

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman Olive at 8:00 p.m. in the multi-purpose room of the Isabel Cook Community Center, 1000 Sir Francis Drake Boulevard on May 21, 1979. T. J. Robbins, Assistant Director Public Works/Planning present.

1. ROLL CALL

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

2. APPROVAL OF MINUTES

April 23, 1979

M/S Hayes, Goltz, to approve the minutes of April 23, 1979, as written.

Motion carried with four eyes; Commissioners Olive and Ragan abstained.

May 7, 1979

Item 4G, Paragraph 3, change "Factory Shoe Store" to "Factory Store."

M/S Ragan, Goltz, to approve the minutes of May 7, 1979, as amended.

Motion carried with five eyes; Chairman Olive abstained.

3. OLD BUSINESS

- A. V-820 - James Mistrion, 40 Floribel Avenue, A/P 7-081-58, application for a third story variance, and a sideyard variance for the third story - WITHDRAWN.
- B. V-821 - Vincent Drucker, 14 Entrata Avenue, A/P 6-241-54, application for a five foot sideyard variance for a bathroom to be constructed within three feet of the side property line; and a seven foot sideyard variance and a 14 foot frontyard variance to construct an arbor within one foot of the side property line and six feet of the front property line - CONTINUED 06/04/79.
- C. NU-10 - Alvin and Virginia Holmes, 76 Woodland Avenue, A/P 7-222-46, application for a use permit to allow a new second unit.

Alvin and Virginia Holmes, applicants, present.

Mr. and Mrs. Holmes said they understand that if a use permit is granted for the second unit, they will have to live on the property within one year.

Commissioner Goltz said this second unit would have good access to the downtown area and public transportation.

M/S Goltz, Buckle, to approve NU-10 for Alvin and Virginia Holmes, 76 Woodland Avenue, A/P 7-222-46, application for a use permit to allow a new second unit, on the basis that it follows the Second Unit Ordinance and that it will not be detrimental to those residing in the neighborhood, with the following stipulations:

1. That the applicants enter into a Rental Agreement with the Town within 60 days from this hearing;
2. that the applicants reside on the property within one year, to commence when an occupancy permit has been issued by the Building Department; and
3. if this permit is not issued within one year from the date of this hearing, the Commission rehear this application.

Motion passed unanimously.

Applicants advised of the ten day appeal period.

- D. V-831 - Janet M. Hansen, 29 Tamal Avenue, A/P 6-042-17, application for a rearyard variance to construct an addition - WITHDRAWN.
- E. Z-165 - E. Keith Franc, Summit Road, A/P Nos. 7-031-23 and 7-031-24, 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 an eight-unit development.

E. Keith Franc, applicant, present.

Mr. Franc said drainage will be improved with the development. He plans to pave Summit Road down to Scenic Avenue at his own expense. He also said there will be additional plantings and the existing oak trees will not be cut down. Mr. Franc said the proposed eight units will not be visible from the valley.

Commissioner Buckle questioned how this project will relate to other projects down the line in terms of access. He wanted to know how many future developments would access from Summit Road. He suggested putting a stop to future traffic impacts by the design of this development.

Several neighbors opposed the development for reasons of traffic, drainage, poor access for fire equipment, density and visual impacts.

Frank Egger, Fairfax Councilman, said a road should not be made for access to Fairfax; there should be no development on the ridgetops that can be viewed from the major roadways; the density of this project should not exceed the maximum allowed in the Fairfax General Plan; the water tank capacity should not exceed that which is necessary; and that a pedestrian access easement be provided along the ridge.

Howard Blair, 53 Summit Road, said the model Mr. Franc submitted has "gargantuan trees" and small, green houses, which he feels is not a true representation of the proposed project. Ronald Basker, 106 Humboldt Avenue, said there are topography errors on the model and the model is different than the site plan.

Commissioners Goltz, Hayes, Olive, Ollinger and Ragan agreed that only one or two units could be approved for this area; Commissioner Buckle felt that possibly six units could be in this area. Mr. Franc indicated that for economic reasons, there could be no less than eight units.

M/S Buckle, Hayes, to deny Z-165 for E. Keith Franc, Summit Road, A/P Nos. 7-031-23 and 7-031-24, 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 an eight unit development, on the basis that the project is in conflict with the General Plan due to a higher density.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

#### 4. NEW BUSINESS

- A. NU-12 - Ray and Luella Kraft, 118 Morningside Drive, A/P 5-142-22, application for a use permit to allow a new second unit.

Ray and Luella Kraft, applicants, present.

Mr. Robbins said there is a two-car garage under the house and the driveway is 16'6" long.

The Commissioners agreed that the property and second unit has all the qualifications for a use permit to be granted.

M/S Ragan, Hayes, to approve NU-12 for Ray and Luella Kraft, 118 Morningside Drive, A/P 5-142-22, application for a use permit to allow a new second unit, on the basis that it complies with the Second Unit Ordinance, with the following provisions:

1. That a smoke detector be installed in the second unit; and
2. that the applicant enter into a Rental Agreement with the Town within 60 days from this hearing.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- B. V-833 - Steve Haramis, 223 - 231 San Anselmo Avenue, A/P Nos. 7-284-15, 7-284-16 and 7-284-17, application for a parking space and size variance.

Mr. Robbins said the applicant needs 19 parking spaces, 10' x 20' in size. Mr. Haramis is asking for 17 parking spaces and one of these to be less than the required size.

The Commission felt it would be better to provide all 19 parking spaces, even if they are not the legal size.

M/S Goltz, Ragan, to approve V-833 for Steve Haramis, 223 - 231 San Anselmo Avenue, A/P Nos. 7-284-15, 7-284-16 and 7-284-17, for the following variances: variance to have 17 nine foot width spaces and have two eight foot width spaces, which will give the applicant the required number of spaces for this proposed project, on the basis that the granting of these variances will not be detrimental to those living and working in the neighborhood; that it is necessary for the applicant to exercise substantial property rights; that the access to the property, as required by the Police Department, be on a one-way street; that the hardship is by virtue of the size and configuration of the lot in order to maintain the needed adequate parking in the commercial area; to be based on the drawing received by the Town on May 1, 1979, and that the variances as stated be shown on the file copy of the drawing.

Motion passed unanimously.

Applicant advised of the ten day appeal period.

- C. SS-215 - Richard Allen, A/P 6-201-03, Island Drive (across from 17 Island Drive), application for review of environmental document and two-lot parcel split.

Richard Allen, applicant, present.

Commissioner Goltz felt this property has good access; it has a one-way road and travel would be through San Rafael, rather than at the Hub. He feels the houses would not be visible from the roadways. Commissioner Ollinger said that because of the slope there should be no more than one unit; however, there is adequate acreage for two.

M/S Buckle, Goltz, to accept the Negative Declaration as prepared by the Town staff for SS-215 for Richard Allen, A/P 6-201-03, Island Drive (across from 17 Island Drive), with the following modification of staff's Report: delete the mitigation to "reduce density to one building site" described in Article 3, Page 1, of the Negative Declaration, as the site is consistent with the intent of the General Plan; the project is infilling into existing developed land; the lot sizes are consistent or larger than the surrounding lots; and that this site has close access to the main thoroughfare.

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

M/S Goltz, Ollinger, to approve SS-215 for Richard Allen, A/P 6-201-03, Island Drive (across from 17 Island Drive), application for a two-lot parcel split on the basis that although the project is not consistent with the General Plan, it has unusual

characteristics that would mitigate that inconsistency:  
1) infilling; (2) it's close to the main thoroughfare;  
3) the roads leading to it are wide enough for the projected traffic from the project; (4) traffic circulates on a one-way street and, therefore, obviates problems with blind corners;  
5) the only problem is that the lots are steep and that mitigation by a thorough soils and geologic report will be required; based on the parcel map dated May 3, 1979, and received by the Town.

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

Applicant was advised of the ten day appeal period.

5. DOWNTOWN REZONING WORKSHOP

Magnolia Avenue, Library Place, City Hall Avenue - CONTINUED 06/04/79.

6. RENT CONTROL - SECOND UNITS

Commissioner Goltz had talked to some people who had made application for a second unit use permit. These people had expressed concern about the present 'Rental Scale', which has not been updated in some time.

M/S Buckle, Ollinger, to recommend to the Town Council to consider adjustment to the 'Second Unit Rental Scale', including adjustment to the 'Level of Income' for tenants.

Motion passed unanimously.

7. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 12:08 a.m. to the next regular meeting of June 4, 1979.

*Lisa Burglin*

LISA BURGLIN  
PLANNING SECRETARY