

CITY OF SAN ANSELMO  
 PLANNING COMMISSION MEETING  
 COUNCIL CHAMBERS, 8:00 P.M., APRIL 18, 1966

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 April 18, 1966.

1. ROLL CALL:

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

2. APPROVAL OF MINUTES OF APRIL 4, 1966

Commissioner West moved the minutes of the meeting of April 4, 1966 be approved as presented. Commissioner Creighton seconded and the motion was passed unanimously.

3. OLD BUSINESS

A. PUBLIC HEARINGS - REZONINGS

- (1) Z-87 - Richard Cantua - Appl. to rezone A/P 6-173-15 located between #4 & #6 Greenfield Ct. from R-1 to R-2.

Engineer Leitzell reviewed his file on this application stating that it was held over from the last meeting. He also presented a petition from property owners within a 300' radius of the property in question stating that they felt the change would be detrimental to the neighborhood and is unnecessary. They suggested rezoning the one R-3 parcel next door back to R-1 as it was spot zoning.

Applicant Richard Cantua was present and presented Mr. Robert Middagh who had prepared material for the Commission showing existing zoning and present use of the property, an artist's conception of the proposed duplex, parking and a rough drawing of the plot plan. He stated the applicant intends to have his mother occupy one unit and rent the other. He had signatures of the two adjoining property owners, Mr. Howell & Mr. McKinnon, stating they were in favor of the rezoning.

The owner of 279 Greenfield Ave. expressed concern over the drainage problem existing now and questioned if applicant would take care of this.

Mr. Cotton in the audience stated that the pictures presented were slanted to show the neighborhood in an unfavorable light.

Commissioner Creighton inquired how many cards were sent out and Engineer Leitzell replied that 30 were sent.

Commissioner West asked the status of Greenfield Ct. and Engineer Leitzell stated that the right-of-way is dedicated but it has never been brought up to standard and accepted. Commissioner West stated he felt the road was inadequate for duplex zoning, that it was a cul-de-sac street with no turn-around. He also stated that the plans presented by Mr. Middagh were irrelevant as nothing required the applicant to use those particular plans if the zoning were approved. He is further opposed due to the fact that the R-3 zoning present now is spot zoning and this type of zoning encourages speculation and deterioration of property, and he feels the topography is unsuitable for multiple zoning. Commissioners Nordmann and Creighton concurred.

Chairman Perry stated he agreed with Commissioner West's comments and that one thing not shown is a compelling need from the standpoint of the community for rezoning this property. The area is primarily residential, R-1 and it would seem that the only justification for rezoning would be to form a buffer between the R-1 and the R-3 zoning present, but he feels this is out-weighed by the fact that it would tend to change the character of the neighborhood.

Commissioner West moved that Z-87 - Application to rezone A/P 6-173-15 located between #4 & #6 Greenfield Ct. from R-1 to R-2 be denied for the reasons that it would be spot zoning, that it is out of character with the surrounding area and that the street is not adequate for the existing density.

Commissioner Creighton seconded and the motion was unanimously passed. Chairman Perry informed the Applicant that he could appeal to the City Council if he wished.

## B. SUBDIVISIONS

- (1) S-60 - Sunny Hills - Appl. to divide A/P 6-061-14, 15 & 16 into four parcels. Final Map.

Engineer Leitzell reviewed this application stating that we have all the required information, the bond has been posted and some improvements have already been constructed. The final map is in conformance with the tentative map approved by the Planning Commission. The Subdivision consists of four parcels, which were shown on a map presented to the Commission. He stated that the roadway as shown on the tentative map had been relocated in order to save the trees. He then reviewed some of the history with regard to approval of the tentative map and stated that everything was in order for presenting to the City Council.

Al Swanson of Grubb and Ellis was present representing applicant and stated that the map speaks for itself.

Mr. Corlet, in the audience, spoke stating that the road running through Sunny Hills should be public rather than private as it is needed for ingress and egress to San Rafael.

Mr. Arntz spoke for the development stating that they had worked very closely with the City Engineer and if they had to modify their plans at this late date, it would conceivably halt development. Sunny Hills stated that they would not consent to the development if the public roadway were a condition.

Commissioner West stated that the original approval had assumed dedication of the 15' strip right-of-way from Sonoma and Sir Francis Drake Blvd. but this did not come to pass due to the denial of a Use Permit to Union Oil. He further stated that he felt he made a mistake in voting for the tentative map if for no other reason, the fact that the new road is private. He would like to see the development go ahead but thinks it needs further changes before he could vote for approval of the final map.

Chairman Perry stated that the denial of a Use Permit to Union Oil was beyond the control of the applicant, therefore, we can't say that it was a condition with which they did not comply. He feels the applicants are acting in good faith, have co-operated with the City Engineer and have done a good job. He thinks the project is enviable as far as San Anselmo is concerned as it is the first major development in this town in a long time and further, we wouldn't be serving the good of the City to delay because they weren't able to get co-operation from Union Oil.

Engineer Leitzell reminded the Commission that the Ordinance reads that if the final map agrees with the tentative map and the bonds have been posted and other items required are in order, then it is to be forwarded

to the City Council

Commissioner Nordmann stated he believes applicants have been very co-operative and have complied with all requests and he sees no reason to hold up approval. Commissioner Creighton concurred and stated he felt something might still be worked out with Union Oil.

Mr. Norm Miller of Union Oil stated that they are planning to come back and re-apply for a Use Permit, and he is sure the dedication will go through if the permit is granted.

Commissioner Nordmann moved in regards to S-60 - Sunny Hills - application to divide A/P 6-061-14, 15 & 16 into four parcels, that the final map be recommended to the City Council for approval.

Commissioner Creighton seconded and the following vote was taken:

"Ayes" Commissioners Nordmann, Creighton & Perry

"Noes" Commissioner West because a major condition of the approval of the tentative map was that Sir Francis Drake be widened to the corner of Sonoma Ave. and this condition has not been met. Second, because contrary to his vote on the tentative map, he has changed his view and feels that Sunny Hills Drive should be dedicated.

The motion carried.

#### 4. NEW BUSINESS

##### A. CORRESPONDENCE

- (1) Engineer Leitzell presented a letter from Jordan Martinelli, Jr. of Marin County Savings dated April 14, 1966 with regard to Indian Rock Subdivisions No. 1, 3, and 4. He requested that the present tentative maps be extended for an additional year in that they had acquired the property due to foreclosures and felt it in the best interest of San Anselmo to have the area developed and sold. Engineer Leitzell pointed out that there was a time limit of one year when the tentative map was approved and that it had already been extended for two additional years ( a total of 3 years). The time limit is now 18 months with a possible extension of one year or a total of  $2\frac{1}{2}$  years.

Mr. Martinelli spoke in favor of the request stating that, otherwise, the project may drag on for a number of years.

Chairman Perry stated he would be in favor of allowing more time for review. He suggested we acknowledge receipt of this request and schedule it as a matter for consideration at the next meeting and asked that Engineer Leitzell make comments regarding any changes in the ordinance/the original approval.  
since

- (2) A letter from Leland H. Jordan re: SS-112 - Sharrow was presented to the Commissioners.

##### B. MATTERS FOR CONSIDERATION OF THE PLANNING COMMISSION

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

Engineer Leitzell read his report on this matter suggesting we check with other cities and get their opinions.

Chairman Perry agreed and suggested we also check with the County and find out if we can get these services for free. If not, we can then decide if we want them badly enough to pay for it. If we have to pay, another possibility would be to hire our own local assistant to perform the same service.

Commissioner West stated we should have an inventory of jobs to be done and Chairman Perry requested he compile such list and present it at the next meeting. Commissioner West agreed to do so.

(2) Rezoning of 20 Tamalpais - Tor Nielsen property by City Council.

Engineer Leitzell informed the Commission that this matter would be taken up by the City Council at the 4/19/66 meeting.


Chairman Perry stated his opinion is that we should make it clear that we would like to see this property be consistent with our Town Center Plan. He will attend the Council meeting and express the views of the Planning Commission.

Commissioner West moved that the Chairman request the Council to reconsider the rezoning of 20 Tamalpais and to consider the effect of rezoning on the Town Center Plan which was recently recommended by this Commission to the Council and which was approved in principal by the Council.

Commissioner Creighton seconded and the motion carried unanimously.

5. ADJOURN

There being no further business to bring before the Commission, Commissioner Creighton moved the meeting be adjourned. Commissioner West seconded and the meeting was adjourned at 10:30 P.M..

  
WARREN R. PERRY  
CHAIRMAN  
PLANNING COMMISSION