

The special meeting of the San Anselmo Planning Commission was called to order by Chairman Hayes on January 25, 1988, at 8:00 p.m. in the Town Hall Council Chamber. Staff present: John Roberto, Planning Consultant.

A. ROLL CALL

Commissioners present: Hayes, Julin, Sias, Yarish, Zaharoff, Harle
Commissioners absent: Manning

B. APPROVAL OF MINUTES

Continued to the meeting of February 1, 1988.

C. PUBLIC HEARINGS

PP-10/V-2209 - Carradine, Incorporated Architects, The Alameda, South of 443 The Alameda, San Anselmo jurisdiction a/P Nos. 177-220-54 and 177-220-55, preliminary plan development, variance for a driveway easement across subject properties, and discussion of environmental clearance.

Michael Carradine, applicant, present.

John Roberto presented the staff report dated January 21, 1988.

Chairman Hayes questioned the total acreage. To which Mr. Roberto replied approximately 3 1/2 acres. Chairman Hayes stated that his interpretation of the land use table indicates the maximum allowable is 1 unit per acre and this application is for 4 units in less than 4 acres. He thought this was in clear violation of the General Plan and wondered if there needed to be a General Plan amendment to permit it. Mr. Roberto felt that within San Anselmo there are 3 lots, each assigned one unit for each lot. The applicant is requesting to create a fourth parcel from portions of two lots. There is currently a moratorium on any amendments to the General Plan and would have to consult with the Town Attorney.

Commissioner Yarish wondered if it was legal to put limitations on the roadway and further access. Mr. Roberto said that the Town can not take away the right of access to the Cary's property however it will require approval from the Town to pave. Chairman Hayes wanted to know if there would be a public hearing required to pave and Mr. Roberto said there could be one because of all the public interest.

Public Comments

John Loutas, 353 The Alameda, requested an explanation on the drainage. John Roberto presented the staff report as prepared by the Town Engineer.

Mr. O'Loane, 400 The Alameda, wanted clarification as to whether these homes are on the ridge zone, felt there should be more focus on "The Alameda River" and the effect it has on the neighborhood.

Jonathan Braun, 479 Scenic, felt the building site is right on the ridge top and that the site is unstable according to the soils report. With regards to the access road, the R-1H Ordinance states that retaining walls and grading are to be minimized. He would like to see a focused EIR, additional soils, drainage and geology reports.

Dan Goltz, 107 Holstein Road, asked if this Preliminary Plan is the same as in the Subdivision Act. Mr. Roberto said no. Mr. Goltz wanted to know if this Preliminary Plan had to be noticed to the General Public. Mr. Roberto said notice was given for the Preliminary Plan in the variance application. Mr. Goltz asked was it not true that major revisions require by law renoticing and a

new public hearing. Mr. Roberto responded, stating he considered this application on going with revisions and not a new application. Mr. Goltz wanted clarification on why a variance was required in the previous application but not now required. He felt that there are two applications before the Commission. Originally Lot A required variances and there was no condition of the land, all three lots fronted on The Alameda. Now ownership is no longer a question, there is no question of access to the land, no variances are needed but three zoning ordinances can be met. The road leads up to the ridge and he felt that this is in conflict with the General Plan and poor planning. Also the zoning in this area is low density and he felt there was a density imbalance and the application ignored the concept of private open space. He felt the buildings should be moved closer to The Alameda and be accessed by The Alameda.

Jan Back, 439 The Alameda, said she lives across the street and disagrees that the buildings should be accessed by The Alameda.

John Loutas, 353 The Alameda, wanted to see a geology report and questioned the validity of the application if it is one home per acre. He wanted to know who will be responsible for the extra flooding and damage to the road.

Chairman Hayes said that according to Mr. Roberto, as advised by our Attorney, there are four legal buildable lots.

Joanne Powell, 160 Butterfield, and 7 Arroyo, was concerned about runoff, stating she has spent several thousand dollars for damage to her property.

Jim Kelly, 330 Oak Crest Road, wondered when the lots were created and subdivided. His concerns are that the Town does not maintain the roads or pave it, the access road and the catch basin.

Sita Khufu, 290 The Alameda, was against the homes being built on the ridge.

Jan Back, 439 The Alameda, found that her property was staked improperly and wondered if the properties in question are properly marked. Mr. Roberto said the Commission can require a resurvey of the property to determine the lines and it would be helpful if Ms. Back could provide any information she has on the property.

Charles Richardson, 429 The Alameda, said the drainage has not been discussed and that water will be going down The Alameda to a private culvert. He thinks the condition of the road is poor and is against adding more homes. Mr. Roberto said staff has required a hydrological report and has identified the problems of the culvert.

Frank Berger, 324 The Alameda, felt that what is being presented is a major plan change. The soils report recommends no additional cutting or filling and that site drainage be avoided or minimized. He felt there was a way to build on the property but the rights of the neighbors have to be taken into consideration.

Pat Sterling, 378 Butterfield, asked how large the ridge line was and a definition of ridge top. Chairman Hayes gave an explanation of the green line define as the ridge line.

Mr. Goltz said that the Commission should see that a road access is proposed to go right up to the ridge.

Jim Jacobson, 400 The Alameda, felt the curb, gutter and sidewalk should be included on The Alameda frontage.

Commissioner Julin asked if all the property owners were amenable to the proposal before them. Mr. Carradine affirmed.

Chairman Hayes felt there should be a separate EIR and Developmental preliminary plan.

Commissioner Zaharoff did not support the application as it now stands. Building site number 20 has significant visual impact; is not convinced that building numbers 15, 35 and 45 are properly placed, thinking perhaps they should be closer to The Alameda which would create less visual impact.

Commissioner Yarish did not feel the location of the sites are consistent with the General Plan. He felt it could be accessed accessed from The Alameda which would also reduce the run off.

Commissioner Sias could not make the findings necessary to support the application as it stands now and agrees with Commissioner Zaharoff about moving the buildings closer to The Alameda. He felt perhaps a survey needed to be done. Regarding the EIR, he felt it was moot for the three parcels until the site location and issues are resolved.

Commissioner Harle agreed with his colleagues and added that number 20 was probably not even satisfactory as previously proposed. Regarding the driveway, prefers that access of the buildings be off The Alameda.

Commissioner Julin felt that merging the sites to create a new parcel was an excellent idea. Regarding the driveway, sees the possibility that it can terminate short of number 35. Regarding access from The Alameda, thought if they requested that the structures were to be built below the 300 foot contour line which appears to be beyond the green line, they would then be off the ridge line.

Chairman Hayes did not support the application because he feels it will violate the General Plan, felt that the homes should be moved closer to The Alameda and stated it would be bad planning to build a road up to the ridge line. He felt the retaining walls would have to be quite steep and would destroy the character of the area. He would prefer to see trees on the street as opposed to seeing homes .

Commissioner Harle wanted to know where lot A could be placed to have access to The Alameda. Chairman Hayes said that easements exist and he felt a narrow driveway can be build to access lot A without creating a road, and the other three houses can be accessed to The Alameda.

Chairman Hayes asked the applicant if he wanted to continue the application until further revisions could be made. Mr. Carradine assumed this plan would be approved. He did not see how the four homes could be built as the Commission is suggesting. With regards to the ridge line, the contours indicate they are at 400 feet, not 300 and it is totally out of the ridge line. He did agree that site number 20 is prominent. The whole attempt was to address the questions and statements from the previous hearings. It was staff's suggestions that we readjust lines to come up with a better plan. He felt this revision was forced on him. Mr. Carradine also said this this revision will also provide access and terminate the road up to the ridge. Mr. Roberto noted that because of the moratorium, should the application is denied and appealed to the Town Council and then denied, the application could not be reapplied for. Mr. Carradine said that he would like to continue the application.

M/S Zaharoff, Yarish to continue PP-10/V-2209 Carradine, Incorporated Architects, to a special meeting on February 16, 1988. Motion passed unanimously.

Barbara Chambers
Administrative Secretary/Technician