

The Regular Meeting of the San Anselmo Planning Commission was called to order by Chairman Duane Ragan at 8:05 p.m., February 28, 1977, in the Town Hall Council Chambers. Representing Town Staff: T. J. Robbins, Associate Engineer/Planner

Chairman Ragan welcomed Mr. Bill Ollinger to the Planning Commission.

1. ROLL CALL

Commissioners Present: Buckle, Goltz, Hulpke, Ollinger, Ragan  
Commissioners Absent: Greenfield

Chairman Ragan reviewed a memo from Alan Bruce, dated February 10, 1977, regarding the attendance and quorum problems of the Planning Commission and Design Review Committee. The Commission was asked to establish a rule for the automatic removal of a member who missed a certain number of meetings without prior notice or excuse.

Staff was directed to inform the Council that they felt three (3) consecutive meetings without prior notification or excuse would be cause for dismissal. The three consecutive meetings were only to include regular meetings.

Chairman Ragan announced the Mental Health Association of Marin invited the Planning Commission to a lecture by E. F. Schumacher on March 6 through March 12. Information was passed on to Commission.

2. PUBLIC HEARINGS

A. OLD BUSINESS

1. VAR-707/U-467 - José Pons, El Greco Restaurant, 85 Red Hill Avenue, A/P 6-214-02, application for variance to alter a non-conforming use (parking) and an application for use permit to continue the on-sale business of serving alcoholic beverages.

Mr. Robbins stated the Police Dept. was concerned with people walking across Red Hill Avenue at night.

Commissioner Ollinger stated he had difficulty with this application. He wondered what would happen 5 years from now and whether the Town would be in the middle of any dispute because they had gone along with the application. He questioned whether the Town should get involved with this matter.

Commissioner Goltz stated the San Anselmo Municipal Code did allow leased parking.

M/S Goltz, Hulpke to approve VAR-707, El Greco Restaurant, 85 Red Hill Ave., A/P 6-214-02, variance for non-exclusive use of parking, variance to alter a non-conforming use (parking), and a variance from providing a loading zone on the basis that the variances for passenger cars are justified as it replaces an existing inadequate and unsafe parking condition, that the variance for the loading space is justified due to the few deliveries required for this use, and that a hardship exists in the current insufficient and unsafe parking arrangement for an existing business, and that these variances are not detrimental to those living or working in the neighborhood.

The above variances are based on drawing titled "Proposed New Kitchen Addition to El Greco Restaurant" dated 9/18/74 and later revised 1/12/77, and a revised parking plan titled "Parking Layout for 'El Greco' Restaurant" received in the Public Works office 2/18/77.

The above is approved with the following conditions:

1. That the arrangement between the owner of A/P 6-201-02 and the applicant record a continual lease for use of the parking spaces on A/P 6-201-02, with the stipulation that this parking arrangement cannot be waived without the consent of the Town Council;
2. A bond for the removal of the 600 S.F. addition requested by this application be posted with the Town. Such money is to be used for demolition of the addition if the off-street parking agreement is cancelled.

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3. That the parking in Campolindo parking lot will be valet and that the control of pedestrian traffic created by this arrangement meets the approval of the San Anselmo Police Dept.;
4. That this alteration be referred to the Design Review Committee and that a landscape plan be prepared for approval by the Committee.
5. That the new parking lot be paved and striped and that proper drainage be designed into the paving.

Motion carried: Ayes: Buckle, Goltz, Hulpke, Ollinger  
Nays: Ragan

Applicant was advised of the 10-day appeal period.

2. VAR-711 - Jim Reed, 2 Indian Rock Ct., A/P 177-250-16, application for a variance for access over an easement. HOLD OVER UNTIL 3/7/77.
3. SS-200- Juergen Kokot, 25 Rancho Drive, A/P 5-062-93, application for a 4-lot parcel split. HOLD OVER UNTIL 3/7/77.
4. U-457 - Herman Bauer, 590 Red Hill Avenue, A/P 6-091-59, use permit to implement Specific Planned Development (three single family dwellings and subdivision (condominium) application.

Mr. Robbins stated the only change since the plan that was approved by the Commission was that the buildings had been moved back at the request of the Town Council. ~~THIS SED~~

For Correction  
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Dwelling plan line is the lot line, including the deck. All remaining open area considered one lot (parcel 4).

Mr. Bauer questioned why he was required to pay for a fire hydrant. He stated the existing fire hydrant placed on the island was done by the Town (by mistake). If Holsinger's project went through, there would be two new hydrants on his property (Holsinger's) which would more adequately serve Bauer's property.

Commission agreed the safety of the people living at the proposed development at 590 Red Hill Avenue would not be impaired by not moving the fire plug. Their safety was still insured.

M/S Buckle, Hulpke to approve SS-204, a 4-lot subdivision (condominium) 590 Red Hill Avenue, A/P 6-091-59, on the basis that this conforms to subdivision requirements and with the following condition:

1. That all utilities shall be underground.

Further move to approve U-457, use permit to implement a previously approved SPD/R-1 zoning on the basis that this approval will not be detrimental to the neighborhood due to the small scope of the project within minimal traffic generation, and that this project is necessary to provide property rights in allowing a reasonable use at this location. Passed unanimously.

Applicant was advised of the 10-day appeal period.

NOTE: 3/2/77 - Staff had reported that a fire hydrant would be required on the north side of Sir Francis Drake Blvd. and at the entry to the private drive. It was incorrectly reported at the meeting that a hydrant existed across the westbound lane of Sir Francis Drake Blvd.; this was in error, the hydrant being some 330 ft. to the east. This was discussed with Mr. Bauer on 3/1/77 and he verbally agreed to install the hydrant and necessary water line extension.

#### B. NEW BUSINESS

1. U-470 - Gourmet Deli, 850 Sir Francis Drake Blvd., A/P 6-061-23, application for use permit to allow on-sale business of serving beer and wine.

M/S Goltz, Ollinger to approve U-470 for the on-sale business of

selling beer and wine at 850 Sir Francis Drake Blvd., A/P 6-061-23, for the Gourmet Deli, Inc. on the basis that this use will not be detrimental to people or property in the neighborhood as this is a continuation of an existing use which to date has not been a problem. This use will not generate a significant increase in parking requirements, will be compatible with existing uses in the shopping center, and is necessary to enjoy property rights. Passed unanimously.

2. U-471 - Grand Pacific Vineyard Co., Inc., A/P 7-252-18, 333 San Anselmo Ave., use permit for commercial winery, on/off sale business of serving beer and wine, outdoor eating and live music. HELD OVER UNTIL 3/7/77.
3. VAR-713 - Howard Hanes, 415 Scenic Ave., A/P 7-032-05, front and rear yard setback variances for workshop and storage space.

M/S Goltz, Buckle to approve VAR-713 for Howard Hanes, 415 Scenic Ave., A/P 7-032-05, for a frontyard of 7'6" and 12'6" variance for workshop structure and for an 11' rearyard or 3' variance for a deck and a 14' rearyard or 5' variance for the carport on the basis that the site is steep and that it will not be detrimental to those living and residing in the neighborhood and it is necessary for applicant to enjoy his property rights.

These variances are shown on the drawings received by the City of San Anselmo, February 11, 1977, dated February 5, 1977, Sheets S-1, S-2 and S-3, drawn by California Design, as marked up and approved by the Planning Commission.

Passed uananimously.

Applicant advised of the ten(10) day appeal period.

C. MATTERS FOR CONSIDERATION

1. Proposed Amendments to Code - Procedural Changes.

it should be Commission felt noted in the Code the difference between "advertised public hearings" and "regular public hearings".

M/S Buckle, Ollinger to recommend to the Town Council the attached amendments to the Zoning Code which would amend public hearing requirements regarding Land Use regulations before the Planning Commission and Town Council, based on the finding that these amendments are necessary to bring the San Anselmo Zoning Code into conformance with State Law and the notification policies established by the Commission in the past. It is also found that the Land Use regulations are not changed by these amendments. Passed unanimously.

2. Prepare and discuss possible revisions to the General Plan. Formulate agenda for special meeting on General Plan changes. HELD OVER UNTIL 3/7/77.

3. APPROVAL OF MINUTES - Feb. 7 and 14, 1977.

M/S Buckle, Goltz to approve minutes of 2/7/77 as prepared. Passed unanimously, Commissioner Hulpke abstaining.

M/S Goltz, Buckle to approve minutes of Feb. 14, 1977 as prepared. Passed unanimously.

4. ADJOURN - Meeting adjourned 10:30 p.m.

  
Catherine Carpenter, Secretary

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