

The regular meeting of the San Anselmo Planning Commission was called to order on July 20, 1981, at 8:00 p.m. by Chairman Ollinger in the Town Hall Council Chamber. T. J. Robbins present.

1. ROLL CALL
2. APPROVAL OF MINUTES - July 6, 1981

Item 3A, Paragraph 8, change ". . . developed for housing." to ". . . developed for Seminary housing."

M/S McPeak, Peterson, to approve the minutes of July 20, 1981, as amended.

Motion passed unanimously.

3. OLD BUSINESS

- A. SR-326 - North Bay Photo Lab, 580 Red Hill Avenue, A/P 6-091-61, sign variances: to allow a third sign and 30.76 square feet of extra sign (two signs permitted with a maximum square footage of 56.25).

Applicant was not present; item held over to July 27, 1981.

- B. Z-206 - James Ernst, A/P 7-097-06, between Redwood Road and Laurel Avenue (across from 290 Redwood Road); proposed rezoning from PPD R-1 (Preliminary Planned Development with a presumptive use of Single Family Residential) to SPD (Specific Planned Development) for one single family dwelling, and initial environmental review.

James Ernst, applicant, and Ben O'Hare, architect, present.

Dr. Segal, 419 Redwood Road, said the EIR noted four dwellings would be excessive in the area and now two have been approved, one is proposed and there is possibly one more building site. Commissioner Ollinger pointed out that Ben O'Hare's original application was for four dwellings on the parcels, 7-097-02 and 7-097-05.

Mr. O'Hare said he is not sure the "fourth" site is buildable as it may have been combined with Mrs. Berger's property.

M/S Signorelli, Peterson, to accept the Negative Declaration as prepared by staff for Z-206 dated June 26, 1981.

Motion passed unanimously.

M/S McPeak, Harle, to recommend to the Town Council approval of Z-206 for James Ernst, A/P 7-097-06, between Redwood Road and Laurel Avenue (across from 290 Redwood Road), proposed rezoning from PPD R-1 (Preliminary Planned Development with a presumptive use of Single Family Residential) to SPD (Specific Planned Development) for one single family dwelling, on the basis that it is in conformance with the General Plan and will not be detrimental to the health and safety of those in the neighborhood.

Motion passed unanimously.

It was announced that the Town Council will hear this item on August 11, 1981.

- C. U-562 - Richard A. Lassus, 417 San Anselmo Avenue, A/P 7-251-20, use permit to allow the on-sale of beer and wine.

Richard Lassus, applicant, present.

M/S Hayes, McPeak, to approve U-562 for Richard A. Lassus, 417 San Anselmo Avenue, A/P 7-251-20, use permit to allow the on-sale of beer and wine, on the grounds that it will not be detrimental to the health and welfare of those in the neighborhood or property and improvements; and is necessary for the enjoyment of substantial property rights.

Motion passed unanimously.

[ Applicant was advised of the ten day appeal period.

- D. V-964 - Michael Roger Colton, 27 Olive Avenue, A/P 7-085-01, a five foot sideyard variance and an 18 foot rearyard variance to reconstruct a workshop with an addition within three feet of the side property line and two feet of the rear property line.

Michael Colton, applicant, present.

Mr. Colton said he spoke to his neighbors, with the exception of Commissioner Ollinger as he thought he would be voting, and they all approve of the proposal. He said the shop will be for his own personal use and will not be associated with his contracting business.

M/S Peterson, Signorelli, to approve V-964 for Michael Roger Colton, 27 Olive Avenue, A/P 7-085-01, a five foot sideyard variance and an 18 foot rearyard variance to reconstruct a workshop with an addition within three feet of the side property line and two feet of the rear property line, on the grounds that it is necessary for the enjoyment of substantial property rights; it will not be detrimental to the health and welfare of persons in the neighborhood; it is necessary in order to reconstruct a dilapidated structure; and due to the size of the lot and the location of the structures on the lot.

Motion carried: AYES: Harle, Hayes, McPeak, Peterson, Signorelli  
 NOES: None  
 ABSTAIN: Ollinger

Applicant was advised of the ten day appeal period.

Commissioner Ollinger abstained as he lives next door to the subject property.

- E. V-965 - Jean K. Jones, 75 Longwood Drive, A/P 6-262-22, a 12 foot rearyard variance to extend a deck within two feet of the rear property line.

Jean Jones, applicant, present.

M/S Hayes, McPeak, to approve V-965 for Jean K. Jones, 75 Longwood Drive, A/P 6-262-22, a 12 foot rearyard variance to extend a deck within two feet of the rear property line, on the grounds that it is necessary for the enjoyment of substantial property rights; it will not be detrimental to the health and welfare of those in the neighborhood; and is necessitated by the proximity of the building to the rear property line.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- F. Z-207 - Astra Enterprises, Incorporated, end of Tomohawk Drive, A/P Nos. 177-250-30 and 177-220-50, proposed rezoning from PPD R-1 (Preliminary Planned Development with a presumptive use of Single Family Residential) to a 24-residential unit Specific Planned Development.

Siegfried Pfenndt, applicant, present.

Mr. Robbins said he contacted one of the neighbors in the area, Larry Stack, who informed him that the likely reason many neighbors were not attending this meeting was because they have voiced their concerns to the Commission at previous hearings and will wait until the Council hearing.

Mr. Pfenndt showed the Commission an alternate plan of detached single family dwellings in the same envelopes as presently proposed.

Phil Bundschu, 421 The Alameda, said he supports this plan.

Jonathon Braun, Scenic Avenue, said the density is slightly excessive, pointing out that the proposed density ordinance would permit a maximum density of 24 units; however, there are many factors to consider before accepting that maximum, i.e., visibility of the sites, fire danger and traffic. He added that No. 24 is a terrible place to build a house and Nos. 22 and 23 are in a slide area according to the EIR.

Jerry Kay, 26 Sunview Avenue, expressed concern that the neighbors did not attend this meeting. He feels Mr. Pfendt's proposal has no concept and is insensitive to the environment.

Commissioner Signorelli read his memo dated July 20, 1981, responding to George Davison's Indian Hill Development staff report. This memo is in the file, Z-207, and is made a part of these minutes.

Commissioner Harle said the removal of the proposed units from the north ridge is acceptable; however, feels the density is still excessive and is not justified.

Commissioner Hayes said he is concerned about the landslide problems with Nos. 22 and 23 and 4 and 5. He said he is having trouble with the common wall concept. He does not feel the requested density is necessary to make the project viable and would like some thought given to the geological constraints.

Commissioner Peterson questioned staff's feeling that there should be no construction on the north ridge as it is inconsistent with the General Plan; and construction east of the north ridge would also be inconsistent with the General Plan. He also questioned where staff's position with regard to inclusionary zoning came from as there is no ordinance, suggesting it should have been discussed with the applicant earlier. Commissioner Peterson stated the Commission is obligated under law to permit density transfer, i.e., if development is not permitted on part of the property then he should be able to bring that density into another area. He asked for a ruling, from the Town Attorney as to density transfer and economic viability.

Commissioner Ollinger said it has been a concern of San Anselmo to protect the ridges as indicated in the General Plan. He is also concerned about granting a specific density without knowing whether the sites are buildable.

Commissioner Signorelli suggested that at the political level this density may not be accepted.

M/S McPeak, Signorelli, to recommend to the Town Council approval of Z-207 for Astra Enterprises, Incorporated, end of Tomohawk Drive, A/P Nos. 177-250-30 and 177-220-50, proposed rezoning from PPD R-1 (Preliminary Planned Development with a presumptive use of Single Family Residential) to a 24-residential unit Specific Planned Development, as shown on the drawing submitted to the Town on June 19, 1981, and substantiated by a soils report with those proposed unit sites not being buildable as shown by the soils report not be compensated on other sites, and dedication of the north ridge for open space; subject to the mitigations specified in the EIR with further justification for common wall construction or separating the units into single family dwellings. This density being justified by the granting of the north ridge for open space, conformance with the General Plan, and adequacy of access.

Motion carried: AYES: McPeak, Ollinger, Peterson, Signorelli.  
NOES: Harle, Hayes

In response to Mr. Braun's concern, Mr. Pfendt said the project will be designed as one concept; however, due to economic reasons, the construction will probably be done in phases.

Commissioner Ollinger said he has reservations about the density, geological hazards and visual impact, adding that the main reason he voted for approval was to send it on to the Town Council for further public discussion on this project.

It was announced that this item will be heard by the Town Council on August 11, 1981.

4. DOWNTOWN REZONING WORKSHOP

Mariposa and Ross Avenues - Continued 07/27/81.

5. DISCUSSION

Commissioner McPeak suggested the Commission be given the official status of the Density Ordinance and that consideration should be given to the Commission having a consent agenda for some items or perhaps a Zoning Administrator be appointed from staff to review variances and use permits in order to shorten the meetings.

6. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 12:00 midnight to the special meeting on July 27, 1981.

*Lisa Burghin*  
LISA BURGLIN  
PLANNING ASSISTANT