

A regular meeting of the San Anselmo Planning Commission was called to order on December 16, 1985 at 8:00 p.m. by Vice Chairman Kroot in the Council Chamber. Public Works/Planning Director Kottage and Planning Consultant Roberto were present.

#### ROLL CALL

Commissioners Present: Harle, Hayes, Kroot, McPeak

Commissioners Absent: Heubach, Zaharoff, Chairman Sharp

#### APPROVAL OF MINUTES

October 28, 1985

M/S, Harle-Hayes, to refer consideration of the minutes of October 25 to a subsequent meeting. Motion passed unanimously.

November 25, 1985

M/S, Harle-Hayes, to refer consideration of the minutes of November 25, 1985 to a subsequent meeting. Motion passed unanimously.

#### PUBLIC HEARINGS

V-2098, Mrs. P. Soldavini, property owner; Gary Bell, applicant - The Miwok Center, 1535 Sir Francis Drake Boulevard, A/P 5-153-01; Variance for approval of Sir Francis Drake as the frontyard for setback purposes; 15 foot frontyard variance to construct a storefront within 5 feet of the front property line; 7 foot to 8 foot sideyard variance to construct a storefront within 0 to 1 foot from the west side property line; 7 to 14 foot rearward variance to construct a 6 foot high screen surrounding a trash area within 13 feet of the rear property line, and variance to the parking requirements to allow six compact parking stalls measuring 8' x 17' each and a total of 22 parking spaces. Initial study prepared. Negative Declaration of Environmental Impact with mitigation measures undetermined at this time.

The proposal is for a 7 unit, 9494 square foot neighborhood shopping center at the corner of Sir Francis Drake Boulevard and Oak Knoll Avenue.

Staff relayed concerns that this proposal would result in additional traffic through neighborhood streets and on a congested Sir Francis Drake Boulevard, and would create hazards for pedestrians and drivers at this sensitive intersection.

Planning Consultant Roberto commented that the project may represent too intense a use of the land. Staff was also concerned that the number of parking spaces may be inadequate for the employees and patrons of the center, although the number conforms to the municipal code.

Gary Bell, project developer, said there would only be 40% lot coverage whereas the code allows more development. There would be seven storefronts but some of the retailers may use more than one storefront. The nature of the businesses will be local and community serving, not franchises, and he is not looking for any uses not permitted by code.

Mr. Bell said he wants to use materials similar to the character of the surrounding neighborhood, specifically cedar siding, a landscape buffer in the front and sideyard setbacks. Municipal code would require Oak Knoll to be the front, which would mean that parking and buildings would be oriented toward Oak Knoll so that it would impact the neighborhood to the south; he proposes

the front to be Sir Francis Drake Boulevard instead. The site slopes from a higher point on Sir Francis Drake Boulevard downward to the buildings behind, so it is better from a drainage standard to front Sir Francis Drake Boulevard.

According to the zoning ordinance, commercial development is the only allowed use on this site, Mr. Bell said. This property is at the center of a large residential area with a lot of movement in front of it. From a retail standpoint, this exposure means that a successful commercial operation is likely. A successful center will be good for other commercial properties and the town's tax rolls.

Dan Ionescu, architect, said the center is considered two stories like other buildings in town, it meets the parking requirements for number of spaces, the building siding will weather and blend in with the neighborhood, the building design has simple shapes and will be screened with trees and other landscaping, there will be an entrance/exit on Oak Knoll Avenue, and a right-turn only will be allowed from the center onto Sir Francis Drake Blvd. He said they are proposing compact parking spaces because they want more space for landscaping.

Mr. Ionescu said that in response to discussion with staff, they provided room for a bus stop, and created a middle island in Sir Francis Drake Blvd. to prevent a left turn in and out of the center as proposed by DKS Associates.

#### Public Comments

Jim Daloria, 69 Medway, said the cement barrier on Drake is a good idea, but Oak Knoll is narrow so it is difficult to turn onto that street. He suggested the curb be brought in slightly so as to widen the road, and asked if it was possible to limit the number of shops. Public Works/Planning Director Kottage responded that staff is reviewing this issue with the Town Attorney.

Evio Comolli, 1515 Sir Francis Drake Blvd., neighbor adjacent the subject property, questioned whether a "No Left Turn" sign would be obeyed since the existing one adjacent Butterfield Road near this site is not obeyed. He said there are many accidents as a result of this turning, it is difficult to move in and out of traffic at this location, and another shopping center will not do the community any good since the neighborhood is within walking distance of other shopping areas.

Kathy Burlew, 93 Medway, said she circulated a petition around the neighborhood and obtained 50 signatures opposing this project. She said the neighbors felt a shopping center is not necessary, the traffic is too dangerous and the center would increase the hazards at this site.

Rachel Schutt, 50 Oak Knoll Avenue, said the project would generate additional traffic down Oak Knoll Avenue, there are two blind spots on that street, and children play on that street. The neighborhood recently spent a lot of effort with the Town to reduce traffic cutting through their neighborhood to get between Sir Francis Drake and Center Blvd. Furthermore, the center could encourage kids to loiter, which will change the character of the neighborhood.

Steve Donnelon, Fairfax merchant, said there was a concern among Fairfax merchants that the new malls along Highway 101 are taking away from Fairfax business and this shopping center could exacerbate that problem. Concerning parking, he observed that if there are two employees each for the 7 storefronts, that only leaves 8 spaces for patrons, causing overflow to park down the street or on the car wash property.

Dave Fusen, 72 Oak Knoll Avenue, expressed concern about increased traffic on Oak Knoll Avenue.

Cathy Walker, 133 Oak Knoll Avenue, predicted that patrons would park in front of her driveway.

Rose Taber, Fairfax resident and merchant, said any more establishments would increase Sir Francis Drake Boulevard traffic and furthermore, there were already many storefronts empty in the area.

John Moss, 76 Oak Knoll Avenue, echoed the comments of other neighbors, summarizing that the neighborhood had finally obtained relief of traffic cutting through between Center and Sir Francis Drake Blvd., the neighborhood already has everything they need within walking distance, and the shopping center would increase traffic and endanger children.

Sally Smith, 103 Oak Knoll Drive, said Oak Knoll is a narrow street that will be used to cut through to Center from Sir Francis Drake Blvd., the subject property could become a place where kids meet and race cars, which will be dangerous, and there is plenty of shopping available.

Tim Prince, 9 Oak Knoll Avenue, said they neighborhood worked hard at numerous meetings to mitigate the traffic. He asked how many cars this development would generate.

Ron Glesener, 12 Oak Knoll Avenue, questioned what would happen with the "No Right Turn" sign at Oak Knoll, adding that it is very difficult to make a left turn from Oak Knoll onto Sir Francis Drake Boulevard.

Bob Chapman, 57 Oak Knoll Avenue, said he did not want the "Right Turn Only" sign removed, he was not certain that commercial is the best use of the property, Oak Knoll is only 20 feet wide and is not wide enough for left or right turns, he was concerned the development would attract high school loiterers, an environmental impact report and traffic study is needed on any sizable project on this site, and he wants to see an elevation of the proposed garbage area.

Sherry Bracken, 125 Oak Knoll Avenue, concurred with her neighbors about the traffic, noise and pollution problems, asked what assurances they had that there would be only 2 or 3 tenants and what type of merchants there would be, and commented that if the project is unsuccessful, there would be empty storefronts. She added that she felt residential use was more appropriate.

Edward Tradenick, 1515 1/2 Sir Francis Drake Boulevard, expressed concern about the impact the noise and the height of the building would have on the surrounding buildings.

June Ergman, 73 Medway, said that commercial use of the property has not worked in the past, and the neighborhood does not want any more traffic on Sir Francis Drake Boulevard. She said that commuters would not stop at this shopping center in the morning or the afternoon and they will end up with another vacant shopping center. Many people cannot find a decent place to live, and this is an ideal location for residential use if the number of units is kept at a low minimum so as not to generate undue traffic.

Alan Goldstein, 35 Oak Knoll, asked whether anyone was aware of other proposals for this property. Staff responded that the only other idea proposed was to reactivate the gas station.

Mr. Bell said public input into the development was important, he was trying to do a responsible job, he wanted to integrate the

concerns raised by the neighborhood, and he understood their concerns regarding objectionable items that come with development. He said the Hub Center was their model, and that he was not interested in merchants like Kentucky Fried Chicken or Stop 'N Go. He was trying to accommodate a proposal from staff and the town's traffic consultant to relocate the bus stop to in front of Oak Knoll, which would facilitate turning into the Sir Francis Drake Boulevard entrance onto this site because traffic could slow down into the bus lane and out of traffic. Likewise, the bus turnout would facilitate turning right out of the property. The raised median would prevent illegal turns, and they could widen the Oak Knoll corner as suggested. There would be no need to go onto Oak Knoll to turn into the property, and he did not anticipate a significant increase in traffic through the neighborhood.

Mr. Bell's proposed solution to employee parking was either to add three to four more spaces in the rear or use off-site parking on another property.

Concerning the viability of the center, Mr. Bell felt the businesses would do well due to the site's visible location.

Sarah Nome, 77 Alder Avenue, spoke against more commercial development on Sir Francis Drake, particularly in this location, and said that residential use was alright.

#### Commission Comments

Commissioner Hayes said he did not think the proposal was an appropriate use for the site, noting that it was too intense a development, it would be an island of commercial use in a residential area, and expressed concern about the traffic safety given that it was a busy intersection at a narrow street and the parking was inadequate. He suggested the property be considered for rezoning, possible to multiple residential.

Commissioner Harle opposed the development strongly, noting that Oak Knoll would bear the brunt of the traffic from the center and it would impede the traffic on Sir Francis Drake, which is already bad.

Commissioner Harle said the proposal was a nice design but it was not a good location and would create traffic and parking problems.

Commissioner McPeak said he did not support the project, noting the parking and traffic problems it would generate. He said he wanted a review of the parking ordinance.

M/S, Hayes-Harle, to deny V-2098, Mrs. P. Soldavini, property owner and Gary Bell, applicant, for the Miwok Center, 1535 Sir Francis Drake Boulevard, A/P 5-153-01, variances for approval of Sir Francis Drake Boulevard as the frontyard for setback purposes; 15 foot frontyard variance to construct a storefront within 5 feet of the front property line; 7 foot to 8 foot sideyard variance to construct a storefront within 0 to 1 foot from the west side property line; 7 to 14 foot rearyard variance to construct a 6 foot high screen surrounding a trash area within 13 feet of the rear property line, and variance to the parking requirements to allow six compact parking stalls measuring 8' x 17' each and a total of 22 parking spaces, on the following grounds:

1. The intensity of the proposed use is too great on the basis of anticipated adverse affects on safety, namely impact with traffic, possibly unsafe turns crossing busy traffic lanes, the narrow width of Oak Knoll Avenue, and possibly dangerous turning movements due to circulation turning and leaving the proposed site.

2. The potential for increase of traffic in the immediate neighborhood and on-site parking;

3. On the basis of our concern regarding the inadequacy of parking for the proposed use and our view it may not correspond to the formula whereby the municipal code calculates parking.

Motion passed unanimously.

It was the consensus of the Commission to schedule a workshop with the property owner regarding possible rezoning of the property.

V-2101. William and Pam Cordingley, 10 Elkhorn Way, A/P 177-265-04; 9 foot frontyard variance to enclose an existing cardeck and one-story storage area below within 11 feet of the front property line, 20 foot frontyard variance for an open stairway and railing with a zero frontyard setback, and a variance to the two-story height limit to finish an existing basement area under the house, creating a 2 1/2 story structure. CONTINUED TO JANUARY 6, 1986.

V-2102. William Bluechel, 114 Alder Avenue, A/P 7-041-20, a 5 foot sideyard variance and 17 foot rearward variance to construct a one-story office, guest bedroom and bathroom structure within 3 feet of the west side property line and 3 feet of the rear property line.

The applicant and project architect, Arthur Chartock,, were present.

Mr. Chartock explained that the owner operates a business by phone currently out of his dining room and wanted to create a study/office space. Due to the location of the creek bank and the adjacent structure to the rear, this is the most logical location for this structure, which is at the site of the current one-car garage.

Mr. Bluechel said he did not have any employees, he has operated this business in his home for seven years, and does not want to use it as a second unit.

Trudy Gidley, 90 Alder Avenue, said they had been there for 30 years and now these new people were coming in and doing something that would harm the neighborhood. She said she thought this structure would really be used as a rental unit.

Miriam Grove, 40 Yolanda, said she felt this project would lower the value of the neighborhood and felt her taxes should be lowered if this project goes through.

Jane Crostey, who lives across the street, submitted a letter opposing the variance. She said that after the owners built the addition, they would sell it and it would be used as a rental unit.

Sarah Nome, 77 Alder, said it is a sensitive neighborhood and alleged there were buses parked in front of the home.

Dave Bacigalupi, 56 Alder, said the neighborhood was concerned about the structure's use as a second unit. He asked if there was any guarantee the project would not generate more traffic and asked why the business use could not be incorporated into the house.

Bette Pedroli, 130 Alder, said the addition would go right up to her pool house.

Mr. Chartock responded that the existing garage already has a zero foot setback, and the property to the rear has a structure right up to the property line.

Terry Bailey, Mr. Bluechel's fiance said they were trying to rennovate the garage, which is an eyesore.

Mr. Chartock said they could make the building smaller and increase the rearyard setback from 3 feet to 5 feet and eliminate the small windows in the bath and study.

M/S, McPeak-hayes, to continue V-2102, to the meeting of January 6, 1986. Motion passed unanimously.

U-603. Morton D. Kirsch, property owner; Seman Jarjoura, applicant; 333-B San Anselmo Avenue; A/P 7-252-18; use permit for a gourmet delicatessen with beer and wine sales in a C-2 zone.

The applicant was present.

M/S, McPeak-Harle, to approve U-603, Morton D. Kirsch, property owner; Seman Jarjoura, applicant; 333-B San Anselmo Avenue; A/P 7-252-18; use permit for a gourmet delicatessen with beer and wine sales in a C-2 zone, on the grounds that it will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the Town, and the granting of the use permit is necessary for the preservation and enjoyment of substantial property rights. Motion passed unanimously.

#### ADJOURNMENT

M/S, McPeak-Hayes, to adjourn at 11:10 p.m.