

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman Stan Hayes at 8:00 p.m. in the Council Chamber on November 7, 1983. L. Wight of staff present.

1. ROLL CALL

Commissioners Present: Bergeson, Harles, McPeak, Sharp, Signorelli, Sousa, Hayes.

Commissioners Absent: None

2. APPROVAL OF MINUTES: M/S Sousa, McPeak, the minutes of October 17, 1983 be approved. Passed four Aye votes; abstain: Bergeson, Sharp, Hayes.

3. PUBLIC HEARINGS

A. V-1086 - Edward L. Cunningham 279 Greenfield Avenue

Mr. and Mrs. Cunningham were present. There was no one in the audience to object to the application.

M/S McPeak, Harle, to approve V-1086, application of Edward L. Cunningham, 279 Greenfield Avenue, A/P 6-211-02, for a eight foot frontyard variance and a one-foot east sideyard variance to raise the dwelling and construct another living unit underneath within 12 feet of the front property line and seven feet of the east side property line; granting of the varinace 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; granting of the variance is based on the location of the existing dwelling on the land. Passed unanimously. The applicant was notified of the 10-day appeal period. P/C 11-07-83

B. U-590 - Bay Coin Operated Laundries 42 Red Hill Avenue

Applicant, Thomas A. Brandon, present.

M/S Harle, McPeak to approve U-590, application of Bay Coin Operated Laundries, 42 Red Hill Avenue, A/P 6-201-02, for a use permit for a coin laundry, having found the use will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood; will not be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the Town, and 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 11-07-83

C. Z-225 Mr. and Mrs. Peter Fraser and Mr. and Mrs. Jack Horn

Mr. Bill Schenk of Stuber-Stroeh was present with Peter Fraser. Mr. Schenk said the design of the project had been changed. Before there were two phases and now all of the density is shown in Phase 1 consisting of 26 units. Previous plan showed no uphill units. There is about 100 feet between dwellings. Units 1-10 are shown as attached. Mr. Schenk said geological studies dictated where the road should be. The present position of the road avoids the major slide hazard area. There are 25.6 acres with 26 units.

Commissioner Harle pointed out the applicant was instructed to bring back a plan for not more than 12 units, and he questioned whether or not the Commission should consider a plan consisting of 26 units.

Commissioner McPeak said he felt the impact on the existing street should be considered; the Commission should address access.

The Commission agreed they did not understand why a plan was being submitted for 26 units when the applicant had been instructed to bring back a plan for not more than 12 units.

Peter Fraser said he felt very frustrated because he did not feel he had adequate instruction from staff. He also stated the zoning for the property is PPD/R-1/B-20 which would allow 53 units for the parcel, and considering the conservation zone, 26. He said he had felt he complied with the requests of the last meeting by providing additional soils studies, redesign of road, preliminary financial analysis, all of which came up with the number of 26 units as appropriate. He said his first submittal included larger lots with larger homes, but today's market dictated smaller lots with smaller homes. He felt the area would not support \$300,000 plus homes. He said the off-site improvements would be the same for 4, 6, 12 or 26 units. He asked for a forum to discuss the density, off-site improvements, and other requirements that would be able to satisfy everyone's needs.

Commissioner Harle stated Oak Avenue and Redwood Road were built as private roads with no plan for access further up the hill. They are now an accomplished fact. Further development would place an economic burden on the existing properties. If these units are allowed, then the Town will be obliged to give others the same access.

Public Works Director George Davison said the worst part of Redwood Road is between San Anselmo Avenue and Floribel, and there is really nothing that can be done. The project must, of necessity, use the Oak/Gerlack access as much as possible. Other Commission remarks were 26 units would require a lot more mitigation than 12 units. One project cannot support the mitigations necessary; mitigations suggested in the EIR are specific except for the turnouts; the Town will require maintenance of Redwood Road, capacity is the problem. The Town must define the soft language in the mitigations; the Town should give information as to where turnouts could be constructed and where the street could be widened.

Mr. Fraser said he had repeatedly asked for staff analysis of Redwood Road and specific requirements. He asked staff to review all past pertinent information and mitigation measures and come up with a recommendation of at least getting some idea of what is going to be required by the Town.

Some of the Commissioners expressed the idea that although they knew staff was overworked, the applicant had a right to expect some guidance from staff.

Mr. Davison said he had met with Mr. Fraser, and said while 12 - 16 units might be acceptable, Redwood Road could never accept 23 additional units. The 3 proposed for Oak Avenue were acceptable.

One of the Commission asked if all of the mitigations were not required, if 12 units would be more acceptable.

Mr. Schenk said Mr. Fraser would engage a consultant, but would still need participation of staff to know if acceptable, and there was a need to interact with staff about specifics.

Commissioner McPeak moved to refer the application back to the applicant to reduce the total number of units; revise quantities given in Figure 8, Page 58 to reflect impact of 12, 16, 20 and 24 units coming off Redwood Road; the applicant to prepare a proposal for implementation of mitigations related to improvements on Redwood Road; staff is to review with applicant to insure an adequate scope. Motion died for lack of second.

Comments from the audience were received at this time.

Gail Gilboy, a resident of Kentfield, who is becoming a San Anselmo resident soon, asked if a survey of the street could be prepared.

Karin Johnson, 296 Redwood Road presented a petition contained 100 signatures of residents who were against the development.

John Saftner, 9 White Way, described his experience with circulating the petition. He said he thinks Redwood Road should only take one-half of the units; the others should be reached from Oak Avenue or private driveways.

Gay Kagey, 280 Redwood Road, said the soils report should be made available to the public. She mentioned regarding economic viability, the estimated value of Mr. Pfendt's lots in Indian Rock and stated she felt economic viability could be reached with less than 26 units.

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Jonathan Braun, 470 Scenic Avenue read from Pages 18 & 19 of the EIR. He said there were 21 additional undeveloped lots in the area which must be considered when considering this application.

Mr. Schenk suggested that Mr. Fraser withdraw his application and address studies to include Redwood Road mitigation, soils, hydrology-geology and traffic.

Mr. Fraser requested a continuance and asked for clarification of the General Plan from the Town Attorney..

M/S Signorelli, McPeak to grant request of Peter Fraser for Z-225 to be continued for an additional thirty days for resubmittal. Passed unanimously. P/C 11-07-83.

D. Proposed Amendment to Second Unit Ordinance for Additional Exceptions to the Requirement for an Owner to Live on the Parcel.

Mr. Davison explained presently there are no provisions for variance from the living requirement; there is no flexibility in the ordinance. The Commission concurred; and

M/S Sharp, McPeak to recommend approval of the proposed amendment to the second unit ordinance for additional exceptions to the requirement for an owner to live on the parcel, attendant to staff memo of 10-24-83. Passed unanimously. Staff announced the Council will hold the public hearing on November 22, 1983.

Commissioner McPeak passed out additional density ordinance information.

At 11:05 p.m. the meeting adjourned to the special meeting of November 14, 1983.

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