

CITY OF SAN ANSELMO
 PLANNING COMMISSION MEETING:
 COUNCIL CHAMBERS, 8:00 P.M., MAY 2, 1966

MINUTES

The regular meeting of the San Anselmo Planning Commission was called to order by CHAIRMAN WARREN R. PERRY at 8:00 P.M. in the Council Chamber, City Hall on May 2, 1966.

1. ROLL CALL:

Commissioners Present: Lloyd, Nordmann, Anderson, West, Creighton & Perry
 Commissioners Absent: Murphy

2. APPROVAL OF MINUTES OF MEETING OF APRIL 18, 1966

Commissioner West moved that the minutes of the April 18, 1966 meeting be approved as presented. Commissioner Creighton seconded and the motion carried unanimously.

3. OLD BUSINESS

A. PUBLIC HEARINGS - USE PERMITS

- (1) U-101 - Western Associates - Review of permit to operate a coin-operated car wash at 580 Red Hill Ave.

Engineer Leitzell reviewed the previous action of the Commission on this use permit stating that it was now up to the Commission to decide whether the present operating hours of 7:00 a.m. to 10:00 p.m. had eliminated the noise problem to residents in the area and also to consider the owner's, Mr. Wolfe, request that the closing hour be extended to 12:00 Midnight during the Summer months.

Mr. Wolfe spoke for his request stating that he felt 10:00 p.m. was a reasonable closing hour during the Winter but that many people are out later during the Summer and therefore 12:00 Midnight should be reasonable.

Atty. Thomas E. Schaal was present to speak for the Herman Weingers, owners of nearby apartments. He stated they have no objection to the present use of the property but during the late hours of the night it does present a noise problem to residents and he, therefore, urged the Commission to impose the 7:00 a.m. to 10:00 p.m. hours as all-year operating hours.

Mrs. Sharrow, owner of the property on which the car wash is located, stated that none of the neighbors that she had contacted had any objection to the late hour operation of the car wash.

Mr. Sullivan, a tenant in the apartments, said he had complained at the last meeting of the noise, bad language, etc. during the late hours, but there is no problem with the new hours of operation.

Commissioner Nordmann stated he thinks 10:00 p.m. is a reasonable hour and he is not in favor of extending it beyond that hour.

Commissioner West asked whether installation of landscaping had been a condition of granting the permit and if this had been done. Engineer Leitzell replied that there is a landslide in the rear of the building and the landscaping at the rear cannot be done until this is corrected. Commissioner West pointed out that this is an unsupervised, open-air operation and that the question is whether we should continue the present hours; and since there appeared to be no objection, he is in

favor of continuing but not extending the hours of operation. Commissioners Lloyd and Creighton concurred.

Commissioner Anderson inquired of Engineer Leitzell about ownership of the property with the landslide problem. He answered that the Sharrows own it and that they had applied for subdivision, one of the conditions being the correction of this problem.

Commissioner West moved regarding U-101 - Western Associates - review of use permit, that the conditions of the present use permit be extended for one year; and that it be reviewed at the end of that time to determine whether full compliance has been met with the conditions originally stipulated in granting of this use permit.

Commissioner Nordmann seconded and the motion was unanimously approved.

4. NEW BUSINESS

A. PUBLIC HEARINGS - USE PERMITS

- (1) U-111 - Helen O. Gui - Appl. to use residence at 205 The Alameda for music lessons. A/P 5-101-28.

Engineer Leitzell reported on this request and stated that no signs would be involved, and that she would be giving guitar and accordion lessons.

Mrs. Gui spoke for her application and said she would teach probably four days a week at home, having approximately one student every hour so no traffic or parking problem would be involved. She also said she had contacted the neighbors and they did not object. The hours involved would be 3:00 to 9:00 p.m. at present and 9:00 a.m. to 9:00 p.m. during the Summer when school is out, six days a week excluding Sunday.

Commissioner West inquired whether she would be using amplifiers and she replied that she did use them occasionally.

Mr. Roberts, a neighbor, spoke for Mrs. Gui saying he found the music pleasant and recommended that the permit be granted.

Mr. Le Gee, 165 The Alameda, inquired if she would have group playing that would be noisy, and Mrs. Gui replied that she has some trios and would be having an occasional rehearsal.

A poll of the Commissioners indicated that they all felt this a desirable home occupation provided that the hours were limited and that it be limited to the instruments noted, without amplification.

Commissioner Lloyd moved that U-111 - Helen O. Gui be granted a revokable use permit for the purpose of conducting guitar and accordion lessons at 205 The Alameda. Commissioner Creighton seconded and the motion carried unanimously.

B. ADJUSTMENTS

- (1) ADJ-354 - Wilfred S. Sache - Appl. for fence height variance to allow existing 6' fence at 19 Fern Lane.

Engineer Leitzell presented his report on this request noting that the same request had been before the Planning Commission and the City Council under the previous owner, Mr. Mohun, and had been denied.

Mr. Sache spoke for his application stating that one of the reasons for his purchasing the house was the privacy afforded by the 6' fence and that he was not apprised of the illegality of it at that time by Mr. Mohun. He further stated that due to a nervous breakdown, he needed a great deal of privacy. He had interviewed five close neighbors and presented a letter signed by them stating that they did not object to the fence.

Commissioner West stated that this has been reviewed extensively by both the Planning Commission and the City Council and he feels no new circumstances exist that would justify reversing those decisions. Commissioner Creighton and Commissioner Lloyd concurred.

Mr. Sache stated that if the health and safety of individuals in the community is a matter of concern to the Commission, why shouldn't the health of the property owner also be a consideration? Chairman Perry replied that it was the duty of the Commission to consider the good of the community as a whole, rather than individual interests.

Commissioner Creighton moved that ADJ-354 - Wilfred S. Sache - appl. for fence height variance to allow existing 6' fence at 19 Fern Lane be denied. Commissioner Lloyd seconded and the following vote was taken:

"Ayes" Commissioner Lloyd for the reason that no additional conditions exist that make a change in the earlier decision necessary.

Commissioner Nordmann for the reason that there has not been sufficient justification shown to reverse the previous decision.

Commissioner Anderson based on the ordinance, but he feels privacy should be given more consideration as a condition for variance.

Commissioners West, Creighton and Perry.

The motion was unanimously carried, and applicant informed he has the right of appeal to the City Council.

C. SUBDIVISIONS

- (1) S-69 - Martha Bruckner - Appl. for four-lot subdivision of A/P 5-031-29 located at end of Camino de Herrera.

Engineer Leitzell reported that the maps presented for this subdivision were incomplete and that revised maps had not been received, therefore, the application is incomplete.

Chairman Perry informed Mr. Bruckner that it would be fruitless to consider the matter without proper maps.

Commissioner West moved that S-69 be deferred until such time as a map is submitted which complies with the subdivision ordinance, and that notice be given to the property owners within a 50' radius.

The motion was carried unanimously.

D. CORRESPONDENCE

- (1) Letter from Independent Journal asking that they be notified of any special meetings of the Commission and a memo from the City Attorney advising that this is proper procedure.

E. MATTERS FOR CONSIDERATION OF THE PLANNING COMMISSION

- (1) Request by Marin County Savings & Loan for extension of time on approved tentative map for Indian Rock Subd., Units 3 & 4. (recommendation to City Council).

Engineer Leitzell gave his report on this request stating that the ordinance says the City Council can give extensions up to a year and

on the basis of discussion with the City Attorney, he feels the Council can give another year extension if it so desires. This would be the third extension. New ordinances going into effect since approval of the tentative map include the underground utilities ordinance and the slope policy which would require somewhat larger lots.

Mr. Martinelli was present representing applicant. He stated the property is more salable with the map approved, and he feels it is in the best interest of San Anselmo to put the property in the hands of a subdivider so that it can be completed.

Commissioner West asked whether it is in order to impose additional conditions in conjunction with the extension and Engineer Leitzell replied in the affirmative.

After some discussion it was the general concensus that the new slope policy should not apply to the development since one purpose of the slope policy relates to narrow streets and this will not be a condition of this subdivision. Chairman Perry called for a motion regarding the application of the new slope policy and Commissioner Lloyd moved that for the reason that improvements have already been begun, it appears that the plan cannot be improved by imposing the present slope policy, and he moved that it be waived and the previous conditions applied. Commissioner Creighton seconded and the following vote was taken:

"Ayes" Commissioners Lloyd, Nordmann, Anderson, Creighton & Perry
 "Noes" Commissioner West.

The Commissioners were all in agreement that it would be to the advantage of the City to impose the new Underground Utility Ordinance and Commissioner Lloyd moved that we require underground utilities in accordance with our present ordinance as a condition of extension of time on this tentative map. Commissioner Creighton seconded and the motion carried unanimously.

Engineer Leitzell reported that dedication of an area for a park was part of the original approval for Units 1 & 2 and that the area originally proposed for this dedication had proved unsuitable, therefore, it was made a condition of approval of Units 1 & 2 that an area be set aside in Units 3 & 4 for this purpose. He stated that Parks and Recreation Director Snyder had found a site he felt was suitable and this will be taken up at their next meeting.

Chairman Perry requested that the City Council be instructed that we are continuing this matter for report by the Parks & Recreation Comm.

Commissioner Lloyd moved we grant a one-year time extension from the expiration date of the tentative map conditional upon resolution of the matter regarding lands to be dedicated for parks purposes. Commissioner Creighton seconded and the following vote was taken:

"Ayes" Commissioners Lloyd, Nordmann, Anderson, Creighton & Perry
 "Noes" Commissioner West because he believes the property should be examined in relation to the new slope policy.

- (2) Contracting with Marin County Planning Department for planning services on special projects.

A report by Commissioner West regarding special projects which may justify this service was presented to the Commission. Chairman Perry requested that the Commissioners read the report and be prepared to discuss it at the next regular meeting.

(3) Short Ranch Annexation

Engineer Leitzell presented a map showing the property proposed for annexation.

Commissioner West moved that the Commission recommend the annexation of approximately 12 acres on the northwest side of San Francisco Blvd. designated as Short Ranch and approximately $2\frac{1}{2}$ acres at the north end of San Francisco Blvd., west of the cemetery, designated as the Sorich Annexation; both parcels being suitable and logical extensions of the City Boundaries.


Commissioner Lloyd seconded and the following vote was taken:

"Ayes" Commissioners Lloyd, Anderson, West, Creighton & Perry

"Abstain" Commissioner Nordmann because he resides in the area.

5. ADJOURN

There being no further business to bring before the Commission; Commissioner Nordmann moved the meeting be adjourned at 11:00 P.M. . Commissioner West seconded and the motion passed unanimously.


WARREN R. PERRY
CHAIRMAN
PLANNING COMMISSION