

6The special meeting of the San Anselmo Planning Commission was called to order by Vice-Chairman Harle on Monday, April 23, 1979, at 8:00 p.m. in Room 6 of the Isabel Cook Community Center, 1000 Sir Francis Drake Blvd. Staff present: T. J. Robbins, Assistant Director Public Works/Planning.

1. ROLL CALL

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

Commissioner Goltz welcomed Stan Hayes to the Planning Commission.

2. APPROVAL OF MINUTES - APRIL 16, 1979

Item 3D, insert "Commissioner Buckle suggested that the operation be for wholesale use only, but there was lack of interest by the other Commissioners."

Item 3G, change second motion "M Goltz to approve the use permit" to "M Goltz to amend the motion."

M/S Buckle, Goltz, to approve the minutes of April 16, 1979, as amended.

Motion carried with three ayes; Commissioners Hayes and Ollinger abstained.

3. OLD BUSINESS

A. 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 three-lot development, and review of Negative Declaration.

Jeffrey Kroot, applicant, present.

Mr. Robbins told the Commission that the SPD rezoning will not be heard at this meeting because the applicant has not yet submitted elevations of the plan.

Mr. Kroot said the proposed three houses will not have a significant visual impact and few trees will be cut down. He said Earth Science Consultants did a soils report and found the property to be stable where the houses are proposed. He says Redwood Road will remain the same basically to preserve the character of the hillside.

Mr. Robbins ran a traffic check on April 23, 1979, between 4:45 p.m. and 5:15 p.m. and only three cars drove by.

Mr. Robbins said three dwellings on this parcel (1.92 acres) would not be in conformance with the General Plan's goal of minimum of one acre per lot in the Conservation Zone; staff is recommending no more than two units on the parcel.

Several neighbors opposed acceptance of the Negative Declaration because they feel the project is precedent setting, Redwood Road is narrow and dangerous, the project is not in conformance with the General Plan, there will be a visual impact, the slope is too steep, unstable soil conditions, and the impact on wildlife.

Gay Kagy, 280 Redwood Road, read a letter requesting more information on possible slides resulting from the project, increased absorption rates, cumulative effects and future traffic impacts.

The Commissioners agreed that an EIR would not be necessary; however, they said they would not consider density until a specific plan is submitted.

M/S Goltz, Buckle, to accept the Negative Declaration as prepared by staff for 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.

Motion passed unanimously.

- B. V-819 - Ron Courtney, 54 Hillside Avenue, A/P 7-121-21, application for an 11'6" frontyard variance to construct a second floor addition within 8'6" of the front property line, and an 11'6" frontyard variance to construct a roof overhang within 6'6" of the front property line.

Ron Courtney, applicant, and Ronald McKenzie, architect, present.

The Commissioners agreed that the new plan is a great improvement over the original plan, which had been referred back to the applicant for restudy.

M/S Buckle, Ollinger, to approve V-819 for Ron Courtney, 54 Hillside Avenue, A/P 7-121-21, application for an 11'6" frontyard variance to construct a second floor addition within 8'6" of the front property line, and an 11'6" frontyard variance to construct a roof overhang within 6'6" of the front property line on the basis that this is a very difficult lot to build on; it is steep and has an upslope; that it will not be detrimental to the community; and is necessary for the enjoyment of substantial property rights; to be based on drawings dated and received by the Town on April 18, 1979.

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

Commissioner Goltz abstained because Mr. McKenzie shares an office with him.

- C. 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 - CONTINUED 05/07/79.
- D. 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, respectively - CONTINUED 05/07/79.

#### 4. NEW BUSINESS

- A. U-528 - Duncan and Joyce Cameron, 15 Rutherford Avenue, A/P 5-127-14, application for a use permit to allow the home occupation of marriage counseling.

Duncan Cameron, applicant, present.

Mr. Cameron said he counsels approximately 25 persons a week; hours of operation are 9:00 - 11:00 a.m. and 3:00 - 5:00 p.m. One day a month he has approximately ten people for a session, and there are evenings when he has one to six persons at a time.

M/S Goltz, Hayes, to approve U-528 for Duncan and Joyce Cameron, 15 Rutherford Avenue, A/P 5-127-14, application for a use permit to allow the home occupation of marriage counseling with the following conditions:

1. That the hours of operation be between 9:00 a.m. to 5:00 p.m.;
2. that one all day session for ten people be allowed once a month; and
3. that the maximum number of people in the every day sessions be six.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- B. V-827 - Domenick Yazzolino, 28 Jordan Avenue, A/P 6-152-64, application for a four foot sideyard variance to construct an addition within four feet of the side property line.

John Komo, contractor representing the applicant, present.

Mr. Komo said the addition is proposed in the sideyard setback because it will continue along the existing building lines.

M/S Ollinger, Goltz, to approve V-827 for Domenick Yazzolino, 28 Jordan Avenue, A/P 6-152-64, application for a four foot sideyard variance to construct an addition within four feet of the side property line, on the basis that the site is steep and very restricted; that it is necessary for the applicant to enjoy substantial property rights; and that it will not be detrimental to those living in the neighborhood; to be based on drawings dated March 27, 1979.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- C. V-828 - Joan Murphy and Maxyne Stroisch, 56 Sequoia Drive, A/P 6-165-07 application for a 20 foot frontyard variance to construct a trellis within zero feet of the front property line; an 18 foot frontyard variance for pool equipment to be within two feet of the front property line; and a three foot sideyard variance to construct a living room deck within three feet of the side property line (after-the-fact).

Joan Murphy and Maxyne Stroisch, applicants, present.

Mr. Goltz, representing the applicants, said the only workable design for the deck addition and trellis was within the setbacks, so there is a hardship. He added that the contractor told Mr. Goltz that he did not realize a permit had not yet been taken out for the work.

Several neighbors in the area said they were in favor of the application.

M/S Buckle, Ollinger, to approve V-828 for Joan Murphy and Maxyne Stroisch, 56 Sequoia Drive, A/P 6-165-07, application for a 20 foot frontyard variance to construct a trellis within zero feet of the front property line; an 18 foot frontyard variance for pool equipment to be within two feet of the front property line; and a three foot sideyard variance to construct a living room deck within three feet of the side property line, on the basis that this lot is unusually small; that it will not be detrimental to the neighborhood; and that this is necessary for the enjoyment of substantial property rights; to be based on the marked up drawings received by the Town on March 20, 1979, and amended April 23, 1979.

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

Commissioner Goltz abstained, as he is the architect for the applicants.

Applicants advised of the ten day appeal period.

- D. V-829 - Lorraine Looper, 169 Oak Avenue, A/P 7-271-03, application for a 20 foot frontyard variance to construct a parking pad within zero feet of the front property line.

Lorraine Looper, applicant, present.

The application and drawing had said 'carport' and Ms. Looper told the Commission she had used the wrong word; it should be 'parking pad.'

Ms. Looper said A/P 7-271-03 presently has no parking on the lot and previously they had parked on A/P Nos. 7-271-04 and 7-271-05 (which she owns), but now they are being sold and so she wants to provide parking on A/P 7-271-03.

Norman Ginsberg, 170 Oak Avenue, said he is concerned that the 'parking pad' will be opposite his front door. He would not object to a four foot high retaining wall for the pad, but does not want it higher. Louise Ginsberg said the proposed pad is in a curve of the road and, therefore, would make backing in and out very dangerous.

Mr. Robbins said backing in and out will not be necessary; the cars parked in either space will be able to drive straight out parallel to the road.

One gentleman in the audience pointed out that if the retaining wall is limited to four feet in height, then a greater cut will be necessary in the hill (causing a visual impact), but a higher wall would not require such a deep cut into the hillside.

M/S Goltz, Buckle, to approve V-829 for Lorraine Looper, A/P 7-271-03, 169 Oak Avenue, for a two-car parking pad on the basis that there is a condition of the land in that it is very steep and the lot has an unusual configuration; that it is necessary for substantial property rights; and that it will not be detrimental to those residing in the neighborhood; to be based on drawings submitted to the Town on April 23, 1979.

Commissioner Buckle suggested that Ms. Looper try to cooperate with her neighbors' concerns and landscape around the pad.

Mr. Ginsberg questioned whether the height of the retaining wall will be limited; Commissioner Goltz said that by basing his motion on the drawings submitted, the drawing states that the retaining wall will be no higher than 4'2".

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- E. 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 - CONTINUED 05/07/79.
- F. V-826 - Douglas Pfaff, A/P Nos. 177-131-01 and 5-041-01 (West of 503 The Alameda), application for an eight foot frontyard variance and a 15 foot rearyard variance to construct a house within 12 feet of the front property line and five feet of the rear property line, respectively.

Mrs. Pfaff, applicant, present.

Mrs. Pfaff said the lot is narrow and, therefore, difficult to build without variances.

Mr. Robbins said that A/P 177-131-01 is in the County and the County Planning Department has been notified of this application and have no objections.

M/S Buckle, Goltz, to approve V-826 for Douglas Pfaff, A/P Nos. 177-131-01 and 5-041-01 (West of 503 The Alameda), application for an eight foot frontyard variance and a 15 foot rearyard variance to construct a house within 12 feet of the front property line and five feet of the rear property line, respectively, on the basis that this parcel is very narrow from the front to rear; that it is necessary for the enjoyment of substantial property rights; and that it will not be detrimental to those residing in the area; to be based on drawings dated February 9, 1979, and received by the Town April 2, 1979.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- G. Z-177 - Dan Goltz, A/P 177-160-01 (End of Holstein Road), application for the proposed rezoning from PPD R-1 B87 (Preliminary Plan Development with a presumptive use of Single Family Residential) to SPD R-1 B87 (Specific Plan Development, Single Family Residential) for a two-lot development, and review of Negative Declaration.

Dan Goltz, applicant, present.

The Commission agreed that they did not need an EIR to give them more information. However, some neighbors felt an EIR was necessary for the following reasons: precedent setting, impact on the road, water drainage, affect on creek, sliding. Other neighbors in the area felt the project will not have a significant effect on the neighborhood.

In response, Mr. Goltz said in regard to the traffic, there will only be typical residential traffic for the two homes and a street of that size and width can take that amount; also, the situation would be worse if through traffic were proposed. In response to Mr. Segale's remark about fixing Holstein Road, Mr. Goltz said he feels an Assessment District should be formed in that area and would be happy to help pay for the road's upkeep. Mr. Goltz said the best way to drain that hill is not to interrupt the existing drainage, but to improve it. As far as how the road will be tilted and the sizes of culverts, that will be part of the Improvement Plan. He said that covering the property does not make the problem, it is how the water is eliminated after it comes off the covered areas (this, he said, will be in his use permit plans).

Mr. Robbins said the neighbors' concerns can be added to the Negative Declaration, if accepted.

M/S Buckle, Hayes, to accept the Negative Declaration as prepared by staff for Z-177 for Dan Goltz, A/P 177-160-01, and include the concerns of the audience, which are as follows:

1. Drainage from the applicant's parcel;
2. off-site drainage downstream from the applicant's parcel; and
3. traffic concerns.

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

Applicant was advised of the ten day appeal period.

Mr. Goltz showed his specific plan for the lot to the audience and outlined in great detail. The buildings are to be set into the hillside, and has made the design of the buildings consistent with the rest of the neighborhood. Mr. Goltz said he has made a transition with his proposed two buildings so that there is a thinning out of density as one looks up the hill. The houses are to be solar heated (passive). It is not true passive for the second house (lower) because of cost reasons and the site does not have all the qualifications.

Mr. Goltz said he carefully studied four different sites for the second house; however, the other areas either posed problems of wind or drainage. The first house (which he will live in) is proposed to be on the knoll, which he terms a "natural site."

Mr. Goltz said he plans to dedicate the land to the northeast of the two proposed buildings to the Town for open space.

Mr. Goltz indicated there will be landscaping around both houses. The utilities will be undergrounded.

The Commissioners agreed that it is an excellent plan.

Don Mansell, 50 Holstein Road, said the Council intended their motion to read that there be only one house per two acres, rather than having one house on 3/4 of an acre and another on three.

Mr. Goltz said that under specific plan zoning, that interpretation is not necessarily so.

M/S Buckle, Ollinger, to recommend to the Town Council to rezone A/P 177-160-01 from PPD R-1 B87 (Preliminary Plan Development with a presumptive use of Single Family Residential) to SPD R-1 B87 (Specific Plan Development, Single Family Residential), to be based on this application and that it conforms to the General Plan; to be based on drawings dated March, 1979, and received by the Town on April 2, 1979.

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

It was announced that this will be heard by the Council May 8, 1979.

- H. C-160 - Terry Peay, 1 Saunders Avenue, A/P 7-043-15, application for design review of office remodel.

Terry Peay, applicant, present.

Commissioner Ollinger said the rhythm of the proposed windows bothers him, and suggested that rather than having six vertical panes of glass there be five; the other Commissioners agreed.

M/S Ollinger, Buckle, to approve C-159 for Terry Peay, 1 Saunders Avenue, A/P 7-043-15, application for design review of office remodel based on drawings submitted April 2, 1979, with the change in the smaller windows as marked up on these drawings.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

5. DISCUSSION

Proposal by staff to review all minor commercial improvements, i.e., awnings, minor exterior changes - CONTINUED 05/07/79.

6. DOWNTOWN REZONING WORKSHOP

Magnolia Avenue, Library Place, City Hall Avenue - CONTINUED 05/07/79.

7. ADJOURNMENT

The special meeting of the San Anselmo Planning Commission was adjourned at 1:30 a.m. to the special meeting of April 30, 1979, with the Citizens' Committee For Rezoning of Undeveloped Lands.

Next regular meeting May 7, 1979.

*Lisa Burglin*  
LISA BURGLIN  
PLANNING SECRETARY