

The regular meeting of the San Anselmo Planning Commission was called to order by Vice Chairman Robert McPeak at 8:00 p.m. on October 17, 1983 in the Council Chamber.  
L. Wight of staff present.

1. ROLL CALL

Commissioners Present: Harle, Signorelli, Sousa, McPeak

Commissioners Absent: Bergeson, Sharp, Hayes

2. APPROVAL OF MINUTES - October 3, 1983. Held over until next meeting.

3. DISCUSSION

Presentation of the Draft Marin Countywide Trails Plan

Fran Brigmann of the Marin County Open Space District presented a Trails Map. She said she needed a resolution of support from the Town.

Jonathan Braun urged the adoption of the plan; he reminded the Commission that the Pfendt property and the Fraser property both would be affected by this plan since they each contain major trails through the property.

M/S Harle, Signorelli to recommend to the Council adoption of the portion of the draft plan in principle as presented on Page 5B and pertinent sections in B-4, plan dated May 1983 by Brian Wittenkeller, actual course of suggested trails be subject to more detailed consideration in subsequent planning action.

D. SS-254 Henry H. Wilkins

The Chairman announced SS-254 Henry H. Wilkins would be continued until the next meeting.

A. S-95 Doug Elliott and Sim Van Der Ryn

There was no one in the audience to comment on the application.

M/S Signorelli, Sousa to recommend approval to the Town Council of S-95, application of Doug Elliott and Sim Van Der Ryn, 76 Ross Avenue, A/P 7-281-10, subdivision of 13 Townhouses, as shown on tentative map dated October 1983 and received by the Town on October 12, 1983 on the basis that it is in conformance with the General Plan. Passed unanimously. Staff announced this item will be heard by the Council on October 25.

B. Doug Bullis - The Winery - 554 San Anselmo Avenue

Staff announced this was the scheduled review of the use and an application for an amendment to allow lightly amplified music.

J. R. Hastings, Attorney for Doug Bullis presented the application.

Doug Rosenberg, Tim Ezekial and Tom Bertotti of Caffe Nuvo spoke against the amplified music stating the sound came through the walls, is audible on the street, and the flamenco dancers created so much noise it was impossible to work in an upstairs office. They also wished the record to show all of these uses continued after the application for said use was denied by the Town Council.

M/S Harle, Signorelli, that the Use Permit for live music be extended for 90 days, and permission be added for light amplification to be reviewed again at that time to see if there is a problem or have been complaints. The Commission found that the use will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or be detrimental or injurious to property and improvements in the neighborhood and the general welfare of the Town, and that the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner. Passed unanimously. Applicant was notified of the 10-day appeal period for the lightly amplified music.

C. U-589 Robert and Marianne Gabelman, Bubba's Diner

M/S Harle, Sousa to approve U-589, application of Robert and Marianne Gabelman, for use permit for the on-sale of beer and wine, the Commission finding that the use will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood, or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the Town, and that the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner. Passed unanimously. Applicant notified of the 10-day appeal period. P/C 10-17-83

E. V-1082 Dr. and Mrs. Peter Chase

There was no one in the audience to comment on the application.

M/S Harle, Signorelli to approve V-1082, application of Dr. and Mrs. Peter Chase, 231 San Francisco Boulevard, A/P 5-204-05 & 06, for a 4'5" west sideyard variance to construct a new roof addition, to within 3'7" of the sideyard and a 2'6" west sideyard variance to construct a deck and stairs within 3.5 feet of the sideyard and a 8' frontyard variance to construct stairs within 6 feet of the front property line on the basis that granting of the variance is necessary for the preservation and enjoyment of substantial property rights; will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property involved and why it will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood, due to the placement of the existing house. Passed unanimously. Applicant notified of the 10-day appeal period. P/C 10-17-83.

F. V-1083 Mr. and Mrs. Albert W. Riebeling

There was no one else in the audience to comment on the application.

M/S Harle, Sousa to approve V-1083, application of Mr. and Mrs. Albert W. Riebeling 106 The Alameda, A/P 5-102-58, for a 5 foot rearward variance to construct a dwelling within 15 feet of the rear property line; granting of the variance is necessary for the preservation and enjoyment of substantial property rights; will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property involved and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood and is necessitated by the topography of the land which makes real construction difficult if construction is within the setbacks. Passed unanimously. Applicant informed of the 10-day appeal period. P/C 10-17-83

G. SS-255 Irene C. Paolino

Peter Paolino explained his mother's application to the Commission. There was no one else in the audience to comment on the application.

M/S to accept the Negative Declaration dated 10-07-83, for SS-255, for a two-lot subdivision of A/P6-072-31, for Mrs. Irene C. Paolino at 123 Calumet Avenue. Passed unanimously.

M/S Signorelli, Harle, to approve SS-255, tentative map of subdivision of A/P 6-072-31, for a two-lot parcel split for Irene Paolino, 123 Calumet Avenue on the basis that it is in conformance with the General Plan.

M/S Signorelli, Harle, to approve V-1083, application of Irene C. Paolino, 123 Calumet Avenue, A/P 6-072-31, for a variance for access to the building site via an easement off Caletta Avenue which will be as shown on tentative map submitted 9/28/83; granting of the variance conditional upon adequate parking space being provided on the southerly side of the existing driveway to the adjacent residence; for a variance of 17 feet to have the parking within 3 feet of the property line. Variance necessitated by the topography of the parcel and the existing structure on the front parcel; granting of the variance is necessary for the preservation and enjoyment of substantial property rights; will not materially affect adversely the health or safety of persons

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residing or working in the neighborhood of the property involved and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood. Passed unanimously. Applicant notified of ten-day appeal period. P/C 10-17-83

MATTERS FOR CONSIDERATION OF THE COMMISSION

Commissioner McPeak stated the letter which the Commission had planned to send to ABAG disagreeing with the numbers in their Housing Needs Report would now be futile since ABAG reported that there had been two public meetings at which time the Commission could have objected to any portion of the report. He said there may be an opportunity in the future when the housing element is done to adjust the figures. No action was taken at this time.

At 9:40 p.m. the meeting adjourned to the special meeting of October 24, 1983.

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