

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman Ed Bergeson at 8:00 p.m. on December 3, 1984 in the Council Chamber. L. Wight of staff present.

1. ROLL CALL

Commissioners Present: Harle, Heubach, Kroot, Sousa, Bergeson

Commissioners Absent: Hayes, Sharp

2. APPROVAL OF MINUTES - October 15, 1984

M/S Harle, Heubach to approve the minutes of October 15, 1984 as written. Passed by the following vote:

Ayes: Harle, Heubach, Kroot

Abstain: Sousa, Bergeson

3. PUBLIC HEARINGS

A. V-2025 Carvel and Karen Johnson

At the applicant's request this item continued to December 17, 1984.

B. Z-231 - Richard Ryerson, Center Investments

James McDonald present representing Richard Ryerson.

Staff recommended acceptance of negative declaration

Mr. McDonald stated originally the applicants had planned to construct condominiums for professional use; however, the market was not favorable and after a long time the owner decided a residential use of the property would be more in keeping with the area. He said 8 spaces for parking would be required - applicant is proposing 13. The Police Chief has requested he not be required to make a decision about curb parking until after construction of the project. The applicant, while he intends to sell each unit as condominium units, will probably find it necessary to rent them for a while. The same colors are proposed as previously approved. There are very few changes. It is proposed to enlarge Unit F to provide a patio. There are a total of 6 units. Access will be from Center with a curb cut on each end of the building.

The Commission felt there would perhaps be less traffic for residential use than there would have been for commercial.

M/S Sousa, Kroot to recommend approval of the negative declaration for Z-231, Richard Ryerson, Center Investments, 510 Center Boulevard, A/P 7-015-08, for a proposed amendment to the Specific Planned Development previously approved for a professional office building to allow six residential condominium units. Passed unanimously.

M/S Sousa, Kroot to recommend approval of Z-231, Richard Ryerson, Center Investments, 510 Center Boulevard, A/P 7-015-08, application for an amendment to the Specific Planned Development previously approved for a professional office building, to allow six residential condominium units. Passed unanimously.

Staff announced this item would be heard by the Town Council December 11, 1984.

C. V-2033 - James Lee Schneider - 14 Oak Springs Drive

Staff reported this hot tub was constructed without a permit; the applicant having stated he did not know a permit was required. Staff stated they could find no hardship to justify this application.

Mr. Schneider said the hot tub was constructed by a contractor. He said it was placed in this location because they wanted to add a door to a bathroom, and so they would not have to tear up a deck. The equipment is out of sight on the side of the house, he stated. Mr. Schneider said that he doubted other than the neighbors right next door, that any of his other neighbors knew he had a hot tub. He said the neighbors right next door had no objections to the tub. He had asked them prior to installation.

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

M/S Heubach, Kroot to grant approval of V-2033, application of James Lee Schneider, 14 Oak Springs Drive, A/P 5-251-07, for a one-foot south sideyard variance and a 3.5 foot south sideyard variance for hot tub equipment and hot tub to be within seven feet and 4.5 feet of the south side property line, respectively; variance 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; further basis for granting variance is that it would have been impracticable to locate in any other location without substantial compromise of the use of the property as a whole. Passed unanimously. Applicant notified of the 10-day appeal period. P/C 12-03-84

C. V-2033 - James Lee Schneider
 5034 - Dean AND Hollis Williams

Staff outlined the variances that had been granted to Mr. and Mrs. Williams in 1983.

Mr. Williams says the former plan had proved too costly to construct, and so they had hired an architect who had suggested a second unit be added to the garage, including a second floor addition to the garage. He said he had shown the neighbors the design and had modified the new design to accommodate the desires of the neighbors. He said the rearyard neighbors had felt their view would be obscured, and so they had reduced the second unit from a 2 bedroom to a 1 bedroom unit.

Stanley and Catherine Freeman, 27 San Rafael Avenue stated they still have objections. The unit is too close to the rear line, too high; from their rear yard, they will face a huge wall within 2 feet 4 inches from their rear property line.

Mr. Williams said he was sorry they did not reach an agreement with the Freemans; he though he had. He said he had moved the upstairs back to more than 5 feet from the property line.

Mrs. Freeman said five feet was just too close for another family to be living to their rear property line.

The Planning Commissioners felt this was too much of a variance, especially the sideyard; there would be no way to make repairs without entering a neighboring property; the height and nearness is objectionable; it would be a real detriment which would destroy the privacy of the other yard; would create a super amount of impact on the neighbors and their privacy.

M/S Kroot, Heubach to continue the application of Dean and Hollis Williams, V--2034, of 44 Tamalpais Avenue to the meeting of January 21, ~~1984~~ 1985.
 Passed unanimously. P/C 12-03-84

E. V-2035 Mrs. E. N. Kettenhofen 56 Elm Avenue

Staff reported no problem with this application.

Jules Chourre', General Contractor presented the application. He said the proposed third story was space that is already there with the exception of a dormer which he proposed to add. He said he had taken plans to all neighboring properties and no one had objected.

M/S Harle, Sousa to approve V-2035, application of E. N. Kettenhofen, 56 Elm Avenue, A/P 7-053-07, a variance to construct a third story (convert attic area into living area) by raising the level of part of the roof on the basis that it offers no detriment to the public welfare, would not be

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injurious to property or improvements in said neighborhood; granting of the variance is necessary for the preservation and enjoyment of substantial property rights, granting of the variance based on the need for additional living space, the nature of the structure requires a treatment of this sort in order to intrude the least in adding additional space. Variance granted in accordance with plan received by Town November 18, 1984. Passed unanimously. Applicant notified of the 10-day appeal period.

P/C 12-03-84

F. AR-3 - Lehrer & Sons, Inc. Laurel Canyon

Staff reported the length of drive had been lengthened so that all are 20 or more feet.

Dave Coleman, designer, listed the trees proposed to be removed, mostly, he said to provide sufficient space for turn arounds. He stated a landscape specialist had been brought in.

Proposal is for low-key colors with no contrasting trim or other matter. The dwellings will blend into the environment. Construction is drilled piers with grade beams.

Tom Driscoll and Elaine Driscoll who own the lots on Fernwood across the canyon from lots 1 and 2 asked about the sewer easement location.

Joan Meisell asked about the location of the sewer easement and asked if she can be sure of a sanitary sewer easement if it is on the property.

It was pointed out that easements were a part of the improvement plan.

Ms. Meisell again asked why the developers were not required to correct the slide on their property at Gerlak Road. She suggested perhaps the Town could pay half and the developer could pay half.

Commissioners asked about night lighting, fences, locations.

M/S Sousa, Heubach to approve AR-3, Lehrer and Sons, Inc. Laurel Canyon between Redwood Road and Laurel Avenue, A/P 7-131-15, 7-142-01 and 7-128-03, application for architectural plan review of five single family dwellings in the R-1 H District, having made the findings that the plan conforms to the approved preliminary plan; provides adequate screening and the selection of architectural features enable the structures to blend with their environment; approval in accordance with plans dated November 15, 1984 and amended November 29, 1984. Passed with four Aye votes. Commissioner Kroot abstained.

G. Proposed Ordinance Amendment to Prohibit the Sale of Alcohol at Gasoline Service Stations and environmental review.

M/S Heubach, Sousa to accept the Negative Declaration prepared for the proposed ordinance amendment to prohibit the sale of alcohol at gasoline service stations. Passed unanimously.

Staff announced this item would be heard by the town Council on December 11, 1983.

M/S Heubach, Sousa to recommend to the Town Council adoption of the proposed ordinance amendment to prohibit the sale of alcohol at gasoline service stations. Passed unanimously.

Staff announced this would be heard by the Town Council on December 11, 1983.

H. Review of Draft Housing Element and Draft Site Feasibility Study and environmental review.

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The suggestions on Jeff Baird's memo were discussed and acted upon and the Draft Housing Element will be amended to reflect the changes adopted prior to submittal to the Council.

Jeff Baird stated State Law requires that the Towns not discriminate against mobile homes and manufactured housing and proposed additions M/S Bergeson, Harle, that we approve draft housing element dated June 1984 with the additions and/or changes as stated in the memo dated 12/03/84 by Jeff Baird with the exception of Policy 2.6 which shall be amended to show the end of the sentence after locations. The Town will consider adoption of an ordinance "Mobil Homes and Manufactured Housing" which will designate appropriate areas and include architectural and engineering reviews. Passed unanimously.

The Chairman asked that election of Chairman and Vice Chairman for 1985 be added to the Agenda for the next meeting.

At 11:50 p.m. the meeting adjourned to the next regular meeting of December 17, 1984.

Thelma Foster