

20 The regular meeting of the San Anselmo Planning Commission was called to order by Vice-Chairman Harle on July 2, 1979, at 8:00 p.m. in Room 6 of the Isabel Cook Community Center, 1000 Sir Francis Drake Boulevard. T. J. Robbins, Assistant Director Public Works/Planning, present.

1. ROLL CALL

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

2. APPROVAL OF MINUTES

June 4, 1979

Item 4B, Paragraph 11, change "The Commissioners agreed . . ." to "Some of the Commissioners agreed . . ."; and add "Commissioner Buckle said the General Plan shows this strip as future C-3 zoning."
- Buckle

Item 4D, motion, change ". . . steep and the location of the building is such that in addition to the existing structure, the bedroom cannot be anywhere else on the lot" to ". . . steep and in addition, the location of the building is such that the bedroom cannot be anywhere else on the lot." - Goltz

Item 4F, motion, change ". . . that Town staff consider . . ." to ". . . that Town staff may consider . . ." - Buckle

M/S Hayes, Goltz, to approve the minutes of June 4, 1979, as amended.

Motion carried with four ayes; Commissioners Ollinger and Ragan abstained.

June 18, 1979

Item 3A, insert between Paragraphs 5 and 6, "Commissioner Buckle informed the applicant that most of these environmental impact items will be required later in the building permit process, and that all the Commission would be doing is requiring this information be supplied ahead of schedule." - Buckle

Item 3C, motion, change "... a steep upslope. . ." to ". . . a steep downslope . . ." - Buckle

M/S Buckle, Goltz, to approve the minutes of June 18, 1979, as amended.

Motion carried with five ayes; Commissioner Ragan abstained.

3. OLD BUSINESS

A. Neil Burton and R. M. D. Childs, North Grove Hill Avenue, A/P 6-117-04 and 6-117-05, consideration of changing the requirement for a focused Environmental Impact Report to a submittal of a mitigated Negative Declaration for review with all of the requirements from the meeting of June 18, 1979.

Neil Burton and R. M. D. Childs, applicants, present.

Mr. Robbins said the same information would be required with this mitigated Negative Declaration; however, by not requiring an EIR, this would eliminate the planner who analyzes the information submitted by the soils and civil engineers and architects. Since the information required is of a technical nature and is objective, rather than subjective, staff feels the citizens, Town staff and the Commission could better analyze the information.

Several neighbors said they oppose the project and would rather have an Environmental Impact Report than a mitigated Negative Declaration.

M/S Buckle, Hayes, to approve the request to change the requirement for a focused Environmental Impact Report to a mitigated Negative Declaration for review of all the requirements from the meeting of June 18, 1979, with the condition that staff approve selection of all consultants for Neil Burton and R. M. D. Childs, North Grove Hill Avenue, A/P 6-117-04 and 6-117-05.

Motion carried: AYES: Buckle, Goltz, Harle, Hayes, Ragan
NOES: Ollinger

Applicant was advised of the ten day appeal period.

Commissioner Ollinger had been concerned that with an EIR, the consultants would be selected by staff and, therefore, more impartial than with a mitigated Negative Declaration where the applicant selects the consultants.

- B. V-821 - Vincent Drucker, 14 Entrata Avenue, A/P 6-241-54, application for frontyard and sideyard variances to construct an arbor and bath addition - WITHDRAWN.
- C. U-530 - Gary Long, 821 Sir Francis Drake Boulevard, A/P 6-081-07, application for a use permit to allow a printing press on property zoned R-3.

Gary Long, applicant, present.

It was announced that Mr. Long is also applying for a use permit to allow four professional offices on the second floor of the building, besides the first floor printing press.

Mr. Robbins said the Town Attorney feels that the printing press, with a use permit, could be allowed in a R-3 zone per Section 10-3.703(b) of the Municipal Code. Mr. Robbins pointed out that if there are four professional offices, in addition to the printing press, the applicant will need a parking variance.

Commissioner Goltz, who had previously suggested that Mr. Long obtain a use permit for his printing press, told the applicant that his intention was not to include four professional offices on the second floor of the building and Commissioner Goltz said he will not approve a use permit that allows such.

Several neighbors said they are against allowing additional businesses in this building for reasons of traffic and parking.

Mr. Long said it would be fine with him to just rent out the second floor as one living unit and continue to use the first floor for the printing press and he will not live on the property.

M/S Goltz, Buckle, to approve U-530 for Gary Long, 821 Sir Francis Drake Boulevard, A/P 6-081-07, application for a use permit to allow a printing press on property zoned R-3, on the basis that it will not be detrimental to those residing in the neighborhood; and is necessary for the enjoyment of substantial property rights; that the Planning Commission makes the finding that this use is existing and is similar to those uses enumerated in the Municipal Code for R-3 Districts; and that parking is adequate for this use according to Code.

Motion carried: AYES: Buckle, Goltz, Harle, Hayes, Ragan
NOES: Ollinger

Applicant was advised of the ten day appeal period.

- D. V-837 - Barry Schenker, 86 Melville Avenue, A/P 7-263-32, application for frontyard and sideyard variances to construct a trellis, deck, stairs and master bedroom - CONTINUED 07/16/79.
- E. Z-176 - Jeffrey Kroot, A/P 7-182-02 (across from 600 Redwood Road), application for the proposed rezoning from PPD R-1 B20 (Preliminary Plan Development with a presumptive use of Single Family Residential) to SPD R-1 (Specific Plan Development, Single Family Residential) for a two-lot development.

Jeffrey Kroot, applicant, present.

Several neighbors said they oppose the project, even though the proposed density has been reduced from three units to two units, for reasons of traffic, road conditions, parking, sliding and drainage, steepness of slope and visual impact.

Commissioner Goltz felt the design is sensitive to the character of the area; both he and Commissioner Buckle said they feel a density of two units is acceptable. Commissioner Hayes agreed that the design captures the intent of the General Plan. Commissioner Buckle added that this project will be infilling and the lot sizes are consistent with others in the area.

M/S Goltz, Buckle, to recommend to the Town Council to approve Z-176 for Jeffrey Kroot, A/P 7-182-02 (across from 600 Redwood Road), application for the proposed rezoning from PPD R-1 B20 (Preliminary Plan Development with a presumptive use of Single Family Residential) to SPD R-1 (Specific Plan Development, Single Family Residential) for a two-lot development, on the basis that this project is consistent with the General Plan.

Motion passed unanimously.

It was announced to the audience that this application will be heard by the Town Council on July 10, 1979.

- F. Z-170 - Wayne Lowe, A/P Nos. 5-300-24 and 5-300-25 (off Woodside and Cherne), application for the proposed rezoning from PPD R-1 (Preliminary Plan Development with a presumptive use of Single Family Residential) to SPD R-1 (Specific Plan Development, Single Family Residential) for a two-lot development.

John O'Brien, representing the applicant, present.

Mr. O'Brien said the benches are already there for the houses. Commissioner Buckle pointed out that the most visible area on these lots has been left open in the proposed design.

Several neighbors said they oppose construction on this hill for reasons of drainage, slides and narrow roads.

The Commissioners agreed that the proposed density is acceptable; however, they are concerned about soils conditions on the hill.

Commissioner Goltz said he would like to see elevations and sections of the plan, along with the Soils Report, before approving this rezoning. Based on the apparent discrepancy between the plan, contours, and building elevations, the Planning Commission wanted to have elevations for clarity.

M/S Goltz, Ragan, to refer Z-170 for Wayne Lowe, A/P Nos. 5-300-24 and 5-300-25 (off Woodside Drive and Cherne Lane), application for the proposed rezoning from PPD R-1 (Preliminary Plan Development with a presumptive use of Single Family Residential) to SPD R-1 (Specific Plan Development, Single Family Residential) for a two-lot development, back to the applicant for restudy; to be continued to August 6, 1979.

Motion passed unanimously.

4. NEW BUSINESS

- A. U-522 - David Bruce Duncan, 33 Salinas Avenue, A/P 5-203-18, application for a use permit to allow the home occupation of jewelry manufacturing.

David Duncan, applicant, present.

Mr. Duncan said there will be minimal traffic. He plans to use a corner of a bedroom in the house for the manufacturing. There will be a UPS delivery once a week to the house. Mr. Duncan said his neighbors approve of this application.

M/S Hayes, Ragan, to approve U-532 for David Duncan, 33 Salinas Avenue, A/P 5-203-18, application for a use permit to allow the home occupation of jewelry manufacturing on the grounds that it will not materially affect adversely the health and safety of persons in the neighborhood; and that it is necessary for the enjoyment of substantial property rights.

Motion carried: AYES: Buckle, Harle, Hayes, Ollinger, Ragan
ABSTAIN: Goltz

Commissioner Goltz had left the room.

- B. V-838 - Gerald A. Turgeon, 2 Monterey Terrace, A/P 6-013-22, application for a five inch sideyard variance to construct a room within 7'7" of the side property line.

Gerald Turgeon, applicant, present.

Mr. Robbins said staff feels this is a small addition and the residence is small, which constitutes a hardship.

M/S Ragan, Ollinger, to approve V-838 for Gerald A. Turgeon, 2 Monterey Terrace, A/P 6-013-22, application for a five inch sideyard variance to construct a room within 7'7" of the side property line. The granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner; and the granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood; and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- C. U-533 - Richard Moss, M. D., 30 South Oak Avenue, A/P 7-192-06, application for a use permit to allow the home occupation of conducting seminars.

Dr. Moss, applicant, present.

Dr. Moss said he works with doctors, nurses, and various patients who have physical problems. His seminars deal with gaining new perspectives for self. There are one to two seminars per week during the evening; one weekend seminar every six to eight weeks; and in the past has had Sunday seminars, which will be stopped. He is trying to have the people carpool to his house and has arranged with the Seminary to have some people park there. He said there are approximately 24 round trips per week from the house.

M/S Ragan, Hayes, to approve U-533 for Richard Moss, M. D., 30 South Oak Avenue, A/P 7-192-06, application for a use permit to allow the home occupation of conducting seminars, on the grounds that it will not be detrimental to the residents in the neighborhood; that it is necessary for substantial property rights; with the stipulations that the applicant encourage a carpool shuttle service for the seminars; and that this application come back before the Commission in six months for review.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

5. DISCUSSION

Discussion of Staff's Memo, 'Development of Existing Lots of Record - Hillside Areas', dated July 2, 1979.

The Planning Commission felt that it would not be fair to pass an emergency ordinance, thus, stopping the Burton and Childs' project on Grove Hill Avenue; however, they do feel that their proposed project is too dense.

6. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 12:38 a.m. to the next regular meeting of July 16, 1979.

Lisa Burglin

LISA BURGLIN
PLANNING ASSISTANT