

The regular meeting of the San Anselmo Planning Commission was called to order on February 4, 1980, at 8:00 p.m. by Chairman Harle in the Town Hall Council Chamber. T. J. Robbins, Assistant Director Public Works/Planning, present.

1. ROLL CALL

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

2. APPROVAL OF MINUTES

January 16, 1980

M/S Olive, Ollinger, to approve the minutes of January 16, 1980, as written.

Motion passed unanimously.

3. OLD BUSINESS

- A. V-852 - Patricia Frisch, 37 Cordone Drive, A/P 5-223-09, variances to construct a hot tub, deck and tub equipment - CONTINUED 03/03/80.
- B. SS-223 - Ronald and Kay Camozzi, 20 Oak Avenue, A/P 7-266-24, lot line adjustment between their lands and lands of 18 Oak Avenue, A/P 7-266-23 - CONTINUED 03/03/80.
- C. V-866 - The Friendly Foam Shop, 27 San Anselmo Avenue, A/P 7-302-15, parking variance (constructing second story addition) - CONTINUED 03/03/80.
- D. C-168 - The Friendly Foam Shop, 27 San Anselmo Avenue, A/P 7-302-15, design review of second story addition - CONTINUED 03/03/80.
- E. U-540 - Peter Pomilia, 21 Tamalpais Avenue, A/P 7-212-19, use permit for the wholesale of fish - CONTINUED 03/03/80.
- F. Z-188 - 22 and 26 Belle Avenue, A/P 7-301-11 and 7-301-12, proposed rezoning from C-2 (Central Business District) to either R-1 (Single Family Residential), R-2 (Two Family Residential), R-3 (Neighborhood Apartment District) or P (Professional Zone), and review of Negative Declaration.
- Z-188 - 22 and 26 Belle Avenue, A/P Nos. 7-301-11 and 7-301-12, proposed rezoning from C-2 (Central Business District) to either R-1 (Single Family Residential), R-2 (Two Family Residential), R-3 (Neighborhood Apartment District) or P (Professional).

Ron Glander, representing Bank of America for 26 Belle Avenue, and David Campbell, owner of 22 Belle Avenue, present.

Mr. Glander said his client prefers the property to be rezoned to R-3; however, P zoning would be appropriate also.

Mr. Campbell said he prefers 22 Belle Avenue to be rezoned to R-3. R-1 and R-2 zoning would not be appropriate, as the lot is too narrow. R-3 basically conforms to the present use, although there is one office on the premises.

Mr. Robbins pointed out that if 22 Belle Avenue were rezoned R-3 and later destroyed by fire, the non-conforming use of commercial would require a use permit, and the total number of apartment units would have to conform to the present zoning ordinance.

M/S Buckle, Hayes, to accept the Negative Declaration for Z-188 for 22 and 26 Belle Avenue, as prepared by staff.

Motion passed unanimously.

M/S Buckle, Olive, to recommend to the Town Council to rezone that portion of Z-188 for 22 Belle Avenue, A/P 7-301-11, from C-2 (Central Business District) to R-3 (Neighborhood Apartment District) on the basis that it is in conformance with the General Plan and with the existing neighborhood; and that this rezoning will not be detrimental to the community.

Motion passed unanimously.

M/S Hayes, Ollinger, to recommend to the Town Council to rezone that portion of Z-188 for 26 Belle Avenue, A/P 7-301-12, from C-2 (Central Business District) to R-3 (Neighborhood Apartment District) on the basis that it is in conformance with the General Plan and with the existing neighborhood; and that this rezoning will not be detrimental to the community.

Motion carried: AYES: Harle, Hayes, McPeak, Olive, Ollinger
ABSTAIN: Buckle

Commissioner Buckle abstained as his children attend St. Anselm's School, which is next door to 26 Belle Avenue.

- G. Z-177 - Daniel Goltz, 107 Holstein Road, A/P 177-160-01, use permit and design review under specific plan development

Dan Goltz, applicant, present.

Mr. Goltz told the Commission that when he originally placed the proposed structure on the lot he thought he was using the true north arrow; however, he has since found out he was using magnetic north. Therefore, Mr. Goltz said he had to turn the building so that it would get the proper southern exposure, as it will be heated by solar energy. He said it is important that the structure be on top of the knoll in order to obtain the maximum sunlight. The collectors will be on the roof of the garage and the greenhouse will have a passive collector. The white oak tree, which is in front of the proposed master bedroom, will diffuse the sun in the summer and let in the sun during the winter. Mr. Goltz said the length of the structure is necessary because all the windows and collectors have a southern exposure (except for the game room).

Mr. Goltz noted that this is a SPD application, so the rearyard setback is ten feet and the frontyard setback from the right-of-way is zero feet. He feels that if the road should be widened in the future, it would be unlikely that it would be widened on his side of the street, as it is very steep.

Mr. Goltz said originally the structure was proposed at 3,000 square feet; he now proposes 2,600 square feet. He said there would be 450 square feet of collectors; if he moves the garage back from the right of way, there will not be as many collectors.

Commissioner Buckle pointed out that we are sacrificing setbacks for energy conservation; it's a question of values.

M/S Ollinger, Buckle, to approve the use permit and design review under the specific plan development for Z-177, Dan Goltz, 107 Holstein Road, A/P 177-160-01, on the basis that it is necessary for the preservation and enjoyment of substantial property rights; it will not materially affect adversely the health and safety of people in the neighborhood; and that it will not be detrimental to the public welfare, based on the plans received by the Town of San Anselmo on January 28, 1980.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- H. SS-228 - Robert C. Martin, Brookside and Cordone Drives, A/P 5-222-01, lot line relocation for 52, 56, 60 and 64 Cordone Drive - CONTINUED 03/03/80

- I. U-533 Richard Moss, M.D., 30 South Oak Avenue, A/P 7-192-06, SIX MONTHS REVIEW - use permit to allow the home occupation of conducting seminars.

Mr. Robbins noted there have been no recent parking problems.

M/S McPeak, Hayes, to continue U-533 for Richard Moss, M.D., 30 South Oak Avenue, A/P 7-192-06, use permit to allow the home occupation of conducting seminars without further review.

Motion passed unanimously.

4. NEW BUSINESS

- A. U-543 - Michael T. Blume, 115 San Anselmo Avenue, A/P 7-301-19, application for a use permit to allow outdoor eating.

Michael Blume, applicant, present.

M/S Buckle, McPeak, to approve U-543 for Michael T. Blume, 115 San Anselmo Avenue, A/P 7-301-19, application for a use permit to allow outdoor eating, on the basis that this application will not be detrimental to those living in the area; and it is necessary for substantial property rights; parking is to be in accordance with the variance granted (V-865).

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- B. C-170 - Michael T. Blume, 115 San Anselmo Avenue, A/P 7-301-19, design review of exterior alterations.

Mr. Blume said the stucco will be painted the same color as the existing building.

M/S Hayes, Buckle, to approve C-170 for Michael T. Blume, 115 San Anselmo Avenue, A/P 7-301-19, design review of exterior alterations, based on the map provided to the Town dated January 18, 1980.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- C. V-872 - Mike DeLuca and Steve Sibley, 40 Greenfield Avenue, A/P 6-251-10, parking variance (constructing addition) for ten spaces; renewal of lapsed variance.

Mike DeLuca and Steve Sibley, applicants, present.

Mr. DeLuca told the Commission they had received variances for the addition and other work in 1973; they completed the other construction, but the addition variance has lapsed. They wish to raise the building in height from the original application. Mr. DeLuca added that the ratio of storage to retail use shall remain the same as originally approved.

M/S Ollinger, Olive, to approve V-872 for Mike DeLuca and Steve Sibley, 40 Greenfield Avenue, A/P 6-251-10, parking variance (constructing addition) for ten spaces; renewal of lapsed variance, plus a size variance for the parking spaces to be 9 feet x 19 feet, as shown on the drawings received by the Town of San Anselmo on January 15, 1980; on the basis that the granting of this application is necessary for the preservation and enjoyment of substantial property rights; and that it will not be detrimental to the public welfare. The current relation of storage to retail use should be maintained as shown on the drawing.

Motion carried: AYES: Buckle, Harle, Hayes, Olive, Ollinger
NOES: McPeak

Applicant was advised of the ten day appeal period.

- D. C-171 - Mike DeLuca and Steve Sibley, 40 Greenfield Avenue, A/P 6-251-10, design review of exterior alterations.

M/S Buckle, McPeak, to approve C-171 for Mike DeLuca and Steve Sibley, 40 Greenfield Avenue, A/P 6-251-10, design review of exterior alterations, based on drawings received January 15, 1980, including raising of the roof to reach the same scheme of the existing structure.

Motion passed unanimously.

Applicants were advised of the ten day appeal period.

- E. C-172 - Sally B. Bones, 619 San Anselmo Avenue, A/P 7-212-27, design review of barber pole.

M/S Hayes, Ollinger, to approve C-172 for Sally B. Bones, 619 San Anselmo Avenue, A/P 7-212-27, design review of barber pole (striped, wall mount) as referred to in the drawing Model No. 129.50.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- F. Public Hearing - Ordinance Regulating the Conversion of Apartments and Duplexes to Condominiums.

Rufe Soule and John Roe were present to say they feel the Town should look at each condominium conversion individually. They propose to convert the apartments at 84 Madrone Avenue to condominiums.

The Commission felt they needed more time to study the ordinance.

M/S McPeak, Hayes, to continue this discussion to the meeting on March 3, 1980.

Motion passed unanimously.

5. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 11:50 p.m. to the special meeting on February 5, 1980.

Lisa Burclin
LISA BURGLIN
PLANNING ASSISTANT