

CITY OF SAN ANSELMO
PLANNING COMMISSION MEETING

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman John F. West at 8:00 p.m. on May 20, 1968 in the Council Chamber.

1. ROLL CALL

Commissioners Present: Creighton, Gue, Heinecke, Moore, Perry, Tusler and West

Commissioners Absent: None

2. APPROVAL OF MINUTES

Commissioner Gue asked that in item 3 A (1) an addition, as follows, be made to his reason for voting No: R-2 would be more in line with good planning for the interior lot.

Commissioner Gue moved the minutes of May 6, 1968 be approved as amended, seconded by Commissioner Moore and unanimously approved.

3. OLD BUSINESS

A. SUBDIVISION APPLICATION

- (1) S-77 Vernon and Clara Wheeler. Application for a two-lot subdivision of A/P 5-051-11, located at 273 Butterfield Road.

Mr. William Watt was present for the applicant. He said the lot was 100% usable land; the prospective buyers wished to put a swimming pool in the L-shaped portion of the lot. He said the side line which was drawn to give the lot a 60 foot frontage was to accommodate the access from Butterfield Road.

Commissioner Perry said it appears to him that the northerly lot line has been angled to meet the average width requirement of the ordinance. He said whenever possible lot lines should be at right angles.

Commissioner Tusler said the area seems to be composed of lots substantially larger than that proposed, and it would be good planning to keep all of the lots of a similar size.

Commissioner Gue said he found only two lots in the area smaller than the one proposed, and also he did not like to jog the side line in order to obtain the 60 foot width.

Mr. Watt said Mr. Wheeler had held this land over many years, always with the feeling that he had more than one lot. Mr. Watt further stated that he felt this was a proper subdivision, the land being level and completely usable.

Commissioner Perry commented that the size of the lot does not match the average size of the area, but it does comply with the ordinance; he said the side line was obviously arranged to meet the average width requirement but that he could see that a jog would be no more advantageous; the map complies with the subdivision ordinance, therefore, he moved: That S-77, application of Vernon and Clara Wheeler for a two-lot subdivision be approved provided that the curb, gutter and sidewalk be installed on the entire Butterfield frontage across both parcels and the curb and gutter be installed on Kendrick Drive for a distance of 15 feet. Motion seconded by Commissioner Moore and failed by the following vote:

AYES: Commissioners Perry, Creighton and Moore.

NOES: Commissioners Tusler, Gue, Heinecke and West.

Commissioner Gue voted No because he did not believe this sub-standard lot should be approved and he did not believe that the

Commission should set the precedent that it can juggle lot lines in any direction just to comply with the minimum footage or width requirement.

Commissioner West voted No because he would like to see the lot size increased to be more in conformity with the other lots in the neighborhood. The side lot line as proposed is not in conformity with the ordinance; however, he would be willing to waive this conformity, were the size of the lot to be increased.

Mr. Watt then asked if the Commission would approve the subdivision if the rear property line were extended to the west boundary of Mr. Wheeler's property.

Commissioner Perry asked Mr. Watt if he had the authority to act on behalf of his client in this request.

Mr. Watt answered that he did.

Commissioner Perry then moved that the Wheeler Subdivision (S-77) be approved provided the northerly lot line is extended from the presently depicted most northeasterly corner of Parcel B, directly North 75° 18' 45" West, to the most westerly line of Parcel A, as now depicted, and provided the sidewalk, curb and gutter is installed on the entire frontage of Parcels A and B on Butterfield Road and curb and gutter up Kendrick Drive for a distance of 15 feet on the side line of Lot A, and further provided a record of survey map is duly submitted and recorded according to the ordinance requirements of the City of San Anselmo, and further that the Planning Commission recommend that this application be submitted to the City Council with a recommendation that the average lot width be waived. He further recommended that the Commission find that the special circumstances are that the proposed Parcel B more than complies with the minimum lot size and is therefore consistent with usages in the area and as there is full compliance with the other requirements of the ordinance, the applicant would be deprived of substantial property rights should this subdivision not be approved, since there is no showing of injurious or detrimental effect in the granting of this subdivision.

Motion seconded by Commissioner Creighton and approved by the following vote:

AYES: Commissioners Tusler, Creighton, Moore, Perry and West.

NOES: Commissioners Gue and Heinecke.

4. NEW BUSINESS

A. USE PERMIT APPLICATIONS

- (1) U-141 St. Nicholas Church. Application for Use Permit to construct and use church facilities at 102 Ross Avenue. Assessor's Parcel 7-281-19 & 22.

Mr. Miram, architect for St. Nicholas Church was present. He said the present church was located in the old building, and a new building was proposed to be constructed on the same lot.

Mr. Joseph Hok, Treasurer of the Church, stated that the church has been in use in this location for over 10 years, and no one has complained over the use.

Mr. Peter Fenton, who owns the property across the street, said he felt the church was an asset to the neighborhood, and it has never been a problem.

Commissioner Gue moved that U-141, St. Nicholas Church, Application for Use Permit to construct and use church facilities at 102 Ross Avenue, Assessor's Parcel 7-281-19 & 22 be granted since this use in the other building in the same area has been acceptable for the last 10 or 15 years. Motion seconded by Commissioner Tusler and unanimously approved.

- (a) ADJ. 379 St. Nicholas Church. Application for Use Permit to construct and use church facilities at 102 Ross Avenue. Assessor's Parcel 7-281-19 & 22.

Mr. Miram, the architect for St. Nicholas church, said he felt the requirement of 9 parking stalls (7 for the church and 2 for the dwelling) would cut the lot up and present a problem. He said a problem has never existed and it will be the same use. He also said that the religion requires that the sanctuary be built facing east, and therefore relocating the new sanctuary would be difficult. He said further that the height of the building as proposed is 29.5 feet, with the cupola and cross extending beyond this height. He said he felt ornamentation should be excluded from the building height measurement.

Commissioner West said parking has not been a problem in the past, and he would not anticipate that it will be in the future. The Presbyterian Church has no off-street parking, and has no problem. He felt that the request for a variance of 4 off-street parking spaces is reasonable. He said he was influenced by the fact that he would much rather see landscaping and planting rather than a large portion of asphalt paving.

Mr. Peter Fenton, property owner across the street, said he felt some Byzantine architecture in San Anselmo would be a very pleasant thing, and said he had never encountered parking problems.

Commissioner Perry moved that Adjustment 379, application of St. Nicholas Church for a variance of 4 off-street parking spaces and a variance in building height to permit construction of a cupola in accordance with the proposed plans and drawings dated May 2, 1968, be approved. Motion seconded by Commissioner Gue and unanimously approved.

- (2) U-142 Bess and Alexander Gilroy. Application to conduct a nursery school at 172 Tunstead Avenue. Assessor's Parcel 7-231-45.

This matter has been moved off the agenda at the request of the applicants.

B. SUBDIVISION APPLICATION

- (1) SS-146 Amy M. Attley. Application for lot line revision A/P 5-202-47, located at 30 Durham Road.

Mrs. Attley stated the purpose of the application for a lot line revision was to retain a walnut tree with a play area that has been on the lot and used by the family for 40 years.

Commissioner Perry suggested instead of a lot line revision, it would be more to Mrs. Attley's advantage to retain this tree and play area by means of deed restrictions. Mrs. Attley said she was unaware that she could accomplish her desire in this manner and asked for a two-week continuance to investigate further. Request granted and the matter will be continued to the June 3rd meeting.

5. MATTERS FOR CONSIDERATION OF PLANNING COMMISSION

- A. U-97 Review of Conditions of Use Permit granted on June 22, 1964 to Harry Brogioli for renting of haulage trailers at 100 Sir Francis Drake Boulevard

Mr. Brogioli said he wanted to apologize for not appearing at the last meeting. He said he did not understand the problem. He had the use for the past three years, and it was a needed use in the City. He said the number of trailers that he has to take in is out of his hands. They come from other areas and are directed to his station.

Chairman West replied that the permit had been granted for 6 trailers and that the Commission had received complaints that there

more than this number of trailers on frequent occasions.

Mr. Brogioli answered that he did not like to have more than 6 trailers, but that it was beyond his control.

Commissioner Perry suggested that perhaps the Use Permit provision is inadequate.

Commissioner Moore moved that U-97 condition of Use Permit granted originally on June 22, 1964, to Harry Brogioli for renting of haulage trailers at 100 Sir Francis Drake Boulevard be increased from 6 to 9 trailers. Motion seconded by Commissioner Creighton and approved by the following vote:

AYES: Commissioners Heinecke, Moore, Tusler, Creighton and West

NOES: Commissioner Gue

ABSTAIN: Commissioner Perry

Commissioner Gue said he voted No because the Commission was avoiding the issue by just raising the number of trailers allowed.

Commissioner West stated that in voting in favor of this increase in number, he, for one, would expect to see the limit consistently observed.

B. Commissioner Creighton reported on the City-County Planning Meeting.

He said it was an organizational meeting with Douglas Merrill of the Novato City Council elected Chairman and Hugh Dougherty of the Marin County Planning Department Vice Chairman. Paul Zucker was elected recording secretary.

C. Report on Status of letter dated May 15, 1967 to City Council regarding revision of Use Permit requirements.

The City Council has officially referred the matter of the amendments to the subdivision ordinance regarding Use Permit Requirements back to the City Council and Commissioner Heinecke was appointed to review the matter and present it to the Commission at the next meeting.

D. Review of Amendments to Zoning Ordinance

Commissioner West suggested some additions to the Planning Commission draft. He felt the setback in all residential zones should be 20 feet and that this setback should not be considered as off-street parking. Secondly, the width for R-3 lots should be increased.

Commissioner Gue said he felt the average width for R-3 lots should be 75 feet and a minimum of 10,000 square feet. The amount of increase will be reported back to the Commission at the next meeting.

Commissioner Tusler agreed that the average width of R-3 lots should be increased, but asked for some time to study the amount of increase. He will report back to the Commission at the next meeting.

E. Preparation of Sign Ordinance.

Commissioner Perry is to research his files for memos that he had made on the sign ordinance, and prepare a memo for the next Planning Commission meeting.

F. Report of Reconnaissance Report Committee

Commissioner West reported that the Reconnaissance Committee had held two meetings, and briefly outlined the proposed plan of operation.

6. CORRESPONDENCE

None

7. At 10:45 Commissioner Gue moved the meeting be adjourned, seconded by Commissioner Moore and unanimously approved.

JOHN F. WEST
PLANNING COMMISSION CHAIRMAN