

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman John Sharp at 8:00 p.m. on January 7, 1985 in the Council Chamber. L Wight of staff present.

1. ROLL CALL

Commissioners Present: Bergeson, Heubach, Kroot, Sousa
Sharp

Commissioners Absent: Harle, Hayes

2. APPROVAL OF MINUTES - December 17, 1984

Commissioner Kroot pointed out a typo in item Z-143. M/S Bergeson, Sousa to approve the minutes. Commissioners Heubach and Kroot abstained. Passed with 3 Aye votes.

3. PUBLIC HEARINGS

The Chairman announced the Negative Declaration and Design Review of the Restroom Facility proposed for Memorial Park would be heard as Item G later in the evening.

A. V-2036 - Lawrence and Barbara McCune

Mr. and Mrs. McCune were present to answer any questions.

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

M/S Bergeson, Sousa to approve V-036, application of Lawrence and Barbara McCune, 133 Melville Avenue A/P 7-231-41, for a six foot south sideyard variance to construct a deck and stairs with a workshop underneath within two feet of the south side property line in accordance with drawings dated December 6, 1984, sheets A-1 through A-6, based on the findings that the granting of this variance 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 the neighborhood; granting of the variance is necessary for the preservation and enjoyment of substantial property rights; special circumstances being the nature of the existing building on the site which allows this to be the most desirable placement for the addition. Passed unanimously.

P/C 1-07-85

Applicants informed of the 10-day appeal period.

B. Daniel M. Murphy

Mr. Murphy said he planned to sell the dwelling, and he felt to destroy some of the landscaping for another parking space would be detrimental to the neighborhood. He presented pictures which he felt proved there was adequate parking in the area.

M/S Kroot, Heubach to approve V-1025, application of Daniel M.

Murphy, 25 Allyn Avenue, A/P 7-095-15, for an amendment to a variance granted in 1982 to waive the parking space condition, based on the findings that the granting of this amendment to a variance 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 the neighborhood; granting of the variance is necessary for the preservation and enjoyment of substantial property rights; special circumstances are the soil stability, and the fact that there appears to be adequate parking, it would be detrimental to the neighborhood to destroy existing landscaping. Passed unanimously.

P/C 1-07-85

Applicant informed of the 10-day appeal period.

C. NU-41 - Lillian E. Pierce

Joy N. Black appeared for her mother who is physically unable to attend meetings.

The Chairman announced he would abstain from this consideration since it was only three doors from his home.

There was some discussion as to what was in the backyards of adjoining properties. Mrs. Black said there was dense foliage, and she did not know.

M/S Heubach, Bergeson, to approve NU-41, application of Lillian E. Pierce, 30 Santa Barbara Avenue, A/P 5-204-22, for a use permit for a new second living unit in accordance with plans received by the Town on December 17, 1984, having made the findings that it falls within the maximum number of second residential units authorized by resolution of the Council for the single-family residential use area in which the unit is located; is located on an Assessor's Parcel on which the owner of record maintains her principal residence; does not encroach upon required setbacks or cover land in excess of the coverage required or necessitate vehicular parking within required setbacks; will be made the subject of a rent guarantee contract between the applicant and the Town; will not cause excessive noise, traffic, parking or overloading of public facilities. Passed unanimously. Chairman Sharp abstained. P/C 1-07-85

Applicant informed of the 10-day appeal period.

D. V-2037 Allen Bronstein and Carolyn Kahlke

Allen Bronstein said he had spoken to Doug Elliott about joining the two driveways for better access to the Bronstein/Kahlke property, and Doug Elliott had agreed.

M/E Kroot, Souza to approve V-2037, application of Allen Bronstein and Carolyn Kahlke, 80 Ross Avenue, A/P 7-281-13, parking variance to permit three parking spaces, rather than the required four for duplex use within the front and side setbacks, based on the findings that the granting of this variance will not materially affect adversely the health or safety of persons residing or working in the neighborhood; granting of the variance is necessary for the preservation and enjoyment of substantial property rights; special circumstances are the limited area available for parking. Passed unanimously.

P/C 1-07-85

Applicant informed of the 10-day appeal period.

E. Z-232 - Henry van der Voort and Mimi van der Voort

Ms. Mimi van der Voort said these were two separate dwelling houses, each containing two bedrooms, each with its own street frontage. She presented a petition from the neighborhood property owners supporting the application. Ms. van der Voort said there would be no change in the area at all.

David Faw, 212 Crescent Road, stated he supported staff recommendation to deny the application. He felt it would be spot zoning, an intrusion of multiple, into a single family neighborhood.

Several of the Commissioners questioned where this would be considered spot zoning since all of the properties across the street are zoned R-2. The owners were aware that this unit would be under a rental agreement and informed the purchasers of the stipulation. The Commission was wary of precedent setting.

M/S Heubach, Sousa, application of Henry van der Voort and Mimi van der Voort, 76 and 78 Woodland Avenue, A/P 7-222-46, proposed rezoning from R-1 to R-2 be denied on the basis that it is inconsistent with the General Plan. Motion passed by the following vote:

AYES: Heubach, Kroot, Sousa, Sharp

NOES: Bergeson

Applicant was informed of the 10-day appeal period.

P/C 1-07-85

F. Z-176 - Jeffrey Kroot

Mr. Kroot explained the purchaser of the dwelling needed additional bedroom space because of the number and ages of his children. Since there was an area under the first floor that could be finished, even though it would be considered a third floor, would be the logical place for an addition.

Gary Oswald, 25 Idalia Court, said his was the only house impacted by this construction. He said the two existing levels have decks which protrude thusly protecting the Oswald house from the view of the windows. Mr. Oswald said the proposed addition has a side deck and the windows would have direct view onto the Oswald lot. He thought perhaps a fence at the rear line would protect the seclusion of his lot.

At this point in the discussion staff announced that it was just discovered the zoning on the Kroot construction is Single Family rather than SPD

M/S Bergeson, Sousa to refer Z-176, application of Jeffrey Kroot, 677 Redwood Road, A/P 7-182-10, back to the applicant for resubmission as a variance for the meeting of January 21, 1985. Passed with 4 Aye votes--Commissioner Kroot abstained.

G. Memorial Park Restroom Facility - Design Review of Restroom Facility and Environmental Review

M/S Heubach, Bergeson to accept the Negative Declaration. Passed unanimously.

M/S Bergeson, Heubach, to approve the Design Review of the

Memorial Park Restroom building located at Memorial Park, as shown on the drawing prepared by Dan Goltz dated December, 1984, based on the findings 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. Passed unanimously. The 10-day appeal period was announced.

MATTERS FOR CONSIDERATION OF THE COMMISSION

Former Commissioner Signorelli, 90 Ridge Road, said he understood Jeff Baird was going to present the site study, and he had prepared a statement to Mr. Baird. The statement was submitted to staff. Staff will send an Agenda to Mr. Signorelli when the affordable housing site study is presented.

Commissioner Bergeson commented that appeal on the Red Hill Shopping Center was to be heard by the Council on the next night. Chairman Sharp asked if Commissioner Bergeson would attend the Council meeting to assure the Council was aware of the feelings of the Planning Commission. He said he would.

At 9:25 p.m. the meeting adjourned to the next regular meeting of January 21, 1985.

Thelma Foster