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Meeting of San Anselmo Planning Commission, City Hall, July 11, 1949

Meeting called to order at 8:10 p.m Chairman Merritt Webster presiding.  
Commissioners present: Webster, Meyerink, Alfsnes and Carey  
Commissioners absent: Works and Sharp

Chairman Webster announced the first order of business would be the continued public hearing of the Foglia petition for rezoning to Commercial of lots 1 to 6 inclusive, Hawthorns Hills Sub. #1.

Attorney Harold Haley representing those opposing the granting of the Commercial rezoning petition reiterated his previous remarks relative to the Commission having given this rezoning considerable thought and arriving at a rezoning to second residential as the solution to a more equitable use of the property by the owners and a course acceptable to the surrounding property owners, concluding, that no further discussion was necessary and the commercial petition should be turned down.

Attorney David Fyfe representing the petitioner took the stand that such was not the case wherein the owners were not given sufficient use of their property, also, due to the fact that the property across the street was commercial, the property in question should be likewise.

Chairman Webster then described the background of the case taking the a generally favorable attitude toward the rezoning, stating that his remarks were purely personal as a member of the commission and then asked for an expression from the other members.

Commissioner Meyerink expressed his feeling that expansion of the commercial zone was a necessity, but felt that such zonings should be based on a percentage basis wherein if more than 30% of the surrounding property owners opposed such zoning it should be denied.

Mrs. Henry A. Sherry 138 Suffield Ave., San Anselmo then took the floor to express an unfavorable view on Commissioner Meyerink's observation that commercial expansion was necessary stating that it was not so easy to favor such expansion when one lived in the affected district.

Commissioner Alfsnes then concurred with Commissioner Meyerink's expressed views.

Commissioner Carey in his expression of views on the matter stated that although he was favorable to a commercial zoning of the property in question, no rezoning of any kind would be acceptable without a fifteen or twenty foot set-back that would insure a lesser expense to the City at the time of widening of Sir Francis Drake Blvd, also sufficient off the road parking must be provided. If such could be guaranteed in a manner satisfactory to the City Attorney he would look favorably on the petition.

Attorney Harold Haley representing the opposition then made a rebuttal of the stand of the opposing property owners along the lines of his previous remarks.

Attorney David Fyfe representing the petitioner then expressed the fact that he could satisfy Commissioner Carey's requirements regarding set-back wherein a deed to the city could be executed under the guidance of the City Attorney. He stated that he was speaking for the petitioner Mr. August

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Foglia and Mr. Bain, owner of Lot 4. Attorney Berwyn Rice representing Mr. Silvia Ardito, Box 51, Fairfax owner of Lot 2, expressed the concurrence of his client in the matter of set-back as summarized by Attorney David Tyfe.

Chairman Webster stated that due to the fact that both sides had had sufficient opportunity to express their views on the petition, the meeting was open to a motion as to whether the petition should be granted or denied.

On the motion of Commissioner Meyerink, seconded by Commissioner Alfnes, it was moved that the petition be denied.

Chairman Webster asked for a voice vote on the motion which tallied;  
Ayes: Commissioners Meyerink and Alfnes.  
Noes: Commissioners Webster and Carey.

The petition of the MacCormack-Tucker Lumber Co., Ltd., a California corporation, to rezone property which it owns on the northeast side of Sir Francis Drake Blvd., easterly from the S. F. Presbyterian Orphanage and Farm and opposite the southerly end of Bella Vista Avenue, was set for Public Hearings on July 25th and August 1, 1949, at 8:00 O'clock P.M. City Hall, San Anselmo, Calif.

Meeting adjourned, subject to call of the Chairman, at 9:40 P.M.

San Anselmo Planning Commission

By *David O. Carey*  
Acting Secretary

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Mayor  
Webster