

A regular meeting of the San Anselmo Planning Commission called to order on November 3, 1986 at 8:02 p.m. by Chairman Kroot in the Council Chamber. Planning Technician Wight was present.

#### ROLL CALL

Commissioners Present: Harle, Hayes, Heubach, Manning, McPeak, Zaharoff, Chairman Kroot

#### APPROVAL OF MINUTES, OCTOBER 20, 1986

On page 1, in the paragraph amending the minutes of October 6, the word "citizens" at the end of the first sentence was corrected to read "Souzas". On page 2, in the first complete paragraph, the word "median" was replaced with "island/median strip". On page 3, in the motion on U-615, the word "not" was inserted between "will" and "result" in the last clause. The first sentence of the first full paragraph under SS-263 was amended to read, "The application was continued from May 19, 1986."

M/S, Heubach-McPeak, to approve the minutes of October 20, 1986 as amended. Motion passed unanimously.

#### PUBLIC HEARINGS

Z-143 - Red Hill Shopping Center, 850 Sir Francis Drake Boulevard, A/P 6-061-23, use permit amendment - design review of trellis alteration.

Don Arntz, Limited Partner with San Anselmo Shopping Center, owners of Red Hill Shopping Center, was present.

Planning Technician Wight reported that in 1985, the Town approved removal of 30 feet of the 50 foot trellis as part of the redesign of the parking lot. The applicant now wants to remove another 8 feet to mitigate a traffic hazard.

Mr. Arntz explained that in turning into the main exit for the shopping center, cars are hitting the curb next to the trellis and some trucks cannot get around it at all. They want to remove one of the columns, which will also give the trellis a more balanced appearance.

Dan Goltz, project architect, explained that his job was to retain a portion of the trellis in designing an improvement to the traffic pattern, but had made an error in thinking the present configuration would work. He said removal of 8 feet of the trellis would not make much difference aesthetically. The existing wisteria on the trellis would be kept, the wisteria would be removed from the first post and they will try to transplant it; they will replace if it does not live.

Commissioner Manning asked how the applicant arrived at an 8 foot removal. Mr. Goltz responded that 35 to 37 feet is recommended for an inside turning radius such as this one. He noted that the drivers using this exit lane are also looking out for traffic approaching from the west end of the shopping center.

Mr. Arntz said cars have been hitting the trellis, and delivery trucks have almost hit the trellis. He added that wisteria is a fast growing plant.

Commissioner Hayes asked what the Town's legal position would be if the Commission rejects this proposal and there is an accident at this location. He said he did not think the redesign was quite as aesthetically pleasing as what was there, but he was concerned about exposing the Town to liability.

Commissioner Harle said he thought the parking lot redesign worked out nicely, the public area near the building is pleasant, and he supported the current proposal for practical considerations.

Commissioner Heubaçh said he was sorry any of the trellis had to be removed, but did not oppose removal of an additional 8 feet. He noted that the trellis now looked isolated and will appear even more so with additional removal. However, the reduction will give the trellis a slightly more balanced look.

Commissioner McPeak said he had no problem with the application, that it was a straight-forward solution.

Commissioner Zaharoff said she was sorry to see the trellis area touched at all, but in view of public safety, she supported the application.

M/S, McPeak-Heubach, to approve Z-143, redesign of the trellis as shown on the plans submitted to the Town dated November 3, 1986, on the grounds it is necessary for the smooth flow of traffic, it will not adversely affect the persons living or working in the neighborhood and will not result in any health or safety hazards. Motion passed unanimously.

C-210 - United Market, 100 Redhill Avenue, A/P 6-167-06, design review of exterior alterations and a first floor addition.

Dick Fisher, architect with John Sutti & Associates, was present.

Planning Technician Wight reported that the proposal was for a 462 square foot addition at the front entrance to accommodate installation of a fish department and deli counter. The proposal also includes moving windows and a door in the front of the building, new paint and tile work (green, gray and peach colors), moving the front of the garden center back 15 feet and changing the garden area fencing. Parking, which is more than adequate according to the code, will not be changed.

Darlene Danelli, owner/occupant of a duplex at 72/76 Hilldale, spoke about the debris and noise generated by the market. She said she was pleased some attention was being paid to the market. However, she said that as the market grew, they have added 6 more debris boxes to the garbage area. Every morning between 5:45 and 6:15 a.m., she and other neighbors of the market are awakened by the garbage collection. The garbage is also attracting mice and is a visual nuisance. She was concerned that the expansion and addition of the smell of fresh fish would generate more garbage and related noise and debris problems.

Frances Gould, 104 Hilldale Drive, said the noise has been a sore point with the neighborhood for years, that she has complained about it in past years. She acknowledged that the fault partly belongs to San Anselmo Garbage, who noisily collects the garbage. In addition, the blower system for the refrigerator system for the market often awakens her. She has discussed this situation previously with the owners. It was ascertained that the noise was exacerbated the direction of the funnel and could be abated by directing the funnel toward Red Hill Avenue instead of toward her house. She said 3 to 4 years ago Bill Daniels, President of United Market, showed her a sketch that would turn the blower around and said the owners were working on this project, but nothing has been done. She suggested that something could be done about the blower during the course of the new alterations.

Frank Neese (Ms. Gould's next door neighbor), said there was a problem with the traffic circulation in that area. Trucks leaving United Market use Hilldale and market employees park on Hilldale, a small street. He said the trucks are beating up the streets. In addition, there's a gap between the driveway and street at the main entrance on Sequoia that creates problems for cars.

Mr. Fisher, project architect, said United was not doing anything to the rear of the building or traffic circulation. He explained the proposed changes on the plans.

Ms. Danelli said the garbage is collected six days a week. The collection is noisier than the regular residential pickup because it is in debris boxes which are lifted with noisy hydraulic machinery and slammed against the garbage truck.

Commissioner Zaharoff said she had no problem with the application from a planning standpoint, noting they were essentially enclosing an existing area. She was concerned about the garbage and blower noise problems and debris problems, particularly since the neighbors having been voicing their concerns for four years.

Commissioner McPeak noted that the addition could impact the amount of garbage and the owners should take responsibility for the increase in the rodents in the area. He was reluctant to act until hearing that the owners were doing something to resolve the garbage and noise problems.

Commissioner Heubach said he would not want to be too opportunistic since the addition is small in size and is an improvement to the building. Yet, if the Commission does have any authority in the garbage and noise matters, he would like to be able to do something. He said he would like to see the matter come back to the Commission. He said the refrigeration noise problem deserves additional consideration. If it cannot be resolved by the Commission, perhaps it could be mitigated through a private or public nuisance abatement procedure. He appreciated the public bringing the problems to the attention of the Commission and staff. He agreed that the entry/exit on Sequoia needs regrading.

Commissioner Harle said the presentation by the neighbors was quite impressive. They raised issues which do not have a direct connection to the application. However, since there is significant value added by the addition of commercial space, the Commission could add a condition that United Market partition or wall off the garbage area and get assurance that the seafood garbage is always in tightly bound plastic bags. Concerning the timing of the garbage pickup, he suggested it be approached by the Town in terms of their contract with San Anselmo Garbage. Furthermore, the County Health Department should be apprised of the rodents at this location.

Commissioner Hayes expressed agreement with the other commissioners' comments, noting that there will be a larger amount and smellier garbage generated by the fish market. He asked staff whether there can be a provision in the Town's contract with San Anselmo Garbage not to collect United's garbage before 7 a.m.

Commissioner Manning said the garbage issue should be referred back to the applicant.

eastbound on Sir Francis Drake until Red Hill Shopping Center, and the next commercial area westbound is 1/2 block away. As it stands now, it is a commercial zone nestled into a residential zone. In addition, she was more inclined toward the PPD zoning.

Commissioner McPeak said there was some concern about downzoning the property yet still being consistent with the General Plan.

Commissioner Harle said in principle he supports zoning for conformance with the General Plan. However, he does not have strong feelings for or against commercial use of the property if a compatible use can be found, since it was used commercially in the past.

Commissioner Hayes said the Commission could either modify the General Plan or modify the zoning. The problem was that the area was intrinsically residential and there was concern about the number of exits and entrances per day onto Sir Francis Drake Boulevard. He observed that any business that will be a success will have more than 100 trips per day, adding that residential traffic generation is estimated at 10 trips per day per unit.

Commissioner Manning said the residential usage would be more appropriate and was required under the General Plan.

Commissioner Heubach said he agreed with the other commissioners' statements. He asked whether it was possible to have a use permit procedure for commercial use under PPD zoning, adding that a business such as a bonsai garden did not strike him as offensive. He noted that the property owners derived some benefit from its nonconforming use for many years. A General Plan amendment was possible, but it would just be for one parcel.

Mr. Segale said there used to be businesses all the way up to Fairfax which were all zoned C-1. He said even if low cost housing is built on this property, there are going to be a lot of cars. He said the property has been in his family all of their lives and they have put a lot of money into the property.

Mrs. Soldavini, part-owner of the property, said they have received a number of inquiries about commercial development of the property. She said that no matter what is built, there will be traffic.

Cook Segale, Attilio Segale's son, said an R-2 zoning makes the property financially dead and is prohibitive to getting any return on an investment. He said 12 units was the minimum feasible density, but if zoned R-2, the lot will stay vacant forever. He argued that a C-1 development would be better than a group of apartments.

Commissioner McPeak asked if there were any other areas in Town where the zoning was inconsistent with the General Plan. He suggested not changing the zoning until they were clear on the requirement for consistency with the General Plan.

Commissioner Hayes proposed zoning the property PPD but leaving the presumptive use open.

Commissioner Harle commented that at the time the General Plan was prepared, the feeling was that this document was advisory.

The Commissioners discussed allowing either commercial or residential use but with an emphasis on low intensity use and review by the Commission. They also discussed the issue of consistency between zoning and the General Plan.

Mr. Segale said they did not want another gas station on this site, just a nice, quiet but profitable business to pass on to support the family in the future.

Commissioner Hayes said he could see a consistency between the C-1 zoning and the text of the General Plan, if not between the Land Use Map of the General Plan and commercial zoning.

It was the consensus of the Commission to obtain the Town Attorney's opinion on whether the zoning of this property must be consistent with the General Plan Land Use Map. The general feeling of the Commission was to pursue a PPD R-2/C-1 zoning if it is legally feasible.

The application was continued to the meeting of November 17, 1986.

#### ADJOURNMENT

On motion duly made and seconded, the meeting was adjourned at 10:40 p.m.

Respectfully submitted,

Beth Calamar