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CITY OF SAN ANSELMO
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS 8:00 P.M. JANUARY 3, 1966

30203

MINUTES

The regular meeting of the San Anselmo Planning Commission was called to order by CHAIRMAN JERRY W. LLOYD at 8:00 p.m., in the Council Chamber, City Hall on January 3, 1966.

1. ROLL CALL:

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

2. APPROVAL OF MINUTES OF DECEMBER 6, 1965

Commissioner West moved the minutes of December 6, 1965 be approved and Commissioner Ragan seconded and the motion carried unanimously.

APPROVAL OF MINUTES OF DECEMBER 13, 1965

Commissioner Perry moved the minutes of December 13, 1965 be approved. Commissioner Creighton seconded and the motion carried unanimously.

3. OLD BUSINESS

None

4. NEW BUSINESS

A. REZONINGS - PUBLIC HEARING

- (1) Z-84 - Bay Counties Realty Corp. - Appl. to rezone A/P 7-211-42, 48 Tamalpais Ave. from Duplex Residential (R-2) to Multiple Residential (R-4).

Engineer Leitzell read his report on this application and stated that R-4 zoning is intended for high density and the only restrictions are on building height and lot coverage.

MRS. FRANK SOUSA, 40 and 51 Tamalpais Ave., inquired how much off-street parking would be provided and stated there there is a parking problem in the area now.

MR. MONTY W. CONNERY, representing Bay Counties Realty Corp., stated they had applied for R-4 because it is their theory that if the downtown area were developed higher than R-3, this would provide a market for the commercial properties downtown. They submitted this application in order to get an expression from the Commission as to their ideas on developing this area and suggested they grant the R-4 zoning with whatever unit limitations they feel best and therefore establish a policy for R-4 zoning. He estimated that 14 studio units per lot would be asked.

Engineer Leitzell read a letter from Harold Carmelito De Lucci stating that they are in favor of rezoning 48 Tamalpais Ave. as the property is now an eyesore. Mrs. Frank Sousa stated that she had spoken to Mrs. De Lucci and that had they understood what the R-4 zoning actually was, they would not have written in favor of it. She also pointed out that the water main is only 3" in diameter.

Commissioner Perry spoke, saying that when he made his proposal for the new location of the street, he had

higher density in mind for the area, however, he doesn't like R-4 at all and feels R-3 is adequately dense zoning under most circumstances; and if we go to higher than R-3, he would like to handle it through P.D. so as to maintain more control, architecturally. He would be very distressed to see 14 units on a lot of the size involved.

MR. LUNDQUIST, 69 Tamalpais, said he would be in favor of R-3 zoning for the area but felt R-4 would be too much.

MRS. VIOLET FOWLER stated she was definitely opposed to changing the zoning to R-4 but would like to see the area all zoned uniformly .

Commissioner Ragan pointed out to applicant that while there are commercial properties vacant in the area, there are also apartments vacant.

Mr. Connery replied that the vacancies are due to overpriced rent and that they are planning lower-priced units and therefore must have more units per lot in order to keep the cost low.

Mr. Lundquist remarked that cheap rent brings cheap-type people.

MR. RALPH ROGERS, in the audience, asked what are the prerequisites to apply for rezoning? Chairman Lloyd answered that the owner or owner's agent must sign application. Mr. Rogers feels that allowing apartments in residential areas is a mistake because it decreases the value of property surrounding it. He also said there is no regard for future purchase of these properties to allow for highways through the area and that the Commission should keep in mind the increased governmental services such as police, fire, etc. that would be required.

Chairman Lloyd replied that Mr. Roger's statements were criticisms of apartments in general and asked if he had any specific criticism of this particular development. He further commented that only in Planned Development can the structural plans be studied by the Commission. Only the use of the land is involved in rezoning.

Commissioner West stated he felt if zones are changed to higher density without careful consideration, it invites deterioration of properties in the area in anticipation of the rezoning. He will not vote for R-4 under the ordinance as it is now written as there is no control whatsoever on what is built.

Chairman Lloyd said he would vote against R-4 because, in his opinion, there are more areas closer to downtown in need of this type of development. The property on applicant's side of the street is more residential in character than the other side.

Commissioner Ragan moved that Z-84, application of Bay Counties Realty Corp. to rezone A/P 7-211-42, 48 Tamalpais Ave. from Duplex Residential (R-2) to Multiple Residential (R-4) be denied. Commissioner West seconded the motion and it was unanimously carried.

B. ADJUSTMENTS

- (1) ADJ-347 - E. Keith Franc - Appl. to construct carport with zero setback on A/P 6-119-01, #1 Alto Ave.

Chairman Lloyd stated that this is a down-slope in an area having recent construction activity.

Engineer Leitzell gave his report on this application, listing reasons claimed for hardship as topography of the lot, shape of the property and the desire to save oak trees on the property.

Commissioner Perry stated that he considered this a reasonable way to get adequate parking and Chairman Lloyd concurred.

Commissioner West said he was not in favor and preferred a driveway onto the property. Mr. Franc stated that to bring a driveway off Alto would kill the beauty of the site, eliminate the oak trees and destroy the view.

Commissioner Creighton said he felt the variance was a logical solution to the problem.

Commissioner West questioned the applicant regarding guest parking and suggested he widen the street to the south, and applicant stated this would be very difficult as the road is graded already.

Commissioner Perry questioned if the proposed deck indicated on the plan submitted is 5' from the property line and Engineer Leitzell replied that it was not, however, it is about 20' from the street paving. Commissioner Perry suggested that this would also require a variance and that it should be included in the motion.

Commissioner Creighton moved that ADJ-347 - E. Keith Franc - Appl. for a 15' variance to construct a carport and 4' front yard variance to construct a deck, in accordance with the plan submitted, be granted. Commissioner Perry seconded the motion and it was approved with the following vote:

"Ayes" Commissioners Lloyd, Perry, Ragan & Creighton
 "Noes" Commissioner West.

- (2) ADJ-348 - David P. Jensen - Appl. to build within 5' of front property line, A/P 5-211-40, 28 Oakland Ave.

Engineer Leitzell reviewed the application stating the applicant's reasons for hardship were sewer line elevations with respect to the floor elevation of the lower story.

MR. RALPH ROGERS inquired if Mr. Jensen were the owner of the property involved and Mr. Jensen replied that he is buying the property contingent upon the variance being granted. Mr. Rogers inquired how far the building would be back from the street paving and Engineer Leitzell replied it would be about 17' back. Mr. Jensen stated that his deposit on the property is in escrow but that the property would be useless without the variance.

Commissioner West pointed out that the elevations and other information is not given and that there is a

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question as to the propriety of the application since it is not signed by the owner.

Commissioner Ragan moved that ADJ-348 be returned to applicant until such time as the application can be signed and submitted by the owner as required in Sect. 10-3.2102, Zoning Ord. 485. Commissioner West seconded the motion and it carried unanimously.

C. SUBDIVISIONS

- (1) SS-124 - Ernest O. Merian & Dr. A. Sebestyen - Appl. for revision of lot lines at 25 Idalia Ct. & 20 Idalia Ct. A/P 7-232-60 & 7-232-08 & 09.

Engineer Leitzell read his report on the application and said he had reviewed the property and believes that it be proper from a planning standpoint to grant the adjustment.

Commissioner West stated he knows the property and is in favor of the adjustment. He moved that SS-124 - Ernest O. Merian & Dr. A. Sebestyen's application for revision of lot lines A/P 7-232-60 & 7-232-08 & 09 be approved subject to the stipulation that the owner of Parcels 7-232-08 & 09 request the County Assessors Office to combine the two parcels into one parcel. Commissioner Ragan seconded and the motion was unanimously approved.

- (2) SS-125 - Floyd J. Nolen - Appl. to subdivide A/P 5-062-45 located at 30 Carlson Ave. into two parcels.

Engineer Leitzell reviewed the subdivision request stating that Mr. Nolen had illegally sold the parcels to Joseph C. & Edda B. Meredith and Roger Scherner but that the City Council had deferred legal action against Mr. Nolen provided he apply for and complete subdivision of this property. Applicant Nolen was not present.

Mrs. Meredith and Mr. Scherner were present, but it was felt by the Commission that Mr. Nolen should be given another chance to be present.

Commissioner Ragan moved that SS-125 - appl. of Floyd J. Nolen to subdivide A/P 5-062-45, 30 Carlson Ave. into two parcels be deferred until the next regular meeting of the Planning Commission with the stipulation that the applicant be notified of this deferral by registered mail. Commissioner West seconded and the motion carried unanimously.

- (3) SS-126 - Barbara May Rivara, Exec. Estate of Wm. Yeo - Appl. for two-lot subdivision A/P 5-062-52, 24 Rancho Ct.

The application was reviewed by Engineer Leitzell. He recommended the map be considered a tentative map and the application be considered under the long form since improvements are required.

There was some discussion as to access road to the parcel and Commissioner Perry stated he felt that until the road construction above the property is resolved, it would be improper to approve of any subdivision in this area. If it is not forthcoming that roadways are conveyed to the City for proper access, we have no alternative but to have the City Attorney proceed with whatever redress we have against Mr. Nolen and other persons responsible

Commissioner Ragan moved that SS-126 - Barbara May Rivara, Exec. Estate of Wm. Yeo appl. for 2-lot subdivision A/P 5-062-52 be deferred until SS-125, Floyd J. Nolen has been properly resolved as to roadway access. Commissioner Perry seconded and the motion was unanimously approved.

- (4) SS-127 - Juanita Lusk & Leonard Olson - Appl. for revision of lot lines A/P 7-131-45, 46 - 482 Laurel Ave.

Engineer Leitzell gave his report on this application and stated that he felt the adjustment would be an improvement in lot design.

Mr. Olson was present in the audience and was questioned concerning front yard setback.

After some discussion by the Commission, Commissioner Ragan moved that SS-127 - Juanita Lusk & Leonard Olson application for revision of lot lines A/P 7-131-45 & 46 be approved. Commissioner West seconded and the motion carried unanimously.

- (5) SS-128 - Howard N. Collamer - Appl. for revision of lot lines A/P 7-131-19,18,33 & 32, 475 & 479 Laurel Ave.

Engineer Leitzell gave his report on this request for revision of lot lines. Applicant Collamer was present and spoke for his application.

Commissioner Ragan stated he had given permission for an easement across his property for sewer lines.

Commissioner Creighton moved that SS-128 - application of Howard N. Collamer for lot line revisions A/P 7-131-19,18,33 & 32 be approved. Commissioner Ragan seconded the motion and it was unanimously approved. A record of survey will be required.

D. CORRESPONDENCE

- (1) Engineer Leitzell read a memo from the City Administrator regarding filing fees.
- (2) A letter from the City of San Rafael Planning Department regarding Highland Vista Unit 3 - tentative map was presented and Engineer Leitzell reported that we have replied to San Rafael informing them that subdivision does not comply with our slope policy.
- (3) A letter from League of California Cities re. Park Dedication in Subdivisions. Suggested Ordinance requiring dedication of land for recreational purposes as a condition of subdivision. This will be placed on the next agenda.

E. MATTERS FOR CONSIDERATION OF THE PLANNING COMMISSION

- (1) Height restriction for antennas where view of adjacent Properties is affected.

This matter was brought up by Mr. Frank Rosenberg who inquired if his neighbor could be required to move his antenna as the antenna restricts his view. Mr. Rosenberg was advised that this was not a matter under Planning Commission control and that he should contact his neighbor directly.

- (2) ADJ-313 - Viking Leon - Request for extension of time on var. granted 1-18-65.

Engineer Leitzell read the minutes from the 1-18-65 meeting where this var. was granted and the applicant's letter requesting an extension of time.

Commissioner Ragan commented unfavorably regarding the possibility of slides.

Commissioner Creighton moved that ADJ-313 be recommended to the Council granting Viking Leon a six months extension of time. Commissioner Perry seconded and the motion carried with the following vote:

"Ayes" Commissioners Lloyd, Perry & Creighton
"Noes" Commissioners Ragan & West

(3) Town Center Plan - Continued Discussion

It was decided to call a special meeting to discuss the Town Center Plan so that sufficient time would be available.

Commissioner Creighton moved that a special meeting be called for January 10, 1966 for discussion of the Town Center Plan. Commissioner West seconded, and the motion was unanimously approved.

F. ADJOURN

There being no further business to bring before the Commission, Commissioner Ragan moved that the Planning Commission Meeting of January 3, 1966 be adjourned at 11:20 p.m. Commissioner Perry seconded and the motion carried unanimously.

Jerry W. Lloyd
JERRY W. LLOYD
CHAIRMAN
PLANNING COMMISSION