

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman Stan Hayes on June 20, 1983 at 8:00 p.m. in the Council Chamber. L. Wight of staff present.

1. ROLL CALL

Commissioners Present: Bergeson, Harle, Sharp, Signorelli, Hayes

Commissioners Absent: McPeak, Sousa

2. APPROVAL OF MINUTES:

The minutes of June 6, 1983 should be amended as follows:

Item G. Z-176 should read...."because the Use Permit had expired."

The last motion on Page 3 should read: M/S Sousa, Bergeson, to approve C-195.....

M/S Signorelli, Bergeson to approve minutes as amended. Passed by 4 Aye votes: Commissioner Hayes abstained.

3. PUBLIC HEARINGS

A. NU-28 Billie Cotie

Denise Heaney, 103 Carlson present to represent Billie Coties. She stated Ms. Cotie rents, in addition to the railroad car, one room in the main dwelling. There was no one else in the audience to comment on the application.

M/S Bergeson, Signorelli to approve NU-28, application of Billie Cotie, 103 Carlson, A/P 5-062-73, for a use permit for a second unit and to rent a room in the main dwelling on the basis 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 the granting of this application is necessary for the preservation and enjoyment of substantial property rights of the petitioner. Passed unanimously.

Applicant was notified of the ten-day appeal period.

B. U-587 Elizabeth J. Heaphy 649 San Anselmo Avenue

Mrs. Heaphy said 12 children would be the maximum number she would have; and that she was aware of the State Regulations and would comply with all of them.

Mr. Milton Barnes, 841 San Anselmo Avenue spoke against the use permit.

Mr. Howard Mollenkopf, 220 Laurel Avenue spoke on possible problems.

Mr. Scott Yates, 837 San Anselmo Avenue spoke on the application.

M/S Harle, Sharp, to approve U-587 application of Elizabeth Heaphy, 849 San Anselmo Avenue, A/P 7-162-07, for a use permit for a day care center for pre-school children, condition upon a review of the impact of the Center upon the activities of the neighborhood at a time six months from issuance of the license for operation, on the basis that the use is expected to have a minimum impact on the activities of the neighborhood and that it serves a community need and allows for enjoyment of substantial property rights. Passed unanimously.

The applicant was informed of the ten-day appeal period.

C. Z-176 Jeff Kroot A/P 7-182-09 & 10

Staff reported this is an application to rezone from PPD R-1 to R-1 with a Use Permit requirement.

Jeff Kroot said he would like to build a house and plans to place it in the most stable soils area. The Consultant had recommended a site which would not disturb the contours and stated he would take care of the drainage.

Gary Oswald, 25 Idalia Court, property owner below, said he was concerned with impacts on his property and would like a landscaping requirement and possible a fence requirement as conditions of granting. He would also like an opportunity to review the drainage plan.

M/S Signorelli, Sharp to accept the mitigated negative declaration as submitted. Passed unanimously. P/C 6-20-83

M/S Harle, Signorelli to recommend to the Town Council approval of rezoning application of Jeff Kroot, A/P 7-182-09 & 10, across from 600 Redwood Road, from PPD R-1 to R-1 with use permit requirement, for two single family dwellings on two separate parcels on the grounds that it generally conforms to the General Plan. Passed unanimously. P/C 6-20-83

Staff announced the rezoning would be heard by the Council on June 28, 1983.

M/S Bergeson, Sharp to approve a use permit and Design Review on A/P 7-182-10 (Parcel 2) across from 600 Redwood Road for Jeff Kroot in accordance with the drawings prepared by Jeff Kroot dated May, 1983 on the basis 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 the granting of the Use permit is necessary for the preservation and enjoyment of substantial property rights of the petitioner. Passed unanimously. P/C 6-20-83

Applicant was notified of the ten-day appeal period.

V-1060 - Walter and Vickie Presniakov 20 Agatha Court

Mr. and Mrs. Presniakov were present with their pool contractor, jim Banis, 1789 Sarah Drive, Oakland.

Representing Mr. and Mrs. D. J. Fraser of 14 Agatha Court, was their Attorney James Hastings. He stated his clients object to a varaince for an 8 foot sideyard setback citing change of environment through tree removal, drainage problem alongside the buildings, and an encroachment of their privacy.

Mr. Presniakov stated he would be installing a drainage pipe to carry surface water to the street, and he would replace the fence between the properties.

M/S Sharp, Bergeson, to approve V-1060 application of Walter and Vickie Presniakov, 20 Agatha Court, A/P 6-043-17 for a 20 foot rearyard variance and an eight foot east sideyard variance for pool equipment to be within zero feet of the rear and east side property lines; and five foot rearyard and west sideyard variances to construct a swimming pool within three feet of the rear and west side property lines, conditioned upon the applicant's replacing and assuming all labor costs of any sideyard fences that are destroyed as a result of the installation of the pool; that screening for privacy be provided at the west end of the pool and that some provision be made to baffle the sound coming from the pool equipment. Granting of the variance is necessary for the preservation and enjoyment of substantial property rights, and special circumstances are the configuration of the yard and proposed swimming pool. Variance based on the drawings received by the Town of June 16, 1983.

Z-165 - Hartnut Fischer Summit Road

SS-251 - Hartnut Fischer

Ralph Sharp, builder, present for applicant. He stated he was concerned over the roads and had spoken to suppliers who had agreed to use smaller loads and make more trips in an effort to ease the load on the streets.

Jonathan Braun, Scenic Avenue, said there was not a sufficient amount of information to act on the application.

M/S Bergeson, Sharp, Z-165 be continued until the next regular Planning Commission meeting on July 18, at which time the applicant should include:

1. Site plan for the actual location of the proposed unit;
2. Any late soils engineering that is acquired subsequent to the E.I.R.
3. Any proposed drainage system that has been engineered--it need not be the final drawing;
4. A photograph of the site from the hub area.

Passed unanimously.

P/c 6-20-83

Z-222 Edward and Catherine Cunningham 279 Greenfield

Applicant Edward Cunningham made a brief statement regarding his request.

No one else in the audience wished to speak on the application.

M/S Signorelli, Harle, to accept the negative declaration. Passed unanimously.

P/C 6-20-83

M/S Harle, Sharp, to recommend approval to the Town Council of application Z-222, Edward and Catherine Cunningham, 279 Greenfield Avenue, to rezone A/P 6-211-02 from R-1 to R-2 on the basis it would be in accordance with the General Plan. Passed unanimously.

P/C 6-20-83

Staff announced the Council would hear the rezoning on June 28, 1983.

Z-223 A. W. and Bess Gildroy

Bess Gildroy was present.

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

M/S Signorelli, Bergeson, the Negative Declaration be accepted.

Passed unanimously.

P/C 6-20/83

M/S Bergeson, Signorelli to recommend to the Town Council, the approval of Z-223, application of A. W. and Bess Gildroy, 176 Tunstead Avenue, A/P 7-213-45, on the basis that it is consistent with the General Plan and the particular neighborhood. Passed unanimously.

P/C 6-20-83

Staff announced the Council would hear the rezoning on June 28, 1983.

H. SR-335 - Bank of America 401 San Anselmo Avenue

Staff recommended approval of this variance to allow a third sign 3.1 square feet for the Versateller.

M/S Harle, Bergeson, to approve a sign variance at 335 San Anselmo Avenue for Bank of America to allow a third sign of 3.1 square feet in accordance with the drawing dated May 10, 1983.

Passed unanimously.

P/C 6-20-83

At 12:05 a.m. the meeting adjourned to the Special Meeting of June 27, 1983.

TheIma Foster