

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman Edwin Bergeson at 8:00 p.m. on March 5, 1984 at 8:05 p.m. in the Council Chamber. Lisa Wight of staff present.

1. ROLL CALL

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

Commissioners Absent: None

The Chairman introduced and welcomed the newly appointed Planning Commissioner Jeff Kroot.

The Chairman announced Item B, V-1094 for Michael and Maureen Massoletti, 16 Ivy Lane had been continued until the April 2, 1984 meeting.

3. PUBLIC HEARINGS

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

It was announced that the traffic study was presented to the Commission only this night, and there had been little time to study it.

Mr. Fraser introduced Bill Schenck of Stuber-Stroeh, who presented the rest of the application. He said the new proposal was for 23 homes on Redwood Road and 3 with access from Oak Avenue. There are proposed 10 units that would be attached units; these are for the low/moderate income units. The others are detached. There is a proposal for 16.88 acres of open space, 8.8 acres of either residences or streets. He said the previous plan represents a 6% increase in drainage whereas, this one brings the percentage down to 1% or less. He said although there are drainage problems, these are not created by this project. Mr. Schenk stated several traffic studies have been done for this project. The latest report indicates the majority of the property owners will use the north/south direction of Redwood Road to downtown San Anselmo.

Several of the Commissioners expressed disappointment at getting the traffic report so late. They found it difficult to consider such a report on short notice.

John Saftner, White Way, made a speech in which he said it was difficult to contain his anger at this application and urged the Commission to deny the application. He further urged all members of the audience to ask that the application be denied at this meeting.

The following spoke against the application and most asked the Commission to deny the application at this meeting: Rosalind Watkin, Oak Avenue; Jonathan Braun, 479 Scenic Avenue; Marjorie Segal, 419 Redwood Road; Karen Johnson, 296 Redwood Road; Wade Childress, 32 Redwood Road; Paul Brand, 130 Allyn Avenue; Babette Hecht, 140 Redwood Road; Occupant, 36 Redwood Road; Lucille Dandeleit, 126 Redwood Road; Leon Ginsberg, 60 Redwood Road; Evelyne Crowley, 352 Redwood Road; Elizabeth DePrado, 248 Redwood Road; Gay Kagey, 280 Redwood Road.

Speaking in favor of the project were Francois X. Sorba, representing the property owner adjacent to the development; Gayle Gilboy, 113 Madrone Avenue.

Dan Adair, 45 Allyn Avenue spoke about drainage.

Eric Whitehausen, 3 White Way questioned the validity of the traffic report.

Robert Pinkham, 258 Redwood Road and John Paquitas, 360 Redwood Road spoke against the development.

Commissioner Sharp said he would never approve 26 units on the property. He said the traffic information, despite the fact that it was not received until this evening, had the entire credibility of the report destroyed by the statement in the report that it becomes obvious the difference in traffic impact between the proposed 26 unit development and a project of only 12 units is negligible. Commissioner Sharp felt there was no basis for that assumption. He was inclined to dismiss the report. He said the EIR did not address noise during construction and air pollution.

Commissioner Hayes said he felt the Commission and the applicant still remained so far apart there was little to be gained by discussion procedure.

Commissioner Harle said the application was unacceptable because of the magnitude of the project. The mitigations are on the top of the hill-- the problems are on the lower portion. He is concerned with the cumulative effects and of additional undeveloped parcels which could expect to use the same roads and drainage.

Commissioner Sousa agreed with the others.

Commissioner Kroot said he was convinced to vote against the application because of the traffic, especially the first several hundred yards of Redwood Road; he feels the project is inappropriate and insensitive to the area.

Commissioner Signorelli said he felt the project a bit too dense.

Commissioner Bergeson said he regretted having to deny the project, and wished the applicant would have felt a little more sensitive to the area.

Hadden Roth, Town Attorney had been called during a short break, and with his advise it was determined no action need be taken on the EIR since if the project were denied there would be no project for which an EIR would be required. He suggested in accordance with Section 65856 of the Government Code the Commission must give a reason for denial. If the applicant wished to appeal, the appeal must be received by the town Clerk within 5 days of denial.

M/S Hayes, Shartp to deny application of Peter Fraser et al, southwest of No. 360 Redwood Road and No. 107 Allyn Avenue, A/P Nos. 7-071-03, 7-101-02 and 7-154-04, proposed rezoning from PPD R-1 B20 (Preliminary Planned Development with a presumptive use of Single Family Residential) to SPD (Specific Planned Development) for a residential development, and review of the Environmental Impact Report prepared in 1982, on the grounds that the development in its proposed density would be detrimental to the public health (in particular with respect to the proposed project's adverse impact on traffic safety) would be injurious to property and improvements in the neighborhood.

Passed with six Aye votes. Commissioner Signorelli abstained, saying he would prefer this to come before the Commission in a modified form. P/C 3-05-84

C. U-587 - Elizabeth J. Heaphy, 849 San Anselmo Avenue.

Staff reported no complaints

Mrs. Heaphy said she had heard of no complaints and her day care center was doing fine and that she loved day care of small children.

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

M/S Hayes, Signorelli that U-587, Use Permit for Mrs. Elizabeth Heaphy for a day care center at 849 San Anselmo Avenue be continued as is now in effect. Passed unanimously. P/C 3-05-84

D. V-1097 - James Quinn

Staff reported they had recommended to the applicant that the garage be pulled back 4 feet, and said the house may have to be raised an additional 12 inches to clear the flood elevation, and other than that staff supported the application.

James Quinn, applicant, agreed to push the garage back for additional parking in front. He said the house will look identical to what it now appears.

Commissioner Signorelli pointed out that the UBC required a front entrance other than through the garage. This will be taken care of at the time of issuance of a building permit.

M/S Sharp, Signorelli, to approve application V-1097 for James Quinn, 52 Woodland Avenue, A/P 7-252-08, for the 4th parking space to be in tandem, and for an eight foot frontyard variance and a 6.5 foot north sideyard variance to raise the existing building 45 inches to accomodate a single car garage and second living unit within 12 feet of the front property line and 1.5 feet of the north side property line; and a 5.5 foot north sideyard variance and 20 foot frontyard variance for a parking space to be within 2.5 feet of the north side property line and zero feet of the front property line, and the size to be ten feet by 16 feet, on the condition that the proposed garage be moved back an additional four feet from 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 will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood, and is necessitated by the configuration of the property and placement of building thereon.
Passed unanimously. P/C 3-05-84

E. SR-344 The Pool Scene

Staff explained this application was necessary because of the logo on the sign and the size of the sign.

The applicant was not present.

Since there were questions the Commissioners wished to ask the applicant, it was M/S Sharp, Hayes, to continue the application until the next regular meeting.
Passed unanimously. P/C 3-05-84

F. Housing Element Revision - review of a Housing Report

Jeff Baird, Consultant, summarized the reasons why the Housing Element was being updated. He said there would be public hearings before the Planning Commission and Town Council.

Mr. Robert Barr of the Seminary was present to answer any questions regarding Seminary Housing.

The Commissioner commended Mr. Baird on his work so far. It was announced that there would also be a presentation to the Council on the 13th.

M/S Sharp, Hayes to continue the Housing Element Revision to the meeting of March 19th. Passed unanimously. P/C 3-05-84

G. Environmental Review of Proposed Hillside Density Ordinance and General Plan Amendments.

Commissioner Bergeson asked that Section 10-3.1211(b)(2) be corrected to read as follows:

Construction allowed within the ridge zone, under this ordinance, shall be kept to a low visual profile, the acceptance of which shall be determined in the Design Review process. Existing height limits set forth elsewhere in this Code shall not govern construction under this section.

Jonathan Braun mentioned the following parcels which he felt should have density reduced: A/Ps 7-101-01, 7-201-10, 6-061-24.

Gayle Gilboy asked that a 3+ acre parcel deleted from the ordinance, and special consideration be given at another time.

The Commission agreed they did not wish to start "Chipping away" at all remaining parcels.

George Davison said he believed Section 5 of the Table would be unenforceable. M/S Hayes, Harle to delete Section 5 of the Table. Passed unanimously.

There then ensued some discussion regarding the propriety of the Shaw Drive parcel being included and zoned for residential.

M/S Hayes, Sharp to delete parcel 6-061-24 from the table.
Passed six Aye votes. Commissioner Kroot abstained.

Next discussion centered on the Dal Bozo property (McCormack). The Planning Commission at one time had granted 4 units on this 16+ acres.

M/S Hayes, Sharp, parcel 7-142-01 be restored back to 4 for a sense of consistence of treatment. Motion failed by the following vote:

AYES: Hayes, Sharp

NOES: Harle, Signorelli, Sousa, Bergeson

ABSTAIN: Kroot

G. Environmental Review of Proposed Hillside Density Ordinance and General Plan Amendments.

M/S to accept the Negative Declaration for the proposed hillside density ordinance and general plan amendments on the basis the General Plan Amendments will result in lesser impact than those that would have been permissible under the adopted General Plan. Passed with 5 Aye votes; Commissioner Kroot abstained.

M/S Hayes, Sousa that we recommend approval to the Town Council the proposed General Plan Amendments as adopted January 30, 1984. Passed with five Aye votes. Commissioner Kroot abstained.

M/S Hayes, Sharp to recommend adoption to the Town Council, the Hillside Density Ordinance for all undeveloped and partially developed Hillside and Ridge Parcels on the grounds that it is consistent with the General Plan and General Plan changes as recommended March 5, 1984. Passed with five Aye votes. Commissioner Kroot abstained.

Staff announced the Public Hearing by the Town Council on March 13, 1984.

At 12:40 a.m. the meeting adjourned to the next regular meeting of March 19, 1984.

THELMA FOSTER

P/C March 5, 1984