

CPC

Minutes
Meeting San Anselmo Planning Commission, held City Hall, Nov. 19, 1945

Meeting called to order at 8:30 p.m. by Chairman Merritt Webster.
Reading of minutes of minutes of meeting of Nov. 5, 1945

Chairman Webster stated the meeting was now open for a public hearing of the Sohner petition for rezoning from First Residential to Commercial and of the Singleton petition for rezoning from First Residential to Second Residential and that the Commission would first hear from Mr. Sohner.

Secretary Sharp stated that the Sohner petition covered eight parcels designated on the zoning map in color red and by the lot numbers 17, 18, 19, 29, 30, 31 and 33 immediately adjacent to the present commercial zoned district and located between Ross Ave. and Mariposa Ave. and was therefore not "spot" zoning but an extension of an already established commercial zoned district. A letter from Ernest Ongaro, favoring the Sohner petition was read and filed with the petition. Mr. Sohner stated he was desirous of rezoning his property to commercial district, as the tree-service business he was conducting necessitated his housing trucks on the property contrary to restrictions for First Residential District zoning. Mr. Wessell, the owner of lot 19 adjacent to the present commercial zone and intervening the Sohner property stated he had included his lot in the petition, that he had resided in the district for a number of years and felt it a logical move to rezone to commercial. Mr. Duley the owner of lot 8, across the street on Ross Ave. stated he was opposed to the petition as he felt any extension of the commercial district would be detrimental to residential values. Mr. Sohner stated he planned to maintain his own home on the property and to conduct the business and build such additional buildings as would be a credit to the district. After some further general discussion by those favoring the petition Commissioner Thomas, seconded by Commissioner Works moved that the petition be approved for adoption and the City Council be so instructed.

Chairman Webster stated the commission was prepared to hear the Singleton petition for rezoning from First to Second Residential.

Secretary Sharp called attention to the petition as now presented to the commission for consideration as not conforming to the notices as mailed out for the public hearing; namely that the notices provided for:

"Re: petition with City Planning Commission to rezone from first to SECOND RESIDENTIAL, property described briefly as follows: On the easterly and southeasterly side of Elm Ave a distance of about 285 feet north of Scenic Ave; also, on the northerly side of Scenic Ave. between Elm and San Anselmo Ave, also, on the easterly and westerly sides of San Anselmo Ave. a distance of about 220 feet northwesterly of Scenic Ave; also, between this property and the property known as the Raphael Store on that side of San Anselmo Ave."

and that the petition as now refiled this evening did not conform to the notices as sent out to the property owners, which called for a larger area zoning, whereas the present petition for the zoning only of the Singleton property, a portion of lot 88, Bush tract, constituted "spot" zoning contrary to the established policy of the commission and contrary to previous plans as worked out between the Singletons, Commissioners Sharp and Meyerink and Ray Overdick, Oct. 30, 1945 in the clerk's office when it was agreed to file petition to take in the larger area and the clerk was so instructed to send out notices.

Attorney Phillip A. Kennedy, 2 West Sea View, San Rafael, Cal.-- stated he had been retained by Mr. and Mrs. Singleton to represent them before the commission and that it was on his advice that they had just filed the petition calling for spot zoning, as he felt there would be less likelihood of opposition than if they took in the larger area; that he was not aware at the time that notices had already been sent out for the hearing on area zoning, but in view that all property owners interested had been notified and there was a large representation present he desired that the commission proceed with the hearing on the basis of spot zoning.

Chairman Webster, hearing no objection, decided to grant the request and stated those present would be given an opportunity to express themselves both for and against the granting of the petition to spot zone the Singleton property.

Attorney Kennedy stated it was the desire of his clients to build duplex apartments on this property for the housing of families and not transient tenants, that the total investment would be approximately \$20,000. and a credit and improvement to the community.

Mrs. Singleton stated the property adjoined their own home and that it was to their interest to see that anything built there and those to whom it was rented would be suitable for such district, as she expected to reside there and raise her family in her home adjacent to the property.

The following property owners of the district present expressed themselves as opposed to the granting of the petition for spot zoning, on the ground that such spot zoning would allow for the building of duplex homes and four family apartments, invite additional later requests for spot zoning, tend to overcrowd and cheapen the district:

Fred E. Bamfield,	54 Scenic Ave.
John P. O'Connell	1201 San Anselmo Ave.
G. H. Burton	1251 San Anselmo Ave.
L. P. Glandon,	21 Yolanda Drive
J. L. Kenny	14 Scenic Ave.
E. W. Rauche	79 Scenic Ave.
Frank W. Isakit	22 Scenic Ave.

Mrs. Catherine Struckman, 1311 San Anselmo Ave. stated she was in favor of rezoning the property.

A petition consisting of five pages and signed by some 104 names of residents of the Yolanda district and giving their addresses, addressed to the City Planning Commission protesting the zoning and reading as follows was filed:

"We the undersigned property owners and residents of Yolanda, Marin County, Cal., do hereby protest the rezoning of any territory now recognized as first residential, to second residential. This includes the territory now under consideration by the Planning Commission particularly described as the property on the north side of Scenic Ave. between Elm and San Anselmo Ave. thence easterly to Raphael's Store Building. The interest of the property owners of this territory is, the improvement and building of first residential types only, with the assurance that the neighborhood will not be subject to deterioration, instead of constructing improvement which is now the trend.

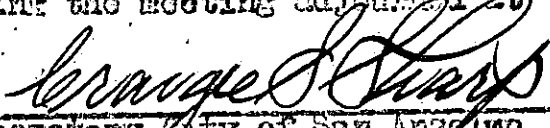
Any signatures to petitions prior to this document are hereby revoked.

Attorney Kennedy restated that the housing his clients proposed would be an improvement to the community as it would be utilizing a former waste lot and give housing to returning veterans, but that if the majority of the residents of the community did not favor this spot zoning the Singletons would not press the matter. He requested, however, that the commission rule on the petition as filed, stating he felt it would establish a record for such future requests.

After some further general discussion Chairman Webster stated that if no one wished to address the commission further he would entertain a motion. Commissioner Thomas, seconded by Commissioner Meyerink, moved that the Singleton petition as filed for spot zoning be not granted and that the City Council be so notified.

Chairman Webster read a request from the City Council that a member of the San Anselmo City Planning Commission be named to work a committee from the City Council to act on requests to remove and replace trees along street parking areas. Chairman Webster requested Commissioner Meyerink to so act and he stated he would check into the matter with Ray Overdick and report.

On motion of Commissioner Meyerink the meeting adjourned at 10:05 p.m.


Secretary City of San Anselmo
Planning Commission.

✓
Copy-City Council
Copy-Webster
Copy Von Rotz