that required by the Slope Policy, but Staff felt it was adequate. This subdivision would not need Council review again.

Commissioner Eisgrau stated she still could not justify granting this subdivision, but would vote for it.

M/S Goltz, Ragan to approve Tentative Map for "Lands of Susser" as issued by Site Engineering, Inc. and received in Public Works Office May 13, 1976, for SS-191, application for a lot split of A/P 6-144-56 (presently 168 Hilldale Drive), on the basis of Planning Commission's recommendations to the Council on February 2, 1976 and the Council's concurrence and revisions to these recommendations on March 9, 1976.

Further move to waive the slope policy in this particular case as this waiver will not circumvent the intent of the slope policy as the density for this area would only be slightly increased and that while the slope policy area requirement could be met it would only be by an undesirable lot line configuration.

The Commission finds that this subdivision is in concurrence with the San Anselmo General Plan.

Motion carried: Ayes: Ainsworth, Eisgrau, Goltz, Ragan
Nays: None

5. NEW BUSINESS

- A. Golden Gate Bridge & Transportation District Bus Shelters: Planning Commission review of site locations and recommendations to the Town Council.

Bob David from the Planning Dept, Golden Gate Bridge District was present. He explained the proposal, showed slides of the various sites in San Anselmo and the various shelters which could be used.

M/S Goltz, Eisgrau that the Planning Commission recommend to the Town Council that the sites as proposed by the Golden Gate District 3, 13, 51, 40, 74, and 45, as those to have new shelters are agreed upon by the Commission and that the color to be used should be AC 776, as shown on the Golden Gate Transportation Bus Shelter program color chart. Passed unanimously.

M/S Ragan, Eisgrau that we recommend to the San Anselmo Town Council that with respect to Site #2, proposed by the Golden Gate Bridge District that the Town Council enter into negotiations with the Bridge District for consideration of a bus stop at that location which will be designed appropriately to blend in with the second phase of Creek Park.

Motion carried: Ayes: Ainsworth, Eisgrau, Ragan
Nays: None
Abstain: Goltz

- B. Barbara & Gregor MacInnis: VAR-676 - Application for front and sideyard variances to allow parking within the setbacks due to the elimination of the garage at 205 San Francisco Blvd., A/P 5-204-13.

Applicant was present and had received Staff Report.

Staff stated it was their intention to have a written opinion from the Town Attorney regarding parking as a use prior to consideration of this application.

Commissioner Goltz felt this was not a non-conforming use (as referred to by Hadden Roth). The purpose of the district was for R-1 use. The garage was designed for that use.

M/S Goltz, Eisgrau that VAR-676 for Barbara & Gregor MacInnis, 205 San Francisco Blvd., A/P 5-204-13, for a 0' frontyard setback variance for two parking spaces (based on Ordinance 701) be approved on the basis that the existing building has a condition of being unusually small compared to other houses in the district and that the requirement for a new living room would logically fall into the area of present bedroom/garage; that this variance is necessary for the applicant to exercise property rights; and it would not be detrimental to people residing in the neighborhood.

Further move that part of the variance application for a 5' sideyard setback to allow construction of a master bedroom be denied on the grounds that it does not meet the conditions of the variance ordinance. This approval is based on drawing dated May 20, 1976, drawn by G. MacInnis, Sheets 1 & 2.

Motion carried: Ayes: Eisgrau, Goltz, Ragan
 Nays: None
 Abstain: Ainsworth

Applicant was advised of the 10-day appeal period.

- C. Arthur E. & Sharon T. Boslar: U-451 - Application for home occupation to permit the display and sale of African Violet plants at 49 Karl Avenue, A/P 6-051-11.

Applicant was present and had received Staff Report.

Applicant stated she did not expect to have alot of patronage.

Earl Coddington, 18 Brenfleck Avenue and Sam Sprague 20 Brenfleck Avenue stated they were against this application as they felt it would generate alot of traffic and be the beginning of a commercial area.

Frank Turner, 53 Karl Avenue, next door neighbor to the Boslar's stated he understood that the project was to allow Mrs. Boslar time to generate some plants with the thought of moving to a commercial area in the near future. He was concerned about the traffic that could possibly be caused by a home occupation as their street was a one-way type street.

M/S Ragan, Goltz that U-451, application for a home occupation of indoor display and sale of African Violets at 49 Karl Avenue, A/P 6-051-11, for A. E. & S. T. Boslar be approved with the provision that there will be no additional traffic generated on Karl Avenue and that the use will be reviewed within 4 months to determine whether traffic or other problems have developed as a result of this permit.

This use is granted to the applicant with the understanding that it is their intent to terminate said use at such time as they are able to obtain adequate commercial space in a commercial zone, This use will afford the applicant reasonable property rights and because of the stipulation stated herein will not be detrimental to the neighborhood. Passed unanimously. (Advised of appeal period.)

- D. C. L. Hostetter & J. E. Eng: VAR-677 - Application for a variance of 1'3" to permit enlargement of an existing bedroom plus new bedroom/breakfast room at 1253 San Anselmo Ave., A/P 7-081-28.

Applicants were present and had received staff report.

Applicant stated this variance request was to add a bedroom. These improvements would make the house adequate for a small family.

DDB863

M/S Goltz, Ragan that the application for a 1'3" variance to allow construction of a wall addition 6'9" from the side property line for C. L. Hostetter & J. E. Eng at 1253 San Anselmo Avenue, be denied for the reason that it does not meet the requirements necessary to grant the variance.

Further, that this motion does not include two-car tandem parking variance requested.

Motion carried: Ayes: Goltz, Ragan
Nays: Eisgrau
Abstain: Ainsworth

Applicant was advised of the 10-day appeal period.

Applicant stated he did not agree with the requirement for the parking. He felt it was not necessarily desirable to accommodate more.

- E. Oakley McLaughlin: VAR-678 - Application for a variance of 4' to permit the construction of a one-story addition 8' from the side property line at 150 San Francisco Blvd., A/P 6-023-01

Applicant was present and had received Staff Report.

Applicant stated the space was necessary. He did not feel the proposed addition would be out of character with the Town; a petition from the neighbors was submitted in favor of the application.

Commission agreed it was a nice plan, but felt the addition could be made within the required space.

M/S Ragan, Goltz to deny VAR-678 for Oakley McLaughlin, 150 San Francisco Blvd., A/P 6-023-01, application for a 4' variance to allow construction of an addition 8' from the side property line (roof overhang dimension) be denied on the basis that no hardship exists to justify this variance in that sufficient area is available for an addition without a variance.

Motion carried: Ayes: Eisgrau, Goltz, Ragan
Nays: None
Abstain: Ainsworth

Applicant was advised of the 10-day appeal period.

- F. Richard Anstey: VAR-679 - Application for a 2' sideyard variance to to permit tandem parking 6' from the side property line at 66 Durham Rd., A/P 5-202-24

Applicant was present and had received Staff Report.

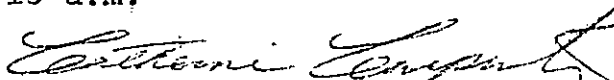
M/S Goltz, Eisgrau that the Planning Commission not take any action on this variance and direct Staff to process this addition under our current Code following the policy which they have followed heretofore. Passed unanimously.

Commission felt this action was appropriate in absense of a written notice from the Town Attorney regarding any new policy.

6. MATTERS FOR CONSIDERATION

- A. Proposed Second Unit Ordinance - Special meeting set for 6/28/76.

7. ADJOURN - Meeting adjourned 1:15 a.m.


Catherine Carpenter, Secretary