

The regular meeting of the Planning Commission was called to order by Chairman Perry at 8:00 p.m. in the Council Chamber on October 16, 1967.

1. ROLL CALL

Commissioners Present: Anderson, Creighton, Gue, Moore, West Perry

Commissioners Absent: Heinecke

2. APPROVAL OF MINUTES

Commissioner Gue moved the minutes of October 2, 1967, be approved as written, seconded by Commissioner Creighton, unanimously approved.

3. OLD BUSINESS

None

4. NEW BUSINESS

A. USE PERMIT APPLICATIONS

- (1) U-132 Taco Bell. Application for Take-out Mexican Food Restaurant to be located at 60 Greenfield Avenue. A/P 6-254-13

Planning Director Leitzell read reports of the Planning Office and said there was a problem of subdivision if a portion of the lot were to be leased, hence approval of the use Permit should be made conditional upon processing of a subdivision.

Mr. Boyd Lang, representing the property owner said at the present time they have no plans for the rear portion of the lot other than to leave it as a buffer s-rip for the residential area adjacent.

Mr. Donald Hoot, representing Taco Bell presented a short history of the Firm. He said this was a mainly take-out food business with approximately 60% of the food being taken home and 40% being consumed on the premises. Mr. Leitzell pointed out the application did not include outdoor eating on the premises.

There was no one present in the audience who wished to comment on the application/

Commissioner Anderson said he felt the use is suitable for the neighborhood; however, he did not feel the parking provisions were ample.

Commissioner West said he felt there were several points to consider: 1. The sign is unsuitable. 2. The landscaping is inadequate. 3. Parking was the cause of some concern. 4. The traffic problem is of some concern; however, it would be difficult to go against the comments of the Chief of Police. Commissioner West also stated under the Ordinance he did not feel there was any basis for denial of this application for the general type of use, but he did have reservations as to how the use is worked out and developed.

Commissioners Gue and Creighton said they felt the installation should make use of the entire lot, and the property owner should not consider subdivision.

Commissioner West moved that U-132, Use Permit for take-out food restaurant and outdoor serving area be approved subject to the following conditions:

- 1. That the applicant lease A/P 6-254-13 in its entirety; it being the feeling of the Commission that a lot split is inappropriate.

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2. That public works improvements, in accordance with the Planning Director's recommendations be installed by the applicant.
3. That the details of access, architecture, signs, general layout and landscaping be submitted to the Design Review Board for approval. Further, that the Design Review Committee be asked to give special attention to signs, it being the feeling of the Planning Commission that the sign portrayed in the photographs submitted by the applicant is not appropriate, and that somewhat more extensive landscaping be provided for.

Commissioner Gue seconded the motion which was unanimously approved.

- (2) U-133 Union Oil Company. Application for a Service Station on Sir Francis Drake Boulevard at Sonoma Avenue. A/Ps 6-061-01, 02, 08 & 09.

A letter from the First Baptist Church, opposing the application, was read.

Mr Victor Morrison, Marketing Supervisor in the Bay Area presented an artist's rendering of the proposed station. He said the service bays have rear entrys which would deflect any possible noise from the service area from the street. The architecture is compatible with the Red Hill Shopping Center. Mr. Morrison also said it is an open use; does not cover the property, it is well lighted at night and further, Union Oil would dedicate 3500 square feet of property for street widening purposes to the City. They will install the required improvements. At the present time they had negotiated with the San Anselmo School District in the interests of Safety, and had agreed to install sidewalk on the school side of Sonoma Avenue as well as to relocate and reinstall the fence and play equipment.

There was no one in the audience representing the School District.

Mr. Ralph Fortune, Pastor of the First Baptist Church said the Church opposed the application because of the potential noise emanating from a Service Station; because of the additional traffic problems that would be generated by ingress and egress, and because of a safety hazard to the elementary school adjacent.

Mr. Peter Paolino of Calumet Avenue objected to the application because of the traffic problem on Sir Francis Drake Boulevard during commute hours and the difficulty in turning into Calumet Avenue.

An unnamed lady in the audience stated she opposed the service station because of the odors that all service stations have and because of the unsupervised Little League activities in nearby Memorial Park.

Commissioner Creighton said he did not feel noise would be a factor, especially considering the design of the Service Station. He also said he did not feel a use of this type would generate additional traffic in the area; that it would pull only traffic that would be passing anyway. He said there were many other uses which could go in at this location without the need of a Use Permit for which a building could be constructed to the property line and without dedication of street right of way.

Commissioner West said he felt the opponents of the application may have overlooked the fact that this area is already zoned commercial, and the fact that the City has strict control over service stations.

Commissioner West moved that U-133, Union Oil Company, application for a Use Permit for a Service Station at Sir Francis Drake Boulevard and Sonoma Avenue be approved subject to the following conditions:

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1. That a strip of land 10 feet wide on the Sonoma Avenue Frontage and a strip of land 15 feet wide on the Sir Francis Drake Frontage be dedicated to the City, and that curb, gutter, sidewalk, street paving and drainage facilities be installed by the owner and/or permittee to city standards; the paving to extend the full width of Sonoma Avenue and on Sir Francis Drake Boulevard to include widened area with an overlay to the center of the street.
2. That a sidewalk be installed to city standards on the school frontage of Sonoma Avenue, and that the removal and re-location of the fence and quonset hut and other school facilities affected be provided for to the satisfaction of the school district.
3. That the applicant confirm, by letter to the City of San Anselmo, his intention to abandon the present non-conforming service station use on Sir Francis Drake Boulevard near Arbor Road.
4. That if, at any time, the permitted use fails to be exercised continuously for a period of one year, then the City of San Anselmo may thereupon require the Union Oil Company to remove this service station improvement from the site.
5. That the applicant and owners or leasees of the Shopping Center grant reciprocal easements whereby both properties will have access for vehicular traffic to Sir Francis Drake Boulevard across the most southerly corner of the property in question and the most adjacent lands of the Shopping Center.
6. That there be conditional approval for the driveway exit on Sir Francis Drake Boulevard near Sonoma Avenue so that in the event there proves to be a traffic hazard in the opinion of the Chief of Police the exit shall be closed.
7. That there be no outside display of merchandise and no flags or banners displayed.
8. That final building plans, elevations and site plans and signs be subject to approval by the City Design Review Committee.
9. That the detailed landscaping plans, planting schedule, with provisions for irrigation, shall be submitted to the Design Review Committee for approval and that the landscaping be installed and continuously maintained.

Motion seconded by Commissioner Anderson and unanimously approved.

- (3) U-134 Jack in the Box. Application for a Drive-through Food Restaurant to be located at 830 Sir Francis Drake Boulevard. A/P 6-061-17 & 21.

The report of the Planning Office was read. Commissioner Perry questioned the timing of the application and said he wondered if a Use Permit could be granted before the subdivision was approved. Mr. Leitzell said there had already been dedication of property for right of way purposes and the improvements were installed.

Mr. Dave Delano, present for Jack in the Box, said there was an area of 16,000 square feet on which the improvements were to be constructed and providing for parking. The organization intended to purchase the property. Mr. Delano stated this is not a franchise type business. He said there are 280 operations on the west coast and the company has been in business for 28 years. Mr. Delano presented samples of the materials to be used on the building and said this particular building had been designed for this site to blend in with adjacent design. There would be accommodations for 28 diners inside the building and no outside service. They would agree to conform to all stipulations of the Planning Commission and

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the Design Review Committee.

Mr. Ed Sabo said all the proposed buildings are contained on the one existing parcel, and there would be reciprocal easements granted for ingress and egress as there are with the Drake Market, the Medical Building and the Pharmacy.

Commissioner Moore said he felt that such a Use would generate a serious traffic problem on Sir Francis Drake Boulevard, and there appeared to be a great deal more area devoted to signs than would be allowed by the new sign ordinance, and he felt the use would not be in the best interests of public safety.

Commissioner Creighton said he was generally opposed to the application, mainly because of the traffic problem.

Commissioner Gue said he was concerned because of the traffic problem and he did not feel it was inconsistent to approve the Taco Bell application and not this one because they are entirely different situations.

Commissioner Anderson said he was mainly concerned with the signs. Commissioner West said he was concerned with the traffic problems. This was a different use from the gas station located at the opposite end of the Shopping Center and very different from the Taco Bell application. This is an area of heavy traffic flow, and he felt Sir Francis Drake Boulevard was inadequate to handle the traffic.

Commissioner Perry said he did not share the opinion of the other Commissioners in regard to the traffic. He said he did not think it would materially affect the traffic flow. He felt this was the logical use for this property.

Mr. Delano said his organization had made a study which concluded that the peak hours of traffic on Sir Francis Drake Boulevard would be between 5 and 6 p.m. and at that hour it was estimated that the facility would draw 1% of the cars. The peak hour for the restaurant is shown to be from 6 to 7 p.m. and during that hour they would draw 4%. He said the proposed parking spaces are actually in use at the present time as parking spaces.

Commissioner Moore moved that U-134, Jack in the Box, application for a drive-through restaurant to be located at 830 Sir Francis Drake Boulevard be denied on the basis that:

1. It would materially increase the traffic problem.
2. It would significantly increase the noise problem in the area, and it is not in the best interests of the public.

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

AYES: Commissioners Anderson, Creighton, Gue, Moore, West

NOES: Commissioner Perry

Commissioner Perry said the reason he voted No is he does not feel that there will be any significant impact on the traffic and by the same token, the traffic on Sir Francis Drake Boulevard in this regard is noisy to the extent where he didn't think any activities of a business of this size would contribute to that factor. Another reason he voted no is that he thinks this is a legitimate use for the type of property in that there is a uniform commercial strip extending on either side for a considerable distance and therefore there is no inconsistent usage.

The applicant was informed the application was denied and of his right to appeal the decision to the City Council.

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5. MATTERS FOR CONSIDERATION OF THE PLANNING COMMISSION

A. ACQUISITION OF KERNAN-ROBSON ESTATE

Mr. Leitzell said a motion by the Planning Commission was necessary to apply for Federal Funds for the acquisition of this property as a City Park.

Commissioner West moved:

WHEREAS, the City of San Anselmo presently has no public park in the Ross Valley Park Area, and

WHEREAS, the Robson property offers an area and terrain suitable for public park development, and

WHEREAS, this Commission therefore finds that park acquisition in this residential area is consistent with the Master Plan and as part of our open space acquisition and development program,

NOW THEREFORE, LET IT BE RESOLVED THAT THE PLANNING COMMISSION OF THE CITY OF SAN ANSELMO recommends acquisition of the Kernan-Robson site for park purposes.

The motion was seconded by Commissioner Gue and unanimously approved.

B. PROPOSED SIGN ORDINANCE

The Chairman announced at the beginning of the meeting that due to the heavy agenda this item would be continued to the next meeting.


Mr. Leitzell spoke briefly of the League of California Cities meeting currently being conducted in San Francisco and said at 2:15 p.m. the following day there would be a session devoted to expediting Planning Commission meetings, and he urged all Commissioners to attend.

6. CORRESPONDENCE

None

7. ADJOURN

The meeting adjourned at 11:55 p.m.



 WARREN R. PERRY
 PLANNING COMMISSION CHAIRMAN