

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman Edwin Bergeson at 8:00 p.m. on February 6, 1984 in the Council Chamber. Lisa Wight of staff present.

1. ROLL CALL:

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

Commissioners Absent: None

Seats Unfilled: One

2. APPROVAL OF MINUTES

January 16, 1984. M/S Hayes, Signorelli, minutes of January 16, 1984 be approved as written. Passed with five Aye votes. Commissioner Harle abstained.

January 17, 1984. Commissioner Signorelli stated Item 2, paragraph 4, did not have a subject. He stated the site should be added. M/S Signorelli, Hayes, minutes of January 17, 1984 be approved with the addition of said subject.

January 30, 1984. M/S Hayes, Signorelli minutes of January 30 be approved as written. Passed with four Aye votes. Commissioners Sharp and Sousa abstained.

3. PUBLIC HEARINGS

The Chair announced Items B, Mr. and Mrs. Peter Fraser, et al is continued to March 5, 1984. Item C, Michael and Maureen Massoletti, is continued to March 5, 1984.

A. Z-224 Dennis Allan Odgers

Mr. John Belz, architect, was present with Mr. Odgers. He presented an SPD plan for 3 units. He stated the creek would be rippedraped before any construction was started.

Robert Gibbs, 128 Sycamore Avenue stated he opposed the application because he thought the units would be turned into additional units once they were built; they were too close to the property line; there was too much traffic on Sycamore Avenue.

Also opposing the application on the same basis were Winfield Wagner, 126 Sycamore Avenue; Leo Parachini, 120 Sycamore Avenue; William DeBishop 91 Elm Avenue.

M/S Sharp, Sousa, to approve Z-224, Application of Dennis Allan Odgers, 122 Sycamore Avenue, A/P 6-083-16, rezoning from R-1 (Single Family Residential) to SPD (Specific Planned Development) for three living units, for the initial environmental review, the negative declaration as submitted by Town staff.

Commissioner Hayes stated before a Use Permit would be issued, he would like to know what is proposed for creek bank repairs. Passed unanimously.

M/S Signorelli, Hayes, Z-224, Dennis Allan Odgers, 122 Sycamore Avenue, A/P 6-083-16, to recommend approval to the Town Council based on the finding that the parcel is of sufficient size and otherwise suitable for planned development; can best be developed by a specific integrated plan, and that it will not be detrimental to the community, some of the findings made are based primarily on the narrowness of the lot and the necessary relationship to the structures which have to be located to provide access to the rear unit and access to the creek, and also the engineering factor that particular attention be given to the buttress on the right hand side of the property line as it goes into the creek. Zoning is in conformance with the general plan and based on a specific plan submitted to the Town of San Anselmo dated January 18, 1984.

Passed by Five Aye votes. Commissioner Harle voted No. He said he felt approving this application would imply approval of rezoning the neighborhood to multiple.

Staff announced the Public Hearing on the rezoning would be held by the Council on February 28, 1984.

D. V-1096 James Turrini NU-36

Staff explained the application for a Use Permit for a second unit also involved a variance application. This is the last second unit available in this neighborhood.

Mr. and Mrs. Jim Turrini present. Mr. Turini said he had lived on the property for 37 years. Now, he said he wished to construct a small dwelling on the rear of his property for his mother-in-law to live in.

Charles Brown, immediate property owner to the north said he was against the project for the following reasons: Elm Avenue has a parking problem. Everyone parks on the street in the daytime. He said there are many second units in the neighborhood, but all were built before the 1930s. He was concerned that a fire truck could not get in the rear to put out a fire.

Wm. DeBishop, 91 Elm Avenue said there was a tremendous parking problem on Elm Avenue; however, he said Mr. Turrini was providing adequate parking for his proposed unit.

Roy Olson, owner to the rear said he was in favor of the application.

M/S Sharp, Harle, approval of NU-36, application of James and Jeannette Turrini, 85 Elm Avenue, A/P 7-052-37, for a use permit for a second living unit in an R-1 zone, based on the finding that this use permit is consistent with the General Plan. The proposed unit falls within the maximum number of second residential units authorized by resolution of the Council, owner of record will maintain his principal residence on the property. Owner will enter into a rental agreement contract with the Town. Passed by five Aye votes: Commissioner Bergeson voted No because he said he would have trouble approving the necessary variances.

M/S Signorelli, Sousa, V-1096, application of James Turrini, 85 Elm Avenue, A/P 7-052-37, be approved for a 15 foot rearyard variance and two foot north and south sideyard variance to construct a second living unit within five feet of the rear property line and six feet of the north and south side property lines; and a 20 foot frontyard variance and a one foot south sideyard variance for a parking space to be within zero feet of the front property line and seven feet of the south 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. Approval based on plan submitted to the Town and dated January 11, 1984. Passed with Five Aye votes. Commissioner Bergeson voted No.

Applicant notified of the ten-day appeal period. P/C 2-06-84

E. C-196 Doug Elliott

Mr. Elliott presented a new elevation for the 13 units at 76 Ross Avenue which was enthusiastically received by the Planning Commission.

There was no one else in the audience.

M/S Hayes, Signorelli, to approve C-196, application for revision of design approval on the finding that it is functionally and aesthetically compatible with the existing improvements and natural elements in the surrounding area, provides for protection against noise, odors and other

- 3 -

factors which may make the environment less desirable; will not tend to cause the surrounding area to depreciate materially in appearance or value, will not create unnecessary traffic hazards, provides for satisfactory access by emergency vehicles, will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area. Passed unanimously. Applicant notified of the ten-day appeal period.

F. U-591. Mobil Oil

Mr. Tom Bardet and Mr. Joe Wright of Mobil Oil presented the application explaining the proposed alteration in service to accommodate self-service gasoline and a snack shop which would include the off-sale of beer and wine. Mr. Joe Paz, operator of the Mobil Station at 631 Sir Francis Drake Boulevard explained his need for the addition of the snack shop.

Speaking against the Use Permit for the off-sale of beer and wine were:

Joyce Pavlosky, San Rafael; Paul Brand, 130 Allyn Avenue; Sophia Spencer, Jordan Avenue; Dorothy Frauens, Oak Avenue; Dominic Dobson, Spring Grove Avenue; Joy Phoenix, San Rafael; Nancy and Edward Cecil; Sir Francis Drake Boulevard, San Anselmo; Michael Sparks, Marin County, Sophia Spencer for Michele Woolever; Bud Kreuzer, 169 Tunstead Avenue. Reasons given were: Impulse buying; alcohol and gas do not mix; implied approval that it is ok to drive and drink; traffic congestion; owner's property rights are well served with gasoline service station, hence no loss of substantial property rights; precedence setting; availability of alcohol; contrary to preventive strategy.

M/S Hayes, Harle to deny U-591, application of Mobil Oil Corporation, for a use permit for the off-sale of beer and wine in a service station on the grounds that (1) sales of alcoholic beverages and gasoline in the same location are incompatible; that it would be contrary to the public health and welfare of the community; (2) The increase in density of use due to the sale of wine and beer is above and beyond that of a snack shop and would have an adverse effect on traffic safety. Passed unanimously.

M/S Harle, Signorelli to approve the extending of hours to include 11:00 p.m. until 6:00 a.m. for the snack shop operation at the Mobil Station, 631 Sir Francis Drake Boulevard on the grounds that it will allow enjoyment of substantial property rights and under the circumstances shall 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. Passed unanimously.

Applicant notified of the 10-day appeal period. P/C 2-06-84

At 11:40 p.m. the meeting adjourned to the special meeting on February 27, 1984 which will be the public hearing on the draft hillside density ordinance and general plan amendments relating to hillside and ridge parcel densities.

Thelma Foster