

The Regular Meeting of the San Anselmo Planning Commission was called to order by Chairman David Ainsworth in the Council Chamber at 8:00 p.m. on January 19, 1976. Representing Town Staff; C. R. Leitzell, Director of Public Works/Planning.

1. ROLL CALL

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

2. APPROVAL OF MINUTES - JANUARY 5, 1976

Amendments: Pg. 2, 1st para., 4th line under VAR-649 to read: "...one-car garage for bike storage....."

Pg. 2, 3rd para., 4th line to read: "...could not see the hardship with the proposed application given the applicants goals and felt it....."

Pg. 4, new para. under Proposed Heritage Tree Ordinance to read: "Changes made at the June 2, 1975 meeting were not incorporated in the latest draft. Commissioner Goltz reviewed these changes and asked that Staff include in the draft used for the public hearing."

Pg. 4, 1st paragraph to read: Chairman Ainsworth felt the best way to handle the Heritage Tree Ordinance would be to set a public hearing and to have the Commissioners come prepared to answer question whether the Town need enact any new tree ordinance and, if so, what are the good and bad features of the proposed ordinance. Staff report answering the same questions was requested.

M/S Goltz, Fairchild that the minutes of January 5, 1976 be approved as amended. Passed unanimously, Commissioner Eisgrau abstaining.

3. PUBLIC HEARING

A. Proposed Ordinance regulating the conversion of garages, carports or outside parking areas.

Commissioner Goltz questioned whether this ordinance would really be fair. He realized it is necessary to provide for as many parking spaces as possible, but it wasn't fair to ask someone with one space to provide two spaces. Commissioner Goltz also felt the conversion of a garage did not add that much additional living space to warrant such parking requirements.

Commissioner Eisgrau agreed. She also felt that as long as one legal parking space was provided the secondary parking space, whether of legal size or not, would be satisfactory. Two legal size parking spaces was too restrictive.

Commissioner Fairchild felt the requirement of one parking space in lieu of the original parking space was fair. She felt the Commission should be discussing the size and number of parking spaces required for residential use.

M/S Goltz, Eisgrau that we recommend to the Town Council that the ordinance regulating the conversion of garages, carports or outside parking areas be approved with the following amendments and changes:

1. Third line under Section 10-3.1907 should be changed to read as follows: "...other parking space unless thereafter there shall exist on the..."
2. Fourth line the parenthetical phrase "...(But not less than two (2))..." should be stricken.

Motion carried: Ayes: Eisgrau, Fairchild, Goltz, Greenfield
Nays: Ainsworth

(Chairman Ainsworth had not been for or against the proposed ordinance. He felt if necessary, a variance could be applied for.)

Commissioner Ainsworth announced the Planning Commission would consider, at their March 1, 1976 meeting, the size and number of parking spaces required for residential use.

4. USE PERMITS/VARIANCES/SUBDIVISIONS

- A. Use Permit 439 - Wm. R. & Marie Bazzetta, Wm. R. Bazzetta, Jr., 130 Tunstead Ave., A/P 7-213-34, application to allow existing private, commercial parking lot to remain.

Planning Director, Bob Leitzell, stated he had no comments regarding this application other than the lot provides needed parking facilities.

M/S Fairchild, Goltz to approve U-439, application to operate a commercial parking lot at 130 Tunstead Avenue, A/P 7-213-34, for Wm. R. & Marie E. Bazzetta, on the basis that this is not detrimental to the neighborhood as it has operated for some years without objections and is an appropriate use providing for a reasonable appreciation of property rights.

Motion carried: Ayes: Ainsworth, Eisgrau, Fairchild, Goltz, Greenfield
Nays: None

Applicant was advised of the 10-day appeal period.

- B. SS-190 - Woodrow Capurro, 79 Lincoln Ave., A/P's 6-254-24, 6-254-25, and 6-254-23 from 2 1/2 lots into 2 lots with exceptions to the subdivision ordinance.

M/S Goltz, Fairchild to approve SS-190, subdivision of A/P's 6-254-23, 6-254-24, and 6-254-25, Tentative Map dated October 8, 1975, on the basis of Resolution 1636 as passed by the Town Council January 13, 1976. Passed unanimously.

- C. SS-192 - Layman Land Division, 379 and 395 Oak Ave., subdivision of four parcels into two.

M/S Goltz, Greenfield to approve SS-192, subdivision of A/P's 7-241-40, 7-241-41, 7-241-42, and 7-241-46, Tentative Map dated November 13, 1975 as drawn by Site Engineering, on the basis of Resolution 1635 as passed by the Town Council January 13, 1976. Passed unanimously.

- D. Variance 622 - R. S. Caughie, 236 Los Angeles Blvd., A/P 6-013-35, review of previously approved variance.

This variance was reconsidered as Staff, when checking construction progress, noted there was a discrepancy between the approved building plans and the drawing approved by the Planning Commission indicating the variance in the required setbacks.

Mr. Caughie stated the plans had been approved by the Building Inspector. Mr. Caughie was not aware that the building plans were different from those approved by the Planning Commission.

M/S Goltz, Fairchild that the Planning Commission clarify original approval of VAR-622 from the meeting of 7/21/75 to this effect:

That the variance for a sideyard setback of 4' from the side property line and 13' from the front property line, according to the drawing with the revised date of January 19, 1976 (with the exception that the floor to ridge height will be 11' instead of 10'), be approved for the reasons that:

1. There are exceptional circumstances applying to the shape of the lot and the small size of the lot;
2. Granting of the application is necessary for preservation of property rights of petitioner;
3. 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.

Motion carried: Ayes: Ainsworth, Fairchild, Goltz, Greenfield
Nays: None
Abstain: Eisgrau

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Commissioner Eisgrau stated she had seen this type of situation happen before and it was hard for her to decide who's fault it was. Had she been on the Commission at the time the application was originally considered she would have voted. At this time, however, she did not feel qualified to vote on it.

5. MATTERS FOR CONSIDERATION

- A. Information on proposal to rezone improved and unimproved lands exceeding 40,000 S.F.

This matter was held over until further notice from the Planning Director.

- B. Proposed revision of existing application fees.

This item was scheduled for discussion on February 23, 1976. (Note: This date has been changed to February 17, 1976.)

- C. Annual Planning Commissioners' Institute on Feb. 4-6, 1976

Planning Director urged as many members on the Commission to attend.

OTHER MATTERS NOT ON AGENDA FOR DISCUSSION

Planning Director briefly commented on the Commission's request for business cards. He felt the cards served no purpose and were not appropriate. This matter would be discussed further when there was a full Commission.

Secretary suggested a change in procedure for the correction of Planning Commission minutes. Commissioners will provide secretary, before the meeting, any changes or corrections to the minutes. A correction sheet will then be prepared and distributed to the Commissioners before the meeting. These corrections can be changed or accepted at the following meeting. This procedure was accepted by the Commission.

Staff was requested to add a section to the agenda titled "Proposals for future agenda items".

6. ADJOURN - Meeting adjourned at 11:30 p.m.

DAVID AINSWORTH, CHAIRMAN
SAN ANSELMO PLANNING COMMISSION

By Catherine Carpenter
Catherine Carpenter
Planning Secretary