

The regular meeting of the San Anselmo Planning Commission was called to order at 8:00 p.m. on July 19, 1982, by Chairman Hayes in the Town Hall Council Chamber. T. J. Robbins and George Davison present.

1. ROLL CALL

Commissioners Present: Bergeson, Gaidano, Harle, Hayes, McPeak
Peterson, Signorelli

Commissioners Absent: None

2. APPROVAL OF MINUTES - May 10, 1982 and June 21, 1982 - CONTINUED.

3. OLD BUSINESS

- A. Z-210 - Jamsheed Jamsheed, off Theresa and Oak Springs Drives, A/P Nos. 5-011-40 and 5-011-60, review of environmental studies and proposed rezoning from PPD R-1 (Preliminary Planned Development with a presumptive use of Single Family Residential) to SPD (Specific Planned Development) for five single family residences.

Chris Craiker, architect, present. Also present were Jay Nelson, Earth Science Consultants, Charles DeLeuw, Jr., DKS Associates, Irving Schwartz, Schwartz-Waag Associates, and Michael Zander, ESA/Madrone Associates.

Mr. Robbins pointed out that Site No. 1 has been deleted, and due to the identification of Tiburon Tarweed, Sites 2, 3, 4 and 5 are proposed to be set back 40 feet from the northeast boundary, rather than 25 feet as originally proposed. Site No. 6 remains unchanged.

Jerry Mayer, 122 Oak Springs Drive, supports the deletion of Site No. 1; is concerned about possible damage to the roads as the removal of the estimated fill could require up to 900 truck-loads, and suggested the developer put money in an escrow account to cover such; the traffic report is inadequate as it does not address all problem areas, eg., drivers cut the corner short at 122 Oak Springs Drive, and recommends striping all the way up Woodside and Oak Springs Drives - at the very least, at the two switchbacks; the adequacy of the water pressure is not stated; road width recommendations differ in the Fire and Soils Reports; and he opposes the land swap as proposed because the applicant's land is economically less valuable than the Town's.

Mr. Nelson said the deleted Site No. 1 is at the start of a slight swale area. He also discourages Site No. 2 as it has a large erosion gully, but it is feasible to build there with proper mitigations. He said there is a considerable amount of artificial fill along the east ridge of lower to marginal stability and should be removed from the site. Then all structures should be built in total conformity with the natural grades with no filling or cutting. Mr. Nelson also recommends the structures be located as near from the ridgetops as possible and be placed upon drilled piers and grade beam foundations systems. He pointed out that when specific building sites are determined, there will be more detailed geotechnical studies.

Mr. Zander said that Tiburon Tarweed does tend to colonize in disturbed land, so it might recolonize after construction. He noted that it is a "considered" species, but is not legally protected. It is up to the Town to consider its protection.

Commissioner Peterson agreed with Mr. Mayer's suggestions for striping the roads and the developer posting a bond for possible damage to the streets.

Commissioner Signorelli said he is concerned about the narrowness of the roads proposed by the Soils Report; he does not support the protection of Tiburon Tarweed; he is concerned about the proposed Site No. 2; and questions the adequacy of the water pressure.

Commissioner Hayes also expressed concern about the adequacy of the Traffic Report.

Mr. Davison prefers the developer put money into drainage improvements, rather than drainage design; regarding the traffic concerns, he noted the property owners will have to be notified to trim back their bushes from the right-of-ways; as to striping the roads, traffic markers would be least costly and require less maintenance; and the land swap, as proposed, will be beneficial to the Town.

M/S Peterson, McPeak, to recommend to the Town Council certification of the mitigated Negative Declaration, which is composed of all those studies and mitigations identified in the excerpts report prepared by staff (ESA/Madrone Associates, Schwartz-Waag Associates, DKS Associates and Earth Science Consultants); and that in order to cover maintenance problems on the access roads, the developer be required to post a bond surety as determined by staff.

Motion passed unanimously.

There was discussion concerning the conflict in the Fire and Soils Reports with regard to road-width requirements. Commissioner McPeak also pointed out the lack of knowledge, at this point, as to the amount of fill that will be removed. He sees three impacts: dust - which can be watered; noise - which can be controlled; and road damage - which can be bonded. There was also discussion regarding the three possibilities for improvements to the drainage system in the Valley Road area as a mitigation - deposit money into an improvement fund; construct a segment of the system; or perform the design of the proposed Valley Road drainage system.

- * At this time the Commission discussed postponing the density ordinance discussion due to the late hour. They heard from audience members.

M/S Signorelli, McPeak, to continue the density ordinance discussion to a special meeting on Monday, July 26, 1982.

Motion carried: AYES: Bergeson, Gaidano, Peterson, Signorelli
NOES: Harle, Hayes, McPeak

Paul Gutfreund, 216 Oak Springs Drive, submitted a petition signed by 98 of his neighbors in support of an alternate land swap whereby the applicant's dedication of land would include the proposed site of No. 6. Mr. Craiker stated his client will not consider that proposal as that particular lot is the most preferred.

Commissioners Gaidano, McPeak, Peterson and Signorelli support the proposed land swap. Commissioner Peterson pointed out that the applicant is trading 79 percent of his land with three potential building sites to the Town.

Commissioners Bergeson, Harle and Hayes oppose the swap. Commissioner Hayes stated it would not be beneficial to the Town and requested the applicant to submit alternatives.

M/S McPeak, Signorelli, to recommend to the Town Council approval of Z-210 for Jamsheed Jamsheed, off Theresa and Oak Springs Drives, A/P Nos. 5-011-40 and 5-011-60, review of environmental studies and proposed rezoning from PPD R-1 (Preliminary Planned Development with a presumptive use of Single Family Residential) to SPD (Specific Planned Development) for five single family residences, subject to the land swap as proposed on the plans received by the Town July 13, 1982, Sheet 4, on the basis that this is in conformance with the General Plan.

Motion carried: AYES: Gaidano, McPeak, Peterson, Signorelli
NOES: Bergeson, Harle, Hayes

It was announced that this item will be heard by the Town Council on July 26, 1982.

- B. Density Ordinance - Referred by Town Council (June 22, 1982) for Planning Commission action - per previous discussion, this item was continued to a special meeting on July 26, 1982.
- C. V-1019 - Michael HERNON, 18 Morningside Drive, A/P 5-184-07; a 19 foot rearyard variance and a seven foot sideyard variance to construct a garage within one foot of the rear property line and one foot of the side property line.

Michael HERNON, applicant, present.

It was noted that due to a misunderstanding between the applicant and his architect, the drawing should show a proposed one foot rearyard setback, rather than four feet.

Mr. HERNON said the proposed garage will be inconspicuous and stated everyone in that alley has a shed ten to 12 feet in height. He pointed out that the HERNANDEZ' lot is not in direct line with his, and his immediate neighbors do not object to the proposal. There is a slab there from an old shed.

Janice HERNANDEZ, 11 Meadowcroft Drive, said a one foot setback won't even allow a person to squeeze in to do maintenance work; it is in close proximity to their yard (one foot diagonal); access from the alley would be more direct to the other side of the property as this way the applicant will have to veer to the left to get in the garage.

Michael FITZPATRICK, 17 Morningside Drive, and Marie CHRISTI, 21 Morningside Drive, supported the application.

The Commissioners generally agreed that a one foot setback would not be practical for reasons of maintenance.

Commissioner SIGNORELLI said he carefully measured the setbacks and figured five feet could be maintained between the deck and garage, while still leaving at least a three foot rearyard setback.

M/S McPEAK, Peterson, to approve V-1019 for Michael HERNON, 18 Morningside Drive, A/P 5-184-07, a 17 foot rearyard variance and a six foot sideyard variance to construct a garage within three feet of the rear property line and two feet of the side property line; with the special circumstances being that the arrangement of the adjacent alley and the access to their property; it is necessary for the preservation and enjoyment of property rights; it will not materially affect adversely the health and welfare of persons living in the neighborhood; and will not be a detriment to property and improvements in the neighborhood.

Motion passed unanimously.

Applicant advised of the ten day appeal period.

4. NEW BUSINESS

- A. NU-26 - Contantin and Alice POPE, 12 Lincoln Avenue, A/P 6-251-13, use permit for a second living unit.

Alice POPE, applicant, present.

M/S McPEAK, Gaidano, to approve NU-26 for Contantin and Alice POPE, 12 Lincoln Avenue, A/P 6-251-13, use permit for a second living unit, with the condition that only two cars be domiciled at the property until such time that a third paved parking space is provided on the property, on the grounds that it will not be detrimental to the neighborhood, and is necessary for the preservation and enjoyment of substantial property rights.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- B. V-1022 - Reno and Mildred Franceschi, 30 Yolanda Drive, A/P 7-042-12, a two foot sideyard variance to extend a master bedroom and bath within six feet of the side property line; and a 3'8" sideyard variance to construct a fireplace chimney within 4'4" of the side property line.

Reno and Mildred Franceschi, applicants, present.

Annie McCuen, 20 Yolanda Drive, supported the application. Mr. Franceschi submitted a petition in support of the application signed by several of his neighbors.

M/S Signorelli, Peterson, to approve V-1022 for Reno and Mildred Franceschi, 30 Yolanda Drive, A/P 7-042-12, a two foot sideyard variance to extend a master bedroom and bath within six feet of the side property line; and a 3'8" sideyard variance to construct a fireplace chimney within 4'4" of the side property line, on the grounds that it is necessary due to the location of the existing house on the property; it will afford reasonable enjoyment of property rights; and will not be detrimental to the neighborhood.

Motion passed unanimously.

Applicant advised of the ten day appeal period.

- C. V-1023 - James L. Hallberg, 120 Floribel Avenue, A/P 7-092-02, a 17 foot frontyard variance to construct a bay window within three feet of the front property line; a 20 foot frontyard variance and an eight foot sideyard variance to construct a new roof structure within zero feet of the front and side property lines; and a seven foot sideyard variance to construct a room extension within one foot of the side property line (additions proposed to be made to garage and registered second unit).

James Hallberg, applicant, present.

M/S Peterson, Signorelli, to approve V-1023 for James L. Hallberg, 120 Floribel Avenue, A/P 7-092-02, a 17 foot frontyard variance to construct a bay window within three feet of the front property line; a 20 foot frontyard variance and an eight foot sideyard variance to construct a new roof structure within zero feet of the front and side property lines; and a seven foot sideyard variance to construct a room extension within one foot of the side property line (additions proposed to be made to garage and registered second unit); on the basis it will permit the substantial enjoyment of property rights; it will not be detrimental to the neighborhood; and that it is necessitated by the placement of the structure on the lot and the size and configuration of the lot.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- D. V-1024 - Gessy and Jean-Claude Lardy, 56 San Rafael Avenue, A/P 7-161-13, a 4'9" sideyard variance and a two foot rearward variance to construct a room extension within 3'3" of the side property line and 18 feet of the rear property line.

Jean-Claude Lardy, applicant, present.

Mr. Lardy said he spoke to his next door neighbor and that neighbor has no objections to the addition as he keeps the curtains closed on the window facing 56 San Rafael Avenue.

M/S Peterson, McPeak, to approve V-1024 for Gessy and Jean-Claude Lardy, 56 San Rafael Avenue, A/P 7-161-13, a 4'9" sideyard variance and a two foot rearward variance to construct a room extension within 3'3" of the side property line and 18 feet of the rear property line, on the grounds that it is necessary for the substantial enjoyment of

property rights; it will not be detrimental to the neighborhood; and is required by the configuration of the lot and placement of the structure on the lot.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- E. SS-248 - Lucile Dandelelet, 126 Redwood Road and 134 Redwood Road, A/P Nos. 7-082-23 and 7-082-19, lot line revision.

Lucile Dandelelet, applicant, present.

Ms. Dandelelet submitted a letter of support signed by the Krassavin's, owners of 134 Redwood Road.


M/S McPeak, Gaidano, to approve SS-248 for Lucile Dandelelet, 126 Redwood Road and 134 Redwood Road, A/P Nos. 7-082-23 and 7-082-19, lot line revision, based on the tentative map dated June 30, 1982, on the basis that it is in accordance with the General Plan.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

5. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 12:17 a.m. to the next special meeting on July 26, 1982.



LISA BURGLIN
PLANNING ASSISTANT