

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman Buckle at 8:00 p.m. on October 16, 1978, in Room 6 of the Isabel Cook Community Center, 1000 Sir Francis Drake Boulevard.
Staff present: T. J. Robbins, Associate Engineer/Planner.

1. ROLL CALL

Commissioners Present: Buckle, Goltz, Harle, Olive, Ollinger
Commissioners Absent: Kapranos, Ragan

2. APPROVAL OF MINUTES - OCTOBER 2, 1978

Page 2, Item B, Paragraph 8, ". . . be difficult to develop access and there may be excavation problems with such."

Page 3, Item A, Paragraph 6, ". . . cars would be cutting across the divider strip to get in and out of the station frequently, resulting in possible traffic hazards since visibility of oncoming cars is poor."

M/S Olive, Harle, to approve the minutes of October 2, 1978, as amended.

Motion carried with four ayes; Commissioner Goltz abstaining.

3. OLD BUSINESS

A. Z-169 - Perry Paradiso, 130 Greenfield Avenue, A/P 6-171-06, application to rezone the property from PPD C-3 (Preliminary Plan Development with a presumptive use of General Commercial) to SPD (Specific Plan Development, General Commercial).

Perry Paradiso, applicant, and Harold Lezzeni, designer, present.

Mr. Lezzeni said the new plan is different than the original in that this plan has eliminated the proposed third story; the driveway has been deleted which would have wrapped around the building; and the parking arrangement is different.

Mr. Robbins said that any lack of parking as required by the zoning code does not require a variance as such because it is inherent in the SPD review. The current plan has 13 parking spaces; the gross square footage of the building is 5,200 square feet (which, according to the zoning code, requires 14 parking spaces in general commercial districts).

Chairman Buckle commented that the previous plan called for a driveway to wrap around in back of the building; it has been eliminated, which is good. Mr. Lezzeni said the driveway was originally planned there for drainage reasons and to have access to the back of the building for loading and additional parking.

Commissioner Goltz expressed concern about parking space No. 5 because it is right next to the retaining wall and it would be difficult to maneuver in and out. He suggested providing a 30 foot back-up for No. 5. The second floor addition could still have an overhang; therefore, the floor area would not be decreased.

Mr. Paradiso said he has four employees. Chairman Buckle suggested that employees use the more difficult spaces that require more maneuvering.

Commissioner Ollinger said that No. 4 seems to have the same problem as No. 5 in that maneuverability will be difficult.

M/S Goltz, Harle, to recommend to the Town Council that Z-169 be approved for Perry Paradiso, 130 Greenfield Avenue, A/P 6-171-06, application to rezone the property from PPD C-3 (Preliminary Plan Development with a presumptive use of General Commercial) to SPD C-3 (Specific Plan Development, General Commercial), to conform with plans submitted to the Planning Commission on October 11, 1978, consisting of Sheets A-1, A-2 and A-3, with the following modification: that there be a minimum of 30 feet back-out behind No. 5; with the option that Nos. 2, 3, 6, 7, 10 and 11 can be 9 feet wide.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

Mr. Robbins said after the Town Council approves and/or modifies the application, it will come before the Planning Commission again for use permit approval (necessary with SPD zonings) and at that time the Planning Commission can perform the design review function (review color, landscape, etc.).

- B. E. H. Lindelli, 159 Tunstead Avenue, A/P 7-251-12, review of approved use permit for floral operation granted April 17, 1978.

Mr. Lindelli was present.

Mr. Robbins said the Police Department reports no traffic or parking problems associated with the floral operation.

M/S Harle, Olive, to continue U-508, use permit for a floral operation for E. H. Lindelli, 159 Tunstead Avenue, A/P 7-251-12, without further review since no adverse results have been reported during the six month period.

Motion passed unanimously.

4. NEW BUSINESS

- A. Z-171 - San Francisco Theological Seminary, 101 Ross Avenue, A/P 7-283-06 and 7-283-07, application to rezone the property from R-1 (Single Family Residential) to SPD (Specific Plan Development), a five unit complex for married student housing and a multi-purpose room.

Dr. Arnold Come, President, and Roger Hooper, architect, present.

Mr. Hooper said the Seminary had originally planned to rezone the property to R-3 (Neighborhood Apartment District), which was turned down by the Commission. The Commission suggested they apply for SPD (Specific Plan Development), which they are now doing; however, the plan is the same as the original one.

Chairman Buckle said Commissioner Ragan (who could not attend the meeting) told him that he approves of the plan and is very interested in retaining the old building on the lot.

Mr. Robbins said the specific plan is for the five unit complex and multi-purpose room only; therefore, any use proposed for the old building would require submittal of a plan to the Planning Commission.

Dr. Come said the Seminary does not plan to remove the old building; they have two or three options on what to use it for, i.e., living quarters for four women who are studying to become ministers; an office for Seminary people involved with camps. He said the building last housed World College West.

Mr. Robbins added that parking is being taken away from the old house and, therefore, a new use for the house would require finding parking arrangements.

Carolyn Kahlke, 80 Ross Avenue, said the house is being put in jeopardy. It must remain vacant unless a new use is approved by the Commission. The property owner may begin to look at it as a liability.

Allen Bronstein, 80 Ross Avenue, said he understands the need for student housing; however, there appears to be a conflict developing between the needs of the Seminary and the appearance and eventual development of the neighborhood as a whole. Other buildings in the area are architecturally similar. This looks like the beginnings of a housing development. He feels it is unclear what will happen to the old house and the playground area to the side of it. He also asked why the seminary did not consider building closer to the main part of the school.

Dr. Come said there is no other land to build. The area in front of Baird Hall is an open space not intended to build on; whereas, the property on Ross Avenue is surrounded by R-2 and R-3 zoned properties. He also said the old house is not actually

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a Victorian as many people believe. It was built in the 1920's and a newer addition was made since then. The rooms inside are very small and cluttered.

Barbara Tracy, 66 Mariposa Avenue, asked if there is an anticipated need for more housing in the future, and whether this multi-purpose room is necessary when the Seminary has many multi-purpose rooms already. Dr. Come said there have been fluctuations in housing needs. At one time the students were living in Berkeley, and now they are moving back to San Anselmo. He does not anticipate an increase in the student body because the school is small and the teaching staff is also. There is a need for housing for married students with children. Presently, there are approximately 70 living units for students, 17 of which are for married students.

Dr. Come said the multi-purpose room will be only for the living units on this block, which amounts to 24 units. There would be a co-op nursery for the children.

Peter Fenton, 75 Ross Avenue, said some years ago the Seminary had rented the house to an encounter group which proved to be a detriment to the neighborhood. He wants to be assured this will not happen again.

Mary Russell, 88 Ross Avenue, is concerned about what will happen to the play area. Dr. Come said it may be partly used for parking for the old house. She says it should remain a play area. Dr. Come pointed out to her that this play area is for residents of the Seminary living quarters only.

Commissioner Goltz said that an SPD application for a parcel not previously zoned PPD must have a designated presumptive use. This presumptive use should be similar to the rest of the neighborhood; however, the Commission can make the density larger or smaller.

Mr. Robbins said this presumptive use would only serve as a guideline in considering the specific plan.

Commissioner Goltz said he thinks a R-2 designation would be good; this would allow six units. A R-2 designation would make it possible to build 13 units. He feels the lot is unusual because of the juxtaposition of the buildings. The old house is also unusual. He suggested that if the old house is presented as part of the SPD, it should be wholly integrated in landscaping and relate to the new buildings being established. Perhaps the old house could be a multi-purpose room. He felt the buildings were dense in that more open space could be utilized somehow. He considered moving the building with three units in it to the left of the lot. Dr. Come said this had been considered, but a large sequoia tree would have to be removed; however, this is a possibility since the tree is dying.

Commissioner Goltz recommended that the application be referred back to the applicant for design consideration.

Commissioner Olive is concerned about traffic in the neighborhood; it is already a very busy street. Also, since the trend seems to be to downzone property, the Commission should consider that when discussing the "upzoning" of the property. Commissioner Harle pointed out that other downtown properties on San Rafael Avenue were recently "upzoned."

Commissioner Harle said he finds the proposed development acceptable as is. It is a large area and five units is not a significant density consideration. More units are not planned and the play area will be available to the students living there. However, he feels Commissioner Goltz's suggestions are worth looking into. He thinks the use should be R-2 also.

Commissioner Ollinger said he is also bothered by the R-3 use because of over density. He suggests integrating the old house with the new buildings in terms of color tones.

Chairman Buckle said although the Town is concerned with down-

zoning in the downtown area, there is a real need for low income housing - this would be such for students. He feels the plan as a whole may be appropriate (number of units), but the Commission seems to want some alternatives.

M/S Goltz, Ollinger, to refer Z-171, application to rezone 101 Ross Avenue, A/P 7-283-06 and 7-283-07, from R-1 (Single Family Residential) to SPD (Specific Plan Development), a five unit complex for student housing and a multi-purpose room, back to the San Francisco Theological Seminary for further study; and that it is felt that the five units shown seem appropriate for the site.

Motion carried: AYES: Buckle, Goltz, Harle, Ollinger
NOES: Olive

The Commission, as a whole, basically felt five units would be okay on the lot; however, this number would depend on the design of the units.

M/S Goltz, Harle, to reconsider the previous motion for Z-171.

Motion passed unanimously.

M/S Goltz, Olive, to direct the San Francisco Theological Seminary to take the application, Z-171, for 101 Ross Avenue, A/P 7-283-06 and 7-283-07, proposal to rezone the property from R-1 (Single Family Residential) to SPD (Specific Plan Development), a five unit complex for married student housing and a multi-purpose room, back for reconsideration based on the Commission's discussion today, October 16, 1978, and to be continued to November 6, 1978.

Motion passed unanimously.

- B. U-520 - J. Gary Mitchell, 163 Tunstead Avenue, A/P 7-251-10, application for a use permit to allow a home occupation of a film distribution business.

J. Gary Mitchell, applicant, present.

Mr. Mitchell said he produces and distributes educational films to schools, libraries and various social groups. He intends to live on the second floor and have the office and editing rooms on the first floor of the dwelling. There is no walk-in trade, and the UPS and mail persons are the only ones coming to the house. There is a one car garage which is not accessible because of some trees in front of it; however, there is parking for at least two cars in the driveway.

Mr. Mitchell said his previous office was in Sausalito. He has 1.5 employees. He has had his business at 163 Tunstead Avenue since August, 1978.

The Commission did not understand why, if this property is zoned commercial, the use would be a home occupation. Mr. Robbins said there is a residential use at this property which has been considered legal, non-conforming. Therefore, since the use is considered residential, a business would have to fall under a home occupation even though the property is zoned commercial, as only those uses serving a residential community are allowed in C-2 zones (see Section 10-3.1001 of the Municipal Code). The use as described is not allowed in C-2 zones.

The Commission felt this was not fair to the applicant because a home occupation is extremely limiting in that only one person other than someone residing on the premises may be employed and the business may not exceed 25 percent of the floor area of the main dwellings.

Mr. Mitchell said he would not be able to run his business under such conditions. Mr. Robbins said it is not possible to get a variance for conditions of a home occupation.

It was determined that if the applicant were to have his use be

a retail business, serving the general community, he would not need a use permit. It will be necessary to have a small sign posted on the site and the Commission advised Mr. Mitchell it would be a good idea to send promotional literature to the San Anselmo School District and Library.

- C. V-803 - Rand L. Peeples, 25 Suffield Avenue, A/P 5-129-09, application for a four foot rear yard variance to construct an enclosed stairway to a second floor addition within sixteen feet of the rear property line.

Rand L. Peeples, applicant, and Phil Zeidman, architect, present.

Mr. Peeples said he is building a second floor addition to his house and the enclosed stairway would encroach four feet into the rear property line. This is the best alternative because it will serve as access to the second story, which includes a bedroom, and putting the stairway anywhere else would mean either going through the bedroom or moving the bedroom and rooms over the living room.

M/S Olive, Harle, to approve V-803 for Rand L. Peeples, 25 Suffield Avenue, A/P 5-129-09, application for a four foot rear yard variance to construct an enclosed stairway to a second floor addition within sixteen feet of the rear property line because of the condition of the site and the circulation pattern of the house create a hardship; it does not create a detriment to those living and working in the neighborhood and guarantees reasonable property rights.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

5. DISCUSSION

1. Possible Rezoning of Tamalpais Avenue

The Commission agreed to hold a public hearing on the proposed rezoning of Tamalpais Avenue on November 6, 1978.

2. Yolansdale School

Chairman Buckle said the property at 35 Elm Avenue was issued Certificates of Compliance, which establishes three building sites. It is presumed that the School District will sell these sites for single family residential lots. The playground is valued in this neighborhood and perhaps it should be set aside to remain as such.

The Commission agreed that they should see any plans for these lots before they are sold.

M/S Goltz, Buckle to appeal the San Anselmo Town Council to direct staff to have a SPD hearing on that property, 35 Elm Avenue, as per the Code on the basis that this is counter to the PPD zoning by establishing three building sites.

Motion carried: AYES: Buckle, Goltz, Olive, Ollinger
NOES: Harle

Commissioner Harle feels that it really would not be fair to stick the school with the playground; this may make them lose a sale. Chairman Buckle said that the school should just leave it there for the neighborhood since it already belongs to the public.

6. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 12:20 a.m. to the next regular meeting of November 6, 1978.

Lisa Burklin

LISA BURGLIN
PLANNING COMMISSION SECRETARY