

The regular meeting of the San Anselmo Planning Commission was called to order at 8:00 p.m. by Chairman Ollinger in the Town Hall Council Chamber on December 7, 1981. T. J. Robbins and Hadden Roth present.

1. Roll Call

Commissioners Present: Hayes, Ollinger, Peterson, Signorelli
Commissioners Absent: Harle, McPeak, Ragan

2. APPROVAL OF MINUTES

October 19, 1981

M/S Hayes, Peterson, to approve the minutes of October 19, 1981, as written.

Motion carried; Commissioner Ollinger abstained.

November 2, 1981

Page 4, Paragraph 3, change "liability" to "viability";
Page 3, Paragraph 7, add, "Further justification for denial was dependent upon Hadden Roth's statement that it is not what is taken, but what is left."

M/S Peterson, Hayes, to approve the minutes of November 2, 1981, as amended.

Motion passed unanimously.

November 16, 1981

M/S Hayes, Peterson, to approve the minutes of November 16, 1981, as written.

Motion passed unanimously.

November 23, 1981

Page 3, Paragraph 3, add, ". . . unit figure, to determine the lower value of the density range, those numbers . . .";
Page 3, Paragraph 3, change, ". . . might view that . . ." to ". . . might view the lower densities . . .";
Page 4, Paragraph 2, change, ". . . appropriate dates - this is to be . . ." to ". . . appropriate dates in the blanks - this might be . . ."

M/S Peterson, Signorelli, to approve the minutes of November 23, 1981, as amended.

Motion passed unanimously.

3. OLD BUSINESS

- A. Z-199 - Isabel Cook Community Center, 1000 Sir Francis Drake Boulevard, A/P 6-032-15, use permit, design review and parking review for Specific Planned Development for an 18 unit housing development for lower income families, elderly and handicapped persons.

This item was actually discussed after Item 3B, as the architect was late to the meeting.

Dick Blood-Bornholdt of the Marin County Housing Authority, and John Campbell of Agora, present.

Mr. Blood-Bornholdt discussed the revised parking plan with a reduction to 29 spaces. They propose one space per unit, which can be controlled by renting to people with only one car, with eleven guest spaces. He pointed out that tenants of the office space can also use the Log Cabin parking area, which is fine for daytime use.

M/S Peterson, Signorelli, to approve the parking review for Z-199 for the Isabel Cook Community Center, 1000 Sir Francis Drake Boulevard, A/P 6-032-15, with the condition that the 18 parking spaces within the lot in the southeast corner be

designated for 24-hour use, and that the remaining eleven be reserved for exclusive use of the tenants and their guests from the hours of 6:00 p.m. to 8:00 a.m.

Motion passed unanimously.

Mr. Campbell discussed the design of the project. He stated that since it was necessary to use the existing long, vertical foundation that they propose to have the building "step-out" and "up" for variety.

Commissioner Ollinger suggested there be plantings to decrease the bulky appearance. Mr. Campbell agreed, adding that the windows on the side of the tennis courts will be double glazed to help decrease the noise.

Mr. Campbell was not prepared to discuss the proposed color scheme at this hearing.

M/S Peterson, Hayes, to approve the use permit and all those aspects of design review with the exception of colors.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- B. V-981 - Marin Community Playhouse, 27 Kensington Road, A/P 7-292-02, application for variances to enlarge a building containing a nonconforming use and possibly increase the frequency of the use; a four foot sideyard variance to construct a ten foot by 16 foot addition; and parking variances.

Bill Taggart, Cory Susser, Julian Knox, Architect, and Barnard Johnson, Traffic Engineer, present.

Mr. Robbins, referring to the staff memo dated December 3rd, explained staff's position that the use of the building is legal, nonconforming. He then explained the requested variances, pointing out that the applicants do not intend to increase the seating.

Mr. Taggart traced the history of Playhouse uses, as outlined in information submitted to the Commission. He stated they have tried to direct parking away from Waverly Avenue and focus the entrance on Kensington Court, where there is relatively little impact.

Mr. Roth said in order to make the finding that this use is legal, nonconforming, the Commission only has to find that the use is not substantially different, noting that it is difficult to determine what a community clubhouse is and one can only use a common sense approach.

John Colteaux, 55 Kensington Road, contended that this use is not legal, nonconforming, as there is no definition of a community clubhouse and the use of the building has a very sketchy history. He also feels this item should be held over until the Master Plan is submitted by the Seminary.

Joe Wansedler, 38 Austin Avenue, said the theatre is bothersome and will change the quality of the area.

Helen Robertson, 38 Austin Avenue, agreed that the neighborhood cannot stand an increase in intensity of use of the theatre.

Mr. Rogers, 48 Austin Avenue, expressed concern about the traffic.

After Commission discussion,

M/S Peterson, Signorelli, that the Commission finds that the facility has been used prior to 1955 in substantially the same way since that time; the intensity of use as strictly a theatrical use increased substantially in the 1960's and decreased since that time; although the property was used for uses other

than theatrical drama and musical use, we feel we can trace the uses back to the 1940's; based on the above, we feel the property before us is legal, nonconforming.

Motion passed unanimously.

Mr. Roth said if the Commission establishes that this is a vested legal, nonconforming use, it cannot really be taken away even when the Seminary prepares its Master Plan.

There was some discussion about setting a maximum level of the number of performances per week; however, Mr. Ferroggiarro of 9 Waverly Road pointed out that a level cannot be set if we do not know the frequency of use right now.

Ms. Susser said they anticipate three performances per week on the average; however, there are some weeks where there are more or less.

M/S Peterson, Hayes, to continue this item to direct the applicant to return to staff information answering the following questions: what is the desired intensity of use; the minimum you can accept; the number of performances per calendar year; what days of the week there will be performances; the number of rehearsals per calendar year; what days of the week there will be rehearsals; the intensity of use of performances per week during the peak periods - the absolute peak time and the absolute peak month; this is to be returned with the understanding that the information will circulate ten days prior to the public hearing;

further move, that the applicant submit the number of cars expected along with the expected attendance at these times.

Motion passed unanimously.

It was announced that this item will be reheard by the Commission on January 4, 1982.

It was suggested that the applicant meet with the neighbors prior to the January 4th meeting to go over their information.

- C. Z-212 - William Entwisle, 1220 Sir Francis Drake Boulevard, A/P 5-222-15, proposed rezoning from R-2 (Two Family Residential) to R-3 (Multiple Family Residential) to add two one-bedroom apartments to an existing two two-bedroom apartment building, and the initial environmental review.

V-987 - William Entwisle, 1220 Sir Francis Drake Boulevard, A/P 5-222-15, a five foot frontyard variance, five foot to three foot east sideyard variances; a four foot west and a five foot east sideyard variances; and 19 foot rearyard variances for parking (applicant is providing the required minimum number of spaces for four apartments).

William Entwisle, applicant, and Monte Deignan, designer, present.

Mr. Deignan pointed out that although the applicant only has minimum parking, this will be moderate income housing and is close to public transportation and shopping facilities.

Commissioner Signorelli suggested there be some planting in the front area, to which Mr. Deignan agreed.

M/S Hayes, Peterson, to accept the Negative Declaration as prepared by staff for Z-212 and dated November 23, 1981.

Motion passed unanimously.

M/S Hayes, Peterson, to recommend to the Town Council the approval of Z-212 for William Entwisle, 1220 Sir Francis Drake Boulevard, A/P 5-222-15, rezoning from R-2 (Two Family Residential) to R-3 (Multiple Family Residential) to add two one-bedroom apartments to an existing two-bedroom apartment building, on the grounds that it is consistent with the General Plan.

Motion passed unanimously.

M/S Peterson, Hayes, to approve V-987 for William Entwisle, 1220 Sir Francis Drake Boulevard, A/P 5-222-15, a five foot frontyard variance, five foot to three foot east sideyard variances; a four foot west and a five foot east sideyard variances; and 19 foot rear yard variances for parking, on the grounds that it will not be detrimental to the neighborhood; it is necessitated by the enjoyment of substantial property rights; and is necessitated by the configuration of the lot and the placement of the structure on the lot that the parking must be within the setback requirements.

Motion passed unanimously.

4. NEW BUSINESS

- A. C-185 - Serge Arnaudies, 'The Arbor', 636 San Anselmo Avenue, A/P 6-102-20, design review of a terrace windbreaker.

Serge Arnaudies, applicant, present.

M/S Peterson, Hayes, to approve C-184 for Serge Arnaudies, 636 San Anselmo Avenue, A/P 6-102-20, design review of a terrace windbreaker based on the drawing received October 30, 1981.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- B. U-566 - Angelo and Kathryn Servino, 729 Sir Francis Drake Boulevard, A/P 6-083-06, use permit for the on-sale of beer and wine (use permit granted to previous owner of 'David's').

Angelo and Kathryn Servino, applicants, present.

Mr. Robbins said staff has no problems with this application.

M/S Hayes, Peterson, to approve U-566 for Angelo and Kathryn Servino, 729 Sir Francis Drake Boulevard, A/P 6-083-06, use permit for the on-sale of beer and wine, on the grounds that it is necessary for the enjoyment of substantial property rights; and it will not be detrimental to the health and welfare of persons in the neighborhood, nor to property and improvements.

Motion passed unanimously.

Applicants were advised of the ten day appeal period.

- C. NU-27 - Joseph Ingrassia, 70 Karl Avenue, A/P 6-052-15, use permit for a second living unit.

Joseph Ingrassia, applicant, present.

Mr. Ingrassia pointed out there is plenty of parking on the lot and plans to let his daughter live in the second unit at this time.

M/S Signorelli, Peterson, to approve NU-27 for Joseph Ingrassia, 70 Karl Avenue, A/P 6-052-15, use permit for a second living unit, on the grounds that it is necessary for the enjoyment of substantial property rights; and it will not be detrimental to the neighborhood.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- D. SR-327 - Captain Video, 412 Red Hill Avenue, A/P 6-121-14,
review of a proposed sign to be above the roof line.

A representative from Captain Video was present. He pointed out that the company does not plan to put the sign above the roof line.

M/S Peterson, Hayes, to approve SR-327 for Captain Video, 412 Red Hill Avenue, A/P 6-121-14, with the understanding that the sign will not extend above the top of the marquee; based on the drawing submitted on October 23, 1981.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- E. SR-328 - J. R. Karkkanen, 75 Red Hill Avenue, A/P 6-214-03,
review of a proposed third and fourth sign.

Applicant was not present.

M/S Hayes, Signorelli, to approve SR-328 for J. R. Karkkanen, 75 Red Hill Avenue, A/P 6-214-03, for a third and fourth sign based on the drawing dated October 15, 1981.

Motion carried: AYES: Hayes, Peterson, Signorelli
NOES: Ollinger

Commissioner Ollinger said there are too many signs on the building.

5. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 11:49 p.m. to the next regular meeting on December 21, 1981.

Lisa Burglin
LISA BURGLIN
PLANNING ASSISTANT