

May 17, 1967

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman Warren Perry in the Council Chamber at 8:00 p.m. on May 15, 1967.

1. ROLL CALL

Commissioners present: Anderson, Creighton, Gue, Heinecke, West, Perry

Commissioners absent: Moore

2. APPROVAL OF MINUTES

Commissioner West said he would like the records to show in item 4 C (1) paragraph 3: "Commissioner West pointed out that at present there exist two legal building sites within the area proposed for subdivision, and that the proposed subdivision will create 3 legal building sites."

Commissioner Heinecke said he wished the following addition to item 5, Proposed revisions to Sign Ordinance: "Commissioner Heinecke asked Mr. Gable whether he would consider an amortization period on non-conforming signs in a length equal to the remaining tax life of the sign a fair amortization period. He answered "yes"."

Commissioner Anderson asked that item 4 C (1) paragraph 3, in the last line, the words curbs and gutters be changed to curb and gutter as this requirement was for one side of the street only.

Commissioner Anderson also said item 5, Proposed Revisions to Sign Ordinance, line 4 should read: "Page 2, line 9 shall be continued to read: "Except that banners of a temporary nature shall be permitted by special permit."

Commissioner West moved that minutes, with additions and corrections be approved, seconded by Commissioner Gue, unanimously approved.

3. OLD BUSINESS

A. PUBLIC HEARING (Continued from May 1, 1967)

Proposed Amendments to the Zoning Ordinance. This matter was continued to the next regular meeting.

B. SUBDIVISION

- (1) SS-138 Application of Arthur Nicolaisen and Marius Larsen for a lot line revision of a ptn. of lot #2, Rosenthal Tract, being Sub. 3 of the Sunnyside Tract, known as 23 Vine Ave.

Mr. O'Rourke read the Engineer's report. Mr. Nicolaisen said he had agreed to the Engineer's suggestions, namely, to pave the street to a full 20 foot width with curb and gutter on one side.

Mr. Gasior, 72 Oak Avenue said he was alarmed about this subdivision; he felt Vine Avenue should be widened at this point. David Faw, 281 Crescent Avenue spoke in favor of the subdivision. Vance Barnett, 303 Oak Avenue said he felt the street should be widened.

Commissioner Creighton moved that SS-138 application of Arthur Nicolaisen and Marius Larsen for a lot line revision of a ptn. of Lot #2, Rosenthal Tract, being Sub. 3 of the Sunnyside Tract, known as 23 Vine Avenue, be approved providing that the street be paved to a full 20 foot width and curb and gutter be installed to City Standards on the southerly side of the street, and that the applicant provide suitable bonding for the improvements. Motion failed to carry by the following tie vote:

AYES: Commissioners Creighton, Gue, Perry  
NOES: Commissioners Anderson, Heinecke, West

Commissioner West voted No because he believed that the street width should be 24 feet rather than 20 feet.

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Commissioner Heinecke moved that SS-138, application of Arthur Nicolaisen and Marius Larsen for a lot line revision of a ptn. of lot #2, Rosenthal Tract, being sub. 3 of the Sunnyside Tract, known as 23 Vine Avenue, be approved providing that the street be paved to a full 24 foot width and curb and gutter installed to City Standards on the southerly side of the street, and further that the applicant provide suitable bonding for the improvements. Motion seconded by Commissioner Creighton and approved by a 5 to 1 vote, with Commissioner Perry casting the dissenting vote.

#### 4. NEW BUSINESS

##### A. PUBLIC HEARING - REZONING APPLICATION

- (1) Z-92. Application of San Francisco Theological Seminary to rezone from R-1 and R-2 to R-3, Assessor's Parcels 7-281-05 and 7-281-23, located at 108 Ross Avenue and 99 Woodland Ave.

Mr. O'Rourke read the Engineer's report. Mr. Don Duerr, Business Administrator of the Seminary introduced Dr. Arnold Come, President of the San Francisco Theological Seminary, and Mr. Franz Albert, Architect. Mr. Duerr said at present there are 11 forty-year old cottages on the property in question, and it had come to a decision whether to try to patch these cottages up or raze them and build a modern apartment house which would be a worthwhile addition to the community. There would be 13 units, which is well below that allowed by the zoning ordinance, in the proposed building. Mr. Duerr said an effort was being made to preserve the open space and green area and to avoid jamming buildings up against each other.

Mr. Russell, 88 Ross Avenue said he was in favor of the new apartment house to replace the dilapidated cottages.

Mr. John Burke, 118 Woodland Avenue, stated he lives opposite the cottages, and he wondered if this parcel were zoned R-3, how many more requests for rezoning would come up. He said he was against moving R-3 zoning toward the R-1 district. Mr. Dunlop said he lived on the corner of Woodland Ave. and he asked where does the multiple zoning end? He felt the transient nature of the apartments would deteriorate the neighborhood."

Commissioner Anderson said the need for additional housing for the Seminary should be viewed as a serious and long range problem, and he felt he would like to see a master plan for the Seminary.

Mr. Duerr said there was a master plan being developed for the Seminary; however, it was not available at the present time. Commissioner Anderson said the San Anselmo Master Plan indicated multiple zoning should remain east of Cedar Street.

Commissioner Heinecke moved that this matter be postponed until such time as the Seminary presents additional information concerning a Master Plan. Motion seconded by Commissioner Gue. Motion approved by a 5 to 1 vote with Commissioner West casting the dissenting vote.

Chairman Perry stated he would be happy to consult with the Seminary at any time as to materials which might be presented to the Planning Commission.

Commissioner West asked that notices be sent again to property owners in the area when the matter is again placed on the Agenda.

##### B. USE PERMIT APPLICATIONS

- (1) U-127. Application of Guasco Market for outdoor display of plants at 100 Center Boulevard

The Engineer's report was read. Mr. Guasco said this was a seasonal use -- the greenhouse was for display of fuscias that he has grown himself.

Commissioner West moved that U-127, application of Guasco Market for a Use Permit for outdoor display of growing plants and flowers be approved with the specific provisions that the structure to be erected be approved by the Design Review Committee, and that the Use Permit be revokable. Motion seconded by Commissioner Creighton.

Commissioner Heinecke moved to amend the motion by adding; "That the structure be removable and that a condition of the permit be that it be removed during any period in excess of thirty days when it is not being utilized for the sale of articles permitted. Commissioner Gue seconded the amendment and Commissioners

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West and Creighton accepted the amendment. Motion unanimously approved.

- (2) U-128. Application of David A. Dunn for permit to operate a restuarant and conduct a "Take-out" food operation at 111 Red Hill Avenue - Firm Name: Der Weinerschnitzel

Mr. David Dunn comprehensively presented the application forthe Use Permit. Mrs. James Schubal, 25 Sequoia Drive, stated she lives in the area back of Red Hill. She said she felt any business in this location should have a tone of dignity.

Chairman Perry said he had received a telephone call from Mrs. C. L. Adams 2 Park Way, and she stated quite strongly she was opposed to the development of the parcel due to its impact on the entrance to the neighborhood.

Mr. Landtbom, owner of the property, said the building that exists is over 35 years old, and he felt the proposed installation would be an improvement to the neighborhood. Mr. Landtbom said he was still willing to dedicate a 9 foot strip of land from the westerly end of the lot, at no cost to the City, in order that the City might align the intersection of Sequoia Drive and Red Hill Avenue.

A letter from the Chief of Police indicated the Police Department had no objection to the revised plot plan.

Commissioner Creighton said he felt the installation would upset the traffic flow.

Commissioner West moved that U-128, application of William Landtbom for a Use Permit to operate a drive-in restaurant at 111 Red Hill Avenue be approved subject to the following conditions:

1. That a 9 foot strip of land at the westerly end of the property be dedicated to the City of San Anselmo.
2. That the applicant post bond or other suitable surety to provide for the installation of sidewalk, curb and gutter on the Miracle Mile frontage if required by the City at any time during the next five years.
3. That permanent provision for irrigation of the landscaped area be installed, and that the landscaping be maintained in good condition.
4. That this permit be revokable in the event that the Use comes to adversely affect the health or safety of the neighborhood.

Further that the Planning Commission recommend to the Design Review Board that in their consideration of the building plans they require substantially smaller signs than those shown on the drawings submitted with the application, and that they find a method to include two, or preferrably, three large trees in the parking area.

Motion seconded by Commissioner Anderson. Motion failed by the following vote:

AYES: Commissioners Anderson, West  
 NOES: Commissioners Creighton, Gue, Heinecke, Perry

Commissioner Gue said with all due respect to the Police Department, he believed that the high volume of business will make a very bad traffic situation even worse.

Commissioner Heinecke said he voted No for the following reasons:  
 "1. The property is, in my opinion, totally unsuited for the proposed use.  
 2. The proposed motion does not make the findings required by the San Anselmo Zoning Ordinance, to-wit: "The particular circumstances of the case, the use is not 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 City."

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## C. VARIANCE APPLICATIONS

- (1) ADJ. 368. Request of Daryl McClelland to be reheard in reference to conditions of granting of ADJ. 368 on April 17th. 147 Humboldt Avenue

Mr. McClelland asked for a rehearing of the conditions which were a part of the granting of this adjustment. He asked for a deletion of the requirements that he remove his existing garage. He said this was the only storage area he had and that with a small amount of work, this structure would be safe.

Chairman Perry stated that the removal of this structure had been considered at the time the adjustment was granted, and it was the consensus of the Commission that the garage should be removed.

Commissioner West moved that ADJ. 368, request of Daryl McClelland to be reheard in reference to condition of granting Adjustment 368 be denied for the reason that the original application by Mr. McClelland stated that the existing garage "has now become a danger due to age"; Mr. McClelland stated during the hearing on April 17 that the existing garage was unsafe; in addition his plat dated April 1967 bears the notation, "the existing garage to be removed". All of these facts were thoroughly considered by the Commission in making the removal the existing garage a condition of granting of the variance. Motion seconded by Commissioner Anderson and unanimously approved.

## D. SUBDIVISION

- (1) SS-137 Peter C. Haywood. Request for rehearing of lot line revision approved April 17, 1967, lots 12, 13 and 14, Indian Rock Sub. 1.

Mr. Haywood said the Planning Commission had originally approved the addition of two triangular parcels of land to lot #13, one from lot #12, and one from lot #14. However, the bond holders on lots 12 and 14 denied segregation, and Marin County Savings and Loan had seen fit to purchase one of the bonds only; hence a revised map was submitted adding only the triangular parcel from lot #14, shown as 13-B. He stated this would not affect the building site.

Commissioner Gue moved that SS-137, application of Peter C. Haywood for a lot line revision as indicated on the parcel map of re-subdivision of lots #13 & 14, Indian Rock Unit #1 be approved in accordance with the parcel map and subject to the same provisions as specified on parcel map approved April 17, 1967. Motion seconded by Commissioner Creighton and approved by the following vote:

AYES: Commissioners Anderson, Creighton, Gue, West, Perry

ABSTAIN: Commissioner Heinecke

At 12:05 p.m., there being no further business to come before the Commission, The Chairman declared the meeting adjourned.

  
WARREN R. PERRY  
Planning Commission Chairman