

The regular meeting of the San Anselmo Planning Commission was called to order at 8:00 p.m. on April 19, 1982, by Chairman Hayes in the Town Hall Council Chamber, 525 San Anselmo Avenue. T. J. Robbins present.

1. ROLL CALL

Commissioners Present: Gaidano, Harle, Hayes, McPeak, Ollinger, Peterson, Signorelli
Commissioners Absent: None

2. APPROVAL OF MINUTES - April 5, 1982

Item 4A, Motion, add, "deletion of the proposed Sections 10-3.2101 and 10-3.2102 . . ."

M/S McPeak, Harle, to approve the minutes of April 5, 1982, as amended.

Motion carried; Commissioners Hayes and Ollinger abstained.

3. PUBLIC HEARINGS

Commissioner Signorelli excused himself for a few minutes so Items B and C were heard before Item A.

- B. U-572/V-1007 - Sonja Severson, 137 Tunstead Avenue, A/P 7-251-14, use permit to have exercise classes in a C-2 zone, and a parking variance for increasing the intensity of use on the property.

Sonja Severson, applicant, present.

Ms. Severson said the classes will be held between 8:00 a.m. and 10:30 a.m. and 5:30 p.m. and 7:00 p.m. Monday through Saturday.

M/S Harle, Peterson, to approve U-572 and V-1007 for Sonja Severson, 137 Tunstead Avenue, A/P 7-251-14, use permit to have exercise classes in a C-2 zone, and a parking variance for increasing the intensity of use on the property, with the condition that the ending morning hours be 10:30 a.m.; on the grounds that it will not cause serious detriment to the neighborhood; it will allow the enjoyment of substantial property rights; and that it is impossible to provide on-site parking for this use and there is sufficient public parking available in the neighborhood.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- C. V-1008 - Carole and Jack Hawkes, 124 Saunders Avenue, A/P 6-043-20, a four foot sideyard variance and a 13 foot rearyard variance for an existing hot tub to remain within four feet of the side property line and seven feet of the rear property line; and a three foot sideyard variance for the hot tub equipment to remain within five feet of the side property line - After-The-Fact.

Carole Hawkes, applicant, present.

Mr. Robbins noted the tub had been installed by the previous owners.

Velma Gregory, 5 Berlin Avenue, said the noise from the pump has not been a problem; however, the noise from the people in the tub has been disturbing. She did agree with some of the Commissioners that moving the tub in four feet from the side property line will not make much difference. Ms. Hawkes said they were unaware of the noise problem and will make an effort to keep it quiet. Ms. Gregory questioned whether future owners would be required to keep the noise level down.

M/S Peterson, Ollinger, to approve V-1008 for Carole and Jack Hawkes, 124 Saunders Avenue, A/P 6-043-20, a four foot sideyard variance and a 13 foot rearyard variance for an existing hot tub to remain within four feet of the side property line and seven feet of the rear property line; and a three foot sideyard variance for the hot tub equipment to remain within five feet

of the side property line, conditional upon subsequent complaints from adjacent property owners about the noise from the use of the tub and equipment; on the grounds that it is necessary for the enjoyment of substantial property rights; it will not be detrimental to the neighborhood; there are unusual circumstances in that the tub could not be relocated within the rear part of the property without necessary side or rear variances; and that the noise problem is from the occupants of the tub rather than from the equipment.

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

Applicant was advised of the ten day appeal period.

- A. U-571 - Norbert Hartman, 101 San Anselmo Avenue, A/P 7-301-20, use permit for a video game family center.

Norbert and Fran Hartman, applicants, present.

In response to Chief Del Santo's letter of opposition to the video center, Mr. Hartman explained the problems in Cotati indicating they were solved when he and his partner took over the operation. He feels the impact on the Police Department will simply be a transfer from several locations to one. They plan to issue privilege cards to the youngsters which will show their class schedules and free tokens will be given for good grades in school. The proposed hours of operation are 12:00 noon to 10:00 p.m. Sunday through Thursday, and 12:00 noon to 1:00 a.m. Friday and Saturday 365 days a year. There will be one to two security guards on the premises Friday and Saturday evenings and there will always be supervision by persons over the age of 25. There will be no minimum age limits to use the center.

Chief Del Santo said a similar operation a few years ago at Red Hill and San Anselmo Avenues (pinball machines) was closed down due to littering, alcohol and drug violations, malicious mischief and speeding vehicles. He also pointed out the close proximity to St. Anselm's School and the fact that several senior citizens live in this neighborhood. Chief Del Santo said the security guards only have authority inside the center.

Ms. Hartman said she contacted all the schools and the principals and their proposal had nothing but enthusiastic responses.

Mark Christo, 94 Sir Francis Drake Boulevard, said he opposes the center as it will result in litter and noise.

Ed Cunningham, 21 Lincoln Avenue, a representative of St. Anselm's School, said the center will have a negative impact on school programs, traffic will be increased and pose a threat to the children, it will be an attractive nuisance for those children who tend to loiter after school, and parking will be a problem. He noted the St. Anselm's principal has been out of town and, therefore, had not been contacted.

Terry Craven, 170 Prospect Avenue, said her house sits up high and the noise will be increased by the center. She is also concerned about the type of people it will attract.

Patricia Burton, 43 Alta Vista Avenue, said the hours of operation are not conducive for family use of the center as fathers are not home during the day to go with the children and it draws the children out of the home.

The Commissioners agreed that due to the Police Chief's opposition and the proximity to the school that this center should not be permitted.

M/S Peterson, Gaidano, to deny U-571 for Norbert Hartman, 101 San Anselmo Avenue, A/P 7-301-20, use permit for a video game family center, on the grounds that the use will be detrimental to the health and safety of persons residing and working in the neighborhood; it will be detrimental and injurious to property and improvements in Town.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

The Commissioners advised the audience that the denial of this application is not to prejudge any future applications that may have some different alternatives in mind.

Betsy Juracy, 145 Barber Avenue, stated the children are allowed to use the machines in Ted's Bar. Chief Del Santo said that would cease immediately.

4. DISCUSSION

Scope of Work Review For Hillside Density Consultant

Commissioner Hayes distributed a suggested procedure to follow - 1. list all options; 2. screen options and keep those which represent a range of viable alternatives; 3. order remaining options in terms of cost; and 4. list advantages and disadvantages of each option.

Mr. Robbins said he had contacted two consultants who have either proposed or prepared EIR's for Town projects in the past, regarding the cost of preparing the hillside density review; rough estimates were 1) between \$25,000 and \$30,000, and 2) at \$27,500.

Commissioner Harle suggested the General Plan be amended and then a density ordinance written to follow it, rather than the other way around, to which Commissioner Signorelli agreed.

Commissioner Signorelli suggested a consultant not be hired to rewrite the General Plan, but rather use people in the community who are familiar with the Town.

Commissioner Peterson said his primary concern is to have maximum public input and with the proposed RFP he sees staff alone working with the consultant until Phase 5, which is inadequate public participation. Listing options - 1. Report from Open Space Committee in way of funding; 2. response from HCD to our Housing Element - we have to decide if we want to stay in a legally defensive position or not; 3. the proposed density ordinance numbers need review - there are difficulties with that ordinance, but it would be a slap in the face to declare it dead; 4. it is critical to have a citizens committee; and 5. he supports the idea of the use of a consultant for gathering technical information and working with staff to do that, but has problems with the consultant and staff making recommendations for precise zoning and ranges, i.e., there was not sufficient public input during the Housing Element discussions. Commissioner Peterson said the first step is to identify all those areas of the General Plan that are deficient and that will tell us what has to be done.

Commissioner Ollinger distributed his alternative approaches to constructing a hillside density ordinance: 1. Continue as is retaining the current PPD Ordinance and following the General Plan either in its current language or as it may be updated; 2. limited revision - establish a small working group (one staff member to be a non-voting participant, 2 Planning Commissioners, 1 Town Council member, and 2 citizens at large) to participate in an intensive two-day workshop to revise the current proposed density ordinance focusing on identifying the principal differences and difficulties with the ordinance and attempt to resolve them; 3. limited assistance - similar to 2 above except that technical input would be sought to determine densities on specific sites. Professional assistance would be solicited on a time and material basis;

4. specific assistance - similar to 3 above except that all parcels determined difficult to set densities for shall have a technical analysis; 5. full assistance - a full technical analysis would be required for all parcels - noting that in Options 2 through 5, the group would have the responsibility to prepare a proposed ordinance (see file).

Commissioners McPeak and Signorelli thought Commissioner Ollinger's presentation excellent.

Commissioner Hayes had a similar suggested approach - 1. status quo - leave as is until the General Plan is revised; 2. rely on the use of a working group (2 Town Council members, 2 Planning Commissioners, 2 citizens at large, and 1 staff member being a non-voting participant) to serve as information gatherers with a consultant as a low level use only on need; 3. moderate use of a consultant; and 4. heavy reliance on a consultant (pretty much as staff had recommended).

Commissioner Hayes charted the discussion on the board as follows:

OPTIONS

<u>Description</u>	<u>PD Process</u>	<u>Working Group</u>
1. <u>Revise General Plan</u> first; return to hillside density issue later.	1. Do we keep it?	1. Composition.
2. <u>Continue as is.</u> Keep PPD; rely on existing modified General Plan.	2. What are the alternatives?	2. Charter (zoning and/or General Plan revision).
3. <u>Limited revision;</u> working group; no consultant.		<u>Issues</u>
4. <u>Limited assistance;</u> working group; consultant on a time and material basis.		1. How should General Plan be revised? (with or separately from zoning)
5. <u>Specific assistance;</u> working group; use of consultant on specific larger parcels.		2. Should we zone specifically on all parcels or preserve generality with PD?
6. <u>Full assistance;</u> heavy reliance on consultants; working group.		<u>Design Group (from Planning Commission)</u>
7. <u>Revise General Plan;</u> keep PPD; look at large parcels separately - assign presumptive densities for them.		<u>Charge</u>
		1. Lay out process overview.
		2. Identify major questions.

	<u>Parcel Size</u>	<u>No. Parcels</u>
Of the 46 existing undeveloped parcels exceeding one acre, the breakdown of the larger parcels is:	≥ 5 acres	16
	≥ 7 acres	11
	≥ 10 acres	5

Commissioner Signorelli suggested eliminating PD and just specify design review.

Commissioner Harle said that during the density ordinance discussions, there was elaborate analysis of how to define adequate access, and how to divide areas for density differences. All of us know we are really talking about large parcels, where in each case there are fairly equal transportation problems and problems with the terrain which can be dealt with individually. This could be

done by ourselves with principals much more general than put in the density ordinance. He recommended revising the General Plan, keeping PD, and take up these larger parcels and establish the proposed density with public input. The smaller lots will then fall into place.

Commissioner Ollinger said each element of the General Plan will have to have its own committee and somehow all be tied together, keeping in mind that all the elements will be difficult to deal with.

Commissioner Peterson said if we get a small group representing the various groups in Town, he would like to see them at least tackle the General Plan and see where the revisions should be made.

Jonathon Braun, Scenic Avenue, said the approach he would take to the problem would be before deciding how to accomplish it ask what we want to do and what our goals are. That is, scrap everything and go back to ground zero and ask some important questions pointed out by the recommendations that have been made - pick questions and go from there, i.e., a question might be do we want a flexible PD or arbitrary density on the parcels; another regarding revisions to the General Plan and how that would be accomplished. We could develop a whole list to be the basis of our discussions.

Ed Bergeson, 120 Crescent Road, suggested a task force be selected carefully and given a deadline. Perhaps at the same time, this group or another could be reviewing the General Plan.

Commissioner Ollinger suggested perhaps a design task force is needed to look at the steps needed for revising the General Plan and looking at density.

M/S Peterson, McPeak, that a working group be appointed consisting of one staff member (being a non-voting participant), two Planning Commissioners, one Town Councilmember and two citizens-at-large to examine the outstanding issues of how to go about preparing a zoning ordinance, revising the General Plan, and what charges should be given the group to accomplishing those goals.

Commissioner Ollinger said the direction should be made by a subcommittee - could have one staff member, two to three Planning Commissioners, and two citizens-at-large to prepare a design group. They could either appoint someone or be a liaison themselves to the Council to pass on their recommendation.

Commissioner Peterson withdrew his motion.

M/S Peterson, McPeak, to appoint a task force to make specific recommendations to the Town Council regarding what revisions should be made to the General Plan; objectives feasible for preparation of a zoning ordinance; and that the task force be composed of two Planning Commissioners, two citizens-at-large, one liaison to the Town Council, and one staff member (to be a non-voting participant); with the charge to the task force to propose process overview for development of a zoning ordinance and revision to the General Plan and identify major land use options and issues as shown on the board this evening.

Motion passed unanimously.

M/S Peterson, Signorelli, to appoint to this task force Commissioners Commissioners Hayes and McPeak, Carl Baumsteiger, Commissioner Ollinger (Council liaison), and George Davison - all to be voting members.

Motion passed unanimously.

It was announced that the task force will report to the Commission on May 10.

5. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 11:36 p.m. to the next regular meeting on May 3, 1982.

Lisa Burclin

LISA BURGLIN
PLANNING ASSISTANT