

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman Ollinger on June 1, 1981, at 8:00 p.m. in the Town Hall Council Chamber. T. J. Robbins and George Davison present.

1. ROLL CALL

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

Commissioners Absent: None

2. APPROVAL OF MINUTES

May 11, 1981

M/S Ragan, McPeak, to approve the minutes of May 11, 1981, as prepared.

Motion carried; Commissioner Hayes abstained.

May 18, 1981

M/S Ragan, Hayes, to approve the minutes of May 18, 1981, as prepared.

Motion carried; Commissioner McPeak abstained.

3. OLD BUSINESS

A. V-893 - San Francisco Theological Seminary, A/P 7-292-03, variance to add to a nonconforming use by constructing seven guest units with a lounge in an R-1 zone on Kensington Court (the Seminary is a legal, nonconforming use - established prior to use permit requirement for private school. Section 10-3.2306 of the SAMC requires variance for enlarging), and environmental review - CONTINUED 06/15/81.

B. SS-234 - Myra Hardwick, Cordone Drive and Mountain View Avenue, four lot parcel split - request for extension to submit final map for recording to May 19, 1982.

Applicant was not present.

M/S Ragan, McPeak, to grant a one year extension for submittal of the final map for recording to May 19, 1982 for Myra Hardwick, SS-234, Cordone Drive and Mountain View Avenue, four lot parcel split.

Motion passed unanimously.

C. U-557 - George Stameroff, 11 San Rafael Avenue, A/P 7-211-11, use permit to allow a residential use to coexist with a professional use in a P zone.

V-936 - George Stameroff, 11 San Rafael Avenue, A/P 7-211-11, variance from the requirement for eight parking spaces; five spaces are proposed; and parking setback variances.

George Stameroff, applicant, and David Weitzman, real estate agent, present.

Mr. Robbins discussed the staff memo dated May 29, 1981.

Mr. Stameroff noted that if two off-street parking spaces were required in front it would eliminate the two on-street spaces that exist as a driveway cut would be necessary. He added that rather than provide two side by side spaces in the rear of the property, as indicated on the plan, he proposes two spaces in tandem, thereby providing unobstructed parking for his tenant in the rear building. He said he could use the obstructed space for himself as he would not move his car during working hours. His clients will come by appointment only, one at a time, and the only other person employed will be his wife as secretary.

Commissioner Ragan said the parking situation bothers him. To Mr. Stameroff's statement that he does not want to pave the entire yard, Commissioner Ollinger pointed out that parking

downtown is a consistent problem and having two residential uses and one commercial use on this lot could further add to the problem. He suggested alternate locations for parking on this lot.

Commissioner Signorelli said this is an appropriate use for the lot, pointing out that this will provide housing close to the downtown area. He feels there should be additional landscaping. Commissioner Peterson said he would approve the plan if there are five unobstructed spaces, to which Commissioners McPeak and Hayes agreed. Commissioner Hayes added there could be an obstructed space for the owner's use.

M/S Peterson, Signorelli, to refer U-557 and V-936 for George Stameroff, 11 San Rafael Avenue, A/P 7-211-11, back for reworking of the plan to come up with five unobstructed parking spaces within the boundaries of the property.

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

- D. C-180 - John Koyle, 606 Red Hill Avenue, A/P 6-092-04, design review of an additional covered area over parking and a new roof over an existing structure - CONTINUED 06/15/81.
- E. V-956 - James D. Schaefer, 25 Laurel Avenue, A/P 7-211-30, a 20 foot rearyard variance and an eight foot south sideyard variance to construct a garage and workshop within zero feet of the rear and side property lines.

James Schaefer, applicant, and his neighbors, Carolyn Sojourner and Jim Nelson, present.

The Commissioners were pleased with the compromise made by the applicant.

Mr. Nelson suggested there not be a window on the south side of the structure; to which Mr. Schaefer agreed.

M/S Ragan, Harle, to approve V-956 for James D. Schaefer, 25 Laurel Avenue, A/P 7-211-30, a 20 foot rearyard variance and an eight foot south sideyard variance to construct a garage and workshop within zero feet of the rear and side property lines, with the provision that the window facing the neighbor on the south side not be constructed; on the grounds that the configuration of the lot is such that improvements cannot be made elsewhere on the lot; it will not affect adversely the welfare or safety of neighbors in the area; and is necessary for the enjoyment of substantial property rights. This approval is based on the drawing received by the Town on May 21, 1981.

Motion passed unanimously.

Applicant advised of the ten day appeal period.

- F. V-959 - Timothy Dyckman, 85 Alder Avenue, A/P 7-042-02, 6'6" to seven foot west sideyard variances to construct a carport within 1'6" to one foot of the west side property line.

Applicant not present; item held over until the end of the meeting.

4. NEW BUSINESS

- A. Z-204 - Jerry Dal Bozzo, between Valley Road and Camino de Herrera, A/P Nos. 5-031-35, 5-081-19 and 5-081-07, proposed rezoning from PPD R-1 (Preliminary Planned Development with a presumptive use of Single Family Residential) and R-1 (Single Family Residential) to SPD (Specific Planned Development) for six single family dwellings, and environmental review.

Jerry Dal Bozzo and Brandy Martz, applicants, and Joseph Grippi, Land Surveyor, present.

Mr. Robbins explained the environmental checklist, noting staff's areas of concern are soils, drainage, water supply and fire protection. He noted three environmental impact reports have been done recently that address the traffic situation and other environmental concerns. The law allows the Town to use other EIR's for a project which we have done. The concerns raised by staff on the checklist are basically engineering items that can be taken care of without an EIR. Mr. Robbins stated the proposed density ordinance would allow approximately 25 units on this land, whereas only six are proposed.

Joseph Grippi explained the project, stating they are aware of the drainage problems and plan to entirely eliminate water from under the houses. He noted his original plan was for five houses; the sixth house has been added tentatively based on whether access can be from the north off of Oak Springs Drive.

John Roche, 164 Camino de Herrera, questioned staff's 'no' answer for Item 5 as the deer will be effected.

Beverly Jagow, 166 Camino de Herrera, is concerned about slippage as her house has slipped four inches, and fire protection.

Ted Donaldson, 8 Martha Lane, said staff's comments on the checklist are personal and should be properly qualified by an outside professional at the cost of the developer.

Colonel Smith, 170 Camino de Herrera, said the project will have an effect on the comfort and convenience of the people who live in the area and feels the property should be zoned R-1.

Andy Klapack, 27 Camino de Herrera, discussed past drainage problems in the area and said if this project results in any more drainage problems he will sue the Town.

Nelson King, 120 Camino de Herrera, said his principal concerns is Item 14e as his part of the road is not maintained by the Town and may become worse due to construction equipment travel.

Charles Mastin, 5 Traxler Road, suggested the people be given more time to review the plans.

Irmengard Wessels, 9 Traxler Road, said her property is settling; adding that the hill has been used as a recreation area.

Martin Mitchell, 51 Oakwood, said he does not agree with staff's comments on the checklist and suggested an outside professional review it.

Richard Metz, 160 Camino de Herrera, said he wants the checklist prepared by someone knowledgeable. His concerns are access problems, traffic, and water pressure.

Gary Goodman, 83 Valley Road, suggested the developer talk to the people in the area of Suffield Avenue who did not fall within the 300 foot notice area.

Ken Miller, 150 Camino de Herrera, said he is concerned about Items 1 and 13, suggesting they be given 'yes' answers.

Bruce Michael, 12 West Court, said he is bothered by the traffic on Camino de Herrera presently and questioned why the initial environmental review did not include people.

Maria Zaharoff, 1 Traxler Road, submitted a petition signed by 42 people of 23 addresses requesting a delay in hearings so that they can have a reasonable time to prepare for future hearings, and a petition signed by 69 people of 38 addresses requesting the Planning Commission to require a full environmental study due to severe impact this zoning would have on traffic, drainage and natural ecology of this area.

Ms. Zaharoff went on to list some endangered plant species identified by a botanist of the California Academy of Sciences. She said his report will be submitted to the Commission subsequently.

Mr. Genetti, 75 Camino de Herrera, requested a complete EIR be done; his main concerns are Items 3A, 13A and 13F.

A gentleman from 30 Oakwood said his concerns are Items 1A, 3B, 13A and 13F. He feels Item 21C should be checked 'yes.'

Patricia Telford, 16 Skyline Road, suggested the Commission look at the site.

Mr. Telford, 16 Skyline Road, said the checklist has been filled out inaccurately, adding that this land should only be used for a park area.

Alice Zaharoff, 1 Traxler Road, suggested the hearing be postponed as people are on summer vacations.

Perry Paradiso, 76 Camino de Herrera, said this project will have an impact on their quality of life.

Sandy Conti, 83 Valley Road, said Suffield Avenue and Valley Road are very narrow; there are mud slides every year; and she does not want to see one house behind her.

Andy Zaharoff, 1 Traxler Road, said this land has been used as a hiking area.

Mr. Zaharoff, 1 Traxler Road, questioned the proposed drainage system.

Commissioner Ragan said the proposed site for the sixth house is steep and treacherous. He suggested a focused EIR be prepared.

Commissioner McPeak agreed with staff that the engineering concerns can be taken care of at staff level and the recently prepared EIR's can be used for other environmental information; however, he said the project cannot proceed without a study of possible endangered plants. Commissioners Peterson, Harle and Signorelli agreed.

Commissioner Hayes said he is concerned about soils stability and drainage.

Commissioner Ollinger said he will need more information regarding slope stability, drainage and endangered plant species before he can act further. He suggested these studies be submitted along with mitigations.

It was suggested that the soils study include borings, but it was pointed out that this would disturb the hillsides which is not necessary at this stage.

M/S Peterson, Signorelli, to request from Jerry Dal Bozzo regarding Z-204 that the following studies and information be completed and presented to the Planning Commission for their meeting on July 20, 1981:

1. a reconnaissance in the area of soils stability by a registered engineer who can advise whether or not the land is buildable. If he says he does not know, then borings may have to be made.
2. a hydrology report with corrective recommendations.
3. Marin Municipal Water District communication regarding the water supply in the area, specifically water pressure as referred to at this meeting.
4. biotic study - regarding endangered plant species and their location on the property and mitigating measures as, and if, necessary.

5. a report from the Fire Department stating what requirements will be imposed on the developer in the way of hydrants and pressure.

Motion passed unanimously.

Applicant was advised to submit the necessary information to the Planning Department for public review by July 3, 1981. The audience was advised that copies of past EIRs will be available for public review in the Planning Department and Library by June 15, 1981.

- B. V-961 - Paul and Roberta Vinck, 48 Durham Road, A/P 5-202-46, a 4'6" north sideyard variance to construct an addition within 3'6" of the north side property line.

Paul Vinck, applicant, present.

M/S Hayes, Harle, to approve V-961 for Paul and Roberta Vinck, 48 Durham Road, A/P 5-202-46, a 4'6" north sideyard variance to construct an addition within 3'6" of the north side property line, on the grounds that it is necessary for the enjoyment of substantial property rights; it is necessitated by the narrowness of the lot and proximity of the house to the north side property line.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- C. V-962 - Lillian Peairs, 39 Belle Avenue, A/P 7-302-04, a 4'6" to 6'6" west sideyard variance to construct an addition within 3'6" to 1'6" of the west side property line.

Lillian Peairs, applicant, present.

David Ainsworth, 45 Belle Avenue, said he has no objections.

M/S McPeak, Ragan, to approve V-962 for Lillian Peairs, 39 Belle Avenue, A/P 7-302-04, a 4'6" to 6'6" west sideyard variance to construct an addition within 3'6" to 1'6" of the west side property line, on the grounds that it will not be a detriment to the neighborhood; it will enable enjoyment of substantial property rights; and there is a hardship due to the existing location of the house relative to the property lines.

Motion passed unanimously.

Applicant advised of the ten day appeal period.

- D. EU-19 - Gary and Syble Sweeden, 9 Fern Lane, A/P 5-193-07, a use permit for a second unit to remain upon change of ownership.

Ralph Bradford, representative, present.

Mr. Robbins noted the condition imposed upon the previous applicant for a third parking space on the west side of the property to be accessible for parking. He said the removable chain link fence has not been used and is covered with ivy.

Mr. Bradford said the previous owner still lives on the property, but intends to move soon and Ms. Sweeden will live there.

M/S Ragan, Harle, to approve EU-19 for Gary and Syble Sweeden, 9 Fern Lane, A/P 5-193-07, a use permit for a second unit to remain upon change of ownership, with the provisions that if parking becomes a problem, the owner be required to furnish a third space adjacent on the west side of the property; and the owner be required to occupy the main unit within one year from this date.

Motion passed unanimously.

3. F. V-959 - Timothy Dyckman, 85 Alder Avenue, A/P 7-042-02, 6'6" to seven foot west sideyard variances to construct a carport within 1'6" to one foot of the west side property line.

The applicant still was not present.

M/S Signorelli, Hayes, to approve V-959 for Timothy Dyckman, 85 Alder Avenue, A/P 7-042-02, 6'6" to seven foot west sideyard variances to construct a carport within 1'6" to one foot of the west side property line, on the grounds that it will enhance his property rights; it will not have a detrimental effect on the neighbors; and the hardship is the location of the house on the lot.

Commissioner Ollinger said he was reluctant to vote as the carport is proposed to be very close to the house next door and although the neighbor does not object, he would like the applicant to be present.

Commissioner Signorelli withdrew his motion.

M/S McPeak, Ragan, to continue this item to the meeting on June 15, 1981.

Motion passed unanimously.

5. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 11:40 p.m. to the next regular meeting on June 15, 1981.

Lisa Burghin

LISA BURGLIN
PLANNING ASSISTANT