

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman Ed Bergeson at 8:00 p.m. on August 6, 1984 in the Council Chamber. L. Wight of Staff Present.

1. ROLL CALL

Commissioners Present: Hayes, Kroot, Sharp, Signorelli, Sousa, Bergeson

Commissioners Absent: Harle

2. APPROVAL OF MINUTES - July 2 and July 16

Because the minutes had not been distributed, approval was continued to the meeting of August 20.

3. PUBLIC HEARINGS

A. V-2015 Rae Johnstone

Staff reported Mrs. Johnstone had hired a designer; the building had now been moved 8 feet back from the property line, and the building was reduced in size to 24 x 26.

Ms. Johnstone presented pictures of the proposed building.

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

The Commissioners all felt the applicant had made needed concessions, and this presentation was a big improvement over the first.

M/S Hayes, Sharp to approve V-2015, application of Rae Johnstone, 125 Redwood Road, A/P 7-083-03, for a 12 foot frontyard variance and a 3 foot south sideyard variance to construct a storage unit within 8 feet of the front property line and 5 feet of the south side property line; and a 20 foot frontyard variance and a 5 foot north sideyard variance to construct a parking deck and approach within 0 feet of the front property line and 3 feet of the north side property line; granting of the variance is necessitated by the steepness of the property, the placement of existing structures on the lot; the fact that there is no other visible alternative for construction of such structure; 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. Passed unanimously. Applicant notified of the 10-day appeal period. P/C 8-06-84

B. A-138 Paul Michols and Melanie Fungler

Staff reported there are a total of 5 units, lot is zoned R-3, 6 parking spaces are required, they are providing 6 parking spaces. It was necessary to approve the Negative Declaration and Design Review of the project.

Dan Goltz, architect was present with applicants.

Commissioner Sharp said he was not sure that the additional traffic would not cause significant impact.

M/S Signorelli, Sousa to recommend approval of the Negative Declaration for the initial EIR dated July 27, 1984. Passed with 5 Aye votes; Commissioner Kroot abstained.

Dan Goltz presented the landscape plan and color scheme for the project.

There was no one in the audience to comment.

M/S Signorelli, Sousa to approve A-138, application of Paul Nichols and Melanie Fungler, 841 San Anselmo Avenue, A/P 7-162-08 design review of five apartment units in an R-3 zone, on the basis that it is in compliance with the General Plan and it is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area; provides for protection against noise, odors and other factors which may make the environment less desirable; will not tend to cause the surrounding area to depreciate

materially in appearance or value or otherwise discourage occupancy, investment, or orderly development in such area; will not create unnecessary traffic hazards due to congestion, distraction of motorists or other factors and provides for satisfactory access by emergency vehicles and personnel and will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area. Approval based on plan dated July 25, 1984, including irrigation plan and landscaping plan, colors as submitted 8-06-84. Passed with 5 Aye votes. Commissioner Kroot abstained. Applicants notified of the 10-day appeal period. P/C 8-06-84

C. V-2016 Herb and Ruth Becker

Irv Hille, architect, was present with Mr. and Mrs. Becker. He stated the applicants had considered placing the dwelling further back on the lot; however, they could not fit the house they wanted between the Oaks (house is approximately 3,000 s.f.) and the result would be 5 and 1/2 stories of stairs from the garage at street level to the dwelling unit. He stated there are already 5 or 6 houses in the area that are closer to the street than required by setbacks and many are three stories.

Staff had recommended a hilllevator; however, he had made inquiries and the prices start at \$30,000--this is prohibitive to the applicants.

Dee Barger, Real Estate Broker from Corte Madera, representing Mrs. Johnson of 5 Indian Rock Road, stated the current setbacks should not be deviated. Because of the steepness of the lot there should be no variance granted, she said. She urged the Planning Commission to deny the application on the basis of slope, drainage, and contiguous properties.

The Commissioners remarked on the following: A lower house would have less impact on the neighboring houses; concern over stair protection; cannot make the findings of necessity for preservation of substantial property rights; as presented, the building is massive right on the street.

Mr. Becker said he appreciated the Commissioner's concern, and he wanted to be friendly and was civic minded; he wanted to give both neighbors privacy and would be willing to take the application back and resubmit it.

M/S Sharp, Signorelli to refer the application back to the applicant and continue the public hearing until the meeting of September 17th. Passed unanimously. P/C 8-06-84

D. V-2017 Edward and Alyce Majesky

Staff reports this is a small addition which will produce no detriment to anyone in the neighborhood and recommends approval.

There was no one in the audience to comment.

M/S Hayes, Signorelli to approve V-2017, application of Edward and Alyce Majesky, 30 Rivera Street, A/P 5-223-16, for a 2'6" northwest sideyard variance to construct a bathroom addition within 5'6" of the northwest side 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 small size of the lot and the proposed addition is relatively small, resulting in a relatively small impact and is aligned with the side line of the existing residence. Approval as per drawings submitted to the Town on July 5, 1984. Passed unanimously. Applicant notified of the ten-day appeal period. P/C 8-06-84

E. V-2018 John Williams

Mr. Williams was present with his son.

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

M/S Sharp, Hayes, V-2018, application of John Williams, 301 Greenfield Avenue, A/P 6-211-03, for a four foot west sideyard variance to construct an addition to the living room within four feet of the west side property line be approved;

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variance necessitated by the tight configuration of the structure as it exists on the relatively small lot, proposed addition is small and results in a small impact and is aligned with the lines of the existing structure; 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. Approval as per drawings submitted to the Town 7-13-84. Passed unanimously. Applicant informed of the 10-day appeal period. P/C 8-06-84

F. U-595 Charles Nerviani

Mr. and Mrs. Nerviani said they have had trouble getting commercial tenants for this building; hence the request for residential use.

M/S Signorelli, Kroot to approve U-595, application of Charles Nerviani, 1201 San Anselmo Avenue, A/P 7-081-35, for a use permit to convert commercial use to a one-bedroom residential unit, constituting the third unit in the structure on the finding that it 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 ten day appeal period. P/C 8-06-84

G. C-201 West America Bank

Mr. Val Heiter, of West American Bank said they wished to enhance the entry to the bank and to provide shade for the automatic teller machine. Colors, he said, will match the existing building colors.

M/S Hayes, Signorelli to approve C-201 application of West America Bank, 834 Sir Francis Drake Boulevard, A/P 6-061-23, design review of proposed trellis at entrance to bank on the basis that it is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area; provides for protection against noise, odors and other factors which may make the environment less desirable; will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development in such area; will not create unnecessary traffic hazards due to congestion, distraction of motorists or other factors and provides for satisfactory access by emergency vehicles and personnel and will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area. Approval in accordance with plans received by the Town July 17, 1984.

Motion passed with 5 Aye votes. Commissioner Kroot abstained. Applicant notified of the 10-day appeal period. P/C 8-06-84

H. SS-248 Lucille Dandeleit

Ms. Dandeleit presented her request for a one-year extension.

M/S Sharp, Signorelli, to approve SS-248, application of Lucille Dandeleit, 126 and 134 Redwood Road, A/P Nos. 7-082-23 & 19, request for one year extension to file final map (lot line relocation tentative map approved July 19, 1982). Passed unanimously.

The applicant explained her need for a second unit to supplement her income and she said she found to build a second unit would be economically unfeasible and asked the Commission if they would consider raising rents at some time in the future.

I. V-2019 Les and Eloise Ferroggiaro

Henry Taylor, architect, was present with Mr. Ferroggiaro.

M/S Sharp, Sousa to approve V-2019, application of Les and Eloise Ferroggiaro, 9 Waverly Road, A/P 7-264-07, a 20 foot frontyard variance to construct a two-car garage within zero feet of the front property line on the grounds that the proposed addition is located on the only area possible due to slope and size; configuration of the land; 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. Passed unanimously. Applicants notified of the 10-day appeal period. P/C 8-06-84

4. MATTERS FOR DISCUSSION OF PLANNING COMMISSION

Site Feasibility Study.

M/S Hayes, Bergeson to designate Commissioner John Sharp to serve on the Site Feasibility subcommittee with Councilmember Ollinger to work with Planning Consultant, Jeffery C. Baird. Passed unanimously.

5. WORKSHOP - DOWNTOWN ZONING STUDY

It was suggested the Commission should study parcels that are candidates for changes, and perhaps all of the downtown area should be included.

The Commission requested copies of the map of the downtown with present zoning and use shown.

At 11:00 p.m. the meeting adjourned to the regular meeting of August 20, 1984.

THELMA FOSTER