

TOWN OF SAN ANSELMO  
PLANNING COMMISSION MINUTES OF OCTOBER 16, 1989

The Planning Commission was convened at 8:00 p.m. on October 16, 1989 in the Town Council Chamber by Chairman Sias. Staff present: Lisa Wight, Planner.

A. ROLL CALL

Commissioners present: Julin, Kanis, Harle, Yarish, Hayes, Kroot, Sias

B. PUBLIC HEARINGS - CONTINUED

1. Proposed Amendment to Zoning Ordinance to require all applications for development and building to conform to the requirements of the General Plan prior to acceptance, processing and issuance. This ordinance also provides a mechanism for allowing exceptions from this requirement, providing certain findings can be made - CONTINUED TO 11-6-89.

2. Th. F. Posthuma, 379 Oak Avenue, A/P 7-241-61, appeal of Planning director's interpretation of the San Anselmo Municipal Code Zoning Ordinance pertaining to the erection of accessory structures - CONTINUED TO 11-6-89.

C. PUBLIC HEARINGS

1. U-633 - Lenny Lerner, 1535 Sir Francis Drake Boulevard, A/P 5-153-01, review of current proposal for two canopies on the west side of the building.

The applicant was present.

Ms. Wight presented the staff report.

Commissioner Julin stated it was her understanding that condition no. 1 regarding the bushes and annuals was to be deleted and replaced by condition no. 1 from the August 21, 1989 meeting that states deer resistant, drought tolerant plants to be in all the planter boxes and properly maintained. In addition the applicant should be advised that there are to be no signs on the property or on vehicles that indicate or imply the sale of vehicles on the premises, including a sign that says "inquire within".

Commissioner Hayes said he had no objection to the type of awning or the blue/gray color proposed by the applicant. However he stated that the use permit does not allow for on site sales of vehicles and it looks like the applicant is using the site for more than what was approved.

Commissioner's Kroot and Yarish echoed the comments of Commissioner Hayes, with Yarish adding that he also concurred with staff recommendations.

Commissioner Harle had no objections to the awning and thought the blue/gray was the preferable color. He added that the landscaping should be maintained as noted in the staff report and that no vehicles with signs that look like, or imply a "for sale sign", should be on the premises.

Commissioner Kanis asked about the metro van that he has seen on the premises for an extended length of time.

Mr. Learner asked that the Commission deal with the issues at hand, which was the discussion about the awning, not the different vehicles or signs on his site. He said the metro was his personal vehicle as well as the purple bus and he did not understand why he could not leave those vehicles on site as long as he did not use more than the allotted spaces. The planting will be replaced when he is financially able to do so. He said the "inquire within" sign on the vehicle on his property was not an advertisement for the sale of the vehicle, rather it is to let people know that they may have information on that type of particular vehicle.

Commissioner Harle explained that the intent of the use for this property was for a small business. Chairman Sias added that the applicant must follow all of the conditions for the use permit which include signs, plantings, and number of vehicles.

Commissioner Julin said she could support the awning but would like to see another six month review of the use permit.

Chairman Sias supported the awning and color and all the recommendations listed in the staff report for this meeting. He would like to see this back for another six month review unless it can be reviewed by staff.

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Ms. Wight did not feel there was a need for another six month review by the Planning Commission, rather that the conditions be clearly stated on the approval for the use permit. She suggested using the words "storage of vehicles" in the motion.

Commissioner Julin thought the applicant should not be able to install the canopy until all the other conditions have been met.

M/S Kroot, Hayes, to approve U-633 - Lenny Lerner, 1535 Sir Francis Drake Boulevard, A/P 5-153-01, a use permit for two canopies on the west side of the building on the basis: 1. The establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the Town; and 2. The the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner. The conditions are as follows: a) prior to erection of the canopies in this use permit there should be conformance to conditions previously required in 2-6 of the staff report dated October 16, 1989, with no. 6 to be changed to read "This use permit amendment be reviewed by staff in three months"; b) that the applicant conform to the present conditions 1-5 in the staff report dated October 16, 1989 prior to the erection of the canopies. This is based on using the canopy in Jil Industries Sunsetter fabric selection. Awning color to be blue/gray.

There was a discussion as to whether or not a restriction should be placed on the storage of personal vehicles on the site. Chairman Sias felt that the four spaces approved for overnight storage should be served by the business. Commissioner Julin said the request was for customer overnight storage, not overnight storage for personal vehicles.

Mr. Lerner said he did not understand why there was concern as to the type of vehicle that was kept on site overnight and it was his intent to keep the metro on the premises. He said if necessary he will withdraw his request for an awning and litigate this because he feels he is being harassed.

Commissioner Kroot said that limiting the overnight vehicles to four with the understanding that they not be used for storage would be limitation enough for him. Commissioner Harle concurred with Kroot and added he did not want vehicles used on the site for the purposes of anything other than what they seem to be.

Commissioner Julin thought that perhaps a resolution should be prepared so everything would be clearly spelled out.

The consensus was to leave the motion as is.

All ayes. Motion unanimously passed. Audience advised of the ten day appeal period.

2. V-2308/C-502 - Living Foods, 218 and 222 Greenfield Avenue, A/P 6-173-16, parking variance to expand store into an adjacent building; and design review of exterior alterations.

Walter Robb, Store Manager and Jan Rubenstein, owner of Living Foods, were present.

Ms. Wight presented the staff report.

Mr. Robb said that there are inaccuracies in the statistics gathered by staff, noting that the 6,500 cash register receipts should be for a week, not a day. Also, the cash register receipts does not accurately reflect the number of customers because it does not distinguish between customers making large or small orders, or a customer making a second or third purchase during the same trip, voids, refunds or misrings. He also said the building has 1,500 square feet, not 1,600 square feet as stated in the staff report and that they have always had 13 on-site parking spaces, not 10. With regard to the original use being limited to a produce store, there are no records on file that indicate that. He said the parking study performed by Goodrich Traffic Group although not creatively done, was taken at peak time and only at one time during the week did it exceed maximum number of spaces available. He said he is aware of the parking situation and is trying to work out problems but there have been no complaints from his customers. Also, he does not think that the expansion would bring in new customers, only allow more space to the current customers. Living Foods provides a valuable service to the community and in addition brings shoppers to San Anselmo and brings energy to the Town. They have worked hard to rearrange their delivery schedules so as not to impact the neighborhood. In addition, the employees are not allowed to park on Greenfield Avenue and will be fired if they do.

Commissioner Kanis asked if this item should be continued to allow staff additional time to recalculate the figures. Mr. Robb did not want to have it continued and Ms. Wight said that she thought parking would still be an issue even if the statistics changed.

Commissioner Julin wanted to continue this item until staff could provide an updated report and perhaps research old minutes to determine the original use.

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The consensus of the Commission was to proceed.

Jan Rubenstein, thought that controlling the delivery times might be a problem although the expansion will not bring in new deliveries. Their desire is that the customers will spend more money in the store because of the added space but he did not feel the expansion would generate new customers.

Roger Pierce, son of the owner of the building, thought there was more parking per square foot in that area than in other commercial areas in San Anselmo. Living Foods has been a good tenant and has also created revenue for the Town because of their success. He wondered what kind of business would be a low traffic generator and still be profitable and how can staff predict that the next tenant would not create additional parking problems.

Joe Arroni, resident of San Anselmo, is a frequent customer of Living Foods and has never experienced a parking problem. He said the Town wants successful businesses and yet they are being discouraged because of parking.

Abe Froman, Bravermans Furniture Store, said he has been in business for over 50 years and has invested over \$2 million in improvements for his store. It has been increasingly difficult for his customers to find parking spaces and many have decided to take their business elsewhere because of the parking problem. He thought the intended use for Living Foods was going to be a low traffic generator and now Bravermans is being choked by them and Captain Video. If there will be an increase of 12% because of the expansion, it would mean an additional 100 vehicles. If Bravermans continues to loose business because of the lack of parking, they may be forced to liquidate and move out of San Anselmo.

Dave Torres, San Rafael, shops at Living Foods and has never had a parking problem. He believes the expansion will make it more convenient for the current customers.

Sarah Nome, 77 Alder Avenue, said the site may be unsuitable for the expansion and the use might be more appropriate in Red Hill Shopping Center because of the growth.

A resident of San Anselmo felt it was unreasonable to have Living Foods move because of the lack of 2 on-site parking spaces.

Joyce Brown, Elan Fitness Center, said that most businesses that are successful will have parking problems and the Town will have to look for alternative solutions if businesses are to stay in Town. The Parking Committee is working on solutions for the Greenfield area.

Commissioner Yarish said that Living Foods was a thriving successful business and although it creates a parking problem, the increase would not be more intense than for that of a new business. It will however increase the amount of time a car is parked because the customer will spend more time shopping. With regard to the parking problem for Bravermans, he suggested that a sign be placed in the window of Living Foods to ask patrons not to park in front of Bravermans.

Commissioner Harle said he remembered when the original application came before the Commission the use was for a natural food and produce store. He believes the growth has created some problems but the small increase in space will not create that much additional strain on the neighborhood. If the applicants were asking for increased space to put in a new line of merchandise he would deny the request but based on what is proposed he had no objection.

Commissioner Kanis said he reached the same conclusion as Commissioner Harle. He said he frequents Living Foods and has personally never experienced a parking problem but he noted that shopping carts are left in parking spaces and should be removed by Living Food staff more frequently to free up useable parking spaces. He also suggested that they run an add in the paper to make people aware of the parking situation and ask patrons for ideas on cutting down the parking problem.

Commissioner Julin also supported this proposal by Living Foods however she would like to see that deliveries and loading be controlled to those hours that would not impact Bravermans customers.

Commissioner Hayes said the expansion looked like it would necessitate 2 to 3 extra spaces using the new statistics. If the Planning Commission had realized in the beginning how intense the use was really going to be he would have denied it because of inadequate parking. However the bar chart prepared by Goodrich Traffic Group indicated that the twelve times the survey was preformed, it was never less than 70% filled but only once exceeded the number of spaces. He felt that any new use going into the Cancer Society space would generate at least the same amount of traffic and therefore he felt he could approve this application. The Goodrich Traffic Group report also indicated that on Saturdays between 11:00 a.m. and 12:00 p.m. there are hardly any spaces available for Bravermans. Perhaps the deliveries could be limited to before 11:00 a.m. or after 2:00 p.m.

Mr. Robb said that there is only one delivery on Saturday and they generally are there by 11:00 a.m. and and gone by 11:15 a.m.. They will try to make arrangements for an earlier time.

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Commissioner Kroot felt that the proposed additional space would be more or less of a wash with the previous Cancer Society use. Another business would also create additional cars and would require design review. Therefore he supports this application.

Chairman Sias supported the proposal because it will not bring in a new customers. He said he has never experienced a parking problem when he shops on Greenfield. Based on the statistics of the Goodrich Traffic Study the peak time is Saturday 11:00 a.m. and wondered if the delivery trucks could be restricted to drop off deliveries prior to 11:00 a.m. He suggested that Living Foods think of some schemes to reduce the parking issue, such as a discount for people that come by bicycle. With regards to the customers of Bravermans, perhaps there can be some cooperation with Living Foods and the other large traffic generators on Greenfield to help find a way to obtain adequate parking for Bravermans.

Abe Froman wondered if there could be some on-street parking spaces designated for Bravermans. Ms. Wight did not think that public parking could be allocated for a business but will check with the Public Works Department.

Ms. Wight said that based on the Planning Commission comments, the Environmental Checklist should be changed and staff recommends that a resolution with any conditions be prepared for the next meeting.

Commissioner Yarish suggested wording that the change in use of the space as to what it is now for Living Foods, and what is proposed, will be of minor impact in terms of parking and not significantly more than another low traffic generating use of that amount of space.

Chairman Sias suggesting wording that any use of the new space will require parking and that space if developed independently would, combined with employees and customers, probably generate more of a demand for parking than would be required to accommodate an expansion of Living Foods.

Commissioner Julin felt that 13B should still reflect "yes" because there will be an effect on parking, but comment on how it can be mitigated.

Commissioner Harle said 13B should indicate "maybe" and then mitigate.

Commissioner Hayes said that one of the mitigations for the negative declaration should be a condition that no employees associated with Living Foods be allowed to park on Greenfield, and are required to park on Red Hill or elsewhere. That seems to be in the employee contract already.

The consensus from the Commission was to change number 13B and 13F in the Environmental Checklist to "maybe" and incorporate the comments of the commissioners. Also, the same comments should apply as to why this project could not have a significant effect on the environment.

The Commission felt that the following Conditions/statements should be included in the resolution:

1. That there are to be no new product lines and that the products be limited to existing products;
2. Staff parking should be off of Greenfield and out of the parking lot;
3. That there be further attempts to find solutions to mitigate the parking problem for all the merchants on the street;
4. There should be an attempt made to create spaces dedicated for Bravermans if that is legally possible;
5. Research should be done to see if stripping could be done to allow for additional parking;
6. That there be signage inside Living Foods to encourage customers not to park in front of Bravermans;
7. That a sign be posted stating there be no deliveries between 10:00 a.m. and 3:00 p.m. on Saturdays if possible.

M/S Hayes, Kanis, to continue this item to the next meeting of November 6 for staff to prepare a resolution, incorporating the comments made at tonight's meeting. All ayes. Motion unanimously passed.

3. V-2309 - John Seamons, 95 Holstein Road, A/P 5-053-03, a 19' frontyard variance to construct a garage within 1' of the front property line, with a 1' roof overhang; a 20' frontyard variance to construct a retaining wall within 0' of the front property line; a 1 foot frontyard variance to enclose an existing open deck within 19 feet of the front property line; a 2' rear yard variance to construct a retaining wall within 18' of the rear property line; a 3' east side yard variance to install a hot tub within 5 feet of the east side property line; and a 7' rear yard variance and a 5' east side yard variance to construct a retaining wall within 13' of the rear property line and within 3' of the east side property line.

The applicant was present.

Ms. Wight presented the staff report.

The applicant agreed with staff's recommendation that the proposed garage should be changed to a carport and the neighbors have no objection.

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All Commissioners supported the proposal of the carport with staff approving the final plans.

M/S Yarish, Harle, approve V-2309 - John Seamons, 95 Holstein Road, A/P 5-053-03, a 19' frontyard variance to construct a carport within 1' of the front property line, with a 1' roof overhang; a 20' frontyard variance to construct a retaining wall within 0' of the front property line; a 1 foot frontyard variance to enclose an existing open deck within 19 feet of the front property line; a 2' rearyard variance to construct a retaining wall within 18' of the rear property line; a 3' east sideyard variance to install a hot tub within 5 feet of the east side property line; and a 7' rearyard variance and a 5' east sideyard variance to construct a retaining wall within 13' of the rear property line and within 3' of the east side property line on the basis: 1. Due to special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the controlling zoning ordinance or regulation deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification, and the granting of a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated specifically it is the only available location on the property which is a steep lot and other people in the area have similar type carports. The applicant feels the granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner so that he can enjoy a garage; 2. The granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner; and 3. The granting of the variance will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood; specifically, there are no comments to the contrary and the building to the west has no windows, and the variances are not visible to other houses in the area, and that the applicant has decided to go with staff's recommendations for a carport rather than a garage such as that at no. 99 Holstein and staff is to confirm compliance.

All ayes. Motion unanimously passed. Audience advised of the ten day appeal period.

4. V-2310 - Burton L. Hem, 72 Magnolia Avenue, A/P 7-212-45, a 14' rearyard variance and a 5 foot north sideyard variance to construct first and second story additions within 6' of the rear property line and within 3' of the north side property line.

The applicants were present.

Lisa Wight presented the staff report.

Mr. Hem said that all of the expansion is taking place to the rear of the house to allow for a master bedroom and bath. The new five foot northwest expansion is barely visible from Cedar Street. He said he shares his rear lot with no. 69 and no. 77 Tamalpais. The distance between the properties is great and there is a buffer zone. Therefore, he did not feel it was a detriment to the neighborhood.

Joyce Wasserman, Apartment Manager 60 Magnolia, stated that the owner of the property feels this addition was an asset to the community.

All the Commissioner's supported the application.

M/S Hayes, Yarish, to approve V-2310 - Burton L. Hem 72 Magnolia Avenue, A/P 7-212-45, a 14' rearyard variance and a 5' north sideyard variance to construct first and second story additions within 6' of the rear property line and within 3' of the north side property line on the basis: 1. Due to special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the controlling zoning ordinance or regulation deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification, and the granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, specifically the shape of the lot and placement of the structure on the lot; 2. The granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner; and 3. The granting of such variance, under the circumstances of the particular case, will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood. This is based on plans dated 7/25/89.

All ayes. Motion unanimously passed. Audience advised of the ten day appeal period.

5. V-2311 - James W. and Alice Stinchcomb, 50 Alder Avenue, A/P 7-041-29, a 3' south sideyard variance to construct a first story addition within 5' of the south side property line with a 1' roof overhang.

The applicant was present.

Ms. Wight presented the staff report.

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There was no objection from the Commission on this application.

M/S V-2311 - James W. and Alice Stincomb, 50 Alder Avenue, A/P 7-041-29, a 3' south sideyard variance to construct a first story addition within 5' of the south side property line with a 1' roof overhang on the basis: 1. Due to special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the controlling zoning ordinance or regulation deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification, and the granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated specifically this addition is in line with the existing side line and the southerly neighboring property has an accessory building within 3' of this common side property line and it is located in the area of the proposed addition; 2. The granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner specifically, the applicant has a special need for this bathroom; and 3. The granting of the variance will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood. This is based on the drawings dated 8/1/89.

All ayes. Motion unanimously passed. Audience advised of the ten day appeal period.

6. V-2312/C-503 - Somporn Thongnopneua, Orchid Thai Restaurant, 726 San Anselmo Avenue, A/P 6-102-37, parking variance and design review to enclose an existing outdoor dining area.

Commissioner Kroot stepped down from this application.

The applicant was present.

Ms. Wight presented the staff report.

Ms. Thongnopneua did not feel this enclosure would have an adverse impact on the neighborhood. She currently serves 12 outside, therefore the limit set in the use permit for 16 is more than adequate. She stated there will be no added lighting to the exterior of the building.

Commissioner Julin had no objection to the parking variance. Although the deck was not before the Commission she commented that she did not think the deck was aesthetically pleasing.

Commissioner Hayes had no objection to the parking variance, noting that the most intense use is in the off hours.

Commissioner's Yarish, Harle, Kanis and Chairman Sias had no objection to the application.

M/S Yarish, Julin, to approve C-503/V-2312 - Somporn Thongnopneua, Orchid Thai Restaurant, 726 San Anselmo Avenue, A/P 6-102-37, parking variance and design review to enclose an existing outdoor dining area on the basis:

Design Review: 1. Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area; 2. Provides for protection against noise, odors, and other factors which may make the environment less desirable; 3. 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; 4. 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 and safety of persons using the improvement or endanger property located in the surrounding area, specifically there will be no change in the lighting or in signage.

Variance: 1. Due to special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance would deprive the property of privileges enjoyed by other property in the vicinity and under an identical zoning classification; and the granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, specifically due to the location of this restaurant, there will be no increase in the total number of seats, and the availability of on-street parking during the evening hours, it appears that the enclosure of this dining deck will not result in a significant increase in parking that cannot be accommodated; and 2. The granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner; and 3. The granting of such variance will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood. This is based on drawings dated July 1989.

Ayes: Kanis, Harle, Hayes, Julin, Yarish, Sias

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Abstain: Kroot

The audience was advised of the ten day appeal period.

7. V-2313 - Hans Bromeaus and Jose Carrillo, 98 Sir Francis Drake Boulevard, A/P 6-191-36, a use permit to operate a service station with minor automotive repairs.

The applicants were present.

Ms. Wight presented the staff report.

Mr. Carrillo said his goal is to keep the premises neat and be sensitive to the needs of the community.

Real Estate Agent for the tenant, said there is a need for this type of service.

Jay Murphy, Real Estate Agent, also felt there was a need for this type of service.

Sarah Nome, 77 Alder, hoped this use would be permitted in San Anselmo.

Ann Pardee, 54 Sir Francis Drake, said there are abandoned cars on the site now and hoped the new owner would keep the premises tidy. She would like to see a limitation placed on the number of cars on the site over night and perhaps have a fence installed for the screening of stored vehicles.

Jim Roman, 40 Sir Francis Drake Blvd, said this is a very visible location and he would like to see it kept in an attractive manner. He also recommended screening of the stored vehicles.

Mr. Carrillo said he did not anticipate keeping cars on the site overnight therefore he did not feel screening was necessary.

Commissioner Hayes approved the application with the staff conditions.

Commissioner Julin asked if the long curb cut was necessary. She said she approved the application but would like to see the light standards replaced and a raised planter strip, parallel to the sidewalk that will partially screen the parked vehicles.

The applicant stated that it was his intent to ensure that adequate landscape was addressed to the neighbors satisfaction. The consensus of the Commission was that although a raised planter strip would be a good idea but should not be a requirement of this use permit.

Commissioner's Kroot and Yarish supported the application with staff recommendations.

Chairman Sias had no objection to the application.

M/S Hayes, Kroot, to approve U-635 - Hans Bromeaus and Jose Carrillo, 98 Sir Francis Drake Blvd., A/P 6-191-36, use permit to operate a service station (fuel and supplies) and minor automotive repairs (engine tune up, oil changes, and part replacements), on the basis: 1. The establishment, maintenance, or operation of the use or building will not under the circumstances of the particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or the general welfare of the Town; and 2. The granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner. This is subject to conditions as follows: 1. On-site overnight parking be limited to no more than 4 vehicles. These vehicles are to be used by and for the business operation or in need of repairs offered by this business. Storage of vehicles will not be permitted, nor will vehicles for sale or lease. 2. Days and hours of operation be as follows: Fuel services and supplies: Every day between 7:00 a.m. and 10:00 p.m. Mechanical repairs: Monday through Saturday between 8:00 a.m. and 5:00 p.m. 3. Noise making equipment used on the site is to be limited to that described in this staff report. 4. The site is to be kept clear of debris, including tires and oil cans, and have a consistent well maintained appearance. Any change to the exterior of the building, including color, or signage will necessitate Town permits.

All ayes. Motion unanimously passed. Audience advised of the ten day appeal period.

8. U-634 - Cedars Foundation, 89 Center Boulevard, A/P 102-37, use permit to operate a retail store with on-site weaving.

Connie Pelissero, representative of Cedars, was present.

Ms. Wight presented the staff report, noting that the hours of operation could be changed to accommodate the business however staff requests limiting the number of handweavers to six.

Jay Murphy, Real Estate Agent representing the applicant, said the site is perfect for this type of use.

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Irving Warner, resident of San Anselmo, said his son is a resident of Cedars and the concept of the young people being able to develop their talents and make money is wonderful.

The consensus of the Commission was that the use was acceptable and a fine addition to the community.

M/S Kroot, Hayes, to approve U-634 - Cedars Development Foundation, 89 Center Boulevard, A/P 6-102-37, use permit to operate a retail store with on-site handweaving on the basis: 1. The establishment, maintenance, or operation of the use or building applied for will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the Town; and 2. The granting of the application is necessary for the preservation and enjoyment of substantial property rights. The condition being that the primary use is sales and that there be no more than six (6) handweavers working in the store at any one time.

All ayes. Motion unanimously passed. Audience advised of the ten day appeal period.

D. APPROVAL OF MINUTES: OCTOBER 2, 1989

M/S Hayes, Kroot to approve minutes of October 2, 1989 with the following amendments: page 2, paragraph 7, change "...three requests per day..." to "...three requests per week..."; paragraph 8, change "...\$25 per year..." to "...\$25 per month per year..."

All ayes. Motion unanimously passed.

E. ADJOURN

The regular Planning Commission meeting was adjourned at 12:15 p.m. to the next meeting of November 6, 1989.

  
BARBARA CHAMBERS  
ADMINISTRATIVE SECRETARY